

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 27th June, 2023

*The House met at the Senate Chamber,
Parliament Buildings, at 2.33 p.m.*

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

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Clerk, do we have quorum?

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

The Speaker (Hon. Kingi): Serjeant-at-Arms, kindly ring the Quorum Bell for ten minutes.

(The Quorum Bell was rung)

I am informed that we now do have quorum. Kindly, stop the Bell from ringing. Clerk, please, proceed to call the first Order.

COMMUNICATIONS FROM THE CHAIR

VISITING DELEGATION FROM BUSIA COUNTY ASSEMBLY

The Speaker (Hon. Kingi): Hon. Senators, I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of Serjeant-at-Arms officers from Busia County Assembly. The officers are in the Senate for a five-day benchmarking visit with their counterparts in the Directorate of Serjeant-at-Arms.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them, and on behalf of the Senate and on my own behalf, wish them a fruitful visit.

(Applause)

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VISITING DELEGATION FROM KAKAMEGA
COUNTY ASSEMBLY

The Speaker (Hon. Kingi): Hon. Senators, I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of visiting Committee Members on Environment, Natural Resources, Energy, Water and Forestry and their secretariat from Kakamega County Assembly. They are in the Senate for a five-day consultative meeting with their counterparts in the Standing Committee on Land, Environment and Natural Resources.

I request each member of the delegation to stand when called out so that you may be acknowledged in the Senate tradition.

Hon. Boaz Omukunda - Chairperson
Hon. Sarah Watsula
Hon. Samuel Segero
Hon. Eddie Obwaka
Hon. Angela Nerima
Hon. Cynthia Livoli
Hon. Daphy Masinza
Hon. Victory Shikutwa
Hon. Dan Mukwami
Hon. Steven Mukhala
Hon. Titus Koma
Ms. Tracy Florence
Ms. Joselyne Mugoya
Ms. Sonnie Muhatia
Mr. Josek Onyango

In our usual tradition of receiving and welcoming guests to Parliament, I extend a warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful engagement.

(Applause)

I will allow, under one minute, the Senator of Kakamega County, to say few words of welcome on behalf of the delegations from Kakamega and Busia counties. Sen. (Dr.) Khalwale, please, proceed.

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. It is an honour and privilege for me to welcome my cousins from home, notably my area Member of County Assembly (MCA), Chief Segero, and also the daughter of my mother's brother, Ms. Victorina. I generally welcome all the men and women from the land of bull fighting.

This House celebrates culture and as you know, Kakamega County is the centre for song and dance and bull fighting in the Republic of Kenya. Enjoy your stay.

Before I welcome the delegation from Busia County, I would like to mention that this is the same seat where our sister who we buried in Funyula the other day was sitting.

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So, you are the first delegation to come here post the time of her death. We are proud of you.

Busia is a unique place. It is the home county of Amos Wako, your senior in your profession. Amos Wako set a leadership record here that will never be broken, as the longest-serving Attorney-General in the Republic of Kenya who later became our Senator.

Personally, I owe you, the people of Busia. My professor of Surgery, Prof. Nelson Awori was from Busia. My professor of pediatrics, Prof. Nimrod Bwibo was from Busia. My professor of Internal Medicine and Pharmacy, Prof. Arthur Obel was from Busia. So, Busia is the center of the brain power in our community.

Welcome and thank you.

The Speaker (Hon. Kingi): Next Order.

PAPERS LAID

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, before I do so, allow me, I forgot something very important that the Clerk of the Senate of the Republic of Kenya is from Busia.

(Applause)

Thank you, Mr. Speaker, Sir. Clerk, do not stand up. I know you are very happy for your people to be here.

(Laughter)

REPORTS ON FINANCIAL STATEMENTS OF VARIOUS COUNTY FUNDS/ENTITIES

Mr. Speaker, Sir, I beg to lay the following Papers on the Table of this Senate, today, 27th June, 2023.

Report of the Auditor-General on the financial statements of Tana Water and Sanitation Company Limited for the year ended 30th June, 2021.

Report of the Auditor-General on the financial statements of Tana Water and Sanitation Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Garissa Water and Sewerage Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Kabianga Tea Farm for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Kericho County Assembly Staff Car and Mortgage Scheme Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Kericho Water and Sanitation Company Limited for the year ended 30th June, 2022.

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Report of the Auditor-General on the financial statements of Elwak Water and Sewerage Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Siaya County Assembly Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Siaya County Alcoholic Drinks Control Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Vihiga Municipal for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Chemelil Sugar Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of Special Municipality of Mwatate Fund/Board for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of the Turkana County Executive State and Public Officers Car Loan and Mortgage Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of the Turkana County Assembly Staff Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the financial statements of the Trans Nzoia County Youth and Women Development Fund for the year ended 30th June, 2022.

(Sen. (Dr.) Khalwale laid the documents on the Table)

The Speaker (Hon. Kingi): Next Order.

NOTICE OF MOTION

ALTERATION OF THE SENATE CALENDAR FOR THE SECOND SESSION 2023

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I beg to notice of the following Motion -

THAT, notwithstanding the resolution of the Senate made on the 16th February, 2023 and the 29th March, 2023 (Approval of the Senate Calendar), pursuant to Standing Order No.32(4) the Senate resolves to alter its calendar (Regular Sessions) for the Second Session 2023, in respect to Part IV to resume from the recess period on Tuesday 18th July, 2023 and that the Senate Calendar (Regular Sessions) for the Second Session 2023 be altered accordingly.

The Speaker (Hon. Kingi): Next Order.

MOTION**ALTERATION OF THE SENATE CALENDAR
FOR THE SECOND SESSION 2023**

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

THAT, notwithstanding the resolutions of the Senate, made on 16th February, 2023 and 29th March 2023 (Approval of the Senate Calendar), pursuant to Standing Order No.32(4) the Senate resolves to alter its calendar (Regular Sessions) for the Second Session 2023 in respect of Part IV to resume from the recess period on Tuesday the 18th July 2023 and that the Senate Calendar (Regular Sessions) for the second session 2023 be altered accordingly.

Mr. Speaker, sir, you know that in the month of February, we all agree on the calendar of the Senate on which months or weeks we shall be seated in the Plenary for both morning sittings on Wednesday and afternoons Tuesday, Wednesday and Thursday.

We have so far stuck to that calendar dutifully. There has been good participation by Members of this House. We have passed a record number of Bills. Later on, on Thursday in my Statement Hour, I will give a comparison of where the previous Senates had been at this time, nine months into their life and where this current is compared to what we have done so far.

Mr. Speaker, Sir, I want to celebrate and appreciate all distinguished colleagues who have found time to participate in the activities of the House, ensure that they are present to vote for Motions and debates and have in one way or the other made serious contributions. I must appreciate that the last few weeks have been quite an interesting spectacle in the Senate watching colleague Senators debate on the various Bills, something that was missing and I had noted and brought it to the attention of our colleagues during one of my state of the weekly addresses.

We were missing a key ingredient of what makes Parliament to be Parliament which is debates on issues that affect the lives of the people that we represent and giving different perspectives on various matters. Apart from passing the County Allocation of Revenue Bill (CARB), the Division of Revenue Allocation Bill (DORB), Additional Allocation are what I consider to be ordinary work.

The additional work that defines us, as a Senate, is legislation that Members craft, taken through by the various committees, brought here before this House refined by debate, voted through Second and Third Reading, go to the Lower House, processed and comes back and then assented to. We then begin the beautiful work of transforming the lives of people courtesy of legislation that has been done in this House.

Nothing should be more satisfying to a legislator other than what I have just described. I have lived through it and I know how it feels. The recognition that a Member can get when you walk into a particular sector and people respect you and tell you: "Thank you, Sen. Prof. Tom Ojienda. If it were not for your intervention via Bill XYZ,

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this is what used to happen in our industry.” Therefore, I celebrate what colleague Senators have done in the last few weeks and I hope that we can continue to more.

Mr. Speaker, Sir, as you know, all these Senators are human beings made of flesh and blood. Occasionally, they deserve a rest and that is why we are moving this Motion so that we go on a two-week recess. Senators can find time to interact with their constituents.

One of the most difficult things to do as a local politician in this country is to connect what you do in this House with the people you represent. Otherwise, if you remain in this House talking a lot of big English, waiting for five years to go back home and say I have been representing you in the House where you sent me, you may never see the hallowed four walls of this Senate again. Therefore, recess is the period through which we find time to go sort out a few local issues that require our attention.

Mr. Speaker, sir, you are aware that this administration has again set a record as the first administration under the new Constitution to transfer all the devolved funds of a particular financial year before the end of that particular financial year. The last five to seven financial years has been weeping and gnashing of teeth in various county governments as the national Government waits until 10th July sometimes and then you are asked to spend the money within two days. It is not unusual to find Chief Officers of Finance hiding in some dingy places in the various capital of our counties trying to pay a few well-connected suppliers.

That is not the case this financial year. The President confirmed to the country on Sunday that as of last week, each of the 47 county governments had received its full amount of shareable revenue for this financial year.

That is something quite commendable. That is the kind of spirit and belief. We normally tell our colleagues on the Minority side that it is not just about the amount. There is a lot more that shows we believe in devolution.

Therefore, because of the funds that have been sent to various counties, I urge colleague Senators to take time and pay keen interest on how much of the money will go to actual development.

The recess period provides us an opportunity. You are aware that courtesy of a report that was moved on the Floor of this House by the Committee on Finance and Budget of the 2nd Senate, each county has an officer from the Office of the Controller of Budget (CoB).

That is a report that we moved here in 2018. I am proud to have been part and parcel of that Committee. We felt it was difficult to rely on officers based in Nairobi to give us real time updates.

In fact, I want to encourage you, Sen. Onyonka and Sen. Kavindu Muthama. You need to know the officers in your counties and ask them to give you weekly reports, so that you do a comparative study. For example, if Kshs500 billion was sent to Kisii, how much of it went to actual development and how much was used to pay for things that have a direct impact on the people that you represent? We should know those people because it is important for you, as a Senator.

In fact, I look at Senators as being like chairpersons of boards and Governors as Chief Executive Officers (CEOs) or secretaries of boards, just as it was designed in the Sen. Sang Bill, which unfortunately never saw the light of day.

As an oversight representative of your people, it is your duty to look at the numbers. You need to be slightly different from the people that you represent. In the ordinary scheme of things, the people that you represent in this House---

Sen. (Prof.) Tom Odhiambo Ojienda, SC, may not have the sophistry of mathematics to understand the County Revenue Fund (CRF) balances in the Treasury for Kisumu County, what is expected, the shareable revenue, how much has gone to development and the recurrent expenditure.

As a Senator, they gave you a platform to represent them in this House, so that you take time to study the books of accounts of your county and take to task your governor and Members of the County Assembly (MCAs).

As I speak, there are MCAs from Kakamega County in this House this afternoon. Unfortunately, not a single county government is in compliance with Section 25 of the regulations, in terms of how much you need to spend on development. All of them have passed the 65 per cent ceiling. Many counties are spending a lot. Some are even in excess of 80 per cent.

If as a county, you spend 80 per cent of your funds on recurrent expenditure, then you are actually functionally insolvent. You need to be wound up and sent back to Nairobi, because as a county, it is clear that you cannot run your affairs.

We are duty bound to send governors back to the drawing board and demand from them that within a particular period---

I had challenged Sen. Ali Roba – I do not know if he is in this House since I cannot see him – to move us by way of a resolution of this House, to demand for redundancy plan from each of our 47 governors and how many years it is going to take them before they achieve the 65:35 principle, that is expected in the regulations of devolved units.

I do not intend to be long. I am just giving a justification as to why these Senators need that particular time away from the Chamber, so that they spend time looking at the operations of their counties.

Mr. Speaker, Sir, with those many remarks, I request Sen. (Prof.) Tom Odhiambo Ojienda, SC, my good neighbour from Kisumu County, to second this Motion.

I thank you.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Mr. Speaker, Sir, without much ado, I second the revised Senate Calendar proposed by the Senate Majority leader.

The Speaker (Hon. Kingi): Hon. Senators, I will now propose the question.

(Question Proposed)

Hon. Senators, we need not to spend so much time on this Motion. Under the Standing Orders, you are entitled to 20 minutes each to contribute. If that is the mood, I

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will allow. However, since I have said we need not to spend a lot of time on this Motion, we can have a consensus on the time each speaker will expend when they rise to speak.

(Loud consultations)

Do we go with three minutes? Okay, we will have three minutes each. Let us have four from the Minority side and four from the majority side. Do we have concurrence on that?

Hon. Senators: Yes.

The Speaker (Hon. Kingi): Very well. Proceed, Sen. Onyonka.

Sen. Onyonka: Mr. Speaker, Sir, I would like to agree with my friend and leader, Sen. Cheruiyot, for coming up with the Motion. To a larger extent, as the Senate, it is important that we understand what our oversight role is.

As we plan to go for recess, I was happy to hear Sen. Cheruiyot talk about what we need to do. That is how we are going to look at what is happening in our county governments and how money for our people is being spent.

Indeed, Sen. Cheruiyot, as I have been saying and I will say it here, if what you have said is true, that for the first time in seven years the national Government has, through the Exchequer, released funds to all the county governments, then I have to give you a congratulatory message. This has been one of the thorny issues about our Government and how we run our affairs.

So, please keep it up. You, people, in the Government should continue pushing for the governors to settle and make sure that members of the public receive necessary services they require.

I also thank you for coming up with the idea. Indeed, oversighting counties and the national Government is our major responsibility as a Senate. I believe this House has the responsibility of making sure that we deliver for the Kenyan people.

You will continue having your way but we will have our say because we must continue to balance issues, so that we make sure that our country develops. That will ensure that Kenyans get out of the poverty that is grinding them to a halt.

Mr. Speaker, Sir, I congratulate Sen. Cheruiyot for coming up with this Motion. I thank you.

The Speaker (Hon. Kingi): Proceed, Sen. Chute.

Sen. Chute: Thank you, Mr. Speaker, Sir, and the Senate Majority Leader.

I support what the Senate Majority Leader has said. I visited the Office of the CoB recently and got a list of monies that were sent to my county. Based on that report, I went to Marsabit and checked on what has been paid against what has been done. Surprisingly, there are many projects that have not been finished while some have not even been started.

I was in Marsabit three or four days ago. I went to a place called Kalacha. The dispensary there was only 30 per cent done but the money was fully paid. In the same vicinity, I visited Mt. Kulal. There was no project initiated, not even a foundation of the dispensary, but money had been paid to the contractor.

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Let me also congratulate our Majority Leader for bringing up the issue of 35 per cent and 65 per cent. In some counties especially in the northern region, you can find that the governors have put money as development that is being diverted to food relief supplies.

Mr. Speaker, Sir, in actual sense, if you look at the books, the books read development at even 35 to 40 per cent. However, the money has been transferred to food relief supplies. Some counties have used only eight to nine per cent on development. Nonetheless, even with that, most of those development projects have not even been started completed.

I urge my colleagues, please, go to the Office of the Controller of Budget (CoB) and get the details of money---

(Sen. Chute's microphone went off)

The Speaker (Hon. Kingi): Proceed, Sen. Dullo.

Sen. Dullo: Thank you, Mr. Speaker, Sir. I support this Motion. I give a rider on the statement made by the Majority Leader that there is a CoB representative attached to the Senators. I wish the Committee on Finance and Budget Chairperson or Vice-Chairperson was here to take this information back to the Committee.

At the initial stage when the Senate was established, we had a lot of problems as far as getting to understand what is happening in the county. Fortunately, as the Majority Leader, Sen. Cheruiyot has said, we were able to know the kind of budgets that was going to the counties.

However, there is a bit that is quite challenging. I think maybe the Senate should be able to move to another level to ask for the information as far as budget that is passed at the county level.

Mr. Speaker, Sir, you will realize that supplementary budgets are passed at the County Assembly level. If you ask the representative of the COB to give you a copy of that budget, he will refer you back to the CoB Headquarters which is not right. The reason why they were put there in those positions is to link up with you so that you can get the information.

Secondly, on the expenditure report of the county governments, in some of the counties, they are never tabled in the county assemblies. I think it is important for Senators to get expenditure report of the County Executive, so that we can really understand how the money that we have passed here is being utilized and implemented at the county level.

I hope the Chairperson of the Committee on Finance and Budget could have a discussion with the CoB, so that Senators can have the information as far as how the budget is utilized at the county level.

I thank you.

The Speaker (Hon. Kingi): Proceed, Sen. Wamatinga.

Sen. Wamatinga: Thank you very much, Mr. Speaker, Sir. I also rise to support this Motion.

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I wish to ride on the goodwill that we had a meeting with the CoG. I think tying on what my Majority Leader has said, there is need of knowing what is happening. Additionally, I add to what Sen. Chute has said, that we need to know how the counties are expending the money.

It would be important for us, as a House, to come up with measures where we can develop an interphase where we will be getting that information. This is so that we cannot only discuss how the money is being spent at the county level but equally to see how our county Governments are specifically doing.

It would also be a good opportunity to borrow from other counties that are performing well so that we can get to benchmark with them and learn from their best practises.

I therefore think it is important for us to go *Mashinani* so that we can know what is being done there.

Thank you, Mr. Speaker, Sir. I support.

The Speaker (Hon. Kingi): Proceed, Sen. (Dr.) Khalwale.

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. I support this Motion and I would like to congratulate the Senate Majority Leader for it.

Yes, Mr. Speaker, Sir, all is well. The President has lived to his promise and released all the money to county governments. Now, the ball is in our court as Senators and Members of the County Assembly (MCAs) of the Republic of Kenya to make sure that the money is used for what it is intended. It should never be allowed for the aggrandisement of our colleagues in the name of governance.

This matter is so serious that if we do not go on recess and pay attention, we will not have time to even go beyond the money that is now with the governors. Governors are sharing money with senior officers in county governments in the name of own source revenue.

The Nairobi City County Government alone is supposed to collect own source revenue to the tune of Kshs53 billion. They do not. Kakamega is supposed to collect in excess of Kshs4 billion but they collect less than Kshs1 billion.

We need to go down there and tell governors that the long vision for devolution is not for us to scramble for sharable revenue. It is for county governments to contribute to faster growth of the Gross Domestic Product (GDP) of the Republic of Kenya by them expanding and unlocking the economic potentials of their counties.

Mr. Speaker, Sir, there is a tiny county in this country called Vihiga. Vihiga County on record, is the only county that has recorded in the last 12 months, a positive growth in own source revenue. All the other counties including Kakamega which has got Mumias Sugar Company, a Kshs24 billion factory, Butere Sugar Company, a Kshs10 billion company and West Sugar Company a Kshs24 billion company, have recorded a decline not to mention the other potentials. So, we have to put pressure to them.

Finally, now that the payment has been made, we need to put pressure on county governors to ensure that projects started by their predecessors are given priority. In Kakamega I expect Bukhungu Stadium, Mumias Hospital in Mumias, Nambacha Market, Navakholo Market and the Shiamakhuvu Hospital to be completed before Governor

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Barasa embarks on new projects because of the principle of perpetual succession of government.

The Speaker (Hon. Kingi): Proceed, Sen. Seki.

Sen. Seki: Thank you, Mr. Speaker, Sir. I also want to put my voice to support this Motion from the Senate Majority Leader on the issue of alteration of the Senate Calendar.

This is a good chance that we will get us, Senators, to undertake our second function. We have been given oversight as stipulated and even as said or discussed by the previous Senators ahead of me. It is a chance that we are given to look at what we have been trying to give to county governments to undertake their own implementations in the counties.

I believe the President was right and he was categorically very much stable to say that the money that has been pending for county governments has been released. It is now our chance, as Senators, to look at what has been done in terms of the County Integrated Development Plans (CIDPs) or what the county governments have promised to do in the CIDPs, their budgets, strategic plans and even cash plans as indicated.

It is our chance as Senators to take more time as stipulated to undertake these processes. We will also meet members of the public while undertaking our other function of representation, as we address their issues in the county.

I support this Motion. I believe it is time for us to create time for members of the public.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Mover, kindly proceed to reply.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir. I thank my fellow colleagues who have taken their time to contribute to the Motion. I appreciate their sentiments. I hope with the passage of this Motion, we shall be assured of our two weeks' recess so that we can focus on the things we have spoken about.

Mr. Speaker, Sir, I have also noted the response, particularly from Sen. Dullo and one other Senator on that representative from the Controller of Budget (CoB) in our counties and the gaps that exist therein. I believe Members of the Committee on Finance and Budget are present and they will assist us rectify whatever is amiss. Thank you.

I beg to reply.

The Speaker (Hon. Kingi): Hon. Senators, before I put the Question, I will proceed to make a determination pursuant to Standing Order No. 84 (1) that this matter does not affect counties.

I will therefore proceed to put the question.

(Question put and agreed to)

Next Order.

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

Hon. Senators, you must have noticed the reorganisation of the sequence on today's Order Paper. We needed to handle that Motion first. We will now proceed with the flow of business as contained in today's Order Paper.

However, I have this Communication to make before we can proceed.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM DREAMS HILL SCHOOL, BARINGO COUNTY

The Speaker (Hon. Kingi): In the Public Gallery, we have 114 students accompanied by 21 teachers from Dreams Hill School, Baringo County, who are in the Senate on an educational tour.

Hon. Senators, in our usual tradition of receiving and welcoming guests to our Parliament, I extend a warm welcome to them and on behalf of the Senate and my own behalf, wish them a fruitful visit.

I will allow Sen. Cheptumo, the Senator for Baringo, to say words of welcome in under one minute.

Sen. Cheptumo: Mr. Speaker, Sir, I wish to welcome the students and teachers from Baringo to the Senate. It is indeed a very important day for them because they are able to see the ongoing live debates and happenings in the Senate. This is a moment when students are able to learn.

We have been talking about the leaders of tomorrow. I encourage them that they have a bright future to even be leaders of this country in years to come. All they need to do is to take their studies very seriously because that is the only way they shall be able to face the future with confidence.

Mr. Speaker, Sir, those of us who are in this House were students just like them many years ago. Little did we know that many years later, we would be able to lead this country in various positions. The students will also be future Senators, Members of Parliament (MPs), Cabinet Secretaries (CSs), Principal Secretaries (PSs) and even Speakers like you.

I would like to thank them for taking the time to visit the Senate. I wish them well. As you go back, take my greetings to your parents. I also thank the teachers for the work they are doing of nurturing these young future leaders. You are most welcome.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Hon. Kingi): The Statements are pursuant to Standing Order No. 53(1). Proceed, Sen. (Dr.) Murango.

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UNPROCEDURAL REDUCTION OF SALARIES OF
ECDE TEACHERS IN KIRINYAGA COUNTY

Sen. (Dr.) Murango: Mr. Speaker, Sir, I rise, pursuant to Standing Order No. 53(1), to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the unprocedural reduction of the salaries of Early Childhood Development Education (ECDE) teachers in Kirinyaga County.

In the Statement, the Committee should:

(1) explain the circumstances that led to the suspension, in the months of March and April, 2023, of salaries of ECDE teachers in Kirinyaga County and the eventual manual payment of a fraction of the same in May 2023;

(2) conduct a comprehensive assessment of the impact of this unprocedural salary review on the affected teachers, their families, their financial responsibilities and obligations and the education sector as a whole and apprise the Senate of the findings;

(3) state whether the Orders of the Employment and Labour Relations Court in Nairobi, under Petition No. E026 of 2023, regarding the inter-parties hearing to resolve the disputed recommendations of the Salaries and Remuneration Commission (SRC), was undertaken, stating the date and the resolutions, if any; and,

(4) outline measures taken by the relevant Ministry to resolve this crisis and restore normalcy in ECDE learning institutions countrywide.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): The next Statements are by Sen. Omogeni.

THE STATE OF ROADS IN NYAMIRA COUNTY

DELAYED PAYMENT TO THE ELDERLY UNDER
OPCT PROGRAMME

The Speaker (Hon. Kingi): Is there any Senator holding brief for Sen. Omogeni? The statements are dropped.

(Statements dropped)

The Speaker (Hon. Kingi): The fourth Statement is by Sen. Mwaruma.

STATUS OF RELEASE OF FUNDS FOR CONSTRUCTION OF
TAITA/TAVETA COUNTY HEADQUATERS

The Speaker (Hon. Kingi): Is there anybody holding brief for Sen. Mwaruma? That Statement is dropped.

(Statement dropped)

The Speaker (Hon. Kingi): Next is Sen. Wafula.

INSECURITY IN BUNGOMA COUNTY

Sen. Wafula: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the status of insecurity in Bungoma County.

In the Statement, the Committee should -

(1) state plans that have been taken by security agencies in Bungoma County to address rapidly increasing cases of insecurity witnessed in Kaptama, Chebyuk, Kapkateny and the incident concerning the death of three watchmen while in Webuye town around Dina Junction between 2nd and 8th June, 2023 and in Naitiri Market in Tongaren Constituency;

(2) state plans in place by the national Government to assure the business people of Bungoma County of the safety of their goods in light of increased cases of forced entry in shops and business premises in Bukembe Market, Maeni, Saboti, Lunakwe, Tembatemba, Kamkuywa, Lutonyi and Marel Estate in Bungoma Town;

(3) state the number of security officers deployed in the county, segregating these figures per the reported areas stated; and,

(4) state targeted interventions to bring culpable individuals to book and ensure the residence of Bungoma of their safety.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Next, Sen. Shakila Abdalla, you may have the Floor.

STATE OF AFFAIRS AT WITU NYANGORO
RANCH IN LAMU COUNTY

Sen. Shakila Abdalla: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Lands Environment and Natural Resources on Witu Nyangoro Ranch in Lamu County.

In the Statement, the Committee should -

(1) state why squatters are still occupying land belonging to Witu Nyangoro Ranch Company Limited in Lamu County in spite of a court order vide ELC Case No.100/2016 dated 19th August, 2021 in favor of the ranch requiring eviction of all unlawful residence;

(2) provide a timeline of which all squatters or invaders would be moved or relocated – I do not want to say evicted – from the ranch in line with the warrant to the way leave to give possession of land in ELC Case No.100/2016 dated 19th July, 2022; and,

(3) state the measures that will be taken by the Officer Commanding Station (OCS), Witu Police Station and the Ministry, to stop squatters and invaders who are currently moving into the ranch.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Wafula, you may present your second Statement.

PENDING BILLS OCCASIONED BY THE SENATORIAL
BY-ELECTION IN BUNGOMA COUNTY

Sen. Wafula: Mr. Speaker Sir. I rise, pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee on Justice, Legal Affairs and Human Rights on unpaid bills from the Senatorial by-elections held in December, 2022 in Bungoma County.

In the Statement, the Committee should -

(1) table a report on the amount of resources in the form of funds and human resources allocated to conduct the Bungoma Senatorial by-election in December 2022, stating when the National Treasury and Economic Planning released the funds to the Independent Electoral and Boundaries Commission (IEBC) to conduct the elections;

(2) state reasons why service providers and poll officials have not received their payment totalling Kshs216,091,675 and Kshs83,513,300, respectively;

(3) state plans in place, if any, to ensure that polls officials and service providers receive their funds, indicating the timelines; and,

(4) state the interest accrued on the unpaid bills, if any, occasioned by the failure of the IEBC to pay the service providers and poll officials within the prescribed payment date.

Thank you, Mr. Speaker, Sir.

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

The Speaker (Hon. Kingi): Sen. (Dr.) Khalwale, you know you cannot rise on a point of order at this juncture, unless you want some clarification or intervention. I can allow that under Standing Order No.1, using my discretion.

Are you standing on a point of order? If yes, please, take your seat.

(Sen. (Dr.) Khalwale spoke off record)

Proceed.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, the by-election in question led to the election of the Senator for Bungoma County, Sen. Wafula. Could the Chair guide us if it is in order or the Senator has a personal interest? This is a normal Government procedure that has got its own lifeline. Unless, of course, you allow me to rise under Standing Order No.104 to ask him to declare what interest he has in this matter.

Could it be that the IEBC, having delivered him, is now expecting him to play his side of the agreement? I speak as a very aggrieved person because my candidate of the United Democratic Movement (UDA) did not lose but the announcement was not too clear.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. (Dr.) Khalwale, Sen. Wafula is perfectly in order to seek this Statement. The people who were employed by the IEBC are his constituents. It has taken too long for them to be paid and the only person they can go to as a voice is the Senator. Therefore, he is doing good for his people who elected him to represent them here. He is perfectly in order to seek that statement.

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Next is Sen. Cherarkey.

THE SUSPENSION OF THE USE OF LEDGER
ACCOUNTS BY KPA

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. I rise, pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transportation and Housing on the suspension of the use of ledger accounts by the Kenya Ports Authority (KPA).

In the Statement, the Committee should -

(1) state reasons for the suspension of payments using ledger accounts by the KPA, indicating whether there are the specific commercial banks currently rendering these services in real-time;

(2) clarify whether public participation/stakeholder consultative meetings were conducted before the decision to scrap off the use of ledger accounts;

(3) table a report on the alleged manipulation of the ledger system, stating whether public funds were lost in the said operation; and,

(4) outline any impending changes by KPA, in a bid to improve the overall operations at the Port.

Thank you, Mr. Speaker, sir

The Speaker (Hon. Kingi): Next Statement by Sen. Munyi Mundigi.

DELAYED COMPLETION OF NATIONAL GOVERNMENT
ROADS IN EMBU COUNTY

Sen. Munyi Mundigi: Mr. Speaker, Sir, I rise, pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee on Roads, Transportation and Housing regarding uncompleted National Government roads in Embu County.

In the Statement, the Committee should -

(1) state reasons for the delay in completion of the final section of the Embu County Ring Road between the towns of P.I, Karaba, Makima and Machang'a, whose construction was started in 2017;

(2) confirm whether this final section of the Embu County Ring Road can be redesigned as a section of the new proposed Embu County Outer Ring Road, which is proposed to start at the towns of P.I, Karaba, Makima, Machang'a, Kiritiri, Karie, Kiambeere Newsite, Mutuobare, Cieria, Kabuvua-ka-Nyama, Ishiara, Kavengero, Kigumo, Kathegeri, Kiangungi, Iriari, Munyutu, Irangi, Gaciigi, Keria, Rutune and Ndunduri;

(3) state the estimated cost of the above proposed Embu County Outer-ring Road;

(4) Provide reasons for the delay in completion of the Embu County Cross Road, which starts at Embu-Muthatari, Siakago, Gikuyari, Karambari, Kerie, Mugwanjogu and Karerema whose construction started in 2016.

I thank you.

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The Speaker (Hon. Kingi): Next Statement is from Sen. Githuku.

ALLEGED ENCROACHMENT OF LAND IN
LAMU COUNTY

Sen. Githuku: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the alleged illegal encroachment of land covering villages of Pangani, Nyadha, Kaisari, Mavuno and Poromoko in Lamu County.

In the Statement, the Committee should -

(a) disclose the status in terms of ownership of the land known as LR/NO.1504/1 measuring approximately 639,783 acres and covering Pangani, Nyadha, Kaisari, Mavuno and Poromoko villages in Lamu County;

(b) clarify whether the Ministry of Land, Public Works, Housing and Urban Development embarked on plot demarcation, survey and squatter verification for settlement of the land occupants as it had committed in the Financial Year 2021/2022;

(c) indicate whether Witu Livestock Cooperative Society which claims ownership of land in the said villages has relevant documents to prove ownership of the land; and,

(d) state whether the multi-agency approach towards the resolution of the dispute in the ownership of the land was instituted and whether public participation was conducted with a view to regularization of ownership of the land.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): The next Statement is from Sen. (Prof) Ojienda.

Sen. (Prof.) Tom Ojienda, SC: Mr. Speaker, Sir, I have two Statements this afternoon.

LACK OF SCHEME OF SERVICE FOR KISUMU
COUNTY GOVERNMENT WORKERS

Mr. Speaker Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare concerning the human resource gaps in Kisumu County especially regarding the necessity of a scheme of service for Kisumu County Government workers.

In the Statement, the Committee should -

(a) explain the reasons for the absence of a scheme of service in the human resource system of the County Government of Kisumu, leading to uncertainty and lack of clarity in staff promotion pathways;

(b) cause the Kisumu County Public Service Board to develop a comprehensive scheme of service for the county, aligned with the guidelines set forth by the Public Service Commission, that includes detailed job descriptions, specifications, career structure and progression in the County Public Service Board (CPSB);

(c) propose measures to consolidate and harmonize the human resource system to ensure that all county staff are brought under the current and functional devolved system of government, as stipulated in the Constitution of Kenya, 2010; and,

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(d) table a detailed report on the existing human resource deficit within the County Government of Kisumu, highlighting the immediate and long-term measures put in place to address the challenges arising from the absence of a scheme of service.

STATE OF CO-OPERATIVE SOCIETIES
IN KISUMU COUNTY

Sen. (Prof.) Tom Ojienda, SC: Mr. Speaker, Sir, my second Statement is as follows.

Mr. Speaker, Sir, I rise, pursuant to Standing Order 53 (1), to seek a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the state of co-operative societies in Kisumu County.

In the Statement, the Committee should -

(a) explain the compliance status of co-operative societies in Kisumu County with section 4 of the Co-operative Societies Act (CAP 490);

(b) ascertain the number of co-operative societies for the various agricultural sectors, particularly those engaged in rice and fish farming that are currently operating in Kisumu County;

(c) disclose the total amount of funds allocated by both levels of Government towards the well-being, economic viability and workability of cooperative societies in Kisumu; and,

(d) outline the steps taken by the cooperative societies regulators, including the Office of the Commissioner for Co-operative Development and the SACCO Societies Regulatory Authority (SASRA), to safeguard the economic efficiency of co-operative societies in Kisumu County.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Next Statement is from Sen. Madzayo. Sen. Faki, are you holding brief for Sen. Madzayo?

Sen. Faki: Yes, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Great. Proceed.

POLISI KUTUMIA NGUVU ZA KIMABAVU DHIDI
YA WANAHABARI WAKATI WA MAANDAMANO

Sen. Faki: Asante, Bw. Spika. Nimesimama kwa niaba ya Seneta wa Kilifi, Sen. Madzayo.

Bw. Spika, nasimama kwa mujibu wa Kanuni za Kudumu Nambari 53(1) kuomba kauli kutoka kwa Kamati ya Kudumu ya Usalama wa Taifa, Ulinzi na Uhusiano wa Kimataifa kuhusu polisi kutumia nguvu za kimabavu dhidi ya wanahabari wakati wa maandamano yaliyoandaliwa na Muungano wa Azimio tarehe 30 Machi, 2023. Katika taarifa hiyo, Kamati iangazie yafuatayo:

(a) iarifu Seneti sababu ya polisi kutumia nguvu za kimabavu kuwatawanya wanahabari waliokuwa wakirekodi maandamano ya Muungano wa Azimio katika Mtaa wa Pipeline, Kaunti ya Nairobi;

(b) Ieleze hatua zilizochukuliwa na Shirika la Independent Policing Oversight Authority (IPOA) dhidi ya maafisa wa polisi hao waliowakabili wanahabari kimabavu na kuwajeruhi baadhi ya wanahabari hao pamoja na kutaja hatua za kudumu za kuhakikisha hakutakuwa na marudio ya tukio kama hilo siku zijazo;

(c) ieleze hatua zitakazochukuliwa dhidi ya polisi Corporal Cyrus Korir Kemboi kutoka Kituo cha Polisi cha Pangani aliyerekodiwa akiwarushia wanahabari waliokuwa katika gari vilipuzi viwili vya kutoa machozi na kumjeruhi mwanahabari Eric Isinta usoni na kifuani; na

(d) iarifu Seneti mikakati iliyobuniwa na Serikali kuhakikisha wanahabari wanaweza kufanya kazi zao kwa uhuru kuambatana na sheria bila kusumbuliwa na polisi Asante, Bw. Spika.

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

The Speaker (Hon. Kingi): There is no Senator speaking. How can you rise on a point of order?

Sen. Faki, proceed to make your Statement.

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

The Speaker (Hon. Kingi): He is done speaking.

UN INTERNATIONAL DAY AGAINST DRUG ABUSE AND ILLICIT TRAFFICKING

Sen. Faki: Mr. 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 the commemoration of the United Nations International Day Against Drug Abuse and Illicit Trafficking.

This global observance takes place annually on the 26th of June. The theme for this year is People First. Stop the Stigma and Discrimination. Strengthen Prevention. The purpose of this day is to raise awareness about the significant problems posed by illicit drugs in our society.

The drug menace in Mombasa and the other coastal counties of Kwale, Kilifi and Lamu has tragically transformed vibrant youths into addicts and criminals burdening not only themselves but our society as a whole. According to the UNODC 2019 Report on Drugs and Crime, there are 27,014 drug users in the three coastal counties of Mombasa, Kilifi and Kwale, exceeding the national average by more than 50 per cent.

Additionally, the Ministry of Health data from 2022 indicates that Mombasa alone has 6,287 addicts of which only 1797, which is 28.6 per cent are receiving treatment. The addict's journey often begins with substances like miraa, muguka and bhang and eventually escalates into heroin, brown sugar and other hard drugs. Shockingly, certain prescription drugs are sold without any prescriptions at local chemists in Mombasa.

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Moreover, Miraa and muguka are freely available in the city without any regulations governing their sale despite their known toxic properties. Bhang or Cannabis Sativa as it is technically known is also well sold in Mombasa. Heroin Brown Sugar and other hard drugs are readily accessible even under the watchful eyes of the security agencies thereby contributing to the growing number of addicts.

Mr Speaker, Sir, the majority of addicts have resulted to using injectable needles resulting in the spread of HIV/AIDS, Sexually Transmitted Infections (STIs), tuberculosis, and other chronic diseases.

There are specific locations in Mombasa where groups of addicts gather daily to consume drugs; areas such as Magodoroni and Shimanzi within Mvita Constituency---

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

The Speaker (Hon. Kingi): What is your point of order, Sen. Cherarkey? Sen. Faki, just yield.

Sen. Cherarkey: Mr. Speaker, Sir, I would like to draw your attention to Standing Order No.98(1) which states-

“Any Senator may raise a point of order at any time during the speech of another Senator stating that the Senator raises a point of order and that Senator shall be required to indicate the Standing Order upon which the point of order is based.”

Sen. Faki is the one who read the earlier Statement. When you look at Standing Order No.105, he read a Statement about harassment of the media. I am trying to put it in English.

From where I sit, we should not allow that Statement to go unchallenged. This is because there are many misgivings and casting aspersions on the police and the Government and that should not go unchallenged.

Therefore, Mr. Speaker, Sir, I request your direction since Sen. Faki is still on the Floor. In the Statement, he cast aspersions and misgivings by the police. Therefore, you should allow us to ventilate on that Statement and seek further clarification.

We are aware that the people in question are not from mainstream media stations. They are people of the Azimio la Umoja-One Kenya Coalition Party who were being used to incite the public, bring disharmony and disturb peace across the country. Therefore, we cannot allow that to happen.

Mr. Speaker, Sir, you need to rule some specifics of that Statement be struck out from the record especially on what the police did and whether the matter has been reported to the Independent Policing Oversight Authority (IPOA).

If we allow that Statement to fly across the face of the Senate, we will be encouraging people to break the law, destroy property, and incite the public using the media that is sponsored by Azimio la Umoja-One Kenya Coalition Party.

They have been attacking us. Nowadays they are being used to defend Azimio la Umoja-One Kenya Coalition Party, which we do not have a problem with. However, if we allow it, we will be giving them a forum to come and discuss mundane instead of serious issues.

The Speaker (Hon. Kingi): Sen. Cherarkey, this matter has already been committed to a select committee. As you are aware, as a Senator, if you have any input on this, you can appear before that committee and put your concerns across. So, let the Select Committee do its work.

Sen. (Dr.) Khalwale: On a point of Order, Mr. Speaker, Sir. The intervention by Sen. Cherarkey is not to request for an opportunity to seek further clarification on that Statement. All he is trying to say is; should we allow certain utterances on the Floor of the House to fly?

In the same Statement, the Senator has named a police officer without a substantive Motion. You cannot mention an officer of the Government who was in line of duty without any evidence whatsoever showing that he broke the law and name him on the Floor of the House.

He has even gone further and contradicted himself by saying that that police officer, whom he named, used teargas. Did he want him to use live bullets? If the police officer used teargas, it is because he was restraining himself.

Instead of us complementing him, we want to use the Floor of this House to vilify him. Security officers are not able to defend themselves on the Floor of this House.

Mr. Speaker, Sir, please clarify.

The Speaker (Hon. Kingi): Sen. (Dr.) Khalwale, that is the work of the Committee. As committed, let the matter go to the Committee. It is the Committee that will look into the issues you have raised. We cannot purport to do the work of the Committee on the Floor of this House. Let the Committee address itself to those issues.

As I have said when I was addressing Sen. Cherarkey, if you feel that you want this specifically be addressed by the Select Committee in charge of this particular Statement, as a Senator, you can appear when this matter is being probed. No opportunity has been lost. Let us leave it at that.

Sen. Faki, kindly conclude your Statement.

Sen. Faki: Mr. Speaker, Sir, there are specific locations in Mombasa where groups of addicts gather daily to consume drugs. Areas such as Magodoroni and Shimanzi within Mvita Constituency and Magodoroni in Kisauni Constituency are well known to the authorities for drug menace.

The drug problem in the coastal region has caused a surge in crime. Last year, we witnessed two cases where a son murdered his own father, and a grandson killed the grandmother who had raised him, all attributed to drugs.

The increasing crime rate in Mombasa can be directly attributed to drug abuse. Cases such as “Wakali Kwanza” and “Wajukuu wa Bibi” are clear examples of the impact of that.

We urgently need security agencies to take decisive action. They should address the drug problem with the same level of seriousness as they do to terrorism and radicalization.

Currently, our efforts to combat drug abuse have primarily focused on reducing the drug supply but this approach has proven insufficient. Law enforcement agencies must---

Sen. Munyi Mundigi: On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): What is your point of order, Sen. Mundigi? Sen. Faki, just yield.

Sen. Munyi Mundigi: Bw. Spika, Sen. Faki anadanganya Seneti kwa sababu tunajua kwamba miraa---

The Speaker (Hon. Kingi): Sen. Mundigi---

Sen. Munyi Mundigi: May I comment---

The Speaker (Hon. Kingi): Sen. Mundigi, when the Chair speaks, you listen.

Sen. Mundigi, je, una Kanuni za Kudumu za Seneti hapo ulipo? Tafadhali nukuu Kanuni ya Kudumu Nambari 98. Inasema kwamba unaposimama kwa hoja ya nidhamu, lazima unukuu Kanuni ya Kudumu ambayo unatumia kwa hoja ya nidhamu.

Sen. Munyi Mundigi: Bw. Spika, natumia Kanuni ya Kudumu Nambari 105 kwa sababu Sen. Faki anapotosha Seneti.

Tunajua kuwa miraa si dawa ya kulevya. Dawa zote za kulevya ambazo ametaja haziko katika sheria. Kwa hivyo, hafai kutaja miraa. Tunajua kuwa miraa hupandwa katika kaunti 37 za Kenya. Miraa ni *cash crop*.

The Speaker (Hon. Kingi): What is your point of order, Sen. Mundigi? *Hoja yako ya nidhamu ni gani?*

Sen. Munyi Mundigi: Bw. Spika, hoja yangu ni kwamba Sen. Faki anaharibu muda wa Seneti kwa kuongea mambo ya miraa na dawa za kulevya.

Vile vile ametaja askari. Sisi tunajua kuwa huwezi kupigana na polisi wakati wanazuia mali ya watu isiharibiwe halafu uanze kutuambia kuwa mtu aligongwa.

The Speaker (Hon. Kingi): Sen. Mundigi, this is just a Statement that is being sought. I believe the Select Committee will have an opportunity to look at miraa and other crops and the Statement by Sen. Faki will be put where it belongs. So, all those concerns will be addressed by the Select Committee.

Sen. Faki, proceed to conclude.

Sen. Faki: Asante, Bw. Spika, kwa kunilinda. Lazima tutafautishe Seneti na---

The Speaker (Hon. Kingi): Just proceed Sen. Faki on your Statement, please.

Sen. Faki: Mr. Speaker, Sir, the law enforcement agency must fulfil their duty to prevent the inflow of drugs into the coastal region, particularly Mombasa. They should crack down heavily on the sale and trafficking of drugs, eliminating the menace, once and for all, for the sake of our youth and future generations.

Mr. Speaker, Sir, the county Government of Mombasa has established several treatment centres in Miritini, Kisauni and Shimo La Tewa. However, these centres only cater for 1797 addicts out of the nearly 6,287 recorded.

People in Likoni have to travel as far as Kombani in Kwale to access treatment. While the Methadone treatment can be a positive step towards reducing the demand and eventually providing comprehensive treatment, the cost of this treatment is beyond the reach of many addicts.

Moreover, the county Government lacks sufficient resources to deploy qualified personnel for the administration of Methadone treatment.

Mr. Speaker, Sir, the stigma associated with the drug addiction presents a significant challenge to the reintegration of addicts into society.

It is crucial that we address this stigma by providing psychosocial support to both the addicts and their families. As the world celebrates their drug free future, it will unfortunately take a considerable amount of time for such dreams to become a reality in Mombasa and the coast region.

Mr. Speaker, Sir, the commemoration of the United Nations International Day Against Drug Abuse and Illicit Trafficking serves as a stark reminder of the pervasive and damaging impact of illicit drugs in our society, particularly in Mombasa and the coastal region.

The alarming number of addicts, the rise in crime and the devastating consequences on individuals and families call for immediate and comprehensive action. We must hold law enforcement agency accountable for curbing the inflow of drugs and intensifying efforts to combat drug trafficking.

Additionally, the Mombasa county Government should allocate more resources to expand treatment centres and make them accessible to a larger number of addicts. It is imperative that we tackle the issue of drug addiction holistically, addressing both the supply reduction and demand reduction through effective prevention, treatment and reintegration programmes.

In conclusion, combating the stigma associated with the drug addiction is crucial to support the recovery and social reintegration of addicts. By providing psychosocial support and education, we can change perceptions and create more inclusive environment that encourages individuals to seek help without fear of judgement or discrimination.

Mr. Speaker, Sir, as we strive for a drug free world, we must join forces, strengthen partnerships and mobilise resources to address this pressing issue. Only through a concerted effort both at the local and national levels can we hope to eradicate the drug menace, safeguard our youth and build a brighter future for generations to come.

Let us work together to make Mombasa and the coastal region a beacon of hope free from the grip of drugs.

Thank you, Mr. Speaker. Sir.

The Speaker (Hon. Kingi): Next Order.

BILLS

First Reading

THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (SENATE BILLS NO. 22 OF 2023)

*(Order for the First Reading read – Read the First Time
and ordered to be referred to the relevant Senate Committee)*

The Speaker (Hon. Kingi): Next Order. That Order is deferred.

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Second Reading

THE AGRICULTURAL AND LIVESTOCK EXTENSION
SERVICES BILL (SENATE BILLS NO. 12 OF 2022)

(Bill deferred)

The next Order is also deferred.

COMMITTEE OF THE WHOLE

THE COTTON INDUSTRY DEVELOPMENT BILL
(SENATE BILLS NO. 5 OF 2023)

(Committee of the Whole deferred)

The next Order is deferred.

COMMITTEE OF THE WHOLE

THE EMPLOYMENT (AMENDMENT) BILL
(SENATE BILLS NO. 11 OF 2022)

(Committee of the Whole deferred)

The next Order is also deferred.

BILLS*Second Reading*

THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)

(Bill deferred)

Next Order. Hon. Sen. Mariam Omar? It is deferred.

Second Reading

THE COUNTY LICENSING (UNIFORM PROCEDURE)
BILL (SENATE BILLS NO. 9 OF 2022)

(Bill deferred)

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Next Order.
Hon. Crystal Asige, the Floor is yours.

Second Reading

THE START-UP BILL
(SENATE BILLS NO. 14 OF 2022)

Sen. Crystal Asige: Thank you, Mr. Speaker, Sir. I beg to move that the Start-Up Bill (Senate Bills No. 14 of 2022) be read a Second Time.

Mr. Speaker, Sir, technology and technological innovations are set to be the biggest contributors of economic development in the next few years. In most cases, they grow from innovative ideas and come into the market as startup businesses, which have exponential growth potential owing to their digital nature.

Currently, startups provide rich entrepreneurship avenues, especially to the youth, thus empowering them to source local talent and in turn reduce unemployment. They also contribute to the growth and collaboration between professionals with various backgrounds, the continual development of the cities and localities where they are established, encourage creativity and ingenuity.

This contributes to the overall economic growth of our country. Reports show that 92 per cent of Africa's investment in technology is heavily in four countries; that is Nigeria, Egypt, South Africa and Kenya. This is because of their sizable populations and Gross Domestic Products (GDPs) that make them attractive destinations for investments.

In 2022, Kenyan tech startups raised over US\$570 million in funding alone. Indeed, Kenya is recognized as the Silicon Savannah by virtue of it being a host to a number of reputable startups that have advanced to become regional and global signatures. For instance, M-Pesa, at its founding, led the world in mobile money innovation. Other brands---

Sen. Kinyua: Point of order.

The Speaker (Hon. Kingi): What is your point of order, Sen. Kinyua?

Sen. Kinyua: Mr. Speaker, Sir, I am standing on Standing Order No. 53(3)-

Where a Statement has been requested from the Committee pursuant to Paragraph 1, the Speaker may allow comments in relation to the Statement for not more than 15 minutes.

I was requesting that because of the Statement that was made by Sen. Faki concerning the issue of drugs.

The Speaker (Hon. Kingi): Sen. Kinyua, it is either you have been asleep and just woken up.

(Laughter)

I just want to understand you. We have long moved away from that Order. That Statement has already been committed. How then do you take us back there? In fact---

Sen. Kinyua: Mr. Speaker, you are biased because every time another person rises on a point of order, you do not allow. It is only Sen. Cherarkey and---

The Speaker (Hon. Kingi): Sen. Kinyua, you are out of order! I ask you to leave the Chamber immediately.

Proceed Sen. Crystal Asige.

(Sen. Kinyua left the Chamber)

Sen. Crystal Asige: Other brands also include Cellulant, Twiga Foods, M-Kopa and Hisa among others. Despite all these successes, the country has no regulatory framework to guide the establishment or operations of startups. This gap has led to a number of challenges, including weaknesses in identifying startups, lack of incentivising mechanisms for their ventures and a lack of recognition of the unique needs and realities.

Mr. Speaker, Sir, what is the solution to this? Allow me to share a fascinating fact with you. Have you ever wondered what links 68 per cent of Fortune 500 companies and a staggering 93 per cent of all United States of America (USA) based initial public offerings? The answer lies in a place called Delaware, where these renowned entities have chosen to register their businesses. It is in a small brick building on North Orange Street that serves as a common ground for many of these influential companies.

The success story of Delaware State in the USA shares similar roads to our discussion today. Before Delaware, the state of New Jersey was the preferred destination for startups seeking to establish their presence. However, as time went by and laws grew more stringent, a pivotal shift occurred. Founders turned their attention to Delaware where regulations were more relaxed, providing a favourable environment for businesses and their growth. From that moment on, Delaware began to flourish and its influence expanding even to this day.

The state derived benefits not only from incorporation fees and corporate tax, but also from the annual franchise tax that startups willingly paid as part of their incorporation process. However, Delaware's remarkable ascent to its current stature did not come without making important choices. It recognised the need to give breathing space to startups, affording them the favourable conditions necessary for their prosperity.

Mr. Speaker, Sir, now as we convene in this House, we face a significant challenge to the implementation of this Start-Up Bill because of the proposals in the Finance Bill 2023, of increasing some taxes in percentage. Its impact will echo through the Small and Medium-Sized enterprises (SME) sector, an integral part of our nation's population.

These SMEs, including those operated by vulnerable groups like Persons with Disabilities (PWD), require our support to maintain profitability and sustainability. Already burdened by additional costs associated with the operations; they should not be further incumbent.

Let us not turn away these valuable SMEs from our country. Instead, let us recognise the importance of providing a natural environment that fosters their growth just as Delaware did many years ago, by supporting these enterprising ventures, we will sow

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the seeds of prosperity ensuring a brighter future for all our young people and their innovations.

The Executive has pronounced itself as committed to seeing that this Start-Up Bill is enacted recognising that Africa's youth need the digital skills, access to technology and markets that are essential if they are to thrive in this increasingly digitised economy. The Executive has further recognised that this is how Kenya through her brilliant innovators can unlock her remarkable capacity for innovation for enterprise and even for excellent leadership. It is useful to also note that a number of countries have enacted their own legislative frameworks for startups.

In Tunisia and Senegal, for example, the policies are part of their broader government strategies to position their countries as innovation hubs by leveraging the emerging tech scene to improve development. Tunisia Startup Act provides for among other things, state salaries for up to three founders of a company during the first year of operations. Also, generous tax breaks, startup grants, fast-tracking of licenses for registration documents and increase state support to cover patent licenses.

Senegal's policies include three tax-free years for startups, training for youth and feeble entrepreneurs and a startup registration platform easily accessible on a government website. In India, the government launched, the Start-Up Action Plan (SAP), as they call it. Its objective is to address abstract aspects of this startup ecosystem and as a support framework for innovative entrepreneurs.

India's motivation behind the SAP was to fast-track the spread of the startup movement from the tech sector to other sectors, including social, manufacturing, agriculture, education, and healthcare. Further, they targeted to move their concentration from Tier 1 cities like Mumbai and into Tier 2 and 3 considered as semi-urban and rural areas.

To this end, India's action plan contained three areas for empowering startups.

- (1) Hand Holding and simplification.
- (2) Funding support and incentives
- (3) Incubation and academia partnerships.

Mr. Speaker, Sir, based on the foregoing, the necessity and urgency for enacting this startup Bill cannot be gain said. Once enacted, it will provide a framework to encourage growth and sustainable, tech development, entrepreneurship, employment, and a more favourable environment for innovation.

It will also attract Kenyan talents to diverse avenues of funding amongst other provisions. Aside from the Bill providing for the registration of startups, it also includes admission into incubation programmes.

Further, it outlines obligations of incubators to support startups, with credit guarantee schemes, training and capacity building, application for grants, revocation of patents, fiscal incentives, and gross objectives. These provisions are important to help startups, but also to avoid abuse of the system by fraudulent persons trying to circumvent statutory obligations such as taxes and levies.

The framework provided by this Bill will enable startups to grow, to thrive and encourage innovation, investment and of course government support. It also

seeks to encourage a culture of innovation and entrepreneurship, simplify registration and licensing, formally recognise what a startup actually is, create a special virtual economic zone where despite geographical location they can use tech to leverage and be recognised as one ecosystem and create and give incentives such as tax holidays on duty and Value added Tax (VAT) to attract angel investors whose investments are recognised and de-risked to a certain degree, in case a startup does not take off in a certain time period.

Pursuant to Article 96 of the Constitution, the Senate is tasked with the role of protecting the interests of counties. Therefore, the Bill clearly articulates the role of County Governments in facilitating startups and incubation programmes. Although obtaining support from the national Government is critical for this Bill, the efforts must be concentrated at the grassroots level. This makes the role of County Government in supporting the startup ecosystem key to their success.

This Bill thus provides that the County Executive Committee Members (CECM) shall put in place a national and county incubation policy framework for the development of the business incubation sector.

This Bill also provides that CECMs shall enter into partnerships with local and international incubators to promote the establishment and growth of our start-ups; establish programmes for the certification and admission of incubators into incubating programmes; put in place mechanisms that promote the development of business incubation programmes and create an enabling environment for them, including fiscal and non-fiscal incentives.

The CECMs will also establish online and other platforms for access to information; keep and maintain a directory of startups and incubators; and support research and development of activities undertaken by startups, amongst other provisions.

Mr. Speaker, Sir, startups require significant investment at their initial stages. Considering that most people in this eco-system are youth, there is a need to support and provide incentives from conception to a place where their businesses are established; healthy and running.

It is an undeniable truth that the youth form an intrinsic form of our country's fabric. We are strong, resilient and eager to contribute our talents. However, we must recognise that the potential can only be realised if they are provided with ample opportunities in the conducive environment to thrive.

In Kenya today, we encounter a disheartening statistic that shows the unemployment rate amongst youth stands at a staggering 13.8 per cent. This alarming figure is influenced by several factors. Limited access to quality education persists with only 3.5 per cent of the country's population having a university degree.

Furthermore, a shortage of jobs coupled with the high cost of living exacerbates the plights of our youth. Skill mismatch also imbalances between job demand and supply, ups and downs in the business cycle and the limited availability of start ups opportunities add to this problem.

Now, we find ourselves faced with a new challenge couched in the Finance Bill of 2023. Its impact will worsen the already delicate situation particularly for us creative, who are an integral part of the startup sector.

The imposition of disproportionately high taxes on this group is cause for concern. It is essential to recognise that creatives contribute significantly to our society and we deserve an enabling environment to flourish. Yet, the lack of fair and balanced tax formulae raises questions. How can we justify taxing a creative earning Kshs15,000 at the same percentage as another creative earning Kshs200,000? How can an individual earning a steady income of up to Kshs25,000 be exempt from paying tax whilst the majority of us creatives face uncertainty with our income with no guaranteed payment or set minimum wage? We are still subject to taxes.

This departure from our historically progressive tax system is puzzling. When Kenya has always strived for fairness and equity, why should this proportional method be applied selectively? In order to nurture our creative spirit as the youth, we must be provided necessary space to develop our crafts. This House ought to enable and facilitate entrepreneurship. Barriers should not stifle potential. Instead, we must become advocates for aspirations.

Mr. Speaker, Sir, let us reflect on the vital role that youth play in shaping our future in Kenya. By embracing their talent and offering an environment through the Start-Up Bill, we will forge a path to shared prosperity. The Bill confers on the Cabinet Secretary, without prejudice, the power to make regulations on the exemption of registration fees, the protection of intellectual property rights, employee benefits and compensation, the relationship between founders and employees plus the reporting and accountability of startups. This will go a long way in giving our entrepreneurs the impetus they need as they establish themselves.

This Bill further amends the science and technology Act of 2013 to provide for financial support of tech innovations, representation of startups in the national research fund and allocation of money to provide financial support. That is to take innovations.

The Bill also goes further to set out a criterion for admission into incubation programmes, registration of startups and obligations of startups. The Bill confers the responsibility of registration and data base maintenance on Kenya National Innovation Agency (KeNIA). The agency is a State cooperation established under the Science Technology and Innovation Act, 2013. It is responsible for coordination, promotion and regulation of the national innovation system.

The agency works with stakeholders to promote innovation and development out of research and ideas. This means supporting the identification, recording and the protection of innovative ideas---

(Interruption of the debate on Bill)

The Speaker (Hon. Kingi): Sen. Crystal Asige, sorry to interrupt you. There is a school whose students must go back home in good time. So, allow me to recognise their presence then you proceed. Just pause where you are. You do not have to take your seat.

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COMMUNICATION FROM THE CHAIR**VISITING DELEGATION FROM BONDENI
ELITE ACADEMY, KERICHO COUNTY**

Hon. Senators, in the Public Gallery, we have 72 students accompanied by 23 teachers from Bondeni Elite Academy, Kericho County. They are in the Senate on an education tour.

Hon. Senators, in our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

Senate Majority Leader, in under one minute, you can make your welcome remarks.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I appreciate this kind gesture of welcoming the distinguished students from Bondeni Elite Academy, a school in Kericho County. I am glad they have found time to visit us this afternoon. I hope they get full value for the time that they have taken.

I am sure in the few minutes that they have been here, they have seen Sen. Crystal Asige, one of the most distinguished Senators of the House, do a process that is commonly referred to as moving a Bill. This is the very first stage when a Senator introduces a Bill in the House of Parliament.

I hope they will learn many other things. They watch debate and see us do the things that we do this afternoon. I wish them well in the course of their study and a safe trip back home.

The Speaker (Hon. Kingi): Sen. Crystal Asige, you may proceed.

(Resumption of debate on Bill)

Sen. Crystal Asige: Thank you, Mr. Speaker, Sir. During our comprehensive public participation exercise, it was very encouraging to see the high level of interest on this Bill. I wish to thank the public for further enriching this Bill with the following recommendations:

(1) Extension of the eligibility period for registration of the startup from three to five years post incorporation.

(2) Removal of stringent requirements for admission into an incubator that may be a deterrent for many startups like the requirement to own a registered patent or software.

(3) Provision of remote online services to startups by incubation programmes throughout the country.

(4) Incorporating human rights inclusive provisions in the objectives of the Bill, including interest of marginalised persons.

(5) Incorporating occupational safety and health provisions in the Bill like providing for human treatment in the programmes.

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(6) Formulation of subsidiary legislation to further protect key provisions of this Bill.

Mr. Speaker, Sir, as I conclude, allow me to reiterate that the implementation of this Act still confers on the Senate other responsibilities, over and above oversight of its implementation. This includes ensuring that counties are adequately funded to undertake their responsibilities.

It is incumbent on us as a Senate to pursue for more allocations to counties in future so that they are able to establish incubation programmes and auxiliary systems in services. Also, increase investment in research and development activities undertaken by startups. Establish programmes for the certification and admission of the incubators through, for instance, polytechnics. Offer fiscal and non-fiscal incentives to incubators for startups, including mechanisms for supporting these entities for marginalized groups like women and Persons With Disability (PWD).

Set up structures for protection of Intellectual Property (IP) rights at the national and international level. More will be looked into in the life of this Bill. Therefore, we must continue to support the entrepreneurs in promoting innovations by creating a favourable environment and anchored on a comprehensive legislative framework.

I beg to move and call upon Sen. Cherarkey to second this Bill.

The Speaker (Hon. Kingi): Secunder, proceed.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. From the onset, I want to congratulate Sen. Crystal Asige who continues to distinguish herself in issues of legislation, representation and oversight as per Article 96 of the Constitution.

It is worth noting that Sen. Crystal Asige is a product of the artistic world. I want to commend her because she is putting her best foot forward to show that people who are differently abled can perform their best. Last time I said that when you listen to her songs, especially since tomorrow is a public holiday, you can enjoy her creativity. Even if you are not doing well, you can appreciate what she has done. We are proud of her, feel strongly associated with her and wish her well. I hope when this Bill comes to fruition it will come at an opportune time.

The youthful Senators like Sen. Crystal Asige and myself, have been accused by young people of doing little or nothing to put the issues of young people forward. Having served in leadership for a long time in my short life in this world, this is a question many young people ask. A few minutes ago, I hosted young people in my office who were contracted under the COVID-19 pandemic as healthcare providers. Their contracts unfortunately came to an end.

The youth always ask what we are doing for them. This is one of the ways we can answer them by stating that we have the Start-Ups Bill sponsored by Sen. Crystal Asige. This Bill will change the lives of many young people.

Mr. Speaker, Sir, 24 per cent of Kenya's population is between the age of 18 to 34 years. This is according to the Kenya population census of 2019. Since young people form a huge and an important section of our population most of the policies and legislation should be put in place to assist them flourish.

Clause 3 highlights the issue of innovation. As a country, we have a success story of Mpesa and many other innovations, which lack support of the Government, other State actors and non-state actors to make them a success.

Mpesa is a product of innovation and creative thinking. The issue of patents and patenting is very important. You will find young people come up with a product or an application, but it becomes a challenge for them to register or patent it with the Kenya Intellectual Property Institute. As a result, many young people end up losing their patent rights. Later, you find out that the people who benefit from the innovation is not the young people who innovated it.

This is an important Bill. I want to thank Sen. Crystal Asige because the President His Excellency William Ruto has directed that every constituency should have an Information Communication and Technology (ICT) hub. All the 290 Constituencies will be provided with computers and internet hotspots.

When we were growing up, if you wanted to make it in life, you either became a farmer or a business person by opening a kiosk. However, the challenges of today have forced us to work in a smart way. I thank the Government and hope the Bill will form part of the success story of establishing ICT applications.

As politicians, we know of the hired bloggers on social media. You will find young people asking for airtime bundles to defend us on *twitter*, *Facebook* and *Instagram*. I saw a report by Kenya National Bureau of Statistics that most expenses for young people are incurred on buying internet and bundles, apart from *kupiga sherehe* like what they were doing in Naivasha over the weekend. However, now we are removing this expense on young people by giving them access to ICT hubs. This means they can innovate and sell their product to the world.

I shall discuss with Sen. Crystal Asige to ensure we push the authority that registers intellectual property, so that when young people produce patents, they are protected by the law. This is because it is an intellectual property. It is important to register any innovation.

On startup and linkages with the financial institutions, most banks are not flexible to startups. Let us be honest. If you are a young person who wants Access to Government Procurement Opportunities (AGPO), you must get a Local Purchase Order (LPO) in order to be financed. You were a governor and understand this.

We must ensure that the financial institutions are friendly to young people who are starting business. We must ensure that the youth are able to borrow without collateral or security.

My father has not given me land as part of my inheritance. How then can I use a title deed as a collateral to access a loan from a bank? Young people do not have collateral to secure loans. They are not working and do not have salaries. I see many young people tarmacking. We have Kenya Tarmacking Network (KTN). After finishing form four, high school, A-levels young people tarmac because they are looking for a job.

We are lucky to be here. I see politicians state that young people should create their own job opportunities. Yet, we could not employ ourselves until we went to people to be employed. We went to beg for votes so that we could be hired. This is a

conversation we must have as a country. I would like to challenge banks in the country - I know they are in business and we cannot micromanage them - to give us a product for young people. The Government has given out a credit facility for young people. There is the Youth Fund which has had problems of corruption and bad governance.

The President came up with the Hustler Fund, which is doing well based on the statistics. I thank the youth of Kenya for borrowing money to start businesses.

Mr. Speaker, Sir, I am happy that the Hustler Fund received an additional Kshs10 billion. I want to challenge young people to borrow the money. They can use it to develop themselves by building their capacity.

What Sen. Crystal Asige is asking for in Clause 3(a) and (b) is linkages with financial institutions. Even as the Government started the Hustler Fund, we should also encourage other financial institutions and organisations to complement and supplement what the Government is doing.

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

*[The Temporary Speaker (Sen. Veronica Maina)
in the Chair]*

Madam Temporary Speaker, there was a famous President of the United States of America (USA) who said; do not ask what the country can do for you, ask what you can do for the country.

Sen. (Dr.) Khalwale: It was President John F. Kennedy.

Sen. Cherarkey: I am told that was President John F. Kennedy. It is good to have elders like Sen. (Dr.) Khalwale who have good institutional memory. We benefit from their guidance and wisdom.

On the issue of finance, the only challenge that young people face is lack of finances. For instance, Gikomba and Toy markets keep on experiencing fires. Whenever you go there, you always meet young people who tell you that they have proposals, but the only thing lacking is finances.

I want to emphasize what Sen. Crystal Asige said. Let us have tax holidays for five to seven years for youth with startups ventures. We should give them tax holidays so that they can thrive and grow. One of the bottlenecks on establishment of startups, which may take between one to two years is taxation.

Let us give tax holidays to the young people, but not tax exemptions to people who have the ability to pay. In the last financial year, there were tax exemptions of Kshs370 billion.

Under the law, Persons with Disability (PWDs) should be given tax reliefs and exemptions. However, let us use tax holidays for young people as opposed to tax exemptions for people who have the ability to pay.

The fourth point is on licensing. I have always wondered. When you walk to a kiosk or a cyber café, you will realise that the wall is like a mosaic. You will see licences

from many institutions such as the Ministry of Health, Music Copyright Society of Kenya (MCSK), County Single Business Permit *et cetera*.

When you look at walls of most shops, they are like mosaics. You can no longer see the real paint of the walls. Why do we not synchronize? Counties and the national Government should come up with one single business permit because that is how corruption thrives.

As you enjoy the music by Sen. Crystal Asige, officers of the MCSK walk in and ask you to produce the permit by the MCSK. I am not saying that artists should not be paid their royalties through *Skiza* Tunes. What I am saying is that we should have a synchronized way of licensing so that we do not disenfranchise businesses.

If you go to any business premise, you will realise that, for instance, there is a license from City Hall, Ministry of Health, Kenya Revenue Authority (KRA), Chief's Office and other offices.

I am happy that Immigration and Citizens Services are under Principal Secretary, Prof. Julius Bitok. I saw him launching digitization of over 5,000 services provided by the Government. I encourage that so that we bring corruption to an end.

Most young people are frustrated while trying to pay for licensing. I also call upon the Attorney-General's Office to waive fees that they charge to register a company or partnership at the State Law Office.

We need to waive fees charged on young people. Where can they get Kshs550,000 or Kshs30,000 to a register a company, when that could be their only seed capital to build on?

Under Clause 4, research funds will promote linkages between universities, research institutions and the business community and promote creation of employment and wealth. I hope ICT hubs that will be established, including in my own Chesumei Constituency in Nandi, shall create opportunities.

Senators proposed that we should have linkages between universities, research institutions and the business community. The Government should change the funding model of universities because all the universities in Kenya are on the red light; they are supposed to be auctioned. The most underfunded are research departments. All universities do not have funds for research. If we want to grow, the model of funding of universities must change.

Are you aware that private universities get more funding through Higher Education Loans Board (HELB) than public universities? Somebody would say that a child belongs to the public. We are killing public universities because they are not getting enough resources. We must relook at that.

We have the University of Nairobi (UoN) and the Moi University, which is one of the best universities in the world, where yours truly studied law. That is why yesterday I said I am the highly sought after legal practitioner and my name supersedes itself in my prowess.

There are many other public universities like Egerton. We must change the model of funding model. We need to provide for funds for research by universities. I talk to

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lecturers and the vice chancellors. In fact, when you ask them about research funding, they tell you that it there is zero funding. The only funding, they get is from donors.

Can you believe that blood samples that are taken from Mosoriot Sub County Hospital have to be flown all the way to Oxford and other universities for research? The worst part is that they do not pay. Secondly, when they publish their research, they do not acknowledge even one doctor from Kenya because they are the ones funding the research.

There is a thin line between organ harvesting and taking specimens to do research in international universities. This is because we do not have funds at Moi University School of Medicine and UoN to do research. The Kenya Medical Research Institute (KEMRI) and the Kenya Plant Health Inspectorate Service (KEPHIS), among other organisations are struggling.

You can imagine blood samples being taken from Nandi County to go and do research all the way at Oxford University. That borders organ harvesting and transplanting, where our blood is used for doing research and we are not even acknowledged because we are beggars.

We have extended a bowl. We are just begging and asking them for money to do research. That is why they feel they even have a right to take specimens of organs and blood to go and do research in their countries.

We do not have a legal framework on research. As Sen. Crystal Asige has said, let us partner with research institutions and the business community. However, we must do it in a proper way.

I agree with the Government that we must change the funding model. I hope the new funding model will assist in carrying out of research by our universities, other institutions of higher learning and the business community as proposed by Sen. Crystal Asige.

I agree with her that we need to form an agency that will ensure that it becomes easy to register and do business. In the Attorney-General's Office, they have Registrar of Treaties. I urge the Attorney-General, Hon. Justin Bundi Muturi, that if this becomes law, they should also create Registrar of Start-Ups because we only have Registrar of Treaties, so that it is easy for young people to process their issues. That is possible because it only requires direction by Attorney-General's Office.

Online marketing and sales have increased. Nowadays, if you want to buy something, you just do online shopping through an app. I am happy that many young people have installed apps for buying items online. I used to go to Gikomba and Toy markets.

Madam Temporary Speaker, as you are aware, I am not a man of means.

I just shop where other Kenyans shop. If in the evening when I am walking around I spot a nice tie, I will just buy it from the hawkers because we are promoting the local 'hustle'. We are promoting from 'bottom' as we go up.

We have now moved to online. No one will see who is shopping online. I thank the young people because they have protected us. That online application, Sen. Kavindu

Muthama, is easy. I nowadays shop online and then request them to deliver to my office or residence. I must appreciate the great job which our young people are doing.

The fifth one is on registration, liability and many others. I agree entirely on the issues of registration of citizens of Kenya and certification of incubators. They must be certified so that we know who they are. It also becomes easy for the Government to process some of these issues.

(The amber light was switched on)

Madam Temporary Speaker, I can see the light is on. Let me wrap it up so that my colleagues can also have an opportunity to contribute. Counties are part of this process. I am happy that they play a central role. We want young people to be accessed.

I ask my “brother” and friend the - President, that “If this Bill lands on your table, in the interest and honour of our youth of Kenya, please assent to it.”

We also want the National Assembly to also process it. There is a reggae song sung by Culture called Riverside. The singer says that “It was on a Saturday and I was feeling dirty and sticky.” However, I am interested in the last part of the lyrics of that song. He says, “Let us think, let us examine, let us negotiate. Let us think about it.”

This is the right time to think, examine, re-examine and see what we can do for the young people.

In conclusion, I congratulate Sen. Crystal Asige. We are proud of you. We will always support you. You play a very critical and unique role in this House because many people have ignored that part of the population. They have not been given attention. However, Kenyans are watching you on this platform.

In future, Kenyans can elect people like Sen. Crystal Asige who can ably and equally represent them. She is doing what Sen. Cherarkey, Sen. Kavindu Muthama, the “people’s watchman” Sen. Okiya Omtatah, Sen. Tabitha Mutinda and many other Senators, are doing on the Floor of the House.

We must support her and send a message across the country that PWDs can be effective and efficient in legislation, oversight and representation.

I am happy with the Committee because they have done a good job. Sen. Seki has whispered to me that they have already done a report. I hope they have been consulting with Sen. Crystal Asige. We will be interested to see the report.

Madam Temporary Speaker, we need to be processing these Bills very fast. I appeal to the National Assembly. You know they have only been invoking Article 113 of our Constitution. Sen. Kavindu Muthama and I have been in this House.

I am a lawyer. I was also the Chairperson of the Committee on Justice Legal Affairs and Human Rights (JLAHR) when we took the National Assembly to the High Court over non-concurrence of 24 Bills. I encourage us to always concur so that we can move very fast.

Madam Temporary Speaker, with those very many remarks, I beg to second.

The Temporary Speaker (Sen. Veronica Maina): Thank you, hon. Senator.

(Question proposed)

I now request hon. Senators to make contributions to this Bill. We can start with Sen. Tabitha Mutinda.

Sen. Tabitha Mutinda: Thank you, Madam Temporary Speaker. Let me start by really appreciating my colleague Sen. Crystal Asige for a wonderful Bill that she has moved before this House. I really appreciate her passion, dedication and all the hard work that she puts in all that she tables before this House. Congratulations and keep up the positive spirit. It is very encouraging to the young generation. It is very positive.

Let me start by mentioning that it is high time as a nation we appreciated matters innovation, not just in Kenya, but also in East Africa and the world. It is a moment and time of technological advancement in this country.

It is in this Bill that I have heard the Senator talk about innovation in conjunction with the technology, which is in place. This comes out very well because we get different products, either tangible or intangible, through different innovations.

This is a platform that will help our youth generate revenue in correct and right ways. When we encourage and allow them to have platforms where they can be guided on different entrepreneurial skills. They are then able to be much more meaningful and expand their economic levels without being employed. Nonetheless, everything requires a lot of encouragement and guidance.

In this Bill, Sen. Crystal Asige has also mentioned about funding research. She has talked about setting aside 15 per cent for research. Research is a very key component in any organization or industry. It is at this moment that you can get the best results. An organization can establish its vision, mission and goals that needs to be achieved.

As I have said, research is a very key factor. I like it that it is in this Bill. It guides learners during incubation on which best practices in terms of business that entrepreneurs can engage in and how they can expand businesses.

Different businesses expand differently. There are those businesses that are product based while others are service based. Therefore, growth levels of different types of businesses will depend on incubation offered and factors such as environment.

Madam Temporary Speaker, as a student of business, please allow me speak about the concept of PESTLE analysis. Political stability is key. Our youths have been sometimes engaged in environment that is not conducive.

For any business to succeed, it requires a stable political space. This is actually a good time because everything is fine. We are from politics and the environment for politics is stable.

The PESTLE talks about political, economic, social, technological, legal and environmental aspects.

Sen. Crystal Asige has talked about this technology in the Bill. We are at a time where we use our gadgets, especially phones to transact business; do purchases and make payments. It is a wallet transaction because everything is on our phones simply because of technology. We also have technology in terms of the applications that are within the gadgets that we use.

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In this combination, technology is very key for startup businesses. I appreciate the fact that Sen. Crystal Asige has recognised that technology is needed for these businesses to grow. As a business person, it is one thing to start a business, it is another to maintain it and another to ensure it grows. As you know, in any business, one of the key goals is profit-making. I note that she has stated that incubation is not about business making, but to equip young entrepreneurs to do business and have a platform and a section where they are recognised as startups.

Madam Temporary Speaker, I have noted that she has talked about it in Clause 8 of the Bill. It says; -

“An entity shall be eligible to be registered as a startup and for admission into an incubation programme if the entity is a private limited company, a partnership firm, a limited liability”.

There is always a fee that is required for any person to register your company. Nowadays, you register a company, you get a tax certificate, the National Health Insurance Fund (NHIF) and National Social Security Fund (NSSF) for it. They all come at a cost. If this startup is going to be required to have this certification so as to get into the incubation, then it means they have to expend on the registration processes.

There needs to be a leeway for the startups such that there can be a basic requirement that at least minimises their expenditure and cost in terms of registering. This is because to register a limited company, you need not less than Kshs20,000. We are trying to encourage the youth who are coming from the bottom level and might not have so much in terms of capital.

Madam Temporary Speaker, she has talked about financial institutions. Earlier, we used to have banks as the only financial institutions that could help us in our businesses. I am happy because other creditors have come in place to offer financial assistance. I agree there is a challenge for starters.

In most of this, you are always asked for a six months statement, which any startup may not be in a position to hold. The starters have definitely not done business before and, therefore, the experience is very minimal or not in place in terms of other collateral.

It is high time that our banks also considered offering facilities that can help the startups take place and kick off. This is because there is always a startup. Even the multi-billion companies that we see, did not just start and become multi-billion, they started from somewhere. Look at Mark Zuckerberg of Facebook, they started in campus when they were discussing how they will meet after school. How they will be able to connect with each other.

I remember one of the companies in this country called Craft Silicon Company. It is an Information Technology (IT) company that deals with software. The owners started with one big, simple, old desktop. They used to be there alone trying to come up with the applications. Today, it is a multibillion company. There has to be a start.

As far as Kenya Kwanza manifesto is concerned, bottom-up is an encouragement for the youth. This is because they have to start from somewhere. I agree we have funds such as the Hustler Funds, the Youth Funds and different funds coming from right, left,

and centre. However, for this Bill, the users will automatically be 99 per cent; so much encouraged such that there are no hurdles in between when someone tries to come up with a concept and an ideology.

On protection of the concepts that the youth come up with, we have had cases before such as the MPesa. The tycoons run away with the concept and the innovator was left with nothing to defend themselves with. The Bill should have a clause that talks about how to protect a starter or the innovation that this particular youth or person has come up with.

I appreciate the Competence Based Curriculum (CBC). Looking at the CBC concept, it is giving our children the concept of business and entrepreneurship. Do we want it to stop at the school level? It is high time we encourage our children. As parents, it is high time that we are encouraged. Children do not have to finish campus and then parents start offering their children's Curriculum Vitae (CV) to their friends and colleagues to get them jobs. It is high time that we encourage them to begin from somewhere and start their business from the education they have received. The trend has been "I have a CV for my child, can I give it to you?" It is high time we encouraged them from the level they are in to start and start small.

Even as we talk about starting, youth have also thought that at times you start a business and tomorrow you become a multibillionaire. There is turbulence in business. There has to be a gestation period for the business to grow. It needs time to grow and each and every stage has to be noted. There have been trends where our youth think that because so and so is my friend and he is driving this car because they are doing this business, then you think that you can also start and drive. They need to be patient, understand the business and grow.

Madam Temporary Speaker, lastly, I acknowledge the online jobs that are in place whereby, you can just be in your space and just key in your phones, make a purchase and a delivery will be made. Even for Naivas Supermarket and many other businesses, you can make purchases online. This has been simplified. This Bill is not only talking about online business, but also tangible products and services that can also be offered as innovation.

What also needs to be in place is a database for all the startups. This is to ensure that there is accountability and results. Are we moving in the right direction? All the incubations that have commenced, what are their results, is there an impact or something that needs to be added that is not in place? It is very key.

Clause 4(2) talks about the establishment of incubation programmes; the part for promoting the linkages between universities and research. I feel that by the time you are at the university level and looking at the amount of school fees that you have to pay, it is an expenditure. It should be allowed in such a way that these incubations take place at Technical and Vocational Education Training (TVET) institutions.

The Cabinet Secretary for the Ministry of Information, Communications and the Digital Economy has put IT hubs at the lower level. I like it that Sen. Crystal Asige talked about this concept being at the ward level, which is the bottom level. The bottom level is within the TVET institutions because these are Government institutions. As such,

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it becomes easier. I like it because this Bill touches directly at the lowest level. Therefore, there is that start and growth.

I realise our youth have a lot of brains, especially right now. You find a child of 10 years doing things that a 20 year old at times has a challenge. Technology has given them an opportunity to use the same gadgets to learn many things and put them in context. Unlike years back in the 70s and 80s, a 10 year old is so much of a child and you do not even expect that they understand stuff. A 10 year old of today can do an *App* today and sell it.

We should try and lower it in such a way that it is within the TVET and then it grows. In that way, all county levels will have opportunities. Looking at where our universities are, we can count them.

I congratulate Sen. Crystal Asige and I support the Bill.

The Temporary Speaker (Sen. Veronica Maina): Sen. Okiya Omtatah, you may proceed.

Sen. Okiya Omtatah: Thank you, Madam Temporary Speaker, for giving me an opportunity to contribute to the Start-Up Bill (Senate Bills No.14 of 2022). The Bill is by our very own Sen. Crystal Asige, whom I congratulate. We have interacted before on the Bill. She has the passion, conviction and courage of her convictions to achieve what she has set out to achieve.

This is a very important Bill in terms of the technological advancement of this country. Today, people are aiming for stars. They are doing all things digitally. In this country, we are yet to discover the digital frontier. If you look at everything that we use, it is not local products or content.

The reasons for that are many and some are frightening. For example, just about three days ago, I was interacting with some Government organization. I asked them, where they get their IT solution. It is a solution that is used to interface Kenya with the international community. They told me they bought it from Sierra Leone for many shillings. I asked if we have no local capacity to come up with that kind of solution. The fellow told me that Kenya has the capacity, which is better than that of Sierra Leone. However, the fellow asked me: “Who will give you the chance?”

So, we are buying and sending billions of shillings to buy technology from Sierra Leone, a tiny country. We also buy from Mauritius, which we depend on a lot. Yet, our young people can do many things given an environment where they can thrive. Many of these have to do with the State, which has an obligation to invest so that citizens can have opportunities to innovate. Investments can also be in the form of creating a market. I hardly see any competitions being held calling Kenyans to do a, b, c or and compete for this or that.

Under the Public Procurement and Assets Disposal Act, there are very clear provisions on how to do a competition in this creative area. However, they tendered the same way they do when buying shirts in the shops.

Look at how they tendered for the design of the currency. They never complied with the Public Procurement and Asset Disposal Act. It would have required that we give

an opportunity to Kenyans to innovate the creative sector. They went to Europe, designed things there and came and dumped them on us.

If we have incubations centres, it will be one way of cutting out that. Maybe the Government which is always the biggest market could go, look up and see what to do. Right now, the current frontier is Artificial Intelligence (AI). If you listen to the kind of debates that are going on AI, you would not want to buy a gadget made by somebody that you do not control because they can plant things which you do not understand. So, AI is being fought over.

People are innovating things and running around. Here we are, busy fighting jiggers in our legs while people are landing on the moon. While People are aiming for Mars, we still cannot handle jiggers in our feet.

The reasons why these kinds of things are tragic boil down to leadership and governance. So, our leadership and governance must wake up and say that they want to industrialise this country, move forward, slay the dragon of corruption, identify with ourselves and tell the world that we are equal. If we are not equal, then we are the better party, but not to play second fiddle to anybody.

With this kind of Bill, I am very sure incubation centres can be set up. The other time I ran into some people from an international company from Korea. It is a big company, but I will not mention it. They were looking to put up an incubation centre for their company. You could clearly see that this company is coming here because we have brains. So, they want an incubation centre to harvest the best that we have, take away, copyright, patent and then we shall buy it back.

Why can we not put up our own incubation centres? If they want to come for an incubation centre, then they should come through our own centres. They should not come to an open slate; tabula rasa, an empty tablet. We behave like we are an empty tablet.

I really support this Bill and urge that more research and input go into it and see how we can be the best. Kenya is a very unique country and has unique people. Against all odds, we have held together and doing very well. What has lacked is building our own. They tell you; buy Kenya, build Kenya, but when you look at those factories, you are buying Chinese to build Kenya. There is nothing Kenyan. We are producing nothing. So, if we are going to buy Kenya and build Kenya, then we must begin with the idea of what we want to manufacture as Kenyans. If we do so, we will not be buying Chinese in a Kenyan flag. We will be buying Kenyan from a Kenyan product and we progress.

An area that is very important is traditional medicine. Indigenous knowledge and skills are disappearing. Ask yourself, how did this one Maasai man raise a herd of 1,000 animals with a walking stick and kept them healthy? What knowledge does he have? What skills does he have? Do we have any incubation centres for harvesting that and developing it so that the State can then become a major meat exporter depending on indigenous knowledge that the Maasai or generally the pastoralists have? We do not have.

It is like we do not value our own; we are attracted to what is not our own. We want what is ready. We want to consume in New York. We want to consume in Dubai,

we want to consume in Paris, we want to consume in London, but we do not want to consume in Nairobi.

With this kind of Bill, we shall also have to change our appetites and say that we are going to consume in Nairobi, Busia, Mandera, and Lodwar because we shall be producing products for ourselves.

There is a call for patriotism in Article 10 of the Constitution of Kenya. It is not an empty statement. It is a call to action; to be patriotic. One way for us to be patriotic is to produce products that we can be proud of.

You have a story told by the former Russian President Gorbachev. He says that when they were in school somewhere in Western Europe, there were two Japanese students and that was in the early 1950s. These two Japanese fellows had a pile of Japanese pencils. These pencils could not write very well like the German pencils and so they kept on breaking, but the Japanese students said that they cannot buy German pencils; they would use the Japanese pencils. Today, you can see where Japan is. That is what we call patriotism.

We need to love this country. Sen. Cherargei paraphrased what President Kennedy said, when he said: "Ask not what your country can do for you but ask what you can do for your country".

This kind of Bill gives us the opportunity to translate those words into action. This is because our people will then be getting down to create and innovate ideas. Once they create and innovate, with research and development, we shall have products with which we can knock on the door of the world and say here we come, made in Kenya.

We have heard of this story whereby even the enzymes that are used to age genes; the stony genes, were picked from Baringo and taken to the USA and developed for these stone-wash genes. Where were our scientists?

They were there but had been consumed by organizations that only allow them to put their minds second to the minds of their employer. With an innovation center that is Kenyan owned, we will put our minds second to the mind of the Republic of Kenya.

That is why this Bill is important to me. That is why I support it wholeheartedly and pray that the rest of us give it the support that it deserves. We hope that this Bill will be assented to and then implemented.

We have got a problem in this country where there is a lot of beautiful legislation and policy frameworks, but they are just taken and put on the shelves.

Right now, we are looking at this law called the Protection of Victims of Crime Act. It has been on the books for about 12 years now, but it has never been implemented. These are the kind of things that we should also look at. We must come up with a compelling mechanism within this Bill to ensure that it is implemented. We should also give a timeframe so that it does not just become a beautiful Bill or a piece of poetry on the shelves.

It should be something that has got teeth to bite. If it is not affected, there should be consequences. This is because, without innovation, we are facing an existential threat. We cannot afford to depend on other people to innovate for us.

Those who follow to see where Artificial Intelligence (AI) is headed, you cannot allow another person to develop AI for you. You must develop the AI in a way in which you can control it. We are talking about Genetically Modified Organisms (GMOs). One of the biggest problems with GMOs is that it is not done by our scientists and so, we do not know what they put there.

Let us use these centres and they will bring back the glamour on innovation, science and engineering. Right now, engineers are looked down upon because the Chinese will do it. Hardly any engineering firm is being given a serious job in this country. There is no policy even for skills transfer where you can say, okay, the Chinese will do a job but at least 15 per cent should be Kenyans.

Even the Standard Gauge Railway (SGR), the 15 per cent paid upfront was by Kenyan taxpayers but everything is Chinese. The days when we used to hear of Kenyan road contractors doing big roads are long gone when the reverse should be the case. We must find a way of incorporating these incubation centres into our policy and way forward.

It reminds me of the story of Ngugi wa Thiong'o, a great Kenyan with whom I lived with in the USA, in New Jersey between 1993 and 1994; a great Kenyan, a great host and a good man. When they said that they were going to force African Literature to be taught at the University of Nairobi and he pushed it and succeeded, it generated a lot of debate and opened up room for a lot of creative writing. That is the kind of stuff I am seeing with this Bill; that it will have to open some doors and we must fashion it and even if it is necessary weaponize it in such a manner that it can be used to open these cages that we have been put in, in the neo-colonial state.

We must begin producing. We cannot just continue lamenting that we hardly produce what we consume. We hardly produce what we consume we are not innovating; we are not creating. Somebody else is innovating on our behalf. If we are going to consume what we produce, then time has come for us to innovate and the time to innovate is now.

The legal and enabling frameworks and the challenges and the clarion call for us is this Bill that we want to see enacted into law; that we want to see protecting Kenyan intellectual property; that we want to see protecting us from innovations from other areas that may be malicious; that may be designed to undermine our security, our state so that, we innovate ourselves.

This will ensure that the communication between the President and the Vice President should be done through a telephone network innovated and set up by Kenyans. If it is done by Cisco, who knows what they are listening to? It may be a porous thing that when the President and the Deputy President are talking, the information is leaking. We need to do our things however crude they are. We will perfect them.

With those few remarks, I support this Bill congratulate the Mover. I wish it well. Fortunately, the Bill is in the Committee where I sit and we are supporting it.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator.

Sen. Tobiko, you have the Floor.

Sen. Tobiko: Thank you, Madam Temporary Speaker for this chance to contribute to this Bill. I take this opportunity to congratulate my sister who is visually impaired, Sen. Crystal Asige, for this wonderful piece of legislation. This is among the very many Bills that we have encountered on the Floor of the Senate since we joined. This is a good Bill.

It is a good Bill because it is futuristic. It has a future, it has the potential to change a lot of things in our country, particularly in the way that we do business and the way that our youth will get engaged, going forward.

Madam Temporary Speaker, I support the Startup Bill because it will give us a solution to a number of problems we are facing right now. One of the problems we face in this country is unemployment. Everywhere you go to when you want to get elected, people tell you that they need jobs.

We have educated youth who are just at home because they do not have jobs. If both national and county governments encouraged development of business innovations and technological advancements, we would have our youth with work to do.

Our children do not lack brains and the necessary education. They have education, brains, energy and the drive. However, they lack goodwill and support from we in leadership and our institutions. We must change that.

I agree with Sen. Crystal Asige. Just like the way you bring up a child to grow and you protect them, it is the same way we should protect startups. They can rise and fall but they need to get necessary encouragement and financial support. Some ideas that people have can change the business landscape and the economy of this country. That is the way to go.

I always speak to my kids. I have two young girls with good entrepreneurial ideas. I always tell them that Nairobi City and surrounding towns such as Kitengela which grow every day are not because of salaried people. The skyscrapers are mostly built by people who have ideas and the courage to take their ideas to the next level and their ideas are brought to fruition. We have not given our children an enabling environment and the necessary support. I believe startups are meant for young people.

We do not give them the necessary support. You will find them starting businesses and after a short while, they owe the KRA because they have not filed the necessary returns. Before they start operating their businesses, they have debts which they must pay.

We need to be sensitive because these are our children and people we lead. It is a growing community and that is our future. If we increase the incubation period, whatever financial backup they will receive, it will enable them to grow. Good ideas will eventually come. People will afford to pay loans as long as ideas are viable. That is why I support that we must go out of the way to support innovations and start-ups.

I agree with my colleagues who have talked about technology. The world is moving and Kenya must move at the same speed.

Madam Temporary Speaker, I have realized that our children have better ideas than us. Sometimes I take my car to the garage when I need it repaired. Of late, I have found solutions from my own children. They *google* and give me options. They use *Apps*

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and tell me how long it will take to get spare parts in the country. What these people need is encouragement, financial support and time to grow and establish themselves.

As we think of supporting startups and innovations, we must think of how to get rid of corruption in this country. You will find good ideas being stolen from the initiators because they cannot finance themselves. A good example is M-Pesa and many others.

There are people sitting on ideas because they fear that if they bring them out, someone else will take advantage and run away with the ideas before they are owned by people who should benefit.

Madam Temporary Speaker, I support this Bill because it will be the solution to the many challenges we face today. They are technological and business challenges. We desperately need employment opportunities as a nation to sort out unemployment in this country.

Today, the Committee on Education was meeting the National Industrial Training Authority (NITA) and they told us how we are exporting labour to the Middle East. You will realize that our own institutions are yet to be liberated. We are still talking about exporting domestic workers. Honestly, as a country, we should be ashamed of ourselves. We can present the image of Kenyan in a better way because we have people with brains.

The other day, the President, while in Paris, gave a fabulous speech. He said that we are the home of athletes, which is true. We should also pride ourselves as a home of innovators and home of technological export and not domestic workers, where we take our children to the Middle East to be mistreated. We should not pride ourselves earning from that.

Even if we must export homecare service providers, let me put it in a better language, let us export quality by taking people who are well trained in hospitality, housekeeping and nursing services.

Even if we are going for the lowest jobs which are available globally, we can put our best foot forward.

These women are getting frustrated in the Middle East because they have not been well trained. We find a whole Government institution saying that they are training in two or three weeks, yet we know that there is no such training that can enable somebody to handle jobs out there. To protect the Kenyan name and carry the flag high, we must export better technology and innovation that can change the globe.

I thank you for this opportunity. I congratulate Sen. Crystal Asige for taking this chance to bring good legislation.

The Temporary Speaker (Sen. Veronica Maina): Thank you Senator. Proceed, Sen. Kavindu Muthama.

Sen. Kavindu Muthama: Thank you, Madam Temporary Speaker for giving me this opportunity to contribute to this Bill by Sen. Crystal Asige. I congratulate her. As politicians, we know the challenges that are out there for our people who lack jobs. Graduates and people holding Masters degrees cannot get any jobs in the country because opportunities for white collar jobs are no more.

This is a timely Bill and it will bring solutions to many problems such as the lack of jobs. I remember the Building Bridges Initiative (BBI) suggested that the starters be

given a seven-year holiday from tax - an incubation period - so that business can grow and flourish before they start paying taxes. It becomes difficult for anybody who is doing business, when you are just beginning and even before you get enough clients and customers for the business to flourish you are paying taxes, and the business collapses.

I would suggest that the seven-year tax holiday be implemented in this Bill, so that it can give the people time to grow. Innovation and technology are the way to go because we are living in that era where everything is highly technological.

Many of our children are very creative and innovative. If given time and encouragement, they will get something to do without bothering to look for jobs here and there. I support this Bill and pray that it will find the light of the day. Even when it goes to the National Assembly, it will be passed and assented to by the President.

Registration of companies - as one of us has said - is becoming very costly. Additionally, when most of these students leave school, they have no money and the parents cannot afford to support them register companies. Senator, if you can also suggest something about the registration fee for startups, it can really help and encourage many of them to come up.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator. Proceed, Sen. Joe Nyutu.

Sen. Joe Nyutu: Thank you, Madam Temporary Speaker for this opportunity accorded to me so that I can support this well thought out Bill by Sen. Crystal Asige. The problem we have been having in our country especially with young men and women has been captured very well by this Bill.

Looking at the provisions and recommendations that the Bill has made, we cannot have a better Bill. The Bill is proposing fostering a culture of innovative thinking and entrepreneurship. That is what the doctor prescribed.

As we train our young men and women in institutions of learning, we should encourage them to be innovative and entrepreneurial in their thinking. That is why I laud Sen. Crystal Asige once again for this very good Bill.

Additionally, something else that has been lacking in our country is research. Our farmers, especially small-scale farmers, do the business of farming with little or no information because research has not been invested in by successful governments. I support this Bill because the research done on both agriculture and business will ensure startups come up easily. Those who want to venture in startups will not have the challenges which have been there.

The other challenge facing investors in the country is lack of initial capital. The Bill proposes that borrowing will be made easier in order for people to access capital. Of course, it shall be at competitive rates of interest. This will help start their businesses. Together with the innovative thinking that has been encouraged and technology availed following the passage of this Bill; it will be very easy to start a business.

The recommendations say that we should establish incubation facilities both at the national and county levels. It is very exciting because those who do not have the ability;

financial or otherwise are going to benefit from this. It is a very progressive recommendation.

The provisions for registration of companies in this country for businesses have been a long process with a lot of red tape. The Bill proposes that there shall be monitoring and evaluation of the legal and regulatory framework in order to put in place mechanisms to encourage the development of startups. Only somebody who does not wish Kenya well shall oppose this Bill because this is a very progressive Bill.

On innovation, there are stories of people who are very creative and innovative. I know of one. I am happy that the Senator of Nyeri County has got into the House a particular man known as Gachamba. In the 1980s' he had innovated and tried to make an aircraft

Instead of the authorities encouraging this particular innovator, he was arrested. I hear the police that arrested him, asked him to produce a license for flying a plane. Had this Bill been there, he would have been guided, and his innovations incubated and encouraged. There are many such people in our society. We need to support this Bill because it promotes innovation.

Madam Temporary Speaker, another thing that caught my eye is when Sen. Crystal Asige said that we need to promote the linkages between universities, research institutions, and the business community. This got me thinking, we have universities now almost in every other county. We have one in Murang'a County where I come from; Murang'a University of Technology. Apart from the people that work there, there is minimal benefit, if any, to the community that hosts this particular university.

People are not able to get benefits through the innovation that this university can create. We do not have a direct linkage. In fact, if you are not working there, you will not see how that university benefits you. So, the proposal to develop linkages with these institutions of learning excites me.

I do not want to say many things but there is also a part that excites me in this Bill. Allow me to refer to it. Part IV of this Bill talks about incentives for start-ups. Sen. Crystal Asige, God bless you. This is a very good Bill that wants to subsidise the formalization of start-ups. We need to subsidise every effort that our people make. That is a very good proposal; that we facilitate the protection of intellectual property.

I come from Murang'a County and as you may know, there is one constituency called Gatanga. The main 'cash crop' is music. We have heard stories of people that came up with very good artistic works and music. However, they did not have enough resources to produce the same. So, when we say we want to facilitate the protection of intellectual property, then this captures the problem of our people in Gatanga Constituency, Murang'a County. I know this cuts across all the counties. That too caught my eye.

When Sen. Crystal Asige says in this Bill that we need an agency and the County Executive Committee at the county level to provide fiscal and non-fiscal support to start-ups, I just say 'wow'. That is a very wonderful provision because this support is much needed. In fact, it should have come yesterday, not today. Provide support in the form of research and development like I had said because we need this information to know what

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can be done and what technology can do. This will boost those that want to do these start-ups.

This Bill proposes support to enable the development and growth of start-ups registered under this Act. That is also very exciting.

It also provides for accessible financial support, availing financial and credit information. This is because people do not know where they can borrow in order to start.

Madam Temporary Speaker, this issue of capacity building on financial risk management is also very exciting because sometimes, we do not know how to manage risks. Our people just start businesses without making a good assessment of the risks that may come up and how they can manage them.

For those and many other reasons and because there are other people that may want to contribute, let me stop there. This is a Bill that should have come before our friend from Nyeri County, Gachamba tried to make an aircraft that never was because this Bill was not there.

Once we pass this Bill, we may have to ask Sen. Wamatinga to look for the Gachamba family to come and give Sen. Crystal Asige a chicken if not a goat.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator. I do not see any further requests from Senators to contribute. I call upon the mover to reply. Do you want to assist her or she is okay?

Sen. Crystal Asige: Thank You, Madam Temporary Speaker, for the opportunity. I am extremely glad to have heard so many Senators support and say positive things about this Bill, the Start-Up Bill of 2023.

As I reply, I would like to say that we, young people, are and have been ready. We are innovators, brilliant thinkers, witty, we understand the environment that we live in as well as the global environment and we are absolutely ready for this Start-Up Bill.

I would argue by saying that Kenya is not waiting on the youth. In fact, we the youth, are waiting on Kenya to provide us with a favourable environment so that we can thrive and grow our start-up businesses. We thank former generations for what they have done. We stand on the shoulders of giants who have gone before us and paved the way for Kenya to be what it is today and what she is able to offer the world today.

Now, as the younger generation and as generations who are coming up behind us, we want to take Kenya to the next level so that we as Kenya can be seen as global leaders in the innovative and tech world. We absolutely came to create not to regurgitate as the youth of Kenya today.

As I said, we are thinkers and innovators. We want our ideas, innovations and designs to go around the entire world so that Kenya can continue to raise its profile across the world.

Madam Temporary Speaker, as I said in my moving notes, there are currently 13.8 percent of youth in Kenya who are unemployed. That is not because of our lack of passion or want for jobs as has been said by colleague Senators here today. However, we just need the environment which we so much desire to thrive. We only have 3.5 percent of Kenyans with degrees but so many more of us have ideas that will take us to the next level if we are given a chance.

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Do you know what Kenyan innovation looks like? It looks like the *kiondo* which, unfortunately, we have lost the rights to China. However, that innovation began here. Kenyan innovation looks like the song *jambo bwana* that we all know, sing and welcome foreign tourists with across this country. Unfortunately, that innovation has been taken by the Disney company in the United States of America (USA) and is no longer a Kenyan innovation.

Kenyan innovation also looks like the *tinga tinga* clothes brand, again, that has left our borders; no longer our own innovation.

However, there is hope because there are young people who are fighting and working tirelessly day and night. As I speak, they continue to innovate and give themselves, their families and our country a fighting chance. For example, do you know of the banana menstrual pads that are being designed right now in Kenya? Menstrual pads made out of a natural resource which is the banana peels. They are sustainable, good for the environment, green and made by Kenyans.

Right now, we have a myriad of *Apps*. A good example is *Sendy* which I have used before. When you are looking for a company to help you move, you do not need to go to an expensive company. You just need to go to your *App* or *Playstore* and download the *Sendy App*. You will find young energetic people who are happy and ready to help to move your belongings from one point to the next.

We also have innovations like we had here in Parliament, which is the Africa Fashion Week. Chair, you were part of the leadership in the team for that week. We were here parading our beautiful designs by Kenyans who are here and continue to show off their prowess in fashion and design. That is what Kenyan innovation looks like.

Towards the end of last year, we had a young Kenyan lady in America who went to an American show called Shark Tank. She was afforded about Kshs44 million worth of funding for her coffee company. It is a shame that she was not able to get that support from investors here in Kenya and had to do that in the United States of America (USA). This is a Kenyan innovator.

Recently, I sat down with a group called the National Helmet Coalition (NHC). They are trying to design, innovate and create local helmets for our *boda boda*. Instead of collecting tenders from outside the country, purchasing helmets for our *boda boda* riders from outside Kenya, why can we not have local solutions to that problem? This is what the Coalition was discussing a week ago.

Unfortunately, we do not have the environment for that kind of idea to thrive. It is because we do not have a local lab testing facility for helmets, to make sure they are safe, approved by a national entity and are able to be used by local Kenyans on the road.

In my moving notes, I also talked about India, Tunisia and Senegal who have put together a similar Bill like the one being presented here today. Through that, they have offered their young innovators an avenue and legal framework for them to take their ideas forward, in a way that is being supported by their own, for their own. Why can Kenya not be next? It is time for Kenya to be next.

We need to have a 24-hour economy. Our young people want to come home, jump on to the internet, go to their *Instagram* accounts, interact with customers across the

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world and move that traffic to their websites. They have their shops in the tabs or the store tab where people can go and make purchases online, get their shipping sorted right there on the same website and have their products sent to their homes maybe through *Sendy* or other *apps* that are innovated by Kenyans.

The 24-hour economy is not out of reach. It is possible and being done informally. As young people, we just need a framework to do it with sustainable and long-standing support of the Government that will create longevity for our young people.

As I conclude, I thank all the Senators who have contributed to this Bill. I appreciate the ideas put forward. I will take them on before the Third Reading of the Bill. I am proud to stand in front of Senators who can take an idea from young people.

This Bill originated from governor Sakaja. The Spirit of it started with him and here I am another young person, trying to complete it. We are not just talking the talk; we are here walking the walk right here in Parliament for everyone to see. We hope it will be taken on board and use that spirit when moving forward with their innovations and ideas, so that everyone in Kenya and beyond can benefit from the same.

I beg to reply.

The Temporary Speaker (Sen. Veronica Maina): Sen. Crystal Asige, are you asking to defer Division?

Sen. Crystal Asige: Yes, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Proceed and move.

Sen. Crystal Asige: Thank you, Madam Temporary Speaker. Pursuant to Standing Order No.66(3), I request to defer putting of the question to a later date. I seek your indulgence.

The Temporary Speaker (Sen. Veronica Maina): The Division is deferred to another date.

(Putting of the question on the Bill deferred)

Next Order.

I direct that we rearrange the Order Paper and move to Order No.20.

MOTION

ESTABLISHMENT OF AN *AD HOC* COMMITTEE ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING

The Temporary Speaker (Sen. Veronica Maina): I call upon Sen. Kavindu Muthama to Move the Motion.

Sen. Kavindu Muthama: Thank you, Madam Temporary Speaker for giving me this opportunity.

I beg to Move-

THAT, AWARE THAT, disaster is defined as an overwhelming event and circumstance that tests the adaptation of responses of a community or individuals beyond their capability and leads momentarily

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to massive disruption of function for a community or individual that often exceeds their capacity to cope using existing resources.

FURTHER AWARE THAT, such was the case with the 1998 US Embassy Bomb disaster in Nairobi in which many of the Kenyan casualties resulted from the collapse of adjacent buildings located within a two to three block radius, and with reverberations being felt in most parts of Nairobi that resulted in 213 Kenyans and 12 Americans killed and over 5000 citizens of both countries being seriously injured.

NOTING THAT, US Allies, including Kenya, have endured the great burden of death, and long-term and in many instances permanent, physical and psychological injury.

FURTHER NOTING THAT, the USA Government has since compensated some of the victims and families of US citizens, leaving the families of Kenyan citizens and certain other victims uncompensated.

NOW, THEREFORE, the Senate resolves to establish an Ad Hoc committee to –

(i) engage the Ministry of Foreign and Diaspora Affairs to advance friendship and co-operation between the United States of America and Kenya by supporting the eligibility of Kenyan and American victims and their personal representatives, surviving spouses and next of kins in the Victim Compensation Fund, pursuant to the Justice for United States Victims of State Sponsored Terrorism Act;

(ii) coordinate with the Ministry of Foreign and Diaspora Affairs in the engagement of victims, their personal representatives, the USA government and other stakeholders at home and abroad to pursue and accomplish the compensation of victims and families of the victims of Kenyan nationals; and,

(iii) coordinate with the Ministry of Health to explore subsidized medical treatment for the surviving victims of the bomb blast and submit a report to the House within 90 days with effect from 3rd July, 2023.

AND FURTHER THAT, the following Senators be appointed to serve in the Ad Hoc committee:

1. Sen. Agnes Kavindu Muthama, MP
2. Sen. Daniel Maanzo, MP
3. Sen. Alexander Mundigi, MP
4. Sen. Beatrice Ogolla, MP
5. Sen. Johnnes Mwaruma, MP
6. Sen. Mohamed Said Chute, MP
7. Sen. Jackson Mandago, MP
8. Sen. William Cheptumo, MP.
9. Sen. Peris Tobiko, MP.

Madam Temporary Speaker, this issue has been lying idle without being solved for the last 24 years. Come August 7th, it would be 25 years. It is high time this issue was resolved and the victims compensated.

Given that even when the Americans come to this country, they visit the bomb blast venue just to give allegiance to their people who died during that time, with this *Ad Hoc* Committee being approved and put in place, we will be able to move and finish this.

I ask Sen. Osotsi to second.

The Temporary Speaker (Sen. Veronica Maina): Proceed, Sen. Osotsi.

Sen. Osotsi: Thank you, Madam Temporary Speaker, for the opportunity to second this Motion.

I want to start by thanking the Senator for Machakos, Sen. Kavindu Muthama for coming up with this very important Motion; a Motion to establish an *Ad Hoc* Committee for the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy here in Nairobi.

Madam Temporary Speaker, this Motion is long overdue. This particular event happened more than 24 years ago. Can you imagine, when the disaster happened, I was still in school? I have now finished school, worked, done business, and joined politics.

You can see that 24 years is a long time. This Motion is therefore long overdue. It is one of those things that Parliament should have dispensed with as soon as the event happened.

The bombing of the US Embassy in 1998 was a major scare in this country. I remember I was then a student at Strathmore College. We heard a huge bang on the other side of Nairobi, only to learn that a number of Kenyans had died. To be precise, 213 Kenyans and 12 Americans died and about 5,000 people were injured. Some of them were just passing-by while others were in *matatus* and private cars.

That particular disaster changed this country. It also changed the world. Actually, Kenyans used to think that terrorists only targeted the Western World and not African countries. That event awakened us. It was not just in Kenya. If you remember, it also happened in Dar-es-Salaam.

Although the terrorists were targeting the US Embassy, it is Kenyans who suffered more than Americans. If you look at the numbers, about 213 Kenyans died, whereas only 12 Americans died. That tells you a lot.

Kenya had to carry the burden of terrorism that was targeted on America. The terrorists were not targeting Kenyans but Americans. That being the case, it is only proper and important that Kenyans who suffered, died and were harmed are compensated.

I was talking to the Mover of this Motion and she told me that at one time, she talked to the people in United States of America (USA), who told her the only reason Kenyans have not been compensated is because the Parliament of this country has not requested America for compensation.

Therefore, if this Motion is passed, it means we will make a formal request to America, through the Senate, which is an institution that represents the people of Kenya, that people who died in that disaster need to be compensated.

It should not just be people who died but also property that was destroyed. I urge Sen. Kavindu Muthama to amend this Motion to include destruction of property because several buildings collapsed causing a lot of losses. I think they spent over Kshs800 million to renovate Cooperative House.

They deserve to be compensated. We also used to have the Ufundi Sacco Society building there. It also collapsed and they need to be compensated. As we talk about the persons who were killed and injured, let us also talk about the destruction of property.

Madam Temporary Speaker, with the passage of this Motion, we ask the Government to move with speed, particularly the Ministries involved. This is because this is going to be a joint arrangement of not just one Ministry but several, to ensure that these Kenyans are compensated.

We have a habit in this country that whenever we have a compensation, we have the wrong people being compensated. When this Motion is passed, let us have the right people being compensated.

I would have spoken a lot of things about this Motion but I can see time is not on our side. This is a great and timely idea though long overdue. I encourage Members of this Senate not to just pass Motion but have a mechanism of following up on the implementation of its resolution.

The Members who have been appointed to this Committee are capable. We encourage them to do a thorough job. Visit the victims, the people whose properties were destroyed and all the stakeholders. Get their views and prepare a report that is going to make the Americans compensate our people.

Madam Temporary Speaker, with those few remarks, I second and ask Members to support.

The Temporary Speaker (Sen. Veronica Maina): Sen. Chute, you may have the Floor.

Sen. Chute: Thank you, very much Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Sen. Chute, resume your seat. I will give you a chance in a few minutes. Resume your seats Sen. Kavindu Muthama, Sen. Osotsi and Sen. Joe Nyutu.

(Question proposed)

I now call upon Sen. Chute to proceed.

Sen. Chute: Thank you, Madam Temporary Speaker. Let me take this opportunity to thank Sen. Kavindu Muthama for bringing this Motion to this House. Sen. Osotsi said he was in school in 1998. When this happened, I was a businessman doing business in Addis Ababa, Ethiopia.

(Sen. Osotsi stood in his place)

The Temporary Speaker (Sen. Veronica Maina): Resume your seat Sen. Osotsi and listen.

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Sen. Chute: Thank you, Madam Temporary Speaker. In a normal African proverb, we say that if two bulls fight, it is the grass that suffers. In an American proverb, they call us Africans. Some Muslims in the Middle East are called collateral damage. These are human lives being called collateral damage.

What Sen. Kavindu Muthama is asking for is long overdue. It should have happened many years ago. It is the responsibility of the Kenyan Government to protect the lives and properties of Kenyans. It is enshrined in the Constitution of Kenya, 2010. About 213 Kenyans and 12 Americans lost their lives. Over 5,000 people got injured and extended families of about 10,000 have suffered because of the injuries of their relatives.

In support of this Motion, the Americans, particularly the Senate of America needs to look at this matter as though it happened in America and not in Kenya. This is because these people did not have any issues with Kenyans. They had issues with the American Citizens.

Madam Temporary Speaker, Americans definitely have good intelligence. They have got this report that there are terrorists out there who are going to sabotage American interests in Kenya. They knew it. It is now over 25 years since 1998 and our people are still waiting to be compensated.

In support of this Motion, I urge the Government of Kenya to push the American Government to not only compensate the families of the injured people and the dead but also the extended families. The extended families have suffered. Today, someone who has injuries because of this bomb blast, cannot even earning normal human dignity.

In conclusion, I am also a Member of this Committee. I know and believe that we will do a very good job. I think we will come up with a good report that will be tabled before this Parliament. Thank you.

The Temporary Speaker (Sen. Veronica Maina): Proceed, Sen. Madzayo.

The Senate Minority Leader (Sen. Madzayo): Asante, Bi. Spika wa Muda. Kwanza, ninampa kongole Mama yangu, Sen. Kavindu Muthama, kwa kuleta Hoja hii.

Zaidi ya miaka 20 imepita tangu ajali hii itendeke. Imefika wakati sasa Amerika wawajibike na kuwafidia waliopata majeraha au kuathirika kwa njia yoyote katika huo mkasa. Kuna wale ambao mpaka sasa, wamebaki vilema. Kunao wasiosikia, wasioona na hata waliokatika mikono. Wengine walikufa katika ajali hii na makosa hayakuwa yao. Makosa hayakuwa ya Mkenya wala Serikali yetu.

Hayo makosa yalikuwa ya ugaidi ambao ulikuwa unafanyiwa nchi ya Amerika na kwa bahati mbaya, yalitendeka katika nchi yetu. Ofisi ya ubalozi ilikuwa katikati mwa Jiji la Nairobi ambapo watu wengi walikuwa wanapita pale.

Ni jambo la kusikitisha kwamba haukuhusika katika chuki baina ya Amerika na *Al-Shabaab* ama Taliban, halafu unajipata katika panda mbili ambapo umetolewa macho. Niliona picha ambazo siwezi kuleta hapa. Hata hivyo, hii ni taarifa moja ambayo iliathiri Wakenya. Tuliona Wakenya walioathirika kwa mkasa huo wa bomu. Kilikuwa kitendo cha ugaidi na watu wa Kenya waliumia.

Bi. Spika wa Muda, kupoteza hata Mkenya mmoja ni jambo la kusikitisha. Kenya inatakiwa kutetea na kuona kwamba hakuna Mkenya anapoteza maisha yake. Jukumu hili halikuwa la Serikali ya Kenya bali Serikali ya Amerika.

Iwapo Amerika wangepanya uchunguzi maalum, hawa magaidi wangeshikwa mapema kabla kuingia na kulipua hiyo bomu katikati mwa jiji letu la Nairobi na kuharibu majumba, kuuu watu na kuwaacha wengine wakiwa vilema.

Bi Spika wa Muda, tunaelewa ya kwamba kama mtu amekufa, ameumia ama amepata ulemavu wa maisha, inatakiwa apewe msaada. Wengine hulipwa malipo ya ridhaa kulingana na maumivu waliyopata. Wengine hupata majeraha ya milele, ilhali wengine wataenda hospitalini na kupona.

Ukiangalia upande huo mwingine kati ya Wakenya 213, sio nambari yote; ni nambari ndogo, kwa sababu majina yalichukuliwa. Walioumia katika bomu hilo ni wengi zaidi.

Wale Waamerika 12 walioumia, wote walichukuliwa na kupewa matibabu bora zaidi nchini mwao. Waamerika pia walioumia walichukuliwa kwao na kupewa malipo ya kisawasawa kulingana na accident waliopata hapa wakiwa kazini ama kujeruhiwa wakiwa ofisini mwao.

Kwa nini kuwe na tofauti; Amerika iweze kulipa waamerika wao halafu Wakenya wetu wanaachwa wakiwa walala hoi ilhali wako na maumivu? Wengine walikufa na wengine mpaka leo ni walemavu. Walikatwa miguu, mikono, kupoteza macho na kuwa vipofu.

Si jambo walilojipeleka wenyewe. Hapana. Ni kwa sababu ya yale yaliyotendeka pale. Walikua wametarget na nia zao ilikua wamelenga Amerika waweze kumaliza ule ubalozi, kuuu waamerika na kufanya kila watakalo fanya kupeleka salamu Amerika. Salamu hizo zilifika Amerika kidogo, watu 12 lakini kuathiri zaidi wakenya 213. Hii si nambari ndogo.

Bi. Spika wa Muda, imefika wakati sasa, zaidi ya miaka 20 ni mingi, na tunaelewa. Familia zimepoteza wapendwa wao waliokua wakifanya kazi hawakufanya tena, watoto wa kuenda shule, hawakuenda. Kuna umuhimu wa Amerika kuonyesha huruma fulani. Ndio maana jopo hili la Maseneta tisa ni jopo muhimu sana sababu litajiweka kipaumbele kuona kwamba Serikali ya Amerika imehusishwa.

Rekodi za Kenyatta National Hospital zinafaa kupatikana. Hawa Maseneta tisa waweze pia kuangalia kwa kina ni nani anaweza kuchukua hili jukumu. Ikiwa ni wale Al-Shabaab ama ni kina nani, maana ilitangazwa ni wao; ikiwa ni hivyo, hili jopo lichukue nafasi hiyo kuona ya kwamba limechukua hatua ya kukaa na wizara, kuongea na waliopata majeraha, familia za waliokufa, ili waweze kupata---

The Temporary Speaker (Sen. Veronica Maina): I am sorry to interrupt you, Sen. Madzayo. When we resume, you will have a balance of seven minutes.

ADJOURNMENT

Hon. Senators, it is now 6.30 p.m. time to adjourn the House. The Senate, therefore, stands adjourned until Thursday, 29th June 2023, at 2.30 p.m.

The Senate rose at 6.30 p.m.

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