

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 13th October, 2022

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Deputy Speaker (Sen. Kathuri) in the Chair]

PRAYER

QUORUM CALL AT COMMENCEMENT OF SITTING

The Deputy Speaker (Sen. Kathuri): Let us start business. I have confirmed that we have quorum.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM THE COUNTY ASSEMBLY OF MAKUENI

The Deputy Speaker (Sen. Kathuri): Hon. Senators, I have a Communication to make.

I would like to acknowledge the presence in the Speaker's Gallery, this afternoon, of a visiting delegation from the County Assembly of Makueni. The delegation consists of officers from the Hansard Department who are undertaking a study visit to learn the operations of the Senate.

Hon. Senators, I request each member of the delegation to stand when called out so that they may be acknowledged in the Senate tradition. They are -

- | | |
|-----------------------|----------------------------|
| (1) Diana Mutheu | - Principal Hansard Editor |
| (2) Ann Makau | - Hansard Reporter |
| (3) Imelda Dominic | - Hansard Reporter |
| (4) Joel Kioko | - Hansard Reporter |
| (5) Scola Mutyetumo | - Hansard Reporter |
| (6) Magdalene Kithia | - Hansard Reporter |
| (7) Bridgit Kithale | - Hansard Reporter |
| (8) Christopher Kioko | - Audio Technician |
| (9) Dennis Kilonzo | - Audio Officer |

On behalf of the Senate and on my own behalf, I welcome the delegation and wish them well for the remainder of the visit.

I thank you.

I can see the Member of Makueni is very enthusiastic to welcome his visitors to the Senate.

Sen. Maanzo: Thank you, Mr. Deputy Speaker, Sir. I take this opportunity to welcome the delegation from Makueni County Assembly. They are specifically here to learn how to keep good records of the House proceedings. I believe they will be here today and tomorrow.

I invite them. As they follow proceedings, they will also see how we conduct business. When they go back to the county assembly, they will make an impact and improve the services for the county assembly and the people of Makueni.

I welcome them and thank you, Mr. Deputy Speaker, Sir, for welcoming and taking cognizance of these young people who are ready to learn to improve our county assembly. I believe other counties will do the same and borrow from the rich practice of this Senate and devolve it to the counties so that we can improve production of Hansard records in the counties.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Let me give one or two Members.

Proceed, Sen. Kavindu Muthama.

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir. I take this opportunity to join you and Sen. Maanzo in welcoming the team from Makueni County Assembly. They are in the right place to learn whatever they want to learn in this Senate. For the two days you will be here, I am sure you will take something back home that will be of benefit to the county and the rest of the counties in Ukambani.

Thank you and welcome.

Sen. Methu: Thank you, Mr. Deputy Speaker, Sir. I join my colleagues in welcoming the members of staff from Makueni County Assembly.

As I welcome them, I would also like to encourage them to work diligently for their county. I resigned from being a member of staff for the Nyandarua County Assembly and because I worked so diligently, I am now a Senator. The sky is not the limit for you. You will be Senators and governors if you work diligently.

Thank you very much.

Sen. Korir: Thank you, Mr. Deputy Speaker, Sir. Allow me join Sen. Maanzo in welcoming the staff from his county assembly.

You are welcome to this House. I have also been a Member of the County Assembly and a deputy speaker for Bomet County. I know that the Hansard team is a very strong team in terms of keeping the records for future reference. Coming to this House will make you improve on a number of things.

I wish them all the very best at the county.

Sen. Omogeni: Thank you, Mr. Deputy Speaker, Sir. May I join you and the Senator for Makueni in welcoming the members of staff from Makueni County Assembly who are on a study visit to the Senate.

Makueni County is very special to us. They gave an extremely brilliant Senator last time, Sen. Mutula Kilonzo Jr., who is now the Governor for Makueni. I hope the members of staff from Makueni County will extend support and cooperation to the Governor of Makueni to transform the county.

I assure them, on behalf of Sen. Maanzo who may not speak for himself, you have also replaced the Senator Mutula Kilonzo Jnr., with an equally brilliant man in Sen. Maanzo.

He has been very resourceful for the few days he has been in the Senate. I hope you will equally extend support and cooperation to your Senator who has so far distinguished himself as a very able Senator. Welcome and we hope you will have a very successful two days of learning experience in the Senate.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Next Order.

PAPERS LAID

REPORTS OF THE AUDITOR GENERAL ON FINANCIAL STATEMENTS OF VARIOUS ENTITIES

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, Sir. I beg to lay the following papers on the Table of the Senate today, Thursday, 13th October, 2022-

Report of the Auditor General on the Financial Statements of Machakos County Executive Committee and Chief Officers' Car Loan & Mortgage Scheme for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Machakos County Bursary Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Municipal Council of Machakos Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Mavoko Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Matungulu-Kangundo Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Mwala Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Nyeri County Executive Car Loan & Mortgage (Staff) Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Nyeri County Enterprise Development Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Nyeri Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Mathira Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Naromoru Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Laikipia County Executive Members Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Laikipia County Assembly (Members) Car & Mortgage Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Laikipia County Emergency Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Laikipia County Development Authority for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Laikipia County Enterprise Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Laikipia County Education Bursary Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Nyahururu Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Nanyuki Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Laikipia County Assets Leasing Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Laikipia County Revenue Board for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Makueni County Assembly Car & Mortgage Loan Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Makueni County Emergency Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Makueni County State & Public Officers Car Loan & Mortgage Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Makueni County Youth, Men, Women, Persons with Disabilities and Table-Banking Groups Empowerment Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Wote Water & Sewerage Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Kibwezi-Makindu Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Makueni County Sand Conservation & Utilization Authority for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Kitui County Assembly Car & Mortgage (Members) Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Kitui County Assembly Service Board Employees' Car & Mortgage Fund Schemes for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Kitui County Textile Centre for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Kitui Water & Sanitation Company Ltd for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Kiambere Mwingi Water & Sanitation Company Ltd for the year ended 30th June, 2021 for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Uasin-Gishu County Executive for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Uasin-Gishu County Assembly Members Mortgage & Car Loan Scheme Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Uasin-Gishu County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statements of North Rift Valley Water Works Development Agency for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statements of Nakuru County Bursary Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statements of Nakuru County Persons with Disabilities Fund for the year ended 30th June, 2021.

Report of the Auditor General on the Financial Statements of Nakuru County Emergency Fund for the year ended 30th June, 2021.

Report of the Auditor-General on the Financial Statements of Nakuru Water & Sanitation Services company Ltd for the year ended 30th June, 2021.

Mr. Deputy Speaker, I beg to lay the Papers.

(Sen. Cheruiyot laid the documents on the Table)

The Deputy Speaker (Sen. Kathuri): Next Order.

NOTICES OF MOTIONS

PARKING CHARGES IN INSTITUTIONS OFFERING ESSENTIAL SERVICES

Sen. Sifuna: Thank you, Mr Deputy Speaker, Sir.

I beg to give Notice of the following Motion-

THAT AWARE that, many urban areas and towns in Kenya lack designated car parking areas as a result of imbalance between parking supply and demand mainly due to ineffective land use planning and miscalculations of space requirements, thereby leading to exorbitant parking fees;

NOTING that, most essential services offered in hospitals, educational institutions, airports, shopping malls and other public utilities

are offered in urban centers, and other designated areas that charge parking fees to access;

ACKNOWLEDGING, that whether they are delivered by public or private providers, essential services such as health, banking, education, shopping and other utilities are considered to be public services because they are public goods that sustain the well-being of every citizen and help in the development of the society as a whole;

CONCERNED, that access to hospitals, educational institutions, airports, shopping malls and other places offering essential services might be hindered due to exorbitant parking fees levied on motorists accessing these services;

FURTHER CONCERNED, that charging entry fees amount to double taxation as the motorists who would have paid the parking fees will still pay for the services they seek;

NOW THEREFORE, the Senate urges the Cabinet Secretary for Lands, Housing and Physical Planning together with the Council of Governors (CoGs) to come up with a policy framework to create an enabling environment for protection of motorists accessing essential services from paying exorbitant parking fees.

The Deputy Speaker (Sen. Kathuri): Sen. Kibwana, please, proceed.

CREATION OF MENTAL HEALTH
FACILITIES FOR MOTHERS

Sen. Kibwana: Thank you, Mr. Deputy Speaker, Sir. I beg to give notice of the following Motion-

THAT, aware that according to the World Health Organization (WHO), globally 10 per cent of pregnant women and 13 per cent of women who have just given birth experience a mental condition, referred to as perinatal depression, which is higher in developing countries with 15.6 per cent during pregnancy, and 19.8 per cent after child birth;

FURTHER AWARE that, women who go through still-birth and those that lose their children during delivery are taken to the general maternity ward where other mothers with healthy babies are recovering, causing them mental anguish and adversely impacting their mental health;

NOTING that integrating mental health care into primary healthcare settings requires training in psychiatric care and providing consulting support to primary care providers, considering that there are not enough mental health care providers to meet the current and growing need for mental health services;

APPRECIATING that the Health Act under Section 6(1)(b) provides that every person has a right to reproductive health care which includes the right of access to appropriate health care services that will enable mothers go safely through pregnancy, childbirth, and the postpartum

period which should include the integration of mental health in perinatal care as recommended by the National Mental Health Taskforce in its “Mental Health and Wellbeing towards Happiness and National Prosperity” report.

NOW THEREFORE, the Senate urges the Ministry of Health in collaboration with the CoG, to-

(i) Ensure that all county health facilities with maternity wings, allocate a separate ward for recovery for mothers who have gone through still birth or those that have lost their babies during delivery.

(ii) Facilitate continuous mental health training and the provision of counselling support in the perinatal wards for all primary care providers in all counties.

(iii) Establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who lose their children through a miscarriage, during delivery, or through still birth; and,

(iv) Establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who are suffering from perinatal and post-partum depression.

The Deputy Speaker (Sen. Kathuri): Thank you.

Next Order.

STATEMENTS

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey, ‘Mr. point of order’, you can now prosecute your Statement.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, I am happy that we are back to work. Maybe before I read my Statement---

The Deputy Speaker (Sen. Kathuri): No. You are now treading into dangerous waters. Kindly, read your Statement and sit down.

Sen. Cherarkey: Okay, Mr. Deputy Speaker, Sir. I was just going to do that. I was just appreciating what you told me.

RECOGNITION OF EXEMPLARY PERFORMANCE BY KENYAN ATHLETES

Mr. Deputy Speaker, Sir, I rise, pursuant to Standing Order No. 52 (1) to make a Statement on an issue of general topical concern and national importance, namely: Congratulations to Eliud Kipchoge for breaking and setting a new record in the world marathon held in Berlin, Germany, as well commend the exemplary performance exhibited by Amos Kipruto and Joyciline Jepkosgei at the 2022 London Marathon.

Mr. Deputy Speaker, Sir, Eliud Kipchoge won the 2022 Berlin Marathon on September 25 in a world record time of 2:01:09. This was 30 seconds faster than his previous world record of 2:01:39, set in 2018.

Kipchoge, aged 37, led wire-to-wire to the finish line and was followed in second place by Mark Korir of Kenya who finished the race five minutes behind Kipchoge with a time of 2:05:58 while Tadu Abate of Ethiopia was third in 2:06.

Kipchoge's victory was his fourth in Berlin and 17th overall in a career spanning over 19 marathon starts, including two on non-record-eligible demo races.

His victory at a World Marathon Major came at the Chicago Marathon in 2014 and he went on to become a series champion for 2016, 2017, 2018 and 2019. He has won the London Marathon a record four times and the Berlin Marathon record-equalling four times.

Mr. Deputy Speaker, Sir, Kipchoge won the 2016 and 2021 Olympic titles in a dominating fashion. He holds the course records at Berlin, London and Tokyo and his win at the Chicago Marathon gives him four out of the six titles of the World Marathon Majors.

Kipchoge is quoted to have said he wants to win all six majors, which would mean him running New York City and Boston Marathons concurrently.

In addition, to his world records, he has run the two fastest marathons in history in demonstration events that are not record-eligible.

In May 2017, he ran 2:00:25 at the Nike Breaking 2 Event in Monza, Italy. He surpassed that time in October 2019 at the INEOS 1.59 Challenge. He was to be the first person running under two hours at the INEOS 1.59 Challenge in Vienna, Austria, when he followed a galaxy of pacers to finish in one hour, fifty-nine minutes and forty seconds.

Mr. Deputy Speaker, Sir, Amos Kipruto won the Men's London Marathon that took place on 2nd October, 2022, in London in his first appearance in the race. Mr. Kipruto, a former world bronze medalist, broke away from the pack late in the race with a powerful surge and finished in two hours, four minutes and thirty-nine seconds ahead of Ethiopia's, Leul Gebresilase who was the second at two hours, five minutes and twelve seconds.

Mr. Kipruto had never won a major marathon. In the 2022 Tokyo Marathon, he managed to finish in the second place behind world record holder, Eliud Kipchoge and in 2018, in Berlin Marathon. He was in the third position of the World Championships in 2019 and also in 2018 in Tokyo Marathon,

In the Women's London Marathon, defending champion Jocelyne Jepkosgei finished second as she crossed the finishing line in two hours, eighteen minutes and sixty seconds.

By the way, for the benefit of the House, I am a neighbor to Amos Kipruto and Eliud Kipchoge. We borrow salt from each other.

The Ministry of Sports and the entire sports management in the country should be reformed to be the sports men and women centered so as to ensure proper attention and rewards are accorded to our gallant sports personalities. This should not only be in athletics, but also football and others.

Eliud Kipchoge has proved to be the greatest marathon athlete who has flown the Kenyan flag high thus putting our country on the world map at all times.

I call upon the Government to reward these athletes as brand ambassadors of sports tourism to market our unique sceneries including the high-altitude training grounds. One ground is in Iten, Elgeyo-Marakwet County, Lorna Kiplagat Sports Academy.

Accord them the certain benefits such as diplomatic passports and ensure that the remuneration, stipends, awards and rewards are well structured to enable them grow and remain motivated at all times.

On behalf of the great people of Nandi County, known as the Source of Champions, where all the three hail from, and on behalf of the people of the Republic of Kenya, I congratulate and wish them well in their careers.

The Deputy Speaker (Sen. Kathuri): We have several other statements.

The next one is from the Senator for Machakos County, Sen. Kavindu Muthama.

Sen. Omogeni: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Omogeni, what is your point of Order? Clerk, please, give him the microphone.

Sen. Omogeni: Thank you, Mr. Deputy Speaker, Sir. I am rising on Standing Order 52(3), in reaction to the Statement that has just been read by the Senator for Nandi, Sen. Cherarkey.

He has raised a number of issues that touch on the welfare of these athletes. I do request that you invoke Standing Order No.3 and refer his Statement to the Committee of Labor and Social welfare so that they can make appropriate recommendation that will carry through the very good suggestions that are contained in the statement, that has been read by Sen. Cherarkey.

(Applause)

Thank you.

The Deputy Speaker (Sen. Kathuri): Initially, Sen. Cherarkey thought you are trying to discredit his Statement. He was a bit in panic mode. It is a very important Statement because our athletes and any other personalities who represent Kenya should all be recognized.

Sen. Cherarkey, since it was just a general statement, I suggest you reinvent it again and send it to the Committee of Labor and Social Welfare so that ---

(Sen. Cherarkey spoke off record)

No, wait a minute, I will guide you appropriately. Resume your seat.

[The Deputy Speaker (Sen.) Kathuri) Consulted with the Clerk- at-the-Table]

With the powers bestowed to this Chair, Sen. Cherarkey, pursuant to Standing Order 52(3), I refer that Statement to the Committee on Labor and Social Welfare so that any other Senator interested in giving more input can also have that time to do so.

Sen. Kavindu Muthama, are you ready now?

Sen. Kavindu Muthama: Yes,

The Deputy Speaker (Sen. Kathuri): Okay, proceed.

DECLASSIFICATION OF MACHAKOS COUNTY AS AN
ARID AND SEMI-ARID LAND (ASAL)

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to read my Statement and lay it before this House.

Mr. Deputy Speaker, I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee of Land, Environment and Natural Resources on Declassification of Machakos County as an ASAL.

In the Statement, the Committee should-

(1) Appraise the Senate on the facts that have contributed to the declassification of Machakos County as ASAL by the National Drought Management Authority (NDMA);

(2) Explain the policy behind this declassification stating whether relevant stakeholders were involved through public participation, tabling evidence of the same;

(3) Provide details of the amounts of Government and donor funding allocated to the drought and mitigation measures in the County detailing the amount allocated to Machakos County prior to the declassification;

(4) State the targeted interventions detailing the activities and measures put in place by the Ministry of Devolution and ASAL, the NDMA and Machakos County Government to avert drought and famine in the County;

(5) Avail audited financial records by the Ministry of Devolution and ASAL, the NDMA and Machakos County Government on funds allocated towards programs to avert drought and famine in the County from the year 2014 to date; and,

(6) Confirm whether the County will be reinstated and classified as an ASAL area by the NDMA.

Mr. Deputy Speaker, Sir, just to speak on this. There is a lot of drought in Machakos County. We do not understand how it was declassified. At the moment, when other ASALs are receiving food, we are not. Our people are hungry, suffering and there is no water.

Mr. Deputy Speaker, Sir, I will read the second Statement.

The Deputy Speaker (Sen. Kathuri): Wait, let me give direction on the Statement before you read the second one.

The Statement is committed to the Committee on National Security, Defence and Foreign Relations.

Next Statement.

HUMAN-WILDLIFE CONFLICT IN
MASINGA CONSTITUENCY

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir, for allowing me to read my second Statement and request on the Human-Wildlife conflict in Masinga Constituency, Machakos County.

I rise pursuant to Standing Order No.5(3)(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the human-wildlife conflict in Masinga Constituency, Machakos County.

In the Statement, the Committee should-

(1) Outline the measures the Kenya Wildlife Service (KWS) has taken to deal with the rampant human-wildlife conflict in the following locations across Masinga Subcounty: Ngelani, Katulie, Mukusu, Kivaa, Ekalakala, Kakuku, Muthesia and Manyanja. Residents are either killed or sustain life-threatening injuries while food and cash crops get destroyed. Domestic animals are killed by crocodiles and hippos.

(2) Explain the recourse available to the residents including 12-year-old Dennis Musyoka Katulu from Manyanja Location. He lost his leg to a hippo one year ago in Masinga Dam. None of them has received any compensation despite the enormous losses suffered over time.

(3) State whether there are any plans by the Ministry to fence the expansive Masinga Dam, in order to protect people living around the dam and its environs.

Mr. Deputy Speaker, Sir, we have buried so many people who have been killed by hippos and crocodiles. The people from Masinga are really suffering. I request the concerned Committee to take proper measures and call the Cabinet Secretary (CS) concerned to answer questions. We need to hear the position of the CS about these people and those who have been affected and lost lives should be compensated.

The Deputy Speaker (Sen. Kathuri): The Statement is committed to the Committee on Land, Environment and Natural Resources.

Let us now have Sen. Wambua.

PLIGHT OF KENYAN MIGRANT WORKERS IN
MIDDLE EAST COUNTRIES

Sen. Wambua: Thank you, Mr. Deputy Speaker, Sir. This is a request for a Statement on the plight of Kenyan migrant workers in the Kingdom of Saudi Arabia and other countries in the Middle East.

Mr. Deputy Speaker, Sir, I rise---

(An hon. Member consulted the Chair)

The Deputy Speaker (Sen. Kathuri): Please, proceed.

Sen. Wambua: Mr. Deputy Speaker, Sir, I was seeking your attention because this is a very important matter. All matters here are important but this is really a serious issue.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare on the plight of Kenyan migrant workers in the Kingdom of Saudi Arabia and other countries in the Middle East.

In the Statement, the Committee should-

(1) Appraise the Senate on the measures the national Government has put in place in response to the matter of abuse of migrant workers in the Kingdom of Saudi Arabia and other countries in the Middle East.

(2) State the particulars of the employment agencies responsible for the processing of immigrant workers, giving details of the nature of contracts the workers are asked to sign. The statement should shed light on allegations that these workers, upon arrival in the

Kingdom of Saudi Arabia and other Middle East countries, are forced to sign new contracts drawn in foreign languages leaving the workers vulnerable to exploitation and abuse.

(3) State measures, if any, put in place to establish effective governance of labour markets, through harmonised labour policies and strengthened human rights protection for all migrant workers.

(4) State targeted interventions to vet new airlifts of domestic workers to Saudi Arabia, outlining actions taken to address any complicity on the part of the local employment agencies in sending Kenyans to Saudi Arabia and other Middle East countries.

(Sen. Cheruiyot consulted another Senator)

Mr. Deputy Speaker, Sir, I do not wish to solicit comments on this Statement. However, I would have expected the Senate Majority Leader to pay more attention to this matter. Currently, he is not even hearing what I am saying.

I would have expected that the Cabinet nominee for the Ministry of Roads, Transport and Public Works would also pay a little more attention on this Statement. It will need the intervention of the entire Cabinet. A Cabinet decision would be important on this matter because our people and children are suffering in Saudi Arabia.

Mr. Deputy Speaker, Sir, if you allow me, I will proceed to the next Statement.

The Deputy Speaker (Sen. Kathuri): I need to give guidance to where the Statement should go. The Statement is committed to the Committee on---

(Loud consultations)

Okay, Sen. Murkomen, please, proceed.

Sen. Murkomen: Mr. Deputy Speaker, Sir, as has been the tradition in this House, one or two Members are given the opportunity to ride on a Statement given by a Member. The Senator for Kitui County has brought a very important Statement.

It is instructive to note that this House carried out a very serious investigation on this same matter in the last Parliament. The then Chairperson of the Committee on Labour and Social Welfare, Sen. Sakaja, now Governor of Nairobi City County, even visited Saudi Arabia with his Committee to investigate this matter.

Mr. Deputy Speaker, Sir, as you allocate this Statement to the relevant Committee, it will be important for that Committee to start from where the previous Committee left. Before visiting Saudi Arabia, we need to find ways of engaging the Embassy here, the National Employment Authority (NEA) and the agencies that are licenced to take people to other countries.

Mr. Deputy Speaker, Sir, we must be truthful because every time we raise this issue, blame goes back to the agencies that take Kenyans to those countries. However, those agencies retort that the persons sent to Saudi Arabia get there and change employers. They move to a different employer who then becomes abusive and it becomes difficult to track these employers.

The questions we should ask ourselves are; what is the role of our embassy there in terms of tracking all citizens and what is the role of the agencies that we send. Lastly, what will be the role of the Senate Committee that will be seized of this matter? It should not be a one-off thing.

Mr. Deputy Speaker, Sir, even as we were discussing about the abuse of Kenyans in Saudi Arabia, on the same day a lady who had been rescued from that country was coming, there was a huge contingent of young people going to Saudi Arabia.

We cannot blame job seekers because unemployment is a crisis in this country and people are running away from problems. The agencies are also responding to a problem. We must seek a balance in dealing with unemployment in this country.

We are not saying that Kenyans should not work abroad. In any case, foreign exchange earns the country more money than any other export. The diaspora population sends more money, thus earning us more dollars in foreign exchange than any other export from this nation.

Therefore, Mr. Deputy Speaker, Sir, it is important to have Kenyans get opportunities to work abroad but not in abusive conditions like the case in the Statement raised by Sen. Wambua. I would like to remind Sen. Wambua that I was listening.

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Mungatana, MGH, do you want to comment on this Statement?

(Sen. Mungatana spoke off record)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, whoever wants to comment on this Statement should press the intervention button.

Sen. Mungatana, MGH: Mr. Deputy Speaker, Sir, I had pressed it but it was not working.

Mr. Deputy Speaker, Sir, I rise under Standing Order No.53, which allows us to make general comments on a Statement sought by a Senator. It is sad that you did not see us when we tried to catch your eye.

(Loud consultations)

Tuendelee? Haya.

Mr. Deputy Speaker, Sir, the issue of immigrant workers affects us seriously, especially when people come crying to us. For those of us who are not from Nairobi but from counties which are far away and our constituents are employed in this country, it becomes difficult to coordinate their return back home through the Ministry of Foreign Affairs (MFA).

I agree with my neighbour, Sen. Wambua, that it is not only them because it also affects the people of Tana River County. A number of our people have suffered maltreatment particularly in Saudi Arabia.

The Committee that will deal with this Statement should look at the possibility of integrating the passports system. The people going to Saudi Arabia or any other country have passports that are captured electronically.

Perhaps, time has come for us to integrate our passports, so that when a person arrives in a country, our embassies are directly informed. When your passport is stamped and the details are captured electronically, the embassy in the receiving country should also get those details. That is the only way we will ensure our citizens are protected. This is because the method of appealing to people to get registered like I have seen in the newspaper and Short Message Services (SMSs) is not working.

Let us use the recent electronic developments to capture details and make sure that every Kenyan going to another country has his or her details captured. That way, we will protect our people.

Mr. Deputy Speaker, Sir, I urge the Committee to also look at electronic solutions towards solving this problem.

I thank you.

The Deputy Speaker (Sen. Kathuri): If I give you a chance to comment, kindly just use one minute because today we have a lot of business to transact.

The last one is the Senator for Kisii County. Proceed, Sen. Onyonka.

Sen. Onyonka: Mr. Deputy Speaker, Sir, let me, first of all, congratulate Sen. Wambua for raising this issue. I hope the relevant Committee will be seized of this serious matter.

At one time, I served as the Deputy Minister for Foreign Affairs. The problem with immigrant workers traveling out of the country is that, first, our country has actually never signed binding bilateral agreements with other countries where our struggling Kenyans go to look for jobs.

What is happening is that some of the agreements and contracts signed cannot be legitimately questioned or raised in a court of law. That is why when Kenyan workers travel abroad especially to Arab countries, their records and whereabouts are dubious. Even the people who they go to work for---

Sen. Kinyua: Point of order!

The Deputy Speaker (Sen. Kathuri): Just a moment Sen. Onyonka. Sen. Kinyua, what is your point of order?

Sen. Kinyua: Mr. Deputy Speaker, Sir, I just wanted to seek clarification from Sen. Onyonka. I heard him say that he was a Deputy Minister and I was confused. I do not know whether he was a Deputy Minister in this or another country.

The Deputy Speaker (Sen. Kathuri): Sen. Onyonka, were you a Deputy Minister?

Sen. Onyonka: Mr. Deputy Speaker, Sir, let me explain to my brother. In Francophone, it is Deputy Minister, whereas in Anglophone, it is Assistant Minister. I hope I have clarified.

I hope the committee will be seized of this matter. Many of the workers going through torture are actually *'hustlers'*. I hope the *'Hustler'* Government will make sure that we sign verifiable and reciprocal bilateral agreements with other countries, so that when Kenyans go to work out there, they are treated with dignity and are able to remit back foreign exchange, which is doing an excellent job in transforming our country, as we move forward.

I thank you.

The Deputy Speaker (Sen. Kathuri): The Statement is committed to the Committee on Labour and Social Welfare.

Let us have the last Statement by Sen. Wambua.

RE-INTRODUCTION OF SCHOOL FEEDING PROGRAMME
IN PUBLIC PRIMARY SCHOOLS IN ASALS

Sen. Wambua: Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education regarding the reintroduction of the school feeding programme in public primary schools, particularly those in Arid and Semi-Arid Lands (ASALs).

In the Statement, the Committee should: -

1) Explain why the school feeding programme in Arid and Semi-Arid Lands (ASAL) areas was discontinued.

2) State measures put in place to ensure continued attendance and retention of children in schools following the discontinuation of the school feeding programme in various schools.

3) Explain whether the Government has any plans to re-introduce the school feeding programme in all public primary schools in order to mitigate against the starvation currently being faced by children as a result of the ongoing severe drought.

4) Spell out the immediate and long-term interventions put in place to alleviate the ravaging effects of drought and hunger currently affecting ASAL areas.

Mr. Deputy Speaker, Sir, may I make a comment. Children in ASAL areas going to schools are starving. In fact, the situation is so dire that we are losing lives in some areas. It would be very important that the Government and the Committee to which this Statement will go to; the Standing Committee on Education, will take this matter a lot more seriously than we are doing, to change the situation especially for our children in schools.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): The Statement stands committed to the Committee on Education.

The next statement is by Sen. Mungatana, MGH, under Standing Order No.58. This is a Personal Statement. Kindly, proceed.

PERSONAL STATEMENT

VICTIMIZATION BY MEDIA ON MY COURT
APPEARANCE AS A WITNESS

Sen. Mungatana, MGH: I stand under Standing Order No.58 to issue a Personal Statement on the victimization by media on my court appearance as a witness.

On 9th September, 2022, I received witness summons from the investigating officer to attend court and give evidence in a criminal case No.1946/2018. The accused person, one Abdulahi Tamba Kuro, a Chadian national, was charged with four crimes of defrauding

four Kenyans of various amounts of money using different fraudulent schemes and I was one of the victims of those activities.

On the Friday, 7th October, 2022, in obedience of the court summons, I attended court, the Criminal Court No.11, to give evidence so as to secure a conviction of the accused person. I gave evidence of how more than 10 years ago, I was lured into an alleged oil investment scheme in which two rounds---

Sen. Cherarkey: (*Inaudible*)

Sen. Mungatana, MGH: Mr. Deputy Speaker, Sir, can I be protected?

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Mungatana.

Sen. Mungatana, MGH: Sen. Cherarkey, do not intervene!

The Deputy Speaker (Sen. Kathuri): No, do not listen to Sen. Cherarkey.

Sen. Mungatana, MGH: Mr. Deputy Speaker, Sir, when I went to court, I gave evidence of how more than 10 years ago, I was lured into an alleged oil investment scheme in which two rounds of investment were paid within six months, of two separate investments, but the accused disappeared with my money on the third round of the investment.

Some part of the media failed, neglected and/or rejected to report these very simple facts. Instead, they went on to create stories and innuendos.

The Deputy Speaker (Sen. Kathuri): Sen. Mungatana, kindly read your statement as it is.

Sen. Mungatana, MGH: Mr. Deputy Speaker, Sir, yes, I am reading it.

Media misreporting created three wrong impressions that I wish to correct in this Personal Statement.

The impression created was that I consulted with a witchdoctor. Nothing can be further from the truth. My late parents, both of whom were trained medical workers, were lay preachers and in fact, my mother became a pastor in her later years of life. We were brought up strictly as Christians and I want to affirm to all those prayed and fasted for this election win, that I worship the one true God, Maker of Heaven and earth and his son Jesus. I believe in the Holy Ghost, without whom I would not be standing here.

The second impression created was that I was in a get rich quick scheme. Nothing could be further from the truth. I waited for six months for each investment to pay. Any serious investor knows that it takes a much shorter period to double your investment if you invest correctly in a stock market, especially, if you are lucky to have a good Initial Public Offering (IPO).

Finally, the impression created was that a man of good education cannot fall victim to scams. Nothing could be further from the truth. Crime can occur to any person and no amount of education can prevent a person from being raped, violently robbed or scammed.

I finish by assuring Kenyans that I will pursue my rights to damages from all those involved in maligning my name either directly or by innuendos. I appeal for journalism that is responsible because none that are trained in that profession do not undergo a training by the title "Libel and ethics of Journalism." All of them in particular know that court reports must not be spiced up.

I appeal to Kenyans who are victims to crime not to be intimidated or be afraid to co-operate with the criminal justice system. We must co-operate with the system to keep the criminals in jails where they belong.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): The last Statement is by the Senate Deputy Majority Leader.

STATEMENT

BUSINESS FOR THE WEEK COMMENCING TUESDAY, 18 OCTOBER, 2022

Sen. Tabitha Keroche: Mr. Deputy Speaker, Sir, I stand pursuant to Standing Order 57 (1). I hereby present to the Senate the business of the Senate for the week commencing Tuesday, 18th October, 2022.

On Tuesday 18th, October, 2022, the Senate Business Committee (SBC) will meet to schedule the business of the Senate which is projected to contain business that will not be concluded from today's Order Paper and any other business scheduled for the Committee.

The Order Paper for Wednesday 19th, October, 2022, will contain business that will not have been concluded on Tuesday, 18th October, 2022 as well as Motions, Petitions, Statement and any other Business as directed by SBC.

On Thursday, 20th October, 2022, will be a public holiday to honor our country's heroes and therefore there shall be no sitting on that day.

As indicated in today's Order Paper at Order Numbers 8, 9, 10, 11 and 12, the Motions on Approval of Committees Membership have been listed in this respect. I urge Hon. Senators to consider and debate these Motions in a sober and objective manner to expedite constitution of Committees.

As we are all aware, Committees are the engines that drive the work of Parliament. Therefore, it is imperative that we get the membership right from the start.

Following the constitution of Select Committees, the Clerk is expected to appoint a place, date and time for the first meeting of the committees within seven days or such further period as the Speaker may approve.

The Clerk shall, by a secret ballot, conduct the election of the Chairperson and the Vice-Chairperson of the Committees in accordance with Standing Order No.203 (1).

Upon the election of the Chairperson and the Vice-Chairperson, the Committees shall undertake their mandate as prescribed in the Standing Orders.

Being the start of a new Parliament, we all have an opportunity as individual Senators and as Committees to choose paths, take actions and decisions that will ultimately lead us to our legacy as a Senate of the Thirteenth Parliament. However, the question is what legacy shall we leave?

Article 96 of the Constitution outlines the role of the Senate. We are presented with mechanisms to perform these roles. These mechanisms include introduction of Bills and Motions.

After the First Reading of a Bill, the Bill is committed to the relevant Standing Committees which conduct public participation and tables a Report in the Senate, which in turn guides debate on the Bill.

Additionally, Senators may present Statements pursuant to Standing Orders Nos.52 and 53, to address issues affecting or concerning counties or regarding Government policies, actions or inactions.

Senators may also present Petitions pursuant to Standing Order No. 232 (1) (b). The Statements and Petitions are then committed to the relevant Committees pursuant to the Standing Orders.

Committees are then expected to consider these Statements and Petitions and report to the Senate by way of a report tabled in the Senate for consideration in observance of the timelines provided for by the Standing Orders.

It is paramount to state that there are a number of critical Bills that lapsed during the term of the 12th Parliament.

The Senate leadership will consider these Bills so as to have them republished for introduction to the Senate.

Returning Senators who had sponsored Bills that were not successful through the legislative process in the 12th Parliament are encouraged to have them republished at the earliest opportunity, while Committee Chairpersons and Senators who wish to take up Bills that lapsed are equally encouraged to liaise with the Office of the Clerk to have them republished.

Mr. Deputy Speaker Sir, I thank you and hereby lay the Statement on the Table of the House.

(Sen. Tabitha Keroche laid the document on the Table)

COMMUNICATION FROM THE CHAIR

SUBSTANTIATION OF REMARKS MADE BY SEN. OSOTSI
ON WEDNESDAY, 5TH OCTOBER, 2022

The Deputy Speaker (Sen. Kathuri): Hon. Senators, there is an issue that Sen. Osotsi was to substantiate today. I have consulted both sides of the House because of various reasons, I have allotted Tuesday next week 2.30p.m. as the appropriate time to debate the issue.

Next Order.

Sen. Ali Roba: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Ali Roba, what is out of order? I can see you are trying to catch my eye.

NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.37

THE DROUGHT SITUATION IN THE COUNTRY

Sen. Ali Roba: Thank you, Mr. Deputy Speaker, Sir.

I rise on a point of order pursuant to Standing Order No. 37 to seek leave of the House to adjourn to discuss a matter of national importance namely, the drought situation in the country, at an appropriate time this afternoon as determined by the Chair.

I request Sen. Mandago to second.

*(The Deputy Speaker (Sen. Kathuri) Consulted
the Clerk-at-the Table)*

The Deputy Speaker (Sen. Kathuri): The procedure is not to second. You need support of a minimum of five Senators.

(Several Senators stood up in their places)

Hon. Senators, I confirm that there is requisite threshold. I direct that the Senate will stand adjourned at 5.30p.m., to discuss the said Motion.

Next Order.

MOTIONS

APPROVAL OF SENATORS TO SERVE IN THE SPEAKER'S PANEL

The Deputy Speaker (Sen. Kathuri): Senate Majority Leader, proceed.

Sen. Omogeni: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Omogeni, what is your point of order?

Sen. Omogeni: Mr. Deputy Speaker, Sir, I rise on a point of order pursuant to Standing Order No.20.

I have perused the Supplementary Order Paper, more so the Motion that is on Order No. 8 on the names that appear for Senators supposed to join the Speaker's Panel.

Before that Motion is moved, I am raising an issue on the drafting of the Motion.

According to Standing Order No.20, the drafting requires that the Motion should indicate ranking, who is the First, Second, Third and Fourth panelist. However, perusing the Motion as it appears on the Order Paper, there is no designation as to who is the First, Second, Third and Fourth panelist so that we know how to treat these panelists in order of precedence.

Hon. Senator: It is numbered.

(Sen. Cheruiyot Spoke off record)

Sen. Omogeni: Mr. Deputy Speaker, Sir, it is not about numbering. The Standing Orders require that there should be designation on who is First, Second, Third and Fourth.

The Standing Orders of the National Assembly, more so Standing Order No. 16, is worded in the same language. The Motion that was passed in the National Assembly has clear designation as to who is the First, Second, Third and Fourth panelist.

This is important because anytime the Speaker or the Deputy Speaker is away, we should know the Speaker who takes charge as the first ranking panelist.

Sen. Wambua: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Wambua, what is out of order?

Sen. Wambua: My point of order is simple. What Sen. Omogeni is saying is in order. However, can he raise a point of order on a Motion that has not been moved? Are we not anticipating debate because the Motion has not been moved?

The Deputy Speaker (Sen. Kathuri): Sen. Wambua, you are right. I wanted to ask Sen. Omogeni to wait for the Senate Majority Leader to move the Motion and then we can enter to the debate on the Motion, not the drafting.

Proceed, Sen. Olekina.

Sen. Olekina: Mr. Deputy Speaker, Sir, I would like to inform the Senator that if you read very clearly the same Standing Order No.20 that he read, I think Paragraph 20 (1) will come into effect after the panel has been constituted.

Paragraph 20(2) says-

“as soon as practicably after the election of the Deputy Speaker following a general election, the Speaker shall in consultation with the Parliamentary party whips submit a list of four Senators for consideration by the Senate Business Committee for appointment to the panel”.

That has been considered by the Committee and has been brought to the Floor of the House. I believe that when that panel is constituted, Standing Order No. 20(1) will take effect. Then afterwards, you will be able to write and rank the Speaker’s Panelists from number one onwards. It is a bit premature for my colleague to argue that Standing Order at this particular time before even the Motion has been moved.

The Deputy Speaker (Sen. Kathuri): I am further advised that the Majority Whips have never designated the first, second, third or fourth and it is practically not possible to do that. Traditionally, the Speaker has been doing that. Today, I was supposed to leave this Chair but, I do know why in my mind, I had earmarked Sen. Wakili Sigei to sit in after the Motion was passed.

Maybe that will mean that Sen. Wakili Sigei will be the first panelist.

(Loud Consultations)

The Deputy Speaker (Sen. Kathuri): I will allow the Senate Majority Leader to move this Motion so that we can enter into the debate.

APPROVAL OF SENATORS TO SERVE
IN THE SPEAKER'S PANEL

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, Sir.

I rise pursuant to Standing Order 20 to move -

THAT, the Senate approves the nomination of the following Senators to serve in the Speaker's Panel and to further preside over the Senate in the absence of the Speaker and the Deputy Speaker, pursuant to Article 107(1)(c) of the Constitution and Standing Order 18 of the Senate-

- (1) Sen. Wakili Hillary Kiprotich Sigei, MP
- (2) Sen. Veronica W. Nduati, MP
- (3) Sen. Abdul Mohammed Haji, MP
- (4) Sen. Catherine Muyeka Mumma, MP

Mr. Deputy Speaker, Sir, this is fairly straight forward but I know that Sen. Omogeni has raised an issue with perhaps, the designation. I strongly believe that the Speaker's Panel belongs to the Speaker. This is about administration of the House and you at the Speaker's level sit and decide on how this House is to be presided over.

As party leadership, we ensure that we nominate Members and then the House approves and says whether the Members are competent enough to sit in the Speaker's Panel.

At your administrative level, I believe you work with a schedule. Otherwise we run the risk of deciding on who gets to preside on which day and that the House needs to be informed. I find it to be rather too prescriptive if we are to follow that kind of thinking.

Therefore, I plead with my colleague, Sen. Omogeni that we are not violating a constitutional principle. It is about nomenclature of how our Standing Orders have been founded. If it is the practice of the National Assembly to table their Motion as they have, I believe that is how they prefer to do it.

I request my colleagues that we dispense of that matter which is a fairly straight forward issue on administration of the House. We need to conclude on this so that beginning next week, should we approve the list of Members to serve in various committees, the House can begin to work.

I am cognizant of the fact that we are badly starved of time. It is now 3.49 p.m. and we have three or four other Motions of similar nature before we actually get to the Motion of Members to serve in various committees.

I request - this we have done in consultation with the Senate Leader of Minority - that we quickly dispense of the first three Motions that are fairly procedural about who serves on the Committee on Powers and Privileges, the Speaker's Panel and the Committee on Procedure and Rules and have our colleagues accepted.

If there is a Senator who wants to speak broadly about membership of various committees, then we can reserve it for the main Motion on Senators serving in the Standing Committees. I guess that is where Senators have great interest. I want to request colleagues to agree with the general thinking. I request the Senate Leader of Minority to second.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Madzayo.

The Senate Minority Leader (Sen. Madzayo): Asante, Bwana Naibu Spika. Kwanza ningetaka kuafiki Hoja na kusema kuwa nawaunga mkono Maseneta wanne waliochaguliwa kwenye orodha kwa kuwa iko sawa kabisa.

Ningetaka pia kutaja kuwa kutoka Bunge hili la Seneti lianzishwe 2013, hakuna shida tumepata katika kuchagua Maseneta hawa wanne wa Jopol la Spika kwa sababu tumekuwa tunaachia jukumu hilo Bwana Spika mwenyewe. Kuanzia wakati huo mpaka hivi hakujakuwa na mjadala kwamba kuhusu Seneta atakayekuwa wa kwanza, pili, tatu au wa nne. Hili ni jukumu la ofisi ya Spika. Sioni kama kutakuwa na tashwishi katika hao Maseneta ambao wamechaguliwa.

Kwa maoni yangu, wote watajukumika na wako na taaluma ya kuweza kutekeleza wajibu wao. Asante.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Hon. Senators. I can see that several Senators have an interest to contribute to this. There are also several interventions. I want to follow the requests as they are.

Proceed, Sen. Maanzo.

(Loud Consultations)

The Deputy Speaker (Sen. Kathuri): Senate Minority Leader, you are out of order.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, kindly confirm if maybe some of those earlier requests were for earlier matters.

The Deputy Speaker (Sen. Kathuri): Those who are on intervention, kindly withdraw your cards unless you really want to speak to this Motion.

Sen. Maanzo: Thank you, Mr. Deputy Speaker, Sir, I will be very brief. The Speaker's Panel is very important. Today, we have just established a new tradition on how to number this. The National Assembly numbers it differently.

I support.

The Deputy Speaker (Sen. Kathuri): Thank you, Sen. Maanzo.

Sen. Cheptumo, you have the Floor although I do not see you on this list. Are you coming through the back door?

Sen. Cheptumo: No, Mr. Deputy Speaker, Sir. I am on the list. My microphone is on.

The Deputy Speaker (Sen. Kathuri): Okay, proceed.

Sen. Cheptumo: Mr. Deputy Speaker, Sir, I rise to support this Motion. The four are respected Members of this House. Having served in the National Assembly for three terms, I understand their responsibility is very important. I think they have the capacity and what it takes to serve in the Speaker's Panel.

I support.

The Deputy Speaker (Sen. Kathuri): Thank you.

I can see there is no more interest in this. May I call upon the Mover to reply.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, Sir. I thank my colleagues for accepting the nomination of these four Senators to serve with the substantive Speaker and you in leading this House.

(Question put and agreed to)

The Deputy Speaker (Sen. Kathuri): Next Order.

APPROVAL OF SENATORS TO SERVE IN
THE PROCEDURE AND RULES COMMITTEE

The Deputy Speaker (Sen. Kathuri): Yes, Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move-

THAT, pursuant to Standing Orders No.191(2)(d) and 199, the Senate approves the following Senators nominated by the Senate Business Committee, to serve in the Procedure and Rules Committee, in addition to Senators specified in Standing Order 191(2)(a), (b) and (c)-

- (1) Sen. Sheikh Mohammed Abass, MP
- (2) Sen. Joseph Nyutu Ngugi, MP
- (3) Sen. Beth Kalunda Syengo, MP

Mr. Deputy Speaker, Sir, this is another very important Committee. If you are to frame this House as a House of contest, then this is the team that lays down the rules upon which we do our contest. It is a very important Committee.

I know by tradition, we have hardly ever revised or amended our Standing Orders midway through a term of Parliament. However, there is a tradition that has been set, where we amend our Standing Orders at the end of a term of Parliament. On most occasions, lessons learnt are sometimes not applied or left to the relative wisdom of the three, four, five or seven Members that are in this particular Committee. That disadvantages Members.

I can see this House is full of men and women of great wit and wisdom. If in the course of the work that has been done in the last few days, somebody has noticed something about a particular Standing Order and feels the need for it to be changed, you can approach our colleagues in the Procedure and Rules Committee. They can have a deliberation and bring a Motion to the House. If this House agrees with whatever they are proposing, then the Standing Orders stand amended.

We do not do it many times because it is not good to change rules midway but sometimes it becomes necessary. That is the essence alongside many other duties that are listed in Standing Order No.191 of this particular Committee.

Therefore, just as in the previous one, I request my colleagues that we hold on the many discussions about it. If we can carry on with the speed at which we are moving, I see us concluding on the very important business that we have.

I request the Senate Minority Leader to second this Motion.

The Deputy Speaker (Sen. Kathuri): Senate Minority Leader, proceed.

The Senate Minority Leader (Sen. Madzayo): Thank you, Mr, Deputy Speaker, Sir. I second this Motion to approve the names of the Senators to serve in the Procedure and Rules Committee.

The Senators mentioned here; Sen. Sheikh Mohammed Abass, MP, Sen. Joseph Nyutu Ngugi, MP and, Sen. Beth Kalunda Syengo, MP, are very capable Senators who can handle this Committee. I believe they will do a good job.

I second.

(Question proposed)

(Question put and agreed to)

The Deputy Speaker (Sen. Kathuri): Next Order.

APPROVAL OF SENATORS TO SERVE IN THE
POWERS AND PRIVILEGES COMMITTEE

The Deputy Speaker (Sen. Kathuri): Senate Majority Leader, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, as you know, a serious drought is currently ravaging the country. Sen. Wambua, Sen. Olekina and many other Senators here are interested to speak on that matter. So, when you see me want to move Business, I want us to conclude by 5.00 p.m. or 5:30 p.m. as you had approved.

Mr. Deputy Speaker, Sir, I beg to move:

THAT, Pursuant to section 15(1)(b)(ii), of the Parliamentary Powers and Privileges Act, and Standing Order No.199, the Senate approves the following Senators nominated by the Senate Business Committee to serve in the Committee on Powers and Privileges, in addition to the Speaker of the Senate, who, pursuant to Section 15(1)(b)(i) of the Parliamentary Powers and Privileges Act, shall be the Chairperson of the Committee-

- (1) Sen. Alexander Munyi Mundigi, MP
- (2) Sen. Wamatinga Wahome, MP
- (3) Sen. Rosalinda Soipan Tuiya, CBS, MP
- (4) Sen. Miraj Abdulahi Abdulrahman, MP
- (5) Sen. James Lomenen Ekomwa, MP
- (6) Sen. Shakila Abdalla Mohamed, MP

Mr. Deputy Speaker, Sir, this is a very important Committee and colleague Senators need to pay close attention to this one. This Committee can decide your fate in so many ways. That is why we have tried to take in people of very humble character, fair and just, at least in the last few days of our interaction for those that are new to us. These are people who, as fate would have it, were to decide the fate of our colleague Senators to either remain or leave this House, at least they will be fair to them.

Members need to read the Parliamentary Powers and Privilege Act. That Act is up for amendment. In my opinion, there are many privileges that we continue to deny ourselves, despite being Members of Parliament (MPs). There are many things that we can be enjoying out there. However, because we passed a law here hurriedly and did not take

a lot of consideration of whatever is proposed there, we have found ourselves in difficult situations.

I wish to challenge colleague Senators – especially the younger ones who are enthusiastic about what it means to be an MP and what needs to be done – to study this Act of Parliament and see how we can make our work more effective.

Mr. Deputy Speaker, Sir, finally, there is a proposal in the National Assembly and I also agree with the ruling. You will remember that towards the end of the term of the previous Parliament, there was a disagreement in the National Assembly and a report of a Member whose conduct was found to be disorderly was brought to the House. However, the House did not agree with the findings of the said committee.

It puts you in an embarrassing situation when you chair the Parliamentary Powers and Privileges Committee meeting and your report is rejected by the House. It is not fair. Part of what we may want to amend is the chairmanship of this committee. It is better chaired by a Member of the House other than involving the Speaker in such disputes. Anyway, that is a conversation that we need to have.

In the same breadth and speed, I want us to conclude and dispense of this matter, just like we have done with the other three, then we can reserve all our comments on the placement of colleague Senators in the various committees in the subsequent Motion that shall be coming up.

Mr. Deputy Speaker, Sir, I request the Senate Minority Leader to second this Motion. I thank you.

The Deputy Speaker (Sen. Kathuri): Proceed, Senate Minority Leader.

Sen. Madzayo: Mr. Deputy Speaker, Sir, I would like to second this Motion in the sense that the six persons named herein, who will be sitting in the Powers and Privileges Committee, are capable of handling this docket.

In my humble view, all of them were selected after consideration by both sides of the divide. It is in this regard that our side nominated two and the other side nominated four and I believe that they will do a good job. I am confident that they will stand firm in their undertakings.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): I can see that you want me to put the question.

(Sen. Miraj stood up in her place)

Who is making movements when the Speaker is on his feet? Let me put the question.

(Question put and agreed to)

Let us go to the next Order.

APPROVAL OF SENATORS TO SERVE IN
STANDING COMMITTEE OF THE SENATE

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move-

THAT, pursuant to Standing Order Nos.199 and 228, and the Fourth Schedule to the Standing Orders, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Standing Committees of the Senate as follows—

A. Agriculture, Livestock and Fisheries

1. Sen. James Kamau Murango, MP
2. Sen. Alexander Munyi Mundigi, MP
3. Sen. Wamatinga Wahome, MP
4. Sen. Allan Kiprotich Chesang', MP
5. Sen. Maureen Tabitha Mutinda, MP
6. Sen. Moses Otieno Kajwang', MP
7. Sen. Daniel Kitonga Maanzo, MP
8. Sen. Enoch Kiio Wambua, MP
9. Sen. Beth Kalunda Syengo, MP

B. Devolution and Intergovernmental Relations

1. Sen. Sheikh Mohamed Abas, MP
2. Sen. Roselinda Soipan Tuya, CBS, MP
3. Sen. Peris Pesi Tobiko, MP
4. Sen. George Mungai Mbugua, MP
5. Sen. Mohamed Said Chute, MP
6. Sen. (Dr.) Oburu Oginga, CBS, MP
7. Sen. Richard Momoima Onyonka, MP
8. Sen. Hezena M. Lemaletian, MP
9. Sen. Catherine Muyeka Mumma, MP

C. Education

1. Sen. Joseph Nyutu Ngugi, MP
2. Sen. Peris Pesi Tobiko, MP
3. Sen. Lenku Ole Kanar Seki, MP
4. Sen. James Kamau Murango, MP
5. Sen. John Kinyua Nderitu, MP
6. Sen. (Prof.) Margaret Kamar, EGH, MP
7. Sen. Agnes Kavindu Muthama, MP
8. Sen. Joseph Githuku Kamau, MP
9. Sen. Johnes Mwashushe Mwaruma, MP

D. Energy

1. Sen. Wamatinga Wahome, MP
2. Sen. Veronica W. Nduati, MP
3. Sen. Danson Buya Mungatana, MGH, MP
4. Sen. Sheikh Mohamed Abas, MP
5. Sen. (Dr.) Boni Khalwale, CBS, MP
6. Sen. Ledama Olekina, MP
7. Sen. (Dr.) Oburu Oginga, CBS, MP
8. Sen. James Lemenen Ekomwa, MP
9. Sen. Edwine Watanya Sifuna, MP

E. Finance and Budget

1. Sen. Ali Ibrahim Roba, MP
2. Sen. Maureen Tabitha Mutinda, MP
3. Sen. (Dr.) Boni Khalwale, CBS, MP
4. Sen. Joyce Chepkoech Korir, MP
5. Sen. Tabitha Karanja Keroche, MP
6. Sen. Richard Momoima Onyonka, MP
7. Sen. Shakila Abdalla Mohamed, MP
8. Sen. Eddy Gicheru Oketch, MP
9. Sen. Mohamed Faki Mwinyihaji, MP

F. Health

1. Sen. Jackson Kiplagat Mandago, EGH, MP
2. Sen. Mariam Sheikh Omar, MP
3. Sen. Raphael Chimera Mwinzagu, MP
4. Sen. Joseph Nyutu Ngugi, MP
5. Sen. Roselinda Soipan Tuya, CBS, MP
6. Sen. Erick Okong'o Mogeni, SC, MP
7. Sen. Ledama Olekina, MP
8. Sen. Abdul Mohammed Haji, MP
9. Sen. Hamida Kibwana, MP

G. Information, Communication and Technology

1. Sen. Allan Kiprotich Chesang, MP
2. Sen. Gloria Magoma Orwoba, MP
3. Sen. Miraj Abdulahi Abdulrahman, MP
4. Sen. Karen Njeri Nyamu, MP
5. Sen. Samson Kiprotich Cherarkey, MP
6. Sen. Boy Issa Juma, MP
7. Sen. Shakila Abdalla Mohamed, MP
8. Sen. Beatrice Akinyi Oyomo, MP
9. Sen. Godfrey Atieno Osotsi, MP

H. Justice, Legal Affairs and Human Rights

1. Sen. Wakili Hillary Kiprotich Sigei, MP
2. Sen. Raphael Chimera Mwinzagu, MP
3. Sen. Samson Kiprotich Cherarkey, MP
4. Sen. Veronica W. Nduati, MP
5. Sen. William Cheptumo Kipkiror, CBS, MP
6. Sen. Fatuma Adan Dullo, CBS, MP
7. Sen. Hamida Kibwana, MP
8. Sen. Andrew Omtatah Okoiti, MP
9. Sen. Catherine Muyeka Mumma, MP

I. Labour and Social Welfare

1. Sen. Julius Murgor Recha, MP
2. Sen. George Mungai Mbugua, MP
3. Sen. Karen Njeri Nyamu, MP
4. Sen. Alexander Munyi Mundigi, MP
5. Sen. Miraj Abdulahi Abdulrahman, MP
6. Sen. Mohamed Faki Mwinyihaji, MP
7. Sen. Erick Okong'o Mogeni, SC, MP
8. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP
9. Sen. Crystal Kegehi Asige, MP

J. Land, Environment and Natural Resources

1. Sen. John Muhia Methu, MP
2. Sen. (Dr.) Steve Lelegwe Ltumbesi, MP
3. Sen. William Cheptumo Kipkiror, CBS, MP
4. Sen. Wamatinga Wahome, MP
5. Sen. Mariam Sheikh Omar, MP
6. Sen. Issa Juma Boy, MP
7. Sen. Johnes Mwashushe Mwaruma, MP
8. Sen. Agnes Kavindu Muthama, MP
9. Sen. Beatrice Akinyi Oyomo, MP

K. National Cohesion, Equal Opportunity and Regional Integration

1. Sen. Mohamed Said Chute, MP
2. Sen. Joyce Chepkoech Korir, MP
3. Sen. Julius Gataya Mwenda, MP
4. Sen. Gloria Magoma Orwoba, MP
5. Sen. Raphael Chimera Mwinzagu, MP
6. Sen. Betty Batuli Montet, MP
7. Sen. Joseph Githuku Kamau, MP
8. Sen. James Lomenen Ekomwa, MP
9. Sen. Beth Kalunda Syengo, MP

L. National Security, Defence and Foreign Relations

1. Sen. William Cheptumo Kipkiror, CBS, MP
2. Sen. Karen Njeri Nyamu, MP
3. Sen. Julius Murgor Recha, MP
4. Sen. Lenku Ole Kanar Seki, MP
5. Sen. George Mungai Mbugua, MP
6. Sen. Fatuma Adan Dullo, CBS, MP
7. Sen. Joseph Githuku Kamau, MP
8. Sen. Tom Odhiambo Ojienda, SC, MP
9. Sen. Abdul Mohammed Haji, MP

M. Roads, Transportation and Housing

1. Sen. Paul Karungo Thangwa, MP
2. Sen. Peris Pesi Tobiko, MP
3. Sen. John Kinyua Nderitu, MP
4. Sen. Mohamed Said Chute, MP
5. Sen. (Dr.) Steve Lelegwe Ltumbesi, MP
6. Sen. Enoch Kiio Wambua, MP
7. Sen. Moses Otieno Kajwang', MP
8. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP
9. Sen. Edwin Watanya Sifuna, MP

N. Trade, Industrialization and Tourism

1. Sen. Lenku Ole Kanar Seki, MP
2. Sen. Onesimus Kipchumba Murkomen, EGH, MP
3. Sen. Jackson Kiplagat Mandago, EGH, MP
4. Sen. Tabitha Karanja Keroche, MP
5. Sen. Paul Karungo Thangwa, MP
6. Sen. Crystal Kegehi Asige, MP
7. Sen. Andrew Omtatah Okoiti, MP
8. Sen. Betty Batuli Montet, MP
9. Sen. Hezena M. Lemaletian, MP

Mr. Deputy Speaker, Sir, this is a very important Motion. I know while earlier we had quickly made progress - not to say that the previous committees that we were moving are not important - but, this is actually the engine room of the House. If we successfully pass this Motion, we set the motion of the fourth Senate because Committees of the House are extremely powerful.

I know for a fact that in my course of life in the Parliament, I have seen actually Committees of the House of Parliament resolve issues that would have otherwise been considered impossible to solve. I have seen lives transform; ordinary problems perhaps citizens of the Republic thought were impossible to solve, but just by the appearance of a Committee of the Senate, solutions have been found to those problems.

I want to urge Members to take keen interest in their work as Members of this Committee. It is extremely important. It is a great platform. I cannot think of a greater

platform where, as a leader in this country you can solve issues that are affecting our country if not through a Committee of Parliament.

When we went to Sen. Wambua's County of Kitui, the Senate Standing Committee on Justice, Legal Affairs and Human Rights visited Kitui Prison. By holding their sitting there, they ordered the release of almost 300 remandees that were just being kept in prison because of petty fines of Kshs500, Kshs1000, Kshs2000. Their lives were transformed that day.

I know that this House has immense powers. When Members sit and take their work diligently as a committee of Parliament, then you have no reason to complain anywhere about things that are not right.

Just the same way when the Supreme Court makes a determination and a matter is considered final, on many of the issues that are bothering citizens, if a committee of Parliament makes a determination and guides the country on a particular trajectory, that is the final decision about it. This is the only House where laws are made. There is nowhere else, not even the President no matter how powerful he is, can make law.

So, I want to urge my colleague Senators to take their work seriously. We shall set the ball rolling beginning today should we agree. I want to believe as we had earlier been informed by the Clerk's table, that actually after the passage of this Motion today, they shall be releasing a schedule of when the committees will have their first sitting to elect their leadership, so that beginning next week, we want to see people summoned before this House.

We want to see Petitions being brought and matters being dispensed off as quickly as possible because Kenyans have given us the power to do this. We have already earned our first salary. Let us not earn our second salary of this House without doing anything substantial for this country.

There are many things that I could have said about committees - I have a lot to say about them - but I know that at 6.30 p.m., unfortunately, we have to adjourn and many Senators would wish to say many things about these committees.

Therefore in the spirit and returning the favor that Senators have shown to us as leadership, I would wish to quickly conclude it at that and invite the Senate Minority Leader to second the Motion so that colleague Senators can have time to speak on this matter before the time of adjournment.

Remember while you do that, we still have an additional Motion on approval of Senators to serve on the County Public Accounts Committee. It is another Motion which I would wish to request if possible we conclude today. However, first things first. I want to invite the Senate Minority Leader to make his comments about this particular topic and Senators to speak contribute to it.

Maybe just one final thing; eventually when you grant opportunities to Senators to speak, you may want to guide the House based on the interest and the time resource that we have on how long each Senator can take. I, however, leave it to your discretion.

I thank you Mr. Deputy Speaker and invite the Senate Minority Leader to second.

The Deputy Speaker (Sen. Kathuri): I have realized that both the Senate Majority Leader and the Senate Minority Leader are so fast in rushing to the microphones even

before they are allowed by the Speaker to do so. I hope that you will continue with the same enthusiasm in the next five years and this House will be very happy.

However, Senate Majority Leader, it is not the Chairperson who directs the direction in which a Motion would take; it is the Senators. You know we passed a Motion on the timelines. It is the same. Senators should just try and change that through a Motion.

Senate Minority Leader, you may proceed.

The Senate Minority Leader (Sen. Madzayo): Asante Bw. Naibu Spika. Kwa sababu ya kazi ambazo ziko mbele yetu, nitajaribu kufupisha mazungumzo yangu kidogo. Jambo la kwanza, ningependa kuisisitiza ya kwamba katika hizi kamati zote 14 ambazo zimeteuliwa za kudumu, zote ni muhimu.

Hakuna hata kamati moja ambayo tunaweza fikiria ya kwamba haitafanya kazi yake ama sio muhimu. Tuna imani kwamba katika wale Maseneta ambao wamechaguliwa katika hizi kamati tofauti, watatuonyesha utendakazi wao na ukakamavu wao. Ninaamini ya kwamba wataweza kuifanya hii kazi.

Kuna hizi kamati 14 za Bunge hili letu la Seneti na kila Seneta hapa amewekwa katika ile kamati ambayo pengine alikuwa ameitaka ama ana ujuzi wa hiyo kazi.

Jambo la pili ni kwamba Maseneta ni watu ambao wamesoma. Kwa mfano, ndugu yangu Seneta Lelegwe aliingia hapa kama sio daktari, lakini baada ya mihula hii miwili tumekuwa naye, sasa tunaweza kumuita Sen. Dkt. Lelegwe. Kwa hivyo, pongezi sana ndugu yangu. Pia tuko na wengi ambao ni wafanyibiashara kama dada yangu Sen. Keroche. Yeye pia ni Seneta aliye na ujuzi wa hali ya juu, ambaye atachangia kulingana na ule utendakazi wa hili Bunge letu la Seneti.

Kwa hivyo, niko na imani ya kwamba katika ile Kamati ambayo Seneta yeyote amewekwa, anaweza kuifanya ile kazi na ikaonekana wazi.

Jukumu ni kwamba sisi sote hapa, tunapiganina serikali za mashinani. Hilo ni jambo ambalo lazima tulizingatie sana. Ya kwamba, katika kazi zetu za utendakazi wote ambao tutakuwa tukifanya, Kamati zetu nyingi zitakuwa zinahusika na mambo ya ugatuzi.

Ninaweka mkazo zaidi ya kwamba, katika hizi Kamati zote tulizonazo, kila Seneta ana jukumu na matunda tutayaona hapa yakizaliwa. Nina imani tutazidi kuangalia mbele tukijua ya kwamba kazi itafanywa na Maseneta waliochaguliwa hapa.

Kwa hayo machache, Bw. Naibu Spika, naunga mkono.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): I can see the mood in the House. Is there any Senator who wants to contribute to this?

Sen. Omogeni, you may have the Floor.

Sen. Omogeni: Mr. Deputy Speaker, Sir, I join my neighbor, the Senate Majority Leader, Sen. Cheruiyot. I echo his sentiments that, this is a very important Motion. It is what sets us in the mood of starting to work.

I also commend ---

Sen. Cheptumo: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Yes, what is your point of order, Sen. Cheptumo?

Sen. Cheptumo: Mr. Deputy Speaker, Sir, I do not intend to interrupt my learned colleague. The Senate Majority Leader had raised the issue of time. Will I be in order to propose that we limit the debate to three minutes for every Senator so that we have as many Members as possible to contribute?

The Deputy Speaker (Sen. Kathuri): Is that the mood with the other Members?

Hon. Senators: Yes!

The Deputy Speaker (Sen. Kathuri): Therefore, we take that direction.

(Sen. Olekina spoke off record)

Sen. Cheptumo is in order because the debate is just starting. I have just called in the first Member to debate.

Sen. Olekina, with my 10 years at the National Assembly, at least, I understand. Proceed, Sen. Omogeni. My response to Sen. Olekina was just a by the way.

Sen. Omogeni: Mr. Deputy Speaker, Sir, I do not want to challenge your ruling---

The Deputy Speaker (Sen. Kathuri): Proceed.

Sen. Omogeni: Thank you, Mr. Deputy Speaker, Sir. I was in the process of thanking the Senate Majority Leader, Sen. Cheruiyot, who has moved this Motion.

On the Minority side, I thank our leaders led by the Senate Minority Leader, and the Senate Minority Whip.

Mr. Deputy Speaker, Sir, I want to go on record that when this Motion was on the Floor yesterday, this side requested that we have an informal discussion which we did. We made a number of recommendations but unfortunately, maybe because of the wisdom of our leaders, they have not been incorporated.

One of them was a proposal that our Senior Counsel Prof. Ojienda should have found his name as a nominee in the Committee of Justice, Legal Affairs and Human Rights. He is a very respected lawyer, a former President of Law Society of Kenya (LSK), a former President of the East African Law Society (EALS), a former LSK representative in the Judicial Service Commission (JSC) and a distinguished Professor of law,

Mr. Deputy Speaker, Sir, I saw the initial list and the name of Prof. Tom Ojienda was there, but some miracle has happened and what has been read to us did not have the name.

When you have leadership, you need to be magnanimous and to put service ahead of personal interests. The Senate Majority Leader, Sen. Cheruiyot will go far because he has demonstrated that he is magnanimous. I have gone through the Members serving in Committees and he has not allocated himself even one Committee.

(Applause)

I also thank the Majority side because none of the Senators in the leadership have taken up membership on any Sessional Committee. That is magnanimous.

(Applause)

However, on the side that should be leading by example, our leaders have allocated themselves membership in all the Sessional committees. Shame on us!

Mr. Deputy Speaker, Sir, I cannot understand a situation where yesterday, a Senator representing a very special constituency of disability made a passionate plea that she be given membership in the Committee on Information Communication and Technology (ICT). She has been excluded. It is a shame!

I have served in this Senate for five years. When I was appointed Chairperson of the Committee on Justice, Legal Affairs and Human Rights, I had to cede membership of the Committee on Delegated Legislation because I could not get time to serve in three Committees.

However, what I am seeing here and with tremendous respect to those in leadership, distinguished Senators, is a situation where somebody is in leadership but still wants to serve in four other Committees. What are we trying to show? Leadership is not about you being greedy but about giving opportunities to those who have the same qualification as you to serve.

There are students of law watching their Professor here, Professor of law, Prof. Ojienda, being excluded from membership of Justice, Legal Affairs and Human Rights Committee. What message are we sending?

Nobody is more special in the contribution that we made in garnering votes for our party leader, Raila Amollo Odinga. From Nyamira County to Kisii County, we gave as much as we could, like the Senator for Isiolo County. I can read the figures. From Nyamira County, we delivered 129,000 votes to Raila Odinga. From Isiolo County, Raila Odinga got 26,000 votes. He lost to William Ruto who got 32,000 votes.

As we speak here, the only way you want to thank the Omogusii nation is to say that we deserve nothing. Do we not have capacity to learn? Even in Kisii County where William Samoei Ruto got 134,000 votes against Raila Odinga at 263,000, he has rewarded the Abagusii nation with the seat of Whip in the National Assembly.

You must have regional balance and fairness. We must speak these things because an injustice anywhere should never be tolerated. Where is justice when the names that have been read today, the next person in leadership is also in five Committees?

I thank the Senator for Kitui County, Sen. Wambua. He is a great man.

(Applause)

He is magnanimous and he will go far. He has only elected to serve in two Committees. That is leadership.

(Applause)

How can the Senator for Makueni County, a distinguished ranking Member of Parliament, serving his third term, only be given membership in one Standing Committee whereas somebody else is taking four Committees? Can you imagine? This is not the way to go.

On this side we have tried this idea of trying to fight people and we have failed terribly. William Ruto was a member of the Orange Democratic Movement (ODM). He was mistreated, he left, went to church, prayed and he is now the President of the Republic of Kenya.

(Applause)

In the last Parliament, we joined hands here to sack one of the best Speakers, Sen. (Prof.) Kithure Kindiki, Senator of Tharaka Nithi. As we speak today, he is waiting to be vetted to become a Cabinet Secretary (CS) for Interior and National Security.

(Applause)

I am telling those who may have lined up to finish the son of Nyamukami, son of Omogusii, you will never succeed. I am a Christian. I go to the Seventh Day Adventist (SDA) church, the Catholic church, to the Evangelical church and I have people who pray for me, including my dear wife. We must send a statement that there should be fairness from the Minority side.

Even if I would be the only one protesting, I go on record that I register my protestations against the list as presented. We should walk the talk. If we are preaching fairness as a coalition, we should preach fairness.

In my coalition ODM, we have 14 elected Senators. Six nominated makes it 20. If you go to the Committee on National Security and Foreign Relations, it has three Jubilee Members. Jubilee has four Senators here. Where is equity there? How can that be? Why not pick one from Wiper, one from ODM and one from Jubilee? How can we allow such an injustice to be coming for the side that should be keeping the Government on check?

On Sessional Committees, Sen. Mwaruma had made a passionate plea that because of institutional memory, he should be included in the Sessional Committee on County Public Accounts and Investments. However, his name is not there.

Mr. Deputy Speaker, Sir, I urge the Members on the Majority side to be persuaded on the interest of all Senators sitting here. If there is fairness on the side of Minority, join us to push for fairness. That is my appeal to you here. We have done that before. This matter should be given a bipartisan approach, so that at the end of the day, what we are passing here should reflect fairness.

Mr. Deputy Speaker, Sir, if you want to send a message to some of us, let us know today. Our population in Kisii and Nyamira counties allows us to elect only two Senators. We have produced two Senators. Do you want us to multiply through osmosis, so that we have four Senators from Kisii and Nyamira counties?

(Laughter)

We have done the best that we can to support our coalition. In return, we want to be treated fairly. The Senate Minority Leader in the other House comes from Siaya County

and the Whip is from Migori County. Both are my neighbours. I also want to see the people of Nyamira and Kisii counties acknowledged.

Mr. Deputy Speaker, Sir, I ask my leaders to listen to us. When we have failed to listen before, the results have been disastrous. I was in this House when we refused to listen---

The Deputy Speaker (Sen. Kathuri): Sen. Omogeni, kindly try to wind up.

Sen. Omogeni: Finally, Mr. Deputy Speaker, Sir, I was in this House when Sen. Wambua persuaded us to be fair to Sen. Wetangula. We did not listen.

As I conclude, I request this House to reject these names. We should adjourn and go to *kamukunji* for our leaders to listen to us. We need to present a list that is fair to all of us. It will also give time to Senators to discharge their functions.

Mr. Deputy Speaker, Sir, I reject.

The Deputy Speaker (Sen. Kathuri): Sen. Omogeni, as you sit down, you have mentioned several leaders here who will go far. I think today you were guided by the Holy Spirit. Can you also mention others who may go far, including Sen. Kathuri?

(Laughter)

Maybe you should continue consulting your spirits before I leave the seat and give me the blessings.

Let us now have a Senator who has not spoken here today. Proceed Sen. Tobiko.

Sen. Tobiko: Thank you, Mr. Deputy Speaker, Sir. I rise to support the Motion. I also appreciate the House leadership for the good job that they have done. I am more than willing to serve in the capacities and Committees that I have been allocated.

As we accept to serve the country in the positions given, I have one or two observations to make. I really empathize with the Members on the other side because they seem quite aggrieved. I believe we are doing well on the Majority side.

I previously served in the National Assembly. I do not know if it is by design or default that in the Senate, women leaders are not allowed to serve as Chairpersons of Committees. Could it be because majority of us of us are nominated? By all intents and purposes, I thought that when a Member finds themselves on the Floor of this House---

The Deputy Speaker (Sen. Kathuri): Sen. Tobiko, I did not see any leadership of Committees in the list that I read. I will be giving a direction on how Members will proceed with getting the leadership of Committees.

Sen. Tobiko: Mr. Deputy Speaker, Sir, let me rephrase. It would be good if women leaders are given a chance, when Chairpersons of Committees are elected.

There is also another issue which I do not know whether it only affects me or it affects some other Members. Some people here have various titles such as Senior Counsel (SC). Those titles did not just come by the way. Titles such as Elder of the Order of the Golden Heart (EGH) or Chief of the Order of the Burning Spear (CBS) did not just come.

When we came for orientation, we gave all the details and titles to the Senate administration. I would want to be addressed in a proper manner, with all the titles that I hold. Those are my observations.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Osotsi.

May I remind you of the ruling of a maximum of three minutes for each Member.

Sen. Osotsi: Thank you, Mr. Deputy Speaker, Sir. Committee system is a key aspect in Parliaments, globally. A lot of work in Parliament is done in Committees. In fact, it is estimated that over 80 per cent of parliamentary work happens in Committees. A Plenary like this is about 20 per cent of the work. We would like the Committees to be in place so that they can generate business for this House.

You are well aware that we have had a few sessions. In most cases, we have been discussing things which in my view, as I realized later on, we would have spent discussing substantive matters. We expect the Committees to be in place, so that they can generate enough Business for this House and keep the House busy.

From my experience in the National Assembly, I have realized that the Committee is as good as its leadership. If the leadership that we will elect is not competent enough or hardworking, they will not perform to the expectation.

I urge those who would get the opportunity to serve as Chairpersons and Vice-Chairpersons, to ensure they work extra hard and deliver for the Committees, so that we have enough business to discuss.

Coming back to the point raised by the distinguished Senator for Nyamira County, I think he has raised very substantial issues. I am sure the Minority leadership will look into them.

The Deputy Speaker (Sen. Kathuri): Please, conclude.

Sen. Osotsi: Mr. Deputy Speaker, Sir, when we will be relooking into the membership of Committees after the Cabinet nominees have been vetted, we can use that opportunity to fix those issues that the distinguished Senator was talking about. I hope that is going to be very soon. I propose that for purposes of us making progress as a House and starting our work, we pass this Motion but consider the issues that have been raised by Sen. Omogeni. We need quick interventions for replacement of those who have been nominated as Cabinet Secretaries (CSs).

With those few remarks, I support the Motion.

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I also support the Motion moved by the Senate Majority Leader to set up committees of the House.

From the outset, I would like to state that I am aware, like the Senator who just sat down stated, that almost 80 per cent of the business of the House is transacted in committees. What happens in the Committee of the Whole is what has largely been transacted in committees.

I agree with the comments by the Senator for Nyamira, Sen. Omogeni, SC, regarding the list presented by the Minority side. As a practitioner of law, I know that an injustice anywhere is a threat to justice everywhere. In the Majority side, we have tried to be just and that is the basis upon which I support this Motion.

I would like those who have been nominated to the various committees to know that the task ahead is not small. The business of the House entirely relies on their commitment to the course. The business of the nation is entirely reliant on what they will be doing.

Mr. Deputy Speaker, Sir, I believe that selection of membership to the various committees considered qualifications and commitment of Members who have been

selected. I wish to request them, as I undertake to do my part as one of the Members who have been selected to a committee, to do the best in order to ensure that the business of the House is transacted with utmost good faith, so that we enhance the status of this House and serve the people of Kenya.

I thank you.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Olekina.

Sen. Olekina: Thank you, Mr. Deputy Speaker, Sir, for this opportunity. I will try to be as brief as I can.

The principal function of the committees is to perform the tasks of this House. Our job in the committees is to investigate and scrutinize Government policies, particularly the Executive. In this House, our work is to oversight county governments.

My colleagues' sentiments notwithstanding, I know it is challenging to satisfy everyone's desire once you are in leadership. I come from a school of thought that believes that it is a little bit self-defeating when you wash your dirty linen in public.

Whatever challenges that we might have as a coalition, those are teething problems which we understand and we will deal with them when the time comes. The most important thing is that campaigns are over. It is hypocritical when some of us stand here to campaign and issue threats.

Mr. Deputy Speaker, Sir, I would like to beseech this House to support this Motion in its entirety. Our Standing Orders are quite clear in that parliamentary parties have the privilege to nominate individuals to House committees.

Time will come when we will review this. There will also be time when others will be de-whipped, just like I was de-whipped in the previous Parliament. So, some of these things are normal.

Mr. Deputy Speaker, Sir, I would like you to beseech my colleagues to let it rest, so that we move on because we need to start scrutinizing Government policies.

The Deputy Speaker (Sen. Kathuri): Sen. Mungatana, MGH, proceed.

Sen. Mungatana, MGH: Mr. Deputy Speaker, Sir, I will make two quick points. The first one is that these committees are going to consider Motions and bring legislative proposals, so that we can pass them in this House.

Government institutions have the habit of treating legislation that is passed into law with utmost care and they respect it. However, on the other hand, Motions that are passed in this House are treated like mere persuasions.

Mr. Deputy Speaker, Sir, in fact, today you committed Statements to departmental committees. Those Statements will be looked into seriously and reports are going to be brought here with recommendations. Maybe we will pass a Motion arising from those Statements.

Government Departments have not been treating Motions or resolutions of this House with the seriousness they deserve. Therefore, I request the leadership of this House that we bring amendments to the Powers and Privileges Act. Any person who does not respect Motions and resolutions of this House should be imposed with penalties. That way, people will be forced to obey the resolutions of this House.

Finally, I am conflicted. I heard my learned friend and classmate, Sen. Omogeni, from Nyamira County, saying many things and I share his feelings. However, Standing

Order No.199 directs that we have to accept or reject the list in its entirety. We cannot pick one or two Senators from that list.

Mr. Deputy Speaker, Sir, we need to get into the business of the House as they try to resolve their issues.

I support.

The Deputy Speaker (Sen. Kathuri): Let us now listen to Sen. Githuku, the Senator for Lamu County.

Sen. Githuku: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to add my voice to this important issue of committees. Much has been said about how committees operate. As a new Member, I would like to congratulate the Senate Majority Leader for highlighting how the committees work.

I support this Motion, so that we make progress, because we have so much pending work and we need to move forward. I come from Lamu, a county that has a lot of issues when it comes to security. I have been appointed in different Committees and I will work to make sure that our people benefit. I have been nominated to the Committee on National Security, Defence and Foreign Relations. Every Member in this House knows that for a very long time Lamu County has been having issues of insecurity. The only way that I will represent my people in Lamu is by being a Member of the Committee on National Security, Defence and Foreign Relations.

Lamu County has also been left behind in the education sector for a long time. This time round we need to make sure that Lamu County is on the limelight in terms of education. The good people of Lamu County sent me to this House so that I can represent them accordingly and that development can be realized in the county. Without fear, I want to state that I will work for them. I support that these committees be passed with immediate effect so that we make progress.

Thank you. I support.

Sen. Cheptumo: Thank you, Mr. Deputy Speaker, Sir. I rise to support this Motion. Standing Order No. 228 illustrates the importance of these committees in overlooking the executive expenditure of taxpayers' money. Baringo, Turkana and other counties with insecurity and drought. These committees will play a critical role in sensitizing the Government to respond to situations that are affecting us. Committees are important because it is the only way that this House will function and address the needs of our people.

Today, two Members of this House, that is Sen. Wambua and Sen. Kavindu Muthama raised four Statements to various Committees. These are issues which we need to address as soon as possible.

I support that we need to pass this Motion. The Senator from Kisii talked about the unfairness that is being practiced on the other side. Although I do not want to be part of that war, I want this country to know that fairness begins from the top leadership. Sen. Omogeni praised the Senate Majority Leader for the fairness on this side of the coalition. However, I would like to tell the country that this is the spirit of our leader in the Kenya Kwanza coalition, that there should be fairness.

He has come out clearly that when are sharing these positions, the face of Kenya and regional balance should be considered. This is exactly what you see here. The problem on the other side is not the problem of these Senators but the leadership in that area.

I appeal to them to practice fairness. If there is no fairness in our institutions of governance then we have problems in our country. We need to learn more from this side so that in future you do what is right for the people in your counties.

I support.

Sen. Mwaruma: Asante, Bw. Naibu Spika kwa hii fursa ili kuchangia kwenye hii Hoja kuhusu orodha za kamati. Kazi nyingi ya Bunge hufanywa katika kamati. Huwa tunaleta ripoti kutokana na kamati. Kazi ya Mbunge ni kutunga sheria, uangalizi na uakilishi. Katika miaka yangu mitano ambayo nimefanya kwenye Bunge la Seneti, tumefanya kazi nyingi kwenye hizi kamati.

Nashukuru kamati za hapo awali. Tumeenda Taita Taveta Kaunti na kamati tano na kufanya kazi nzuri kwa wale wananchi. Ningependa kujihusisha na matamshi ya Seneta wa Nyamira wakili Omogeni aliposema kwamba uongozi wetu ambao umewekwa, uko na tashwishi.

Alisema uongozi wa walio wengi ni mzuri. Nashukuru Kiongozi wa Seneti wa Walio Wengi, Mhe. Seneta wa Kericho, kijana mdogo, na mtanashati, vile anavyoongoza ule upande.

Ni vizuri tuangalie vile uongozi wa walio wengi wanavyohudumia watu wao. Vile nimeona kwetu, viongozi wetu wamejipatia makuu na kujipa kamati nyingi. Kama kuna jina la kutumia, ni ulafi.

Ukichaguliwa usijipatie wewe, patia wengine kwanza. Hii ni nyumba ya kumbukumbu, na kama hivi ndivyo viongozi wetu watatuongoza kwa miaka mitano, basi Kenya Kwanza iwe tayari kuongoza kwa miaka 10 inayokuja. Huu ni uongozi wa ulafi, haueleweki na ni wa kujitakia makuu.

The Deputy Speaker (Sen. Kathuri): Sen. Kinyua, what is it?

Sen. Kinyua: Bw. Naibu Spika, waswahili wanasema mghala muue na haki umpe. Katika lugha ya Bunge, naona sio vizuri kuita Mbunge mwenzako “mlafi”. Sioni ikiwa lugha nzuri. Ndiposa nimesema, mghala muue na haki umpe.

Sen. Methu: Thank you, Mr. Deputy Speaker. I rise to support the Motion as has been presented by the Senate Majority Leader. First and foremost, I would wish to state that we are ready and willing to start off immediately. Since we are newcomers in this House, we have been told that majority of the work of the Senate will be done at the committee level.

We are happy that we will be starting immediately. I make my own commitment. I have been nominated to serve in the Committee on Lands, Environment and Natural Resources and Environment. I thank my party for that nomination and I am willing and ready to start off.

Secondly, I would want to acknowledge the lauding that has been made by our colleagues from the other side of the coalition on the fairness that has been exhibited on our side. Young people from our coalition are getting nominations to powerful committees. I am not saying that there are Committees that are not senior to others. The reason there are complaints from the other side is because they are feeling like their interests were not taken care of. We were told to express our interests and most of them have been taken care of.

Finally, I sympathize with the Senator for Kisii County, Sen. Omogeni---

The Deputy Speaker (Sen. Kathuri): Sen. Omogeni is the Senator for Nyamira County.

Sen. Methu: My apologies. I sympathize with the Senator for Nyamira County and Sen. Mwaruma. I urge them to be a little patient because they are seasoned Senators of this House and there are bigger things on the way.

Sen. Omogeni is a two-term Senator and will probably be a Commissioner in the Parliamentary Service Commission (PSC). I do not see him being challenged.

In the very unlikely event that he does not get it, I am sure the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, will get it because he has been a Commissioner in the past.

In the same breath, I would like to remind my good brother, Sen. Olekina, that as he celebrates today because he snatched something from somebody, tomorrow something shall be snatched from him, and he shall---

(Laughter)

Sen. Olekina: On a point of order, Mr. Deputy Speaker Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Olekina, proceed.

Sen. Olekina: Mr. Deputy Speaker, Sir, this is a House of rules. Our Standing Orders dictate that we must respect each other. It is a bit ludicrous and childish for a colleague to use derogative terms. Those are very clear terms. If there is any point I am celebrating---

(Loud Consultations)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, Sen. Olekina is on a point of order.

(Sen. Cheruiyot consulted loudly)

Sen. Olekina: I am on a point of order. You know the rules, Senate Majority Leader. You shall be given time to cough all you want.

The Deputy Speaker (Sen. Kathuri): Sen. Cheruiyot, I will give you your time. Let him finish up.

(Loud Consultations)

Sen. Olekina: Mr. Deputy Speaker, Sir, I am not being insulting. This is because whatever the Senator said here was also taken as an insult.

The same way you demanded my colleague, Sen. Osotsi, to substantiate matters, I request you to extend the same to the distinguished Senator who spoke before me; I forgot his name. This is because I considered whatever he said to be completely out of order.

Thank you. Proceed, Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, we need your determination. It is provided in the Standing Orders to use a language that is respectful towards a colleague.

Sen. Olekina wants to demand that he be addressed with decorum and respect, while he is calling a colleague childish. That is really unfortunate.

Mr. Deputy Speaker, Sir, did you hear him? If he did say that, why are you permitting him to continue with his speech while being insulting to a colleague Senator? He can choose to disagree with the contents of his speech.

Sen. Methu said that Sen. Olekina snatched something from a colleague. I want to believe that within the space of reality.

I know Sen. Olekina two weeks ago was complaining all over *Twitter* and *Facebook* about how he wanted to ditch the Orange Democratic Party (ODM). Sen. Sifuna had to give way for him to get the position that he has now.

So, Sen. Methu is right when he says that Sen. Olekina snatched something from Sen. Sifuna. However, it is not right for him to say that Sen. Methu is childish.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, let us have respect for each other. We are all elected Members in this House. Therefore, let us use parliamentary language as much, as practically possible.

Sen. Olekina did you say that the Senator for Nyandarua is childish?

Sen. Olekina: Mr. Deputy Speaker, Sir, I rose on a point of order because I was aggrieved by the sentiments of my colleague.

The first thing, with all due respect, is for you to rule on the matter then I can adjudicate on the other issue. As it is, we have a matter that is yet to be determined. Our Standing Order No.98 is very clear.

(Loud Consultations)

The Deputy Speaker (Sen. Kathuri): Sen. Olekina, I have just asked you whether you said it or not. Of course---

Sen. Olekina: Mr. Deputy Speaker, Sir, I said that the utterances were childish. I never said he was childish. You cannot come here and say that somebody snatched something from another. It is simple English. I said the utterances were childish and if---

The Deputy Speaker (Sen. Kathuri): What Sen. Methu said was more polite than that.

Senators, kindly let us conduct ourselves with decorum. So many Kenyans are watching this space now. They are on their Televisions (TV) and live channels.

Before I joined the Senate, I was very impressed by how Senators conducted themselves, but this time around we are not doing so well.

Sen. Methu, kindly finish your time, which is 30 seconds.

Sen. Methu: Thank you, Mr. Deputy Speaker, Sir. I am sure from both our conducts you can tell---

The Deputy Speaker (Sen. Kathuri): Moreover, if you say someone snatched something from somebody, you need to be direct about what happened. Maybe, it will not be taken offensively.

Sen. Methu: Mr. Deputy Speaker, Sir, from both our conducts, you can tell who is being childish. I do not want to pursue that matter further. The only good word that can describe me is youthful. If it is childish, he is only describing himself.

The word 'snatched' has been used the other day by the Senate Majority Leader, when he was describing the Senator for Homa Bay County. The point I am making is that the good Senator for Narok County was awarded a position that was initially meant to be for the Sen. Sifuna, which is internal.

He should not just celebrate because he got from another person---

The Deputy Speaker (Sen. Kathuri): Senator, your time is up. Let us have the last Senator.

Proceed, Sen. Oyomo.

Hon. Senators, let us also remember that we are adjourning this House at 5.30 p.m.

Sen. Oyomo: Thank you, Mr. Deputy Speaker, Sir. As I take my position to contribute to this matter, from the outset, I support the list that has been tabled on Floor of the House by the Senate Majority Leader and supported by the Senate Minority Leader. I want to put across two points.

First, I hear from the other side a mention of the word 'fairness.' I want to state that the little arguments you hear from our coalition is just evidence of the democratic space that we enjoy. The democracy we have is such that we discuss and come up with an amicable position.

(Loud Consultations)

I am the one on the Floor.

We support the position provided by our leaders. When we move from this position to go and elect our Chairpersons and Vice-Chairpersons, I urge the House and, particularly the ruling coalition, to live by the word of His Excellency the President, who stated that there is a lot of progress that has been made by women in this country.

We want to see that demonstrated when we elect chairpersons and vice chairpersons of Committees.

The progress of women was emphasized by the President in his Speech. We want to see women chairpersons and vice-chairpersons. Otherwise, I support the list fully.

The Deputy Speaker (Sen. Kathuri): Yes. I see there is no other interest. I now call on the Mover to reply to this Motion.

(Loud consultation)

Order, hon. Senators!

Hon. Senators, we made some determination that we are adjourning this House at 5.30 p.m. It is exactly five minutes to 5.30 p.m. and I must read the whole list.

Senate Majority Leader, please, proceed.

The Senate Majority Leader (Sen Cheruiyot): Thank you Mr. Deputy Speaker, Sir. I want to thank the colleagues who contributed.

I know that there are many other colleagues who still want to speak on this issue. Remember, we have a similar Motion on membership to Sessional Committees. I want to believe that colleagues will have a chance. I plead with you because we must conclude this Business by 5.30 p.m. Allow us to conclude.

Mr. Deputy Speaker, Sir, I beg to move.

(Question put and agreed to)

COMMUNICATION FROM THE CHAIR

ELECTION OF CHAIRPERSONS AND VICE-CHAIRPERSONS OF SELECT COMMITTEES

The Deputy Speaker (Sen. Kathuri): I want to give direction on the way forward. This is a Communication on Election of Chairpersons and Vice-Chairpersons of Select Committees.

Hon. Senators, as you are aware and in accordance with the Senate Standing Orders, and following the approval of the House of the Senators to serve in Committees, Select Committee are now ready to start their respective legislative business.

Hon. Senators, Pursuant to Standing Order No.203 on Conduct of Elections, this is to inform you that the Clerk of the Senate has appointed Monday, 17th October, 2022 to Wednesday 19th October, 2022, as the date for the conduct of elections of the chairpersons and vice chairpersons of the following Committees-

1. The Standing Committee on Agriculture Livestock and Fisheries;
2. The Standing Committee on Devolution and Intergovernmental Relations
3. The Standing Committee on Education
4. The Standing Committee on Energy
5. The Standing Committee on Finance and Budget
6. The Standing Committee on Health
7. The Standing Committee on Information, Communication and Technology
8. The Standing Committee on Justice Legal Affairs and Human Rights
9. The Standing Committee on Labour and Social Affairs,
10. The Standing Committee on Land Environment and Natural Resources
11. The Standing Committee on National Cohesion Equal Opportunity and Regional Integration
12. The Standing Committee on National Security Defence and Foreign Relations
13. The Standing Committee on Roads Transportation and Housing and
14. The Standing Committee on Trade, Industrialization and Tourism.

Hon. Senators, further information on the venue and time of elections shall be communicated to the Members of the said Committees. Senators are urged to attend these important meetings, so as to enable the respective Committees to commence their work in the 13th Parliament.

I thank you.

I now call upon Sen. Ali Roba to move his Motion of Adjournment.

**MOTION OF ADJOURNMENT UNDER
STANDING ORDER NO.37**

THE DROUGHT SITUATION IN THE COUNTRY

Sen. Ali Roba: Mr. Deputy Speaker, Sir, I beg to move-

That pursuant to Standing Order No.37, the Senate do adjourn to discuss a matter of national importance namely, the drought situation in the country.

Mr. Deputy Speaker, Sir, the Arid and Semi-Arid Lands (ASAL) are faced with a devastating drought situation. The drought has affected almost all counties except three in the 23 ASAL counties. A total of 11 out of these are in an alarming stage or phase of drought. The remaining nine are in a later stage of drought.

Having been a Governor for the last 10 years, I would like to state that our county governments are ill-resourced and ill-prepared to deal with catastrophes of such magnitude as the devastating drought.

Drought is a recurring phenomenon globally. It is a hidden global crisis that is worse than pandemics such as the COVID-19 and others that have happened. Unfortunately, this crisis has not been mainstreamed or considered for the magnitude of the devastation that it is causing across the globe.

Countries such as China, which are far much developed than Kenya, have reported dams and rivers drying up. The bottoms of those dams and rivers have never been seen because of the water content. Most recently, it was reported that the streams feeding most dams and lakes such as Lake Naivasha, have dried up. The lakes are losing 0.5 metres of water literally every week.

Mr. Deputy Speaker, Sir, our country has never properly quantified the direct and indirect extensive impact of drought. Kenya's ASAL regions makes up 89 per cent of the landmass of this country, and houses 38 per cent of the population of Kenya. These regions also house 90 per cent of wildlife that contributes 12 per cent of our Gross Domestic Product (GDP). The ASAL counties also host 70 per cent of the livestock wealth of this country. As such, it is estimated to be over 70 billion worth of livestock wealth.

The ASAL counties have been hit the hardest, with the former President declaring drought a national disaster in September, 2021. Before that declaration, the counties in ASAL regions were dealing with droughts. On average, about four successive rainy seasons have failed. While counties that are not in ASAL regions may not feel the immediate impact, what is happening right now can easily make its way to other regions if it is not capped.

Whereas ASAL counties have been prone to droughts over the years, in the last 20 years, the period between droughts have been on average reported between five to 10 years. However, in the last 10 years to be precise, that period has reduced to two to three years. Right now, out of 12 successive rainy seasons, we have had less than adequate or suppressed rains. The situation was made worse by the locust invasion, which severely impacted---

(Sen. Ali Roba's microphone went off)

The Deputy Speaker (Sen. Kathuri): Give Sen. Ali Roba the microphone.

Sen. Ali Roba: Thank you, Mr. Deputy Speaker, Sir. The ASAL counties have historically suffered from periodic droughts. However, the droughts between 1969 to almost 2020 have been averaging between five to 10 years. In the last 10 years, the situation has changed, resulting to suffering the drought situation every two to three years.

As if this situation is not enough, the recent locust invasion affected over one million hectares of land pasture within the country. This has exaggerated the situation and gravely interfered with the coping capacities of counties to deal with drought as it was. As if that is not enough, the COVID-19 pandemic made it worse in the last three years.

Mr. Deputy Speaker, Sir, as I stand here, our Government, led by President William Ruto, has announced some interventions for these counties. That discussion is ongoing. Some little intervention has already started. What I would like to request and emphasize is scientific determination using the United Nations (UN) indicators of food ration per person in order to determine the level of intervention that is required.

More than half the livestock in ASAL regions have died. That means the pastoralist communities will not be able to cope even if we receive rains. It is because their main-stay or dependency in terms of livelihood has been pastoralism.

The situation in Mandera County where I represent, is not any better. Over 400,000 households are in dire need of nutrition and food support. An estimated 200,000 is experiencing severe food insecurity, while around 100,000 are likely to suffer from acute malnutrition by the end of 2022. The affected households lack basic necessities as their support has been wiped out in terms of livestock numbers.

I urge the Government to immediately carry out coordinated multi-sectoral and timely humanitarian assistance by way of accelerated food security. This is the intervention that is needed in order to save lives. Secondly, I also request the operationalization of the National Drought Emergency Fund (NDEF) and implementation of blanket intervention where the situation can be tamed.

Mr. Deputy Speaker, Sir, as I conclude, previously before we were declared a middle-income country, non-state actors would come in to help county governments to cope. After we were declared a middle-income country, non-state actors can only intervene after declaration of drought as a national emergency.

Therefore, I would like to request our President, who I believe is extremely compassionate, to declare drought a national emergency as urgently as possible. From there, we can then synergize our efforts between the National Government, county governments and non-state actors.

The Deputy Speaker (Sen. Kathuri): Who is seconding you?

Sen. Ali Roba: Mr. Deputy Speaker, Sir, I beg to move the Motion and request Sen. Wambua to second.

Sen. Wambua: Mr. Deputy Speaker, Sir, I would like to take this opportunity to second the Motion by Sen. Ali Roba on the issue of drought.

I congratulate the Senator for Mandera for thinking and effecting his thoughts by seeking for adjournment of the House to debate this matter of national importance. One of the issues we must address as a Senate, irrespective of where we belong, is the question of certain parts of the country having to deal with a drought situation and attendant famine.

Our forefathers used to sit back and wait for the rains to come before they could start planting. If the rains did not fall, they used to starve and could walk for long distances going to areas that experienced better rains in search of food to feed their families.

In this day and age, it is actually a shame that many generations down the line, we are still sitting back waiting for the rains to come. If they do not come, then some people starve, we declare drought a national disaster and go out there to beg.

I am happy to note that the Mover of this Motion, Sen. Ali Roba, has been a governor. In the books, agriculture is meant to be a fully devolved function. Again in the books, county governments are expected to ensure that agriculture succeeds, and by extension, our people have food.

What has happened is a sorry state. A few county governments, I do not know how many, have taken agriculture as devolved function as seriously as it should.

I will give an example of my own county, which is an Arid and Semi-Arid Land (ASAL). A study was done by South Eastern Kenya University (SEKU) on how the county government could collaborate with non-state actors---

(The amber light was switched on)

Mr. Deputy Speaker, Sir, I beg to be added three or four minutes because this is important.

The Deputy Speaker (Sen. Kathuri): Kindly, just second the Motion because of time. This Motion has a lot of interest and we only have 40 minutes left. Actually we have 35 minutes.

Sen. Wambua: Mr. Deputy Speaker, Sir, I second.

The Deputy Speaker (Sen. Kathuri): You should have finished your statement. Let me give you one minute to conclude.

Sen. Wambua: Thank you, Mr. Deputy Speaker, Sir, for that kind gesture. I was saying that that study had estimated that with as little as Kshs1.2 billion, we would do sand dams on every river stream to hold all the water in the county, raise the water table and carry out irrigation programmes.

Overreliance on rain-fed agriculture, whether in Kitui, Laikipia, Nakuru or anywhere else in this country, will never help us. We shall always sit back and wait for the rains to come. If they do not come, we go out to beg.

I want to challenge county governments. Even as they wait for the intervention by the national Government, they should take agriculture as a devolved function seriously.

Lastly, Mr. Deputy Speaker, Sir, I appreciate the initiatives by the Executive in mitigating drought. I know that meetings have been held with leaders from all over the regions that are affected. However, I must also point out that the latest intervention was too little too late. Dispatching 50 truckloads of foodstuffs to feed a nation that is starving is a good gesture, but we can do better; we can do more.

With those remarks, I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, every speaker will be allowed to speak on this Motion for five minutes. Therefore, as you prepare yourselves, be advised accordingly.

Proceed, Sen. Korir.

Sen. Korir: Mr. Deputy Speaker, Sir, allow me to congratulate Sen. Ali Roba for coming up with this important Motion on declaration of drought as a national disaster. This is something that is not new because we have been facing droughts year in, year out.

I believe that Members of this House are up to the task. I hope we will work with the *Kenya Kwanza* Government by coming up with strict policies that will help this country to address the issue of drought.

I also thank His Excellency the President for proposing that we come up with a housing policy. We have various Committees in this House. Housing projects should also be done in the ASALs, so that those people can also have amenities like others.

Every year, we talk of drought and people are still asking for water and infrastructural development. Those are things that everybody should have. It is high time we came up with a lasting solution. We have been asking donors to assist us in ensuring that we have food security. We have also been doing budgets to address that, but we can do better. We need long-lasting solutions.

We should not just discuss and pass this Motion. We need to sit with relevant stakeholders. I know that we have a challenge because Cabinet Secretaries (CSs) have not been vetted and appointed by the President. We need to come up with policies and structures that are going to end challenges that people face as a result of drought year in, year out.

People are suffering and animals are dying. We see pictures of malnourished children and that is because of our doing. We need to act by coming up with measures that are going to sort out this problem once and for all. Let it not be like a song that we keep on singing.

No parent would want their child to sleep without food and no parent would want their child to stay at home because of bad roads and lack of water. We should encourage our children in the ASALs to start planting trees, so that at least we can have a change.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

[The Temporary Speaker (Sen. Wakili Sigei) in the Chair]

Mr. Temporary Speaker, Sir, my plea this day is that this should not be just a Motion that we are discussing as Senators. It should be something that is workable; that the Government will implement and we see this being addressed once and for all.

Thank you, Mr. Temporary Speaker.

Sen. Kinyua: Asante, Bw. Spika wa Muda kwa kunipa fursa hii. Nataka kuchukua fursa hii kumpongeza Sen. Ali Roba kwa Hoja hii ambayo imeletwa wakati unaofaa.

Ni ukweli ya kwamba hili janga la njaa limekumba sehemu nyingi za nchi yetu ya Kenya. Ukitembea sehemu za Laikipia Magharibi, Kaskazini na hata Mashariki, utapata watu wanasononeka kwa sababu ya njaa. Watoto hawaendi shule.

Ningependa kuomba Serikali kuu - tunasema asante kwa sababu tayari wameendelea kujizatiti - waweze kupatia watu chakula. Lakini, waongeze bidii. Wapeleke chakula hasa kwa mashule zetu kwa sababu ukitembea katika shule nyingi unapata watoto hawasomi na hawaendi shule. Kwa hivyo, tunaomba ya kwamba ile chakula ambayo imepatikana, kama ni mahindi, mchele ama maharagwe, yote kwanza ipelekwe shuleni ili watoto waweze kusoma na kuhifadhiwa katika shule zao.

Bw. Spika wa Muda, jambo la pili ni kwamba, janga la njaa limekuwa ni donda sugu. Mwaka nenda, mwaka rudi, tunaongea kuhusu janga la njaa. Kwa wakati huu, Serikali kuu inafaa ichukue jukumu lake la kusaidia, haswa mambo ya mbegu kufanya utafiti, tuwe na mbegu ambazo zitaweza kuhimidi wakati wa ukame. Tuweze kutafuta njia mbadala, badala ya kutegemea mvua kila wakati. Tuweze kujenga mabwawa ya maji, tutengeneza sehemu zetu ambazo zitakuwa na maji. Hii ni kwa sababu ukiangalia sehemu nyingi, unapata kukinyesha maji yote yanateremka yanaenda katika maziwa na unapata tunabaki katika hali ya ukame.

Kwa hivyo, ningependa kuhimiza Serikali kuu iongeze pesa kwa shughuli hii. Hasa sisi watu wa Laikipia, ukitembea mahali kama Dodo, Kimanju, Olmoran, Timau na Matanya, watu wanaishi hali ya uchochole kwa sababu ya hili janga la njaa.

Kwa hivyo, naomba gatu zetu, hasa Gavana wetu wa Kaunti ya Laikipia, wawache kufanya maendeleo mengine yeyote sasa tuzingatie mambo ya kupigana na bala hili la njaa. Mambo ya kilimo tayari yamepelekwa katika ugatuzi. Kwa hivyo, gatu zetu washughulikie mambo ya kupigana na hili baa la njaa. Hata wao, washughulikie mambo haya kwa uadilifu kabisa.

Na wale ambao wanafanya utafiti; kwa sababu najua hizi taasisi ambazo ni za utafiti ziko katika Serikali kuu zikuwe zikiangazia mambo ya kutafuta njia mbadala, badala ya kila wakati tunasema mvua ukinyesha, basi mambo iko sawa sawa.

Ni jambo la kuvunja moyo ukitembea mahali kama Trans Nzoia, mahali Sen. Mandago ametoka na Bungoma unapata kuna Mahindi. Tungeomba Serikali inunue mahindi kutoka kwa wale watu wa Trans Nzoia, Uasin Gishu na Bungoma waweze kuleta katika sehemu ambazo kuna ukame; mahali kama Laikipia; Maina Village, Rumuruti, na Thome kwa sababu hizo ndizo sehemu ambazo watu wana njaa zaidi.

Ningependa kumuomba Rais wa Jamhuri ya Kenya aweze kusema ya kwamba, kumekuwa na janga la ukame ili tuweze kulishughulikia hili jambo kwa hali ambayo inayo faa.

Tayari tumesema kwamba kilimo kimeletwa katika gatuzi zetu. Wanaweza kusema wamenunua mahindi na chakula ili watumie hiyo kama sababu ya kutumia pesa zetu vibaya. Kwa hivyo, ningependa kuwaambia Sen. Ali Roba, Sen. Chute na Maseneta wote walio hapa kama vile Maseneta wa kutoka Garissa, Taita-Taveta na Nyeri tukae ngangari. Hiki kinaweza kuwa ni kisingizio cha magavana kupata njia ya kujitajirisha na pesa zetu.

Kwa hivyo, tunawaambia, tuko macho, tuko chonjo, tuko ngangari na tutaangalia.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Kinyua, thank you for your contribution.

Sen. Olekina, please, proceed.

Sen. Olekina: Thank you, Mr. Temporary Speaker, Sir. Let me begin by thanking this House for being magnanimous enough and remembering the people of Arid and Semi-Arid Lands (ASALs) counties.

I appreciate the former Governor, Sen. Ali Roba, for seeking this House to adjourn to discuss a matter, which unless we develop clear policies on how to deal with the drought, most of our population will be decimated.

Mr. Temporary Speaker, Sir, if you visit Kajiado, Samburu and parts of Narok Counties today, they are littered with carcasses of dead domestic animals.

Two days ago, I went to Kajiado County to attend a function. I then happened to go and visit my land. I found myself praying to God asking him to remember us. There are things that we cannot control and those that we can.

I am one of those people who give credit where it is due. I am happy to hear the President talking about issues to do with environment. I request him to go further and set a day every week for us to regrow our forests.

Today, the courts in Narok County made a very good ruling when it came to the issue of Mau Forest. Before, we would move people out of Mau Forest.

If you went to the Maasai Mara Game Reserve, you would cry. That is our biggest Own Source Revenue (OSR). We generate anywhere between Kshs3 billion to Kshs5 billion every year.

Before we saved Mau Forest, you would go to Mara River and find Hippopotamus crying, and that is what we depend on. Now, it is no longer hippopotamus, but human beings.

Mr. Temporary Speaker, Sir, this is something very sensitive and emotive. I hope that we can develop policies that can support county governments when it comes to---

We were given five minutes, I believe I have not spoken for five minutes. The problems that we have in this country are all man-made. We have destroyed our forests. We need to start by taking the environment seriously.

Secondly, we have heard that there is a lot of water in Turkana County. Today, if you go to Turkana County, you will also cry because people are dying. I remember during the campaigns, we would go and talk to people. We would turn around and say, 'Jesus can we look for some money to help these people buy food?' It becomes dire.

If you go to Kajiado County today, 60 per cent of all the cows that survived are in Narok County because people bought them. On a daily basis, you will find people walking. It is really a dire situation.

This time around, governors, please stop being greedy. Stop taking all the money that belongs to emergency funds and misappropriating it. I am saying this because I have been a Member of the County Public Accounts and Investments Committee. Sometimes, you see things and just say 'God, please have mercy on us.'

Right now, we need to prepare. We might be lucky enough and get long rains coming in. County governments need to establish emergency funds. They also right now need to prepare and build water pans. If there is any money coming from donor agencies, let us send it to this (ASAL) counties.

In fact, this time round, when it comes to the issue of Division of Revenue and addition allocation of revenue, the National Treasury must consider allocating more money to deal with this drought. If they do not do that, then very soon, no one will come here.

I was in a camp called Satao. I could see it was full of tourists. However, they were waiting to see whether an elephant would die. That is how dire it is.

(The red light was switched on)

Mr. Temporary Speaker, Sir, in summary, it all behooves us to take it as our personal responsibility; to be our brothers' keeper.

I know there are counties that are celebrating. If you go to Eldoret or other parts of this countries, it rains on a daily basis. Please, let us think of food security and coming up with policies that will support our people.

Narok has not been badly hit. You know, we the Maasais are polygamists. We have wives in Kajiado and Narok. Sometimes, we do not even have boundaries, but when you see your family in Kajiado cry, you also cry.

In summary, this is a matter that the current administration must take seriously. They should allocate additional resources to counties, so that they can deal specifically with issues of drought.

Otherwise, I thank you and hope that action will come.

The Temporary Speaker (Sen. Wakili Sigei): Thank you very much Senator.

Proceed, Sen. Cheptumo.

Sen. Cheptumo: Thank you, Mr. Temporary Speaker, Sir. I thank Sen. Ali. Roba for this Motion of Adjournment.

Mr. Temporary Speaker, Sir, the arid and semi-arid areas of our country are facing very many challenges including drought and the menace of insecurity.

This is a problem that most of us do not understand. I thank Sen. Mandago, Sen. Korir, Sen. Nyamu, perhaps Sen. Cherarkey and my learned colleague, Sen. (Prof.) Ojienda, SC. Those are Senators who come from areas that are not affected.

If you look at Members present for this debate, they are from the affected areas. They are the only people who understand what we are saying. I appeal to them - Sen. Mungatana - that unless we rise up ---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Cheptumo---

Sen. Cheptumo: I know Mr. Temporary Speaker, Sir. I am not addressing him. I am just trying to emphasize the point.

The Temporary Speaker (Sen. Wakili Sigei): Thank you for noting it.

Sen. Cheptumo: Unless we rise up as Senators of this House from semi-arid and arid counties, we will perish. I am not going to blame anybody who is not here because how do you cry with those whose problem you do not understand?

Mr. Temporary Speaker, Sir, I have been in this Parliament for 15 years. These Motions are being moved in the other House every other year, since 2007. I have done it several times. It has been recorded in the HANSARD. It has been read by Presidents of this country, from Hon. Jomo Kenyatta till today, but nothing has happened.

(The amber light was switched on)

It is a challenge. I know certain interventions have been done. That is why we have Kerio Valley Development Authority (KVDA). What has it done? Nothing! We also have Tana and Athi Rivers Development Authority (TARDA) and the National Drought Management Authority (NDMA), which have done nothing.

Mr. Temporary Speaker, Sir, I represent Baringo County, another ASAL area. The President of the Republic of Kenya gave us hope when we were being butchered during the spate of cattle rustling. When he visited Baringo County, he demonstrated that he understands the situation.

I appeal to my colleagues from the ASAL areas, that we strengthen our own caucus, the Pastoralists Parliamentary Group (PPG). This will enable us to articulate these issues clearly to the Government that is now in place.

During the post-election violence in year 2007, billions of money were allocated to address the situation. I think we are being neglected because of our numbers. I do not know what we will do to have the population required for us to be listened to. This is the House where we can stand to be counted, so that our region and people will---

(The red light on the timer was switched on)

Mr. Temporary Speaker, Sir, please, allow me just one more minute because it is very important.

The Temporary Speaker (Sen. Wakili Sigei): You have 60 seconds.

Sen. Cheptumo: Thank you, Mr. Temporary Speaker, Sir. The only means of livelihood of our people in ASALs is livestock. That is what we use to feed, clothe and take our children to school. When they are wiped out because of the drought, we are done and gone. The interventions will help for the time being. However, we must develop policies that will bring water for irrigation in those areas.

I thank Sen. Ali Roba and assure him that we are together in this.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Cheptumo. You have spoken passionately about this issue. I can assure you that with the commitment of the House, it behooves upon us to ensure that we put the Government in place to work it out and support your people.

Sen. Abdul Haji, proceed.

Sen. Abdul Haji: Thank you, Mr. Temporary Speaker, Sir. First, I am very delighted to hear His Excellency the President talking about issues of food security, drought and climate change. I commend him for that.

It is unfortunate that countries that contribute the most to climate change suffer the least. Countries like Kenya that contribute very little to the causes of climate change suffer the most. Countries that contribute the most are taking their time to act on climate change or to help countries like Kenya. It is about time we stopped waiting for help from the outside and work together to help ourselves.

Mr. Temporary Speaker, Sir, ASAL regions of Kenya have endured three severe droughts in the last decade. The current drought is the most severe and the longest that we

have ever faced. It has come with widespread losses of livelihood and massive displacement of our people.

I was reading somewhere that, currently, 4.2 million people representing 24 per cent of the ASAL regions in Kenya, are facing high level of acute food shortage and water scarcity. Most counties in Kenya are facing acute food shortage and water scarcity.

I met a gentleman from my county and he told me that they have given up on looking for water for their livestock and that they are now struggling to look for water for their use.

More than 2.5 million livestock, which pastoralists families rely on, have died. Climate change, economic instability, effects of COVID-19 pandemic and the damage caused by the locust have exposed communities in the ASALs even further.

We, therefore, request that we get from the national and county governments sustainable support beyond December 2022. We also request the national and governments to release available funds to scale up on the responses. We also appeal for special focus on women and young girls.

Non-Governmental Organisations (NGOs) have stepped up the effort to offer assistance through cash transfers to thousands of beneficiaries in the ASALs. The cash transfers run into millions of shillings. We urge the Government to intervene and stop mobile communication companies from disconnecting people due to non-compliance with registration requirements according to the Kenya Information and Communications Act.

The cash transfer is through mobile money such as M-pesa. The People who are affected with the drought live in far villages and centres; far from any customer service centres where they can update their registration.

I know that it is also possible to update your registration through the internet. However, most of the affected people do not have internet enabled mobile phones. Therefore, we urge the Communications Authority of Kenya (CA) and Safaricom not to disconnect those beneficiaries.

Mr. Temporary Speaker, Sir, the national Government is working closely with county governments and governors. I also urge the national Government to work closely with Senators when it comes to issues of drought in the ASALs.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Proceed, Sen. Mandago.

Sen. Mandago: Mr. Temporary Speaker, Sir, the drought situation in the country is a serious problem that needs urgent intervention. I would like to make the following recommendations.

Coming from a county that is one of Kenya's food baskets, the North Rift is approaching a harvesting season. The Government should take advantage of the food available within the country and ensure that the National Cereals and Produce Board (NCPB) purchases maize from the farmers. That will not only assist the Government to have strategic food reserves, which can be taken to drought-stricken areas, but also ensure price stability for the sake of farmers who produced food at a very high cost this year.

The reason counties are not adequately prepared to deal with the magnitude of drought and famine is because resources that are meant for agriculture have remained with

agencies of the national Government that do many things, yet no significant impact is seen by the people of this country.

In the 10 years of devolution, the budget for the Ministry of Agriculture, Livestock, Fisheries and Irrigation in the National Government has kept increasing, while the function is devolved at 95 percent. Up to this date, I wonder what these funds are doing when the residual function that has remained in the national Government is policy issue.

Why should the National Assembly allocate billions of money to that Ministry, which is handling a function that is already devolved? In order to deal with this issue of drought and famine firmly and in a manner that is sustainable, we should direct all these funds that are lying in national Government agencies such as Regional Development Authorities and many parastatals to county governments.

People in various forums have always claimed that counties do not have capacity. I want to say there is capacity. If counties do not have capacity, why can we not take all these people in the parastatals who are doing nothing with a lot of money and take that resource to those counties?

There is a tendency while looking at this situation, to look at the effect on the population of human beings. Let us not forget that the whole North Eastern region or the Arid and Semi-Arid Lands (ASAL) areas their mainstay in terms of economy is livestock farming.

This is one sector in agriculture that has not received sufficient attention to make it robust and sustainable, while it contributes a huge amount of foreign earning---

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

The Temporary Speaker (Sen. Wakili Sigei): Sen. Lelegwe, kindly, proceed.

Sen. (Dr.) Lelegwe Ltumbesi: I apologize to my colleague and Senator for interfering with your contribution. I have noted the time left for the contribution for this Motion is less than 15 minutes. It is a matter that has attracted a lot of attention from the Hon. Senators and I rose to kindly ask the Speaker to guide us whether we should move a Motion in order to extend time and continue with our contributions until Senators are satisfied that they have contributed to this important situation in our country.

I thank you.

(The Clerk-at-the-Table consulted with the Chair)

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Lelegwe for your intervention. I am guided that under Standing Order No.34, a Motion to adjourn ought to have been moved at least 30 minutes before the time appointed for adjournment. If we have got only 10 minutes or so, then that Motion cannot be moved at this time. It would be subject to the Senators agreeing that instead of having five minutes each to contribute, we do it in under two minutes.

I, therefore, direct Sen. Mandago to wind up his contribution.

Sen. Mandago: Thank you, Mr. Temporary Speaker, Sir. In conclusion, we would like to urge the Government to move with speed as they look into areas to cut the costs in the budget. The resources that will have been saved from expenses that may not be extremely necessary be directed towards mitigating the drought and famine in the country.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Senator for Uasin Gishu County.

Sen. Githuku of Lamu County, proceed.

Sen. Githuku: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to air my voice on this very important issue of drought. I thank Sen. Ali Roba for bringing this very important Motion before this House.

Counties in ASALs areas are the most affected. As the Senator for Baringo County has stated, this issue of drought has been a problem for a long time. I agree with him that there have been subsequent Governments that have failed to provide a long-lasting solution for this problem.

I come from Lamu County where we have villages, and farmers and pastoralists are currently adversely affected by this menace. I would propose that this House formulates a mechanism on how these people who are mostly affected will be identified. As the Government provides a temporary measure of relief, we need to go to the right people, who are currently in dire need of the support.

As I windup, I would wish to commend His Excellency the President who I saw last time flagging off the distribution of relief food to counties that are mostly affected.

I wish to put governors and county administrators on notice. When this relief food reach to their counties, they should make sure that it is evenly distributed to the needy people, so that they get this food.

I propose that this Government formulates a follow up mechanism on how this food will be distributed to our people.

I support

The Temporary Speaker (Sen. Wakili Sigei): Thank you very much Senator.

The Temporary Speaker (Sen. Wakili Sigei): Sen Chesang, what is your intervention? You have requested to intervene.

Sen. Chesang: No, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Wakili Sigei): Do not worry, thank you.

Sen. Tobiko, you have the Floor.

Sen. Tobiko: Thank you, Mr. Temporary Speaker, Sir. I rise to support the Motion. I thank Sen. Ali Roba for taking his time to bring this very crucial Motion to the attention of this House.

It is true that the hunger pangs are biting hard in many of our communities in the ASALs, for example, the Northern Kenya and other counties like Kajiado, Samburu, Laikipia and Nyandarua. Some of these counties are really affected. Our livestock and wildlife are dying and now it is the people's lives that are facing eminent demise.

We know that the President of the Republic of Kenya is a man who has crisscrossed this country and has a lot of information at his fingertips. He is also a person who feels for these communities. We, therefore, request the President---

The Temporary Speaker (Sen. Wakili Sigei): Senator, your time is up

Sen. Tobiko: Mr. Temporary Speaker, Sir, this is serious. I request that you give me two more minutes.

We request the President to declare this a national disaster, so that we get interventions from all corners and our development partners coming in for the people.

Mr. Deputy Speaker, Sir, we also need to address climate change as a way for building resilience in our community. Many old people, children and women are affected. I am trying to run through. We need to improve the water situation in our counties and to get governors to address water sustainability.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Tobiko, your time is up.

ADJOURNMENT

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, it is now 6.30 p.m., time to adjourn the House. The Senate, therefore, stands adjourned until Tuesday, 18th October, 2022, at 2.30 p.m.

The Senate rose at 6.31 p.m.