

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 4th June, 2025

Afternoon Sitting

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

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

PRAYER

DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING

The Deputy Speaker (Sen. Kathuri): Clerk, do we have quorum?

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

Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

I confirm that we now have quorum.

Clerk, read the first Order.

Sen. Danson Mungatana, you have a Notice of Motion to give. Either Sen. Mungatana or Sen. Veronica should give the Notice of Motion.

NOTICE OF MOTION

CELEBRATING THE LIFE OF PROFESSOR NGŪGĨ WA THIONG'O

Sen. Mungatana, MGH: Mr. Deputy Speaker, Sir, on behalf of myself and Sen. Veronica Maina, I wish to give Notice of the following Motion on celebrating the life of Professor Ngũgĩ wa Thiong'o-

THAT AWARE that Professor Ngũgĩ wa Thiong'o, a prominent author, academician and human rights defender, globally recognised for

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his foundational contributions to literature and good governance, passed away on the 28th May, 2025 at the age of 87;

COGNISANT That the late Professor Ngũgĩ wa Thiong'o had an illustrious career in writing and teaching literature spanning over six decades where he authored landmark novels, plays and poems that shaped post-colonial studies, contributed to social justice and inspired generations of writers and thinkers across the world;

APPRECIATING THAT the late Professor Ngũgĩ wa Thiong'o advocated for indigenous languages and indeed took up writing in his mother tongue, at a time when it was not fashionable to do so;

FURTHER COGNISANT THAT his legacy in inspiring many generations towards cultural sovereignty and the power of indigenous languages in literature and thought led to numerous international awards being bestowed upon him;

NOW THEREFORE the Senate expresses its deep sadness at the death of Professor Ngũgĩ Wa Thiong'o, records its celebration and appreciation of his remarkable life and extends its heartfelt sympathy and condolences to his family, friends and the nation.

Thank you, Mr. Deputy Speaker, Sir.

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

QUESTIONS AND STATEMENTS

STATEMENTS

Hon. Members, we have several statements. We will start with statements pursuant to Standing Order No.53(1). The Senator for Migori County, Sen. Eddy Oketch proceed.

STATUS OF INSURANCE COVERAGE FOR HOSPITAL ASSETS COUNTRYWIDE

Sen. Oketch Gicheru: Thank you, Mr. Deputy Speaker, Sir, for the opportunity.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Health on a matter of national concern regarding the status of insurance coverage for hospital assets countrywide, particularly those within Migori County.

Specifically, the committee should address the following-

(1) Give a comprehensive overview of the insurance coverage for assets belonging to all hospitals countrywide with a specific focus, of course, on Migori County.

(2) Give detailed information on the budgetary allocation made by the County Executive of Migori for the insurance of hospital assets in the financial year 2023/2024.

(3) Give a categorised breakdown of each hospital asset, its respective insurer and the corresponding financial commitment.

(4) Give a list of hospital assets that remain uninsured, if any, and an explanation of the reasons for their non-insurance.

(5) Give a description of the measures being implemented by the county governments to ensure that all hospital assets are adequately insured against any potential risks.

Thank you, Mr. Deputy Speaker, Sir.

FAILURE BY GOVERNMENT TO PURCHASE
LOCALLY PRODUCED RICE

Sen. (Dr.) Murango: Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries on a matter of county-wide concern regarding the Government's failure to purchase locally produced rice in Mwea, Kirinyaga County, which has resulted in the accumulation of over 5,000 metric tonnes in storage facilities.

In the statement, the committee should address the following-

(1) The criterion process followed in approving the importation of rice into Kenya despite the existence of a stockpile of locally produced rice, specifically the 5,000 metric tonnes in Mwea.

(2) Whether there were prior consultations with the Ministry of Agriculture, the Kenya National Trading Corporation (KNTC) and even farmers organizations, particularly those in Mwea, before the importation of rice.

(3) Whether an assessment was conducted to evaluate domestic rice stocks prior to authorising the importation and if so, the Committee should provide the findings of that assessment.

(4) The reason why the Government supports increased rice production through subsidized inputs yet fails to secure a market for the resulting surplus.

(5) The measures being taken by the Government to protect local rice farmers from market distortions caused by the imported rice.

The Deputy Speaker (Hon. Kathuri): Proceed, Sen. Hamida Kibwana.

PUBLIC HEALTH THREAT POSED BY
ANTI-MICROBIAL RESISTANCE (AMR)

Sen. Kibwana: Thank you, Mr. Deputy Speaker, Sir. My statement is with regards to threat of Anti-Microbial Resistance (AMR) and its deadly impact on child health in Kenya and across Africa.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Health on a matter of national concern regarding the public health threat posed by AMR, particularly regarding its impact on child health in Kenya and across the African continent.

Mr. Speaker, Sir, a recent global study has linked over 659,000 child deaths in Africa that occurred in 2022 to anti-microbial resistance infections with Kenya identified

among the countries experiencing a surge in the use of watch and reserve category antibiotics, high risk drugs that should be used sparingly.

The sharp rise in usage has been attributed to weak regulation, misdiagnosis and inadequate diagnostic capacity posing a significant threat to the health system and national development.

In the statement, the committee should address the following-

(1) A status update on the national AMR surveillance systems in Kenya, including the level of functionality and coverage across the counties.

(2) Measures implemented by the Ministry of Health to regulate the prescription and use of watch and reserve category antibiotics, particularly within pediatric and primary care settings.

(3) Whether Kenya has developed or implemented a national action plan on AMR in line with the World Health Organization (WHO) recommendations, including in current status.

(4) Initiatives in place to strengthen the diagnostic infrastructure, enhance the capacity of healthcare professionals and raise public awareness on responsible antibiotics use.

(5) Targeted interventions and investments made to support anti-microbial stewardship programmes, especially in county health systems and the impact of reducing misuse and resistance.

I thank you.

The Deputy Speaker (Hon. Kathuri): I will allow brief comments for 15 minutes before we proceed to statements under Standing Order No.58.

Proceed, Sen. Maureen Tabitha.

Sen. Tabitha Mutinda: Mr. Deputy Speaker, Sir, I was waiting for the mic. Allow me to make comments with regards to Sen. Eddy Oketch's statement as far as the issue of the status of insurance coverage for hospital assets is concerned.

As you know, it is very important for assets to be insured. A hospital is a very critical space whereby its assets need to be insured. In the event of any damage, then the insurance would come in handy to either replace these machines or whichever depending on the terms that they have agreed on with their client.

Sen. Oketch has narrowed it to Migori County with regard to the question of how the county has ensured that all its medical equipment is insured. This is a concern that does not only affect Migori County, but cuts across all the 47 counties. Nairobi City County, where I represent, has so many hospitals, both private and public. Narrowing it to public hospitals, it is important for hospital management to factor in the insurance budget for equipment, so that they can continue running. It also makes it safer for the management in the event of any damage or loss of this particular equipment. It is very important to have continued service delivery in these hospitals. The factor of insurance for the assets is very important. Insurance should not only be to the human aspect, but also this machinery, the way we all adhere to ensuring that we have insured our motor vehicles among other assets.

Mr. Deputy Speaker, Sir, I will also be quick on the statement by Sen. Hamida Kibwana regarding the rising threat of the AMR and its deadly impact on child health in Kenya and across Africa.

One of our greatest weaknesses we face, as a country, is on the issue of data. We are not doing so well when it comes to data collection because we should get a detailed report from the Ministry of Health as far as these issues of AMR are concerned. She has narrowed it to children because in the world that we are in today, we have so many antibacterials that have become so resistant.

If we do not move with the current times as far as getting anti-microbiotics and all the medicine that is needed to fight these particular diseases, we will not be safe. We will also not be offering a safe space for our children, not only in Kenya, but across Africa. Since I sit in this Committee, I will champion to ensure that we get the right information and quick feedback that is needed.

Thank you.

The Deputy Speaker (Hon. Kathuri): Hon. Senator, as I said, we should do brief comments in under three minutes.

Proceed, Sen. Oburu Odinga.

Sen. (Dr.) Oburu: Thank you, Mr. Speaker, Sir. I will be very brief in commenting on this statement sought by Sen. Oketch Gicheru on the issue of insurance of health facilities in his County of Migori.

This is not an issue of Migori alone, it has spread countrywide. Some people working in the public service do not understand the importance of insuring public property. In a county like mine, you will find that a hospital does not have a title deed and they do not even care about it. Insuring public assets is very important. Some people would say I do not care, if anything happens, the Government will pay.

The Government is you. It is the people who will pay for something, which they should not have paid for. Insurance should have compensated them. Therefore, when the Committee investigates this matter, it should be taken seriously. It should be across the board to cover almost all counties. This is a principle that many counties do not want to follow. They do not want to insure public property.

Sometimes, even Government vehicles are not insured. People do not take public property seriously. They think it is something that belongs to the public. I stress the importance of covering public property, particularly health facilities with insurance. The Committee should be very thorough in doing its work on this particular one.

Thank you.

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

Sen. Mungatana, MGH: Mr. Deputy Speaker, Sir, I will make a quick comment on the statement by Sen. Hamida. Indeed, there is great concern in the health sector about the rise of AMR. This includes increasing resistance to antifungals, antibiotics and antivirals.

This whole group is put together as antimicrobial resistance. This means that the normal medication that we use to treat colds, coughs, cuts *et cetera*, if there is resistance to treatment on these organisms, then we, as a country, are headed in the wrong direction.

As the Committee looks at this, they should investigate the role of public information in public campaigns.

People have created a habit of buying over-the-counter medication. They take a few antibiotics for two or three days and do not complete the dosage. They are never informed about the dangers of not finishing the antibiotic dose. We then have a problem because these antibiotics become resistant. The Committee ought to look into the role of public health information services within this country.

What can the director do to help, especially within counties that are far-placed like Tana River? May the Committee also investigate how this is infecting our animals. For us who come from counties that keep animals, this is a growing concern. Resistance to treatment is becoming a real concern because some of these animals face the same problems of incomplete dosages, lack of information and lack of proper diagnosis. I pray that the Committee on Health will properly engage, so that our people can benefit.

I thank you.

The Deputy Speaker (Hon. Kathuri): Proceed, Sen. Beatrice Akinyi.

Sen. Ogola: Mr. Speaker, Sir, thank you for giving me the opportunity. I support the statements by Sen. Hamida Kibwana and Sen. Eddy Oketch.

It is regrettable that our people are getting a lot of resistance from the use of antibiotics. It is painful that she has brought up the statement, especially on the impact on child health in Kenya. However, the resistance may not only be limited to children, but to all age groups.

I ask myself where the public health department, the preventative arm of health, that deals with prevention is. This must have been foreseen. This could be aggravated by the fact that most patients buy over-the-counter drugs from chemists that we have all over the country. I keep asking myself why people are allowed to purchase antibiotics from chemists for use. The kind of usage must have led to the resistance that we are talking about. This must be looked into.

Mr. Deputy Speaker, Sir, on the statement by Sen. Eddy Oketch, it is unfortunate that our county governments, not particularly Migori, but all our county governments, do not insure some of these facilities. It is in good governance that our governors and the executive look into insuring some of this, so that we can forestall losses in the event anything happens.

I support this statement and thank you for this opportunity.

The Deputy Speaker (Hon. Kathuri): Proceed, Sen. Murango James.

Sen. (Dr.) Murango: Asante sana, Bw. Naibu wa Spika. Naunga mkono ombi lililoletwa hapa na Sen. Hamida. Mimi ni mmoja wa walioadhirika na janga hili ambapo dawa zinazotumiwa zinafika mahali haziwezi kutibu. Kuna uwezekano kwamba zinatumika vibaya au visivyo.

Yale madawa hutumika kuua bakteria katika miili yetu aidha kwa wanyama au binadamu, ikitumiwa isivyofaa au watumie *generic*, zinatuletea matatizo. Ila tuko na taasisi husika zinafaa kuhakikisha kwamba dawa zinazolingia nchini ni za hali ya juu na zikitumika zitafanya kazi ipasavyo. Umuhimu wa dawa ni kuponya na umuhimu wa sabuni ni povu. Kwa hivyo, ikiwa dawa zinazokuja hazifai kwa sababu binadamu

akizitumia zinawaathiri, taasisi zinazohusika kuanzia Wizara ya Afya, zinafaa ziwajibike na kusema ni kwa nini.

Bw. Naibu wa Spika, la mwisho nikuchangia taarifa iliyoletwa na Seneta wa Migori. Utaona kwamba gatuji nyingi zetu hawana haja sana kuhakikisha usalama wa zile mashine tulionazo katika mahospitali. Tunapata hasara kubwa mno kukiwa na uharibifu wa moto na ukosefu wa pesa ya kuhakikisha kwamba zile mashine zimerudishwa tena. Ili kuhakikisha kwamba hakuna hasara, serikali za gatuji zinafaa zihakikishe kwamba zimechukua bima kuhakikisha kwamba kukiwa na janga lolote, hakuna kupoteza zile mashine ambazo ziko katika mahospitali yetu.

Asante sana.

The Deputy Speaker (Hon. Kathuri): Proceed, Sen. Kisang William.

Sen. Kisang’: Mr. Deputy Speaker, Sir, thank you very much. I would like to comment on the statement by the Senator for Migori. You will be surprised that when we get reports from the Auditor-General from counties, we are not even surprised. Almost 100 per cent of the counties have not insured medical equipment. They do not even have paperwork in terms of titles or logbooks. Some of the properties do not even have valuation. They do not have any valuation roll or a fixed asset register.

It is important to ask the governors to do valuation for the assets and insure them. As my colleagues have said, if a building gets burnt down by bad luck, what will happen if we do not have resources? Since resources are scarce, they should insure the properties, so that they can be compensated by insurance companies who will have taken the underwriting. This is something that they urgently need to do.

We need to move a Motion as a House, so that we can do a resolution to compel them to do asset valuation and get paperwork for building and land. You can imagine some of the hospitals do not even have title deeds for the land where the hospitals are built. By bad luck somebody can decide to allocate themselves that land. You can get some rogue governors who can allocate themselves some of this land. This is a serious matter.

I want to comment also on the statement by Sen. Hamida. It is also important for us to be disciplined. The problem is that we lack discipline as Kenyans. Why are we going to the chemist to buy antibiotics without prescription? This is basically lack of discipline. We need to be disciplined and teach our children from ECDEs all the way from primary school and secondary school, so that by the time they become adults, they will have some values. The reason we are buying medicine directly from chemists without seeing the doctors is because of our values.

I thank you.

Sen. Abass: Mr. Deputy Speaker, Sir, I join my colleagues to support the statement by Sen. Hamida. What is happening in this country is very unfortunate. Drugs are just being bought from the counters. Even antibiotics and the controlled drugs are not being controlled. It has been abused over time. As a result, there is a lot of resistance now for drugs to the extent that some people cannot be treated when they have any kind of acute sickness.

Equally, it happens the same way, the way it has been done by human beings. When animals are being treated, they use antibiotics meant for human beings to

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administer to the animals. As a result, this goes to the meat and the milk consumed by people. I think it is high time that we should not leave this issue in a statement alone. We need to have a Bill now to address drug abuse control.

At the same time, I want also to join in supporting Sen. (Dr) Murango's statement that this country has now turned out to be a consumer country. We are even importing milk and eggs from outside the country. Our farmers are getting unnecessary competition and they are not able to even sell their products like eggs, meat and milk. Even corned beef is now being brought from outside the country. We are losing a lot of markets. We are now getting everything from our neighbours Tanzania and Rwanda. Kenyans are only becoming consumers. We are such a lazy society that we are not even farming our farms; they are being left idle.

With those few remarks, I beg to support.

The Deputy Speaker (Sen. Kathuri): I am unable to see Members properly.

Sen. Oketch Gicheru: There is a problem with our system.

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

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, this side, the system does not seem to be working. We have been queuing and we are not getting the attention that we need.

The Deputy Speaker (Sen. Kathuri): How then did I see that you are queuing?

Sen. Oketch Gicheru: I think my eyes were curious to speak. On a more serious note, I thank you and I want to make a quick comment on the statement by Sen. (Dr.) Murango. There is a big problem in terms of the price and mop-up of rice in our country.

I hope that the Committee on Agriculture, Livestock and Fisheries will take this statement very seriously. I hope they will be able to look at the issues that are affecting farmers in Mwea with regards to the criteria and process that affects pricing of rice.

I have seen this even in Migori County, where the farmers of Lower Kuja in Nyatike Constituency are working very hard. Today if you go to Lower Kuja, just the same way as people in Mwea, you will find that they have piles and piles of paddy that is not being bought, despite the fact that we have got a number of Government institutions that can first buy paddy and second can also buy rice. For instance, the deal that we have with the Kenyan National Trading Corporation (KNTC) is one that should be able to help these farmers to have their rice mopped up by the relevant institutions.

Right now, the farmers in Nyatike have to sell their paddy to people who are coming from as far as Uganda, despite the fact that this rice is subsidized by our local resources here from Government.

One of the biggest things that I hope that this committee will look at is quick payment to those farmers, because the delay of payment, when you go and give, for instance, your rice to the Kenyan National Trading Corporation and then they want to pay it three months later, when people who come from Uganda can come and pick it and pay a lower price, but pay immediately, it becomes a problem. So, the issue of payment is something that must be looked into. Most importantly also, we should look into the issue of the subsidy in the input for rice, not only in Mwea, but also for the people of Migori County who are producing rice.

Lastly, the issue that has been raised by Sen. Hamida is an important one. I think that on this particular issue, I hope that this committee can go and look at the inappropriate use of antibiotics in animals that people are eating in this country. The treatment of animals that form the basis of food that we eat in this country are a big contributor to this AMR problem.

Sen. Kisang' has talked about the misuse and overuse of antimicrobials where people are just getting antibiotics from every mushrooming chemist that we have in the country. This is something that must be looked into and a proper assessment must be done.

I thank you, as I support the two statements.

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

Sen. Chute: I am being interrupted here by Wamunoro. Let me also take this opportunity to support the Statement by---

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

Sen. Abass: Is it in order for Sen. Chute to call the hon. Senator Wamunoro? I think he should apologize for that. He is Sen. Thang'wa.

Sen. Chute: It is a compliment.

Sen. Abass: No, it is not a compliment.

The Deputy Speaker (Sen. Kathuri): Unfortunately, my ears did not capture that word "Wamunoro", but Sen. Chute can clarify what he said. I did not hear that.

Sen. Chute: Mr. Deputy Speaker, Sir, if you did not hear that means Sen. Abass has a problem with his ears.

On the statement by Sen. (Dr.) Murango, consumption of rice has increased in this country. The consumption is a million tonnes per year. What Kenya can produce is only 230 tonnes. What Sen. (Dr.) Murango is talking about is the stock that is now in the stores. The Government has promised to buy everything that is in stores in Kirinyaga County.

This country has a deficit of 770,000 metric tonnes. I want to ask Sen. (Dr.) Murang'o to appreciate also what the Kenya Kwanza Government has done. It has increased the production of rice from 190 metric tonnes to 270 metric tonnes. This production increased mainly because of issues of cheap fertilizer and also dams that are being built in this country.

By 2032, according to the Kenya Kwanza Government, we will be having sufficient rice for Kenyans. For people from Wajir, Mandera and Marsabit, this is normally our staple food. This is due to efforts by His Excellency the President. Mwache Dam is being built in Kilifi and Thuci Dam in Embu.

The Deputy Speaker (Sen. Kathuri): You are saying point of order or information?

Sen. Chute: I do not want him to inform me. I want to conclude because of time.

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

Sen. Faki: Mr. Deputy Speaker Sir, my point of order is that Mwache is in Kwale County, not Kilifi County. The Senator for Marsabit is misleading the House.

Sen. Chute: That is the point of information, which I had refused. He should go and check his facts well.

Mr. Deputy Speaker, Sir, we have Siyoi Dam and this will increase production from what the 270 tonnes we are currently having to a maximum of a million tonnes. I also would like Sen. (Dr.) Murango to go slow and wait for another five years in order to see what this Kenya Kwanza Government will do.

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Mariam Sheikh Omar.

Sen. Mariam Omar: Thank you, Mr. Deputy Speaker, Sir. I want to comment on the statement by Sen. Eddy Oketch about the insurance of medical equipment. There is a time a statement was raised by the Senator for Kisii, Sen. Onyonka about the disappearing of the medical equipment that do ultrasound. With the disappearance of that equipment, people are suffering because there are no ultrasound services in Kisii Referral Hospital. If the Governor had insured the equipment, he will have replaced them and people would have benefited.

Secondly, I would like to comment on the statement by Sen. Hamida on the overuse of antibiotic drugs by buying them over the counter. There is also misdiagnosis by some doctors, which leads to anti-microbial resistance.

The Deputy Speaker (Sen. Kathuri): Sen. Thang'wa Paul Karungo.

Sen. Thang'wa: Yes, I am Paul Karungo Wa Thang'wa, the Senator for Kiambu County. Mr. Deputy Speaker, Sir, I do not have a problem when Sen. Chute refers to me to Wamunyororo. We are happily associated with Wamunyororo and all the people.

I will comment on the statement that was requested by Sen. Eddy Oketch who also goes by another name, Gicheru. When it comes to counties insuring hospital equipment, there is a big problem because they budget for equipment, but they never insure them. When that happens, we ask questions where the money goes to.

It is not only for the equipment. Even insuring the civil servants or the county workers, especially in Kiambu County. I had requested for a statement here on the Floor of this House in 2023 from the Committee on Health, but I have never gotten a response. I wanted to know why the County Government of Kiambu took all the health insurance from the then National Health Insurance Fund (NHIF), which is the Social Health Authority (SHA) today to a private entity called MUA Kenya. The people of Kiambu, the workers of Kiambu County are suffering because the private insurance company is not insuring every medical aspect of their bills.

Mr. Deputy Speaker, Sir, as we look into this issue, the Chairperson of the Committee on Health, the one you referred the statement to, must also answer on the Floor of the House whether we allow counties to insure their workers to a private entity.

In regard to the health issues, Kiambu is also suffering because of the ongoing doctors' strike. I know you saw it in the social media or on television that a father lost his child while holding his child in a hospital called Igegania.

Sometimes we blame the doctors and yet they are not to blame. It is the Government that is not paying them their salaries and delaying them. There is unprocedural transfers on these doctors. If you are seen as not giving good answers to the governors, you are transferred to a health centre. By the time you settle, you are taken to

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a Level 2 hospital. I am trying to say that we should look into all the issues affecting workers within the hospitals.

As I conclude, there is a dysfunctional health insurance scheme, the one I have just talked about in Kiambu County. I request that you tell the Chairperson of the Committee on Health to give me my statement back, or to answer it. I do not know what is happening and I do not want to cast aspersions. For two years, I have not received a response to my statement.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, in my earlier communication, I had allocated 20 minutes for the Statements Hour. However, I have realised that the system for the Senators seated on the left side was not working. I will give just two Senators from this side; Sen. Osotsi Godfrey and Sen. Sifuna.

(Sen. Seki spoke off record)

Sen. Seki, what is it? You and Sen. Mutinda are raising hands and I cannot understand.

Sen. Osotsi, proceed.

Sen. Osotsi: Thank you, Mr. Deputy Speaker, Sir. I would like to comment on the statement by Sen. Eddy Oketch regarding insurance coverage for hospital assets. This statement emanates from audit queries before the County Public Investments and Special Funds Committee (CPISFC) regarding the issue of plant, property and equipment in various hospitals. Most of those properties or assets are not insured and there are various reasons why that has occurred.

First, some of these equipment is leased equipment. It is, therefore, important for the committee to dig deeper into this matter and to look at the leased agreements in order to see what it says with regard to the maintenance of those equipment and their insurance. However, I urge the committee to go beyond looking at insurance of assets. They also need to look at the ownership of assets in our hospitals.

We have audit queries on the issue of ownership of hospital assets. Some of the hospitals in our counties do not even have land titles. The titles are either owned by the defunct local authorities while some do not have title deeds.

Mr. Deputy Speaker, Sir, for example, yesterday, Garissa County appeared before us. We were surprised that Garissa Referral Hospital does not have a land title. This is a serious issue that the committee should look at and not just the insurance aspect only. They need to look at the status of ownership of all the assets. We are talking about equipment, land, buildings, motor vehicles and machinery. This is a serious issue. The committee should bring back to this House a detailed report on ownership and management of assets in our hospitals.

Mr. Deputy Speaker, Sir, I support this statement.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Hamida Kibwana.

Sen. Kibwana: Mr. Deputy Speaker, Sir, I would like to support Sen. Eddy's statement on insurance coverage for hospital assets. It is like the story of the Managed Equipment Services (MES). I keep on saying that MES is messy.

When you bring such statements, nothing is done and I do not know why. I requested for a statement regarding MES. It has taken two years, but no answers have been brought. Insurance is important for these facilities, especially looking at the breakdown of equipment. Therefore, consequential loss insurance is important.

When we visited Kenyatta National Hospital (KNH), we realised that equipment is not functioning. Like Sen. Mariam said, if only it was insured, we would be having replacement of the equipment. When you go to the Intensive Care Unit (ICU) at KNH, you will find equipment that is not working because perhaps it was not insured. If it was insured, then we would have had replacement. I encourage Members of the Committee on Health or perhaps the CPISFC to look into this matter.

I also support Sen. (Dr.) Murango on the issue of rice in Mwea. Pishori rice from Mwea used to be our pride in Kenya. Unfortunately, it is not the case nowadays because there is no motivation for farmers. I remember when everyone used to scramble for pishori rice from Mwea in the market. Unfortunately, regardless of how people know it, it is not sold easily. I do not know where the issue started from. Perhaps the Ministry of Agriculture, Livestock and Fisheries Development needs to motivate farmers.

Mr. Deputy Speaker, Sir, I also urge the Government to protect local rice farmers from market distortions caused by imported rice. Unfortunately, nowadays we go for imported rice. Immediately farmers are motivated, they will up their game and start producing quality rice and Kenyans will start scrambling for pishori rice from Mwea.

I thank you.

The Deputy Speaker (Sen. Kathuri): Last but not the least, we have Sen. Seki Lenku.

Sen. Seki: Thank you very much, Mr. Deputy Speaker, Sir, for this great opportunity you have given to me.

I also want to add my voice to the statement sought by the Senator for Migori on the issue of insurance of medical equipment in our hospitals. This is an important statement that has come at the right time when we have a big problem in our hospitals, including at the KNH here in Nairobi.

Just a few days ago, we had a problem in KNH where there was a breakdown of a chemotherapy machine and most Kenyans suffered because of that. Therefore, this statement seeks to sort out issues of maintenance and servicing of the machines. Insurance will help to cover big machines that may not be replaced within a short time when they break down.

County referral hospitals and KNH need to come up with a mechanism of insuring medical equipment, so that people do not suffer. I am sure most Kenyans are suffering because of failure and breakdown of machines that cannot be replaced in a short time.

Mr. Deputy Speaker, Sir, I support this statement.

The Deputy Speaker (Sen. Kathuri): Sen. Fatuma Dullo, you have a Personal Statement under Standing Order No.58.

PERSONAL STATEMENT

DISPARAGING REMARKS BY HON. ABDI IBRAHIM
HASSAN, GOVERNOR OF ISIOLO COUNTY

Sen. Dullo: Mr. Deputy Speaker, Sir, I would like to issue a Personal Statement regarding inappropriate and disparaging remarks made by - I do not know whether to call him honourable - Abdi Ibrahim Hassan, Governor of Isiolo County, on 1st June, 2025. The statement that he made is all over social media. Therefore, I do not have to repeat.

Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.58 to make a Personal Statement regarding inappropriate and disparaging remarks made by Abdi Ibrahim Hassan, Governor of Isiolo County, during Madaraka Day celebrations in Oldonyiro Ward, Isiolo North Constituency, on 1st June, 2025.

As a Senator, my constitutional responsibility is to serve the people of Isiolo County, uphold transparency and ensure accountability in all county government operations. I am constitutionally tasked with exercising oversight of county government functions to safeguard the interests of the people of Isiolo County. The responsibility has come with great challenges, including inappropriate attacks on my character designed to deflect attention from the legitimate governance concerns that I raise from time to time in the House and also at the county level.

This statement has been repeated twice. The first one was last year where---

The Deputy Speaker (Sen. Kathuri): Sen. Dullo, please just read the statement, which has been approved because there is a reason for this.

Sen. Dullo: Mr. Deputy Speaker, Sir, I wish to bring to the attention of the House that during the recent Madaraka Day celebrations in Oldonyiro Ward in Isiolo North Constituency, the Governor of Isiolo County made deeply inappropriate sexist and defamatory remarks about my person. The Governor made crude and vulgar insinuations that are false, malicious and constitute a clear example of misogyny deployed to discredit women in leadership.

Since the loss of my husband, I have conducted myself with dignity and continue to serve the people of Isiolo County with unwavering dedication. The residents of Isiolo County know my character and can attest to the diligence commitment and the honour I have demonstrated throughout my years of service.

(Loud consultations)

The Deputy Speaker (Sen. Kathuri): Just a minute. Sen. M. Kajwang' and your team, kindly allow Sen. Dullo to read her statement in silence.

Sen. Dullo: Mr. Deputy Speaker, Sir, what makes this incident particularly egregious is that the personal attack occurred on Madaraka Day, which is meant to commemorate our nation's progress and address legitimate concerns. During the celebrations, community representatives raised critical questions about patterns of over-promising and not delivering on development projects, specifically highlighting concerns about education relief and mismanagement of county funds.

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Instead of responding to those genuine concerns and legitimate demands for accountability, the Governor chose to deflect, through character assassination and resorted to sexist insult. This represents more than just an attack on a woman; it is an assault to women in public service and every sphere where our voices challenge the status quo. These tactics are designed to humiliate and silence us, discourage accountability and maintain systems that resist democratic participation.

Mr. Deputy Speaker, Sir, I would like to state categorically that such conduct has no place in our democratic discourse and demonstrates profound disrespect for the office that the Governor holds and the people he serves.

Finally, I wish to reaffirm my unwavering commitment to serve the people of Isiolo County with dignity, transparency and accountability they deserve. No amount of political bullying or character assassination will deter me from my constitutional oversight duties.

I thank you, though I felt limited as far as this matter is concerned because what the Governor said touched on my character. If I am not allowed to say much, then it also discriminates on my right. The House should look at Standing Order No.101 to allow us to discuss these matters. However, let me tell the people of Isiolo County that I am ready, whatever it takes. There is so much intimidation that is going on. This guy has killed that county. He is unfit to hold an office in any part of this country and something needs to be done. I have said this severally.

In fact, yesterday, he insulted the Chairperson of the National Gender Equality Commission (NGEC) when she posted something on her Twitter page. Clearly, this man has no respect for anybody within that county. I hope this House will amend Standing Order No.101, in future, so as to allow us to discuss such governors.

There is the issue of drugs. Mr. Deputy Speaker, Sir, this guy is supplying drugs within Isiolo County and our youth are being killed by these drugs. It is shameful the security agencies are sleeping on their job.

The Deputy Speaker (Sen. Kathuri): Sen. Dullo!

Sen. Dullo: He must be brought to book because he is killing our youth and stealing our funds in Isiolo County.

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Dullo, do not be encouraged by the Senate Majority Leader to disobey the Chair. I will allow two Senators to contribute.

Sen. (Prof.) Kamar: Thank you, Mr. Deputy Speaker, Sir, for this opportunity. I rise to support the statement and condemn the actions of the Governor of Isiolo County in the strongest terms possible. It is very sad that a governor who is supposed to be his Excellency can talk such a language in front of children and grown-ups. They are words that cannot be repeated in this House. We cannot repeat those words, but we have them on our social media. It is a shame.

I started by sympathizing with the people of Isiolo County. How did they go to the polling station in the morning to vote for such a man? Were they conned to believe that they were voting for an honourable member? It is a shame.

I only have two things to say. Number one, is the attack that he made included threats. We cannot allow him to use youths or incite youths in this country, to go after

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women leaders. This country is democratic. If he had anything to say, he should have said it in a manner that would have corrected what he wanted to correct. However, it is unacceptable for him to tell young people to go after women leaders in this country. We want to denounce it in the strongest words possible.

My second point has to do with oversight, which is accelerating very well in this House. Committees have gone out to deal with oversight. I have been approached by a member, somebody from Isiolo County. He told me, “talk to your friend. Why is your friend trying to get the Governor to appear before very many committees in the House?” That is not the job of Sen. Dullo. It is the job of the chairpersons of the various committees. I told the same person, the messenger of whoever sent him to me, that it is not about Sen. Dullo, it is about the oversight role of the various committees.

No Member, in this House can incite committees to question in a particular way. In fact, when we are dealing with governors, the host Senator appears as a friend of the committee because it is not just about the Governor of Isiolo County. There is this belief by governors that whenever they are invited to come before committees, they do so because the host Senator has said so.

Mr. Deputy Speaker, Sir, what I want say is on record and this can be found from the recordings of our Committee on Education. At one point, I was chairing our Committee on Education and a Governor came before us and said that he wants it to be very clear that he will never answer any question from his Senator. Fortunately or unfortunately, he spoke before I said anything. That is a record in this House. How can a governor come and dictate to a committee that they do not want their host Senators to talk?

Mr. Deputy Speaker, Sir, we went viral on that one because I also responded. I said, listen to what you have told us before you repeat it, because I want you to repeat what you have said. He could not repeat it because he knew I was going to tell him that he either leaves or the Senator be given a chance. It was unbelievable to us, as a committee.

We looked at him in shock because we did not know what transpired between him and his Senator, but it was very clear that he did not want the Senator to say anything. The Committee on Education will bring and update after 15th. This will be in our report when we bring the report of the governors that we have engaged.

What is this that the governors are hiding to the extent that they want to fight with their Senators because of oversight? I see a lot of oversight issues that the Governor of Isiolo County is trying to hide. In this House, we have had occasions when committees invited the Governor of Isiolo County and he refused to appear before the House. Our committee has not invited him, but we will dare invite him because we intend to invite all the 47 governors.

This House must to take its oversight role very seriously. We want the chairpersons of committees to be very clear about oversight. They have to state that oversight must be done, neutrally. The governor I am referring to decided to settle down when the Members said, we must have our friend, your host Senator here, and he will ask questions around education. They told him that they are not interested in what is going on between the two of them. That is when he listened.

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What are we talking about? We are talking about people who have decided to go rogue; governors who have refused to be accountable and transparent. I chaired the Committee on Devolution and Intergovernmental Relations in Naivasha when my Chairperson was not well. The things we heard about Isiolo County are horror. We have a county that needs attention. I hope we, the Committee on Devolution and Intergovernmental Relations, will be able to go.

I hear that in that county, the governor goes there once in a month. We need to pay attention to the governors.

Thank you.

Sen. Shakila Abdalla: Asante, Naibu Spika. Kesi ya Sen. Dullo imeongezeka katika *list* ya uhalifu unaoendelea kwa akina mama. Ni uhalifu ambao ni wa dhuluma wa kijinsia. Inafanya akina mama waogope kuingia katika siasa na kutoa maoni yao kikamilifu.

Tunataka Seneti ichukue hatua kali kwa huyo Gavana. Huyo Gavana alimkashifu mheshimiwa mwenzake hadharani bila sababu. Sen. Dullo hajamkosea. Yeye alikuwa akifanya kazi wakati ambapo huyo Gavana aliitwa hapa kuulizwa maswali kuhusiana na jukumu lake la Kaunti ya Isiolo. Lakini kwa sababu anataka kuficha madhambi yake nyuma ya Mhe. Fatuma, anamdhulumu na kumkosea kwa matusi ambayo hayawezi kueleweka.

Kwa hivyo, *tunacondemn* na kupinga dhuluma hizi za kijinsia zinazoendelea kwa akina mama, hususan wamama ambao wako katika mirengo ya kisiasa. Tunapinga na kukataa na tuamuaibisha huyo Gavana wa Kaunti ya Isiolo kwa mambo anayoyafanya.

Asante.

The Deputy Speaker (Sen. Kathuri): Hebu tusikie huyu mzee wa Kericho County anasema nini.

Sen. Cheruiyot Aaron, please, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, any leader who heard the utterances of Governor Guyo was terribly embarrassed and ashamed to be called a colleague leader because when young people listen to such utterances, they think that is the norm.

Mr. Deputy Speaker, Sir, if that was not sexual violence against Sen. Fatuma Dullo, then I do not know what sexual violence is. I even lack the right words to express myself because as a leader and somebody who understands the difficulty in executing the work of a Senator, I felt very embarrassed. I felt bad on behalf of Sen. Dullo because I know that this is a Senator just going about her business.

Many times, governors do not appreciate how difficult it is because when bad things happen in our county governments. Many times, citizens look up to you, as a Senator, to speak on their behalf and question when things go wrong. Unfortunately, that on many occasions, is misconstrued to mean that you have personal vendetta against an individual who is serving as a governor. That is the nature of our constitutional duty. It is our work to be the eyes and voice of the people and that is all that Sen. Fatuma Dullo has done.

Mr. Deputy Speaker, Sir, I would like to challenge Sen. Fatuma Dullo to file a formal complaint with the Ethics and Anti-Corruption Commission (EACC) because this

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is an ethics issue. This is a leader who is behaving unethically and it goes against the provisions of Leadership and Integrity Act, and the behaviour of public office. Young people watch and I am sure they were part of those celebrations. So, when they look at a widow like Fatuma Dullo, they imagine that is the kind of leadership that we have as a country.

I join those that are condemning the utterances of Governor Guyo and ask the people of Isiolo County when you look at such utterances being made against a woman leader from your county, do you feel proud? Are you happy that that is the kind of leadership that your county has? It is unfortunate and wrong. I condemn it in the strongest terms possible.

I thank you.

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

Sen. Wambua: I thank you, Mr. Deputy Speaker, Sir, for this opportunity to also stand in solidarity with our colleague, Sen. Dullo, who has suffered a sexist attack from a fellow leader in the same county.

I would like this House to take note that sometimes last year when the Senate Standing Committee on CPAC, led by Sen. Kajwang, visited Isiolo County, certain things happened that were untoward and directly attributable to the governor. It should also be remembered that not many months ago, there was a presidential visit in Isiolo County. Again, certain things happened that were unbecoming of a leader of the stature of a governor, in the visit of the President in his county.

Mr. Deputy Speaker, Sir, the latest direct attack on Sen. Dullo is not just an attack on her as a person, but is also an attack on women leadership in this country, and to some extent, this House. What bothers me most is that this attack is coming at a time that the Senate is grappling with the issue of the formula for sharing revenue to counties.

Sen. Dullo, our colleague who is one of the highest-ranking Members of this House, coming from a small county called Isiolo, is taking the lead in persuading her colleagues to give more money to Isiolo County, so that the county can be viable. Here is a leader who is trying to fight for a county to send money to a governor who is attacking her on the basis of sex or gender.

Mr. Deputy Speaker, Sir, I would like this House to perhaps think through how to deal with the Governor of Isiolo County. The starting point would be, perhaps for the Senator from Isiolo County to invoke Standing Order 110. We begin there, so that we do an Adjournment and just have a conversation about the Governor of Isiolo County and how we will deal with him as Senators. As I said, an attack on Sen. Dullo is an attack on all of us.

I thank you.

The Deputy Speaker (Sen. Kathuri): As we conclude, let us hear from Sen. Hezena Lemaletian.

Sen. Lemaletian: Thank you, Mr. Deputy Speaker, Sir. I rise to add my voice to the statement by Sen. Dullo, a woman whom I truly admire and respect, from a minority pastoralist community and a trailblazer in the leadership in the political spaces in this country. We are very proud of her as pastoralist women.

Mr. Deputy Speaker, Sir, what the Governor of Isiolo did is a criminal offence that can amount to an impeachment. He has violated the Chapter 6 of the Leadership and Integrity Act. I had the privilege to work with the EACC and I implore the women of Isiolo County to come out and write an impeachment against him.

If we have female Members of County Assembly (MCAs) in Isiolo County, they should know that the Swahili people say; “when you see your friend's head being shaved, you are next.” They should know that this is an attack on the women of Kenya, the pastoralist women and this House.

I am very hurt that I saw a public officer making such reckless remarks, regardless of the fact that he has children, mother, wife and sisters. How does this man sleep at night? This is what has normalized sexual harassment and cyber bullying, always making women objects of sexism. It is disrespect to the women leadership. I would like to also urge Kenyans who are also involved in this, that you better have facts of what you say about people. I have personally borne the brunt of this nonsense being peddled online.

Mr. Deputy Speaker, Sir, we assure you and every other Kenyan that as women and as the Vice-Chairperson of Kenya Women Senators, we are not in these political spaces to sell ice cream. We will fight because we belong to these spaces and nobody will intimidate us.

Mr. Deputy Speaker, Sir, there is a purpose and a reason they call things private. When you hear of private land, no trespass, private parts, no trespass. Nobody has the right to dictate how somebody utilizes anything that is private to them. Let this be known across the whole country, that we are not apologetic about being in these spaces. The target has always been on the strong women of integrity. They should look at our history and how we got here. We got here because we did not compromise on integrity. As a personalist woman from Baragoi, I am ready to take anybody who brings that nonsense to me, head on.

I urge my elder sister, Fatuma Dullo---

(Sen. Lemaletian's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): Sen. Roba Ali Ibrahim, please proceed.

Sen. Ali Roba: Thank you, Mr. Deputy Speaker, Sir. Mr. Deputy Speaker, Sir, as a Senator coming from the region and an elder, this is a very embarrassing statement that even when I watched it, I could not get to its conclusion. I started asking myself, this is a leader demonstrating an unbecoming behaviour of a leader of the stature of a governor of a county.

It is an embarrassment to the society for that leader to stand and start making statements that I cannot utter myself. It is a leader who has earned his position in society from becoming a provisional administration person, work that is cut out for men, excelled in it, become a lawyer and go through elective politics in our region where you cannot even find women who can go for elective position to be elected into office.

To stand as a young man and start making statements that are un-African and un-Islamic, yet he is a leader of the entire county in an attempt to try and get some political

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mileage out of it, is the most embarrassing and derogatory statement that can come out of a governor of a county who is a Muslim by faith.

I can just go to a translation. In Islam, we say, "*Haya ni katika imani na haya hayaleti ila heri.*" You cannot afford to speak in demeaning ways and yet you are a leader of a county. People look up to you as a governor. People look up to your demeanour, forget about what comes out of your mouth as a governor. People look up to you as a leader to provide hope.

You cannot go to *barazas* to start responding to a female leader and start making a statement that cannot even be accepted in society, unless you are uncouth, uncultured, barbaric and you lack the societal norms that we belong to you to understand that some limitations are imposed by society. There are limitations in behaviour. We all get angered, but we cannot express some issues in public. We have to be limited by the inbuilt realities of the society we belong to.

I condemn in the strongest words possible what the governor of Isiolo County uttered against our Hon. Senator, who is very---

The Deputy Speaker (Sen. Kathuri): Hon. Senators, I understand the interest in this matter, but we have to conclude with the Chairperson of Kenya Women Senators Association (KEWOSA), Sen. Hamida Kibwana.

Are you the former chairperson or the current chairperson? Can you confirm?

Sen. Kibwana: Mr. Deputy Speaker, Sir, I am the former chairperson because I stepped down. Sen. Veronica Maina is the current Chairperson, *ili nipatia wengine nafasi*.

Asante, Bw. Naibu Spika, kwa kunipa nafasi hii. Kusema kweli, jambo hili lina uchungu kwetu sisi akina mama; lina uchungu kwetu kama wanawake; lina uchungu kwa huyu gavana kumvua mwenzetu nguo.

Hata mimi ninauliza, je, gavana huyu yuko na mama, dada au watoto wasichana kwake? Yeye kama kiongozi ama gavana wa jimbo alisimama na kuzungumza mambo kama hayo dhidi ya Seneta Dullo?

Ninashangaa sana ni nani alimueleza kuwa Seneta Dullo anatafuta? Na kama Seneta Dullo anatafuta, kwani yeye mwenyewe hawezi kujipatia? Chochote kile alichokuwa akikizungumzia ni mambo ya kindani ya mtu mwenyewe. Ninashangaa gavana huyu alipokuwa akizungumza siku hiyo alikuwa sawa ama alikuwa ametumia mihadarati? Kusema kweli, hakuwa na akili timamu akizungumza maneno kama hayo.

Sisi kama wanawake, tunashutumu vikali na tunaumia sana. Kusema kweli, vile Sen. Aaron Cheruiyot amesema, ni lazima hatua ichukuliwe dhidi ya gavana huyu. Tumeona mwenendo wa gavana huyo. Tunapomuita kwenye kamati zetu, haji. Anatoka na kuzungumza mambo mengine mabaya kuwa hawezi kuitwa na kamati.

Tumeona mwenendo wa gavana huyu. Mimi ninataka kusema, ninaomba gavana huyo aweze kuangaliwa *mental health* yake. Hii ni kwa sababu mimi nimechampion hiyo kwa Seneti na nimesema kuwa ni lazima jambo la *mental health*, yaani akili taathira, ni lazima iangaliwe iwapo yuko sawa. Ninaomba akutane na madaktari ili waweze kumsaidia.

Haya sio matusi kwa Sen. Dullo tu, wala aibu au uchungu kwa Sen. Dullo tu. Ni uchungu kwa wanawake wote Kenya nzima. Tunaomba kuwa haya maneno yasiishie hapa bali tuendelee nayo na tujue ni hatua gani itachukuliwa.

Sisi wanawake tutajipeleka kortini iwapo itaendelea. Tuko tayari sisi sote kushikana pamoja ili tuende kufuatilia mambo haya. Tunaambia gavana kuwa tutakutana naye kortini.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, I have been approached by the Chairperson, Standing Committee on Finance and Budget, that there are some issues to be sorted out pertaining the Order No.8.

Therefore, Order No.8 is deferred.

MOTION

ADOPTION OF REPORT ON THE FOURTH BASIS FOR ALLOCATING SHARE OF NATIONAL REVENUE AMONG COUNTIES

THAT, the Senate notes the Report of the Standing Committee on Finance and Budget on the Fourth Basis for Allocating the Share of National Revenue Among the Counties, laid on the Table of the Senate on Thursday, 17th April, 2025, and that pursuant to Article 217(1) of the Constitution, approves the Fourth Basis for Allocating the Share of National Revenue Among the Counties for the Financial Years 2025/2026 to 2029/2030 as follows -

County Allocation = (Baseline Allocation Ratio*Ksh.387.425 billion) + (Ksh. 2 billion shared equally among the identified 11 counties) + {(0.45*Population Index) + (0.35*Equal Share Index) + (0.12*Poverty Index) + (0.08*Geographical Size Index)} *Additional County Equitable Share above Ksh. 389.425 billion}. Where –

- i. Baseline Allocation Ratio = The allocation factor derived from each County's allocation for the Financial Year 2024/2025;*
- ii. The 11 identified counties are: - Elgeyo/Marakwet, Embu, Isiolo, Kirinyaga, Laikipia, Lamu, Nyamira, Samburu, Taita/Taveta, TharakaNithi and Vihiga;*
- iii. The Population Index is based on the 2019 Kenya Population and Housing Census (KPHC);*
- iv. The Poverty Index is based on the 2022 Kenya Poverty Report by the Kenya National Bureau of Statistics (KNBS); and*
- v. Geographical Size is capped at 10%.*

(Sen. Ali Roba on 3.6.2025)

(Resumption of debate interrupted on 3.6.2025)

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(Motion deferred)

I will go to Order No.9
Clerk, please proceed to read out Order No.9.

MOTION

CELEBRATING THE LIFE OF PROFESSOR NGŪGĨ WA THIONG'O

Sen. Mungatana, MGH: Thank you, Mr. Deputy Speaker, Sir. I rise to move this Motion on Celebrating the Life of Professor Ngũgĩ wa Thiong'o. This Motion is sponsored jointly by Hon. Sen. Veronica Maina and I.

THAT AWARE THAT Professor Ngũgĩ wa Thiong'o, a prominent author, academician and human rights defender, globally recognised for his foundational contributions to literature and good governance passed away on 28th May, 2025 at the age of 87;

COGNIZANT THAT the late Professor Ngũgĩ wa Thiong'o had an illustrious career in writing and teaching literature spanning over 6 decades where he authored landmark novels, plays and poems that shaped postcolonial studies, contributed to social justice and inspired generations of writers and thinkers across the world;

APPRECIATING THAT the late Professor Ngũgĩ wa Thiong'o advocated for indigenous languages and indeed took up writing in his mother tongue, at a time when it was not fashionable to do so;

FURTHER COGNIZANT THAT his legacy in inspiring many generations towards cultural sovereignty and the power of indigenous languages in literature and thought, led to numerous international awards being bestowed upon him;

NOW THEREFORE the Senate expresses its deep sadness at the death of Professor Ngũgĩ wa Thiong'o, records its celebration and appreciation of his remarkable life, and extends its heartfelt sympathy and condolences to his family, friends and the nation.

Mr. Deputy Speaker, Sir, many of us who grew up in the shadows of this great man during the days when we studied literature in life and school remember him as a man who fought both the colonial regime and resisted dictatorial tendencies of post-colonial Kenya without fear or favour. This great African literature giant died on the Wednesday of 28th May, 2025, aged 87 years.

He was born under British colonial rule in 1938. He was anti-colonialist, he was anti-dictatorial and he was also a militant proponent of the use of African languages. He wrote many celebrated plays, including *Devil on the Cross* and *The Wizard of the Crow*.

He lived through the Mau Mau uprising as a teenager. During that time, he saw hundreds of our people abused, imprisoned and tortured. During this conflict, Professor's father was forced to sell off his land and he also witnessed the death of his two brothers during this struggle.

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The struggle and his experiences formed the backdrop to the novel that made his name, *Weep Not, Child*, which was published in 1964, just a year after Kenya gained its Independence. Many of us will remember studying literature and talking and reading about this *Weep Not, Child* and Professor Ngũgĩ wa Thiong'o when we were younger.

Professor Ngũgĩ wa Thiong'o grew up in the shadow of the violent war for independence in Kenya. He went to university in Uganda at a time of political and literary ferment across Africa. He came of age first in Uganda and then in Kenya after it gained its independence.

Professor Ngũgĩ wa Thiong'o was thrown into jail by the Kenya Government. After his release, he continued his writing and political activism, first in Kenya, then he went to exile in London and, finally, in the U.S., where he was a professor of Literature for over 30 years.

Mr. Deputy Speaker, Sir, alongside writers such as Chinua Achebe and Wole Soyinka, he was part of a literary scene that flourished in the 1950s and 1960s during the last years of colonialism in the Continent of Africa.

Mr. Deputy Speaker, Sir, Professor Ngũgĩ wa Thiong'o, unlike maybe the literary geniuses of that time like Chinua Achebe and Wole Soyinka, he was a militant because he wrote with a feeling. His books were cutting. It was like a *panga* against colonial and post-independence dictatorship and against the ruling elite at that time.

We celebrate his works and continue to read them to date. His first book of essays, *Homecoming* is at once engaging very polemic. I have mentioned his early novels like *Weep Not, Child* and *A Grain of Wheat*, which had huge impact against the colonial government.

He wrote a series of novels, short stories and plays as he became a lecturer in English Literature at the University of Nairobi. He argued that the department of English should be renamed and its focus should shift to literature around the world.

He also asked why African literature cannot be at the centre, so that we can have a comparison between the cultures, the African culture, the English culture and the relationship between the two.

Mr. Deputy Speaker, Sir, in 1977, he published his fourth novel, *Petals of Blood*, then the play, *The Trial of Dedan Kimathi*, which dealt with the troubled legacy of the Mau Mau uprising.

It was his co-authoring of a play written in Gikuyu which led to his arrest and imprisonment in Kamiti Maximum Security Prison. He was jailed not for thundering political context, but for the play in Kikuyu called *Ngaahika Ndeenda*, which means, "I will marry when I want."

Mr. Deputy Speaker, Sir, Professor Ngũgĩ wa Thiong'o even in prison continued to write. He wrote his memoir on toilet paper in prison. When he was released in 1978, he was exiled in 1982, when he learned of a plot to kill him upon his return from a trip from Britain to promote his novel, *Caitani Mutharaba-ini*, translated to mean, "The Devil on the Cross." He later on moved to the UK and to the US, where he worked as a professor of English and comparative literature in the University of California.

We are looking at a giant who never stopped thinking and who did a lot of political thinking and continued to dream, even in his old age. He wanted us to use more

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of African languages because he believed that our culture as Africans is superior, if not better, than the culture of the Europeans.

Mr. Deputy Speaker, Sir, allow me to share with this Senate one of his most memorable quotes in his book, *Decolonizing the Mind*, written in 1986. He said the following about colonialism-

“Colonialism normalizes the abnormal. The present predicaments of Africa are often not a matter of personal choice. They arise from our historical situations. Their solutions are not so much a matter of personal decision as that of a fundamental social transformation of the structures of our societies, starting with a real break with imperialism and its internal ruling allies. Imperialism and its comprador alliances in Africa can never develop the continent.”

Mr. Deputy Speaker, Sir, we mourn the passing away of this literary giant. We mourn the long-gone days of men who stood for what they believed in. Men who did not falter; did not think twice. Once they follow a path, they never backed off from what they believed.

They never gave statements today, tomorrow, to deny them before this very same press where they gave those statements. Men who pricked our conscience as a nation. Men who developed a certain resistance that said, “we can be better.” We can be better.

Mr. Deputy Speaker, Sir, to his credit, although he talked a lot and fought so much for indigenous languages, one of the things we remember about Professor Ngũgĩ wa Thiong'o in the Pan-African Parliament is that he talked about the African and the fact that his civilization is just as good, if not better, than the European civilization. We celebrate him. In fact, when we talk about Kiswahili in the Pan-African Parliament, we also associate this with him. His works transversed Kenya, Uganda and the entire East Africa. His works went to the rest of Africa, the continent and the world.

Mr. Speaker, Sir, we have a lot to say about this man. It was a great pleasure as a nation to host this man as one of our sons and to be proud that we gave birth to such a man who gave to this country the spirit of fighting on, the spirit against colonization, and the spirit against post-colonial dictators who came after and tried to return this country back to where the colonial administrators had left it.

We pray for his soul to rest in good peace. Our prayer is that Professor Ngũgĩ wa Thiong'o fought his battle. The Second Liberation, they fought their battle. For the young people who are in this country now, it is also your time to fight your own battle. As we plan our exit outside this time, when the sun finally sets like it did for him, we want to see another fire burning outside, coming to take over from where we left it.

This country can and would be better than it is now if we continue with the spirit of those who believed in this country, made this country happen and to be what it is.

Mr. Deputy Speaker, Sir, so much can be said about Professor Ngũgĩ wa Thiong'o. We were outside town in Kisumu with the Energy Committee. Hon. Veronica and I were engaged in very animated discussions about him, together with other Senators. The people that we interacted with, as young as they are, they still gave reference and deference to him. If you look at the internet, even our social media, it was awash with the news of the passing away of this great man and what he meant to this country. This Senate today honours this man.

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This Senate today says thank you to the family for giving us this man. This Senate today honours the great son of this country. May his spirit of fighting to make our country better continue. May that renewal always be within us. May the fires of revolution and making this country better continue burning with the people who will come after us.

Mr. Deputy Speaker, Sir, with those so many words, I beg to move and request Sen. Tobiko to second this Motion.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Peris Tobiko.

Sen. Tobiko: Thank you, Mr. Deputy Speaker, Sir. Let me thank Sen. Mungatana for giving me the opportunity to second and say one thing or two about Professor Ngũgĩ wa Thiong'o. We mourn his demise as we celebrate his life. He was a Kenyan author and academician who has been described as East African leading novelist and an important figure in modern African literature.

As has been aptly said by Sen. Mungatana, he wrote very many books. He was able to capture the undiluted African society and set up through his books. *The Guardian* one time wrote that in his company you could not afford to be lazy. *Al Jazeera* said Professor Ngũgĩ wa Thiong'o was not just a writer, he was a militant. As has already been detailed, he wrote very many books that are still used in our literature classes today. His life will live on through his books.

It is ironical that Professor Ngũgĩ wa Thiong'o who completely was against colonialism and wrote a lot about colonialism, was forced by circumstances, to leave his homeland, to live and stay in the land of the colonizers. It is unfortunate that one time when he was in Kenya, the insecurity situation in our country--- I do not know whether you remember when his wife was raped, violated and harassed in his own country. It is unfortunate that we did not get to appreciate what we had in Professor Ngũgĩ wa Thiong'o until now. A lot of his writings are admired across the world.

Mr. Deputy Speaker, Sir, I second the Motion by Sen. Mungatana. May the soul of Professor Ngũgĩ wa Thiong'o rest in peace.

Thank you.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Now, I invite the Senators to make their contributions. We will start with Sen. Wambua Enoch.

Sen. Wambua: Thank you, Mr. Speaker, Sir, for giving me this opportunity to eulogize Professor Ngũgĩ wa Thiong'o.

I am a student of literature and I have studied a number of works by Professor Ngũgĩ wa Thiong'o. I stand here today to pass my condolences, as well as the condolences of the people of Kitui County, to the family of Professor Ngũgĩ wa Thiong'o, the people of Kamirithu and indeed, the entire literary world for the loss of this literary icon.

It shall be remembered that at the peak of his career, there was extensive conversation in the literary world about the place of language in communicating literary

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messages. A group of literary artists, led by Professor Ngũgĩ wa Thiong'o himself believed that choosing a language is a choice of the audience.

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

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

Sen. Chute: I rise under Standing Order No.36 (1). We do not have a quorum at the moment. Kindly ring the Bell.

*(The Clerk-at-the Table consulted with
the Deputy Speaker)*

The Deputy Speaker (Sen. Kathuri): Indeed, I have confirmed that we are short of six Senators in the Chamber. Therefore, I request the Serjeant-at-Arms to ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

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

[The Temporary Speaker (Sen. Abdul Haji) in the Chair]

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, we have quorum. Sen. Wambua, you may proceed with your time.

Sen. Wambua: Thank you, Mr. Temporary Speaker, Sir. I beg to continue. I will start by conveying my condolences to the family of Professor Ngũgĩ wa Thiong'o, the people of Kamirithu and the entire literary world on the passing on of Professor Ngũgĩ wa Thiong'o. It shall be remembered by lovers and students of literature that he made a very big contribution in the global conversation around the place of language in communication.

[The Temporary Speaker (Sen. Abdul Haji) left the Chair]

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

Mr. Deputy Speaker, Sir, he is one literary artist who believed that language is not just a tool of communication, but also a carrier of people's culture and is at the centre of shaping of the identity of our people. That is why he wrote quite a number of works in his mother tongue, including the play titled *Ngaahika Ndeenda*, translated to "I will marry when I want," in 1977, which actually landed him in trouble with the Government of the day.

He was put in and, finally, the UNICEF and other international bodies identified him and said that this man is a prisoner of conscience and pushed for his release.

As we eulogise this great man in the modern African Literature---

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

The Deputy Speaker (Sen. Kathuri): What is your point of order?

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Sen. Kinyua: I was just concerned because I know Sen. Wambua as a good editor and the book he is talking about I think is called *Ngaahika Ndeenda*. I did not know which book he meant that Professor Ngũgĩ wa Thiong'o wrote, that 'I will marry when I want.' I know it in another language called *Ngaahika Ndeenda*. So, I do not know which book he is talking about.

Sen. Wambua: Is it a point of order or he needs some information?

The Deputy Speaker (Sen. Kathuri): Sen. Kinyua is part of the cartel that stopped the progress of this session. So, ignore him.

Sen. Wambua: I believe so. I will not respond to him. The thing that Sen. Kinyua must know is that a lot of works by Professor Ngũgĩ wa Thiong'o were translated into many languages. In fact, his short play, *The Upright Revolution*, or *Why Humans Walk Upright*, which he wrote in 2016, was translated into more than 100 languages. That was Professor Ngũgĩ wa Thiong'o for you and that is a man that we are eulogising today.

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

[The Temporary Speaker (Sen. Abdul Haji) in the Chair]

To the literary world, we pass our condolences to them on the passing on of their colleague. I am encouraged to know that all the four children of Professor Ngũgĩ wa Thiong'o; Tee Ngũgĩ, Mukoma Ngũgĩ, Nduchu Ngũgĩ and Wanjiku Ngũgĩ, without exception, are actually published authors. They are in the literature world. They are writing and they are being published, so it is a good thing that he has passed on to his children.

To our students in schools, those who have had the opportunity to study works of art by Professor Ngũgĩ wa Thiong'o, we all agree that they have been very thought-provoking and that his works are the embodiment of the literary saying that literature is not based in a vacuum; that literature draws from society.

Professor Ngũgĩ wa Thiong'o used the platform of literature to communicate the social messages that touched on politics, economics and development of the country and the region. May the soul of Professor Ngũgĩ wa Thiong'o, the father of African modern literature, rest in God's eternal peace.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Oburu, please proceed.

Sen. (Dr.) Oburu: Thank you, Mr. Temporary Speaker, Sir, for the opportunity. I stand here to mourn a friend and a brother. Professor Ngũgĩ wa Thiong'o was one of the true nationalists we had in this country during the struggle for our Independence against the colonizers of this country.

Colonization came in several ways. There was colonization of the mind, which was cultural colonization. There was political colonization and there was economic colonization. He fought against all these. He is more known for fighting against mental colonization and cultural colonization.

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When the colonialists came to our country, they first of all despised the African religion. They called us primitive and, therefore, they called this country a colony. A colony is a place where you have people who are not civilized, who have no form of leadership and religion. They have nothing; they are just living next to the animal kingdom.

This country has very rich cultures of languages and when somebody wants to colonize you mentally, they first start demonizing your language because cultures are expressed in our mother tongues.

There are some expressions in Kikuyu, which Professor Ngũgĩ wa Thiong'o used when he was starting to write, which you cannot express in English. Even if you try to translate them in English, they will not have the same meaning. They will never have the same meaning. I know sentences in my Luo language which are so deep that someone cannot try to translate. I also cannot translate them into English. That means that someone makes you believe that their language is superior to yours; they are, first of all, colonizing you mentally already. They want you to believe that their culture is superior. Then they introduce religion and tell you that their religion is superior.

Mr. Temporary Speaker, Sir, they also want you to use their names. When you go to church, you are baptized Charles. You call yourself Charles. Charles is just an English name; it is not even anywhere in the Bible. Donald is just another English name and it is nowhere in the Bible. However, you feel that because it is a European name, it is most superior to your own name of Uhuru, Otieno or Ng'ong'a.

There is me and Professor Ngũgĩ wa Thiong'o. His name was Ngũgĩ wa Thiong'o. Where is that Charles or William? It is not there. Even for me, I am Oburu Ng'ong'a Amolo Oburu Oginga. Those are my baptismal names because my father refused to be culturally colonized. Ngũgĩ wa Thiong'o said, "no, I am not going to use the names of the *mzungu*." He encouraged that.

Mr. Temporary Speaker, Sir, I am surprised that during our days when we were being taught from Standard 1 to 4, we used to be taught in vernacular, our own language. I learned to read and write in Luo. All the subjects were taught in Luo up to Standard 3 when they introduced English. We started speaking English and doing exams in English in Standard 4. From Standard 5, you had to do English, whether you liked it or not. If you did not speak English, they gave you a disc in school.

This great man wrote more than 200 books and they were literatures in schools. They were not only in Kenya, but in the whole of Africa and in the world as well because he went to teach in America. He was teaching Americans. He was not teaching Kenyans there in America. This was a great Professor of the world. He had a great passion for our country because he believed that even after Independence and when the colonial flag was brought down, our people were still culturally colonized, *mkosa mila ni mtumwa*. When you lose your culture, you are like a slave.

Mr. Temporary Speaker, Sir, he believed that even though we got our Independence, that independence did not give us the freedom of being colonized culturally. It did not give us the freedom of being colonized economically because our economy was still tied to the Metropolis. We were like an appendage of the colonial regimes. We have been unable since then to shed ourselves of colonial dependence and

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become truly independent in order to develop our own economies, trade and not beg. We can trade with the world because the world has become a world village, but we do not have to be beggars going to seek money from the Metropolis carrying hats there.

Professor Ngũgĩ wa Thiong'o believed in this very dearly and he disagreed sharply with a lot of people in leadership in this country. That is why he died somewhere out of our country, still believing that our country was the best. When he came back to Kenya, when he landed at the airport, he kissed the soil of Kenya because he believed that Kenya is the best as far as he was concerned. He loved this country so deeply and he died fighting disease like everybody else will go. There is no one who will leave on this earth for good.

Mr. Temporary Speaker, Sir, we are celebrating Professor Ngũgĩ wa Thiong'o. We are not mourning, but celebrating his life. His life was great and he has left legacy that will live forever. I wish that the legacy of Professor Ngũgĩ wa Thiong'o will live and that our children will study deeply what he was teaching because our society has become bad.

We have children who do not know their mother tongue. As long as they speak English, they think that they are superior than the others who do not speak English. English is just a language of one country though it can help you to do many other things. However, your own language will teach you, your culture, which teaches you the discipline of your people. Our society was a very disciplined and an organized society.

Mr. Temporary Speaker, Sir, it is becoming more or less like the European society, which is promiscuous. There are things which are unnatural; like a man and a man and a woman and a woman marrying. I mean, what is this? That is completely un-African and Africans have their own culture. This was not a session for me to give a lecture on that, but I wish that the legacy of my friend, Professor Ngũgĩ wa Thiong'o will stay to educate and change our society positively. This is so that our people can continue to fight for justice and for positive change in order for our country to be liberated both culturally and economically.

Mr. Temporary Speaker, Sir, let his soul rest in eternal peace.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator. Sen. Beatrice Ogola.

Sen. Ogola: Mr. Temporary Speaker, Sir, I rise to mourn a gallant son of this country and of the whole world; one great writer, Professor Ngũgĩ wa Thiong'o. He has left behind lots of wisdom. To me, he lived a full life and fought a good fight. I celebrate him because of many things. One or two of them is that he was one of our most educated scholars. I celebrate a Nobel-worthy writer although, he did not win it but he won in 2001, a prize in Italy.

Something that is remarkable about him was that he believed in his identity. We are not worth living if we do not believe in our identity. He was one such gallant son of Kenya who was not shy about his identity. Professor Ngũgĩ wa Thiong'o was named James Ngugi. However, because of this identity that I have talked about, he changed his name to Ngũgĩ wa Thiong'o. It is specific that it was a symbol of a rejection of the colonial influence. He believed that in taking the name James, just like my Senior, Sen.

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(Dr.) Oburu Oginga has said, James did not identify with anything in his environment. That is why he changed his name to Ngũgĩ wa Thiong'o.

Two among many things that stand out about him that we can talk about are his beliefs in culture and indigenous languages. As Sen. (Dr.) Oburu and others have said, some of us grew up during our formative years having to learn in our indigenous languages and we are not shy about them because it gave us a foundation. A language is an identity.

There are four basic skills that people learn in a language. These are speaking, reading, writing and listening. Many of us think that listening is not a skill. In the books that Professor Ngũgĩ wa Thiong'o wrote and students who read his books know that, the issue of language remains key. Why do I say that culture is an outstanding aspect of Professor Ngũgĩ wa Thiong'o? Apart from changing his name in order to symbolize rejection of colonial influence as I have said, he also emphasised teaching of indigenous languages.

Mr. Temporary Speaker, Sir, we have so many languages in this country. When we say that we should not be tribal, it does not mean that we should not be proud of the languages that we speak because it is an identity. He promoted it in a way that it did not divide anybody. That is why he emphasised teaching of oral literature.

What was the essence of oral literature? It brought harmonisation of our cultural environment. That was teaching that was passed from generation to generation. Through oral skills, you could symbolically make a point and teach using certain traits of animals that we have around us.

Long time ago, grandparents and parents used to teach their children. Before the coming of formal education, grandparents and parents used to teach their children and people would get lessons related to even traits of animals.

This morning when I was in a meeting, the presenter asked that us we introduce ourselves, we assume that we are animals and state what those animals symbolize. Some identified themselves with an elephant because of its traits. For the first, I learnt, I thought I knew, that an elephant has very good memory. Some identified themselves with a lion. I was proud to say that I would have loved to be a cheetah, so that I move with speed to correct certain ills that bedevils this society.

Mr. Temporary Speaker, Sir, coming back to Professor Ngũgĩ wa Thiong'o, he talked about speaking one's language to celebrate one's identity. It is that identity that I have talked about. He was never shy about indigenous languages. What does that tell us? He was a learned man. Why do people in our societies think that when you speak your indigenous language, then there is no modernity in you? That is very far away from the truth. He promoted use of indigenous language because he believed that imposing a language on one was a way of dividing us. In our different diversities, we come together as a common people.

Some of the issues that he preached about in his books are that he was very much against dictatorship and tyrannical ruling. He wrote about injustices in the society. Those are the same things we keep on preaching today, that we do not want dictators and tyrants, but a society that is just to everybody; a society that ensures everybody lives with dignity, be it young people like the ones we have today, women, men, or older people.

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There are a number of books that Professor Ngũgĩ wa Thiong'o wrote. They include *Weep Not, Child*; *The River Between* and *A Grain of Wheat*. *Weep Not, Child* and *A Grain of Wheat* specifically talk about the impact of colonialism.

Although the Whites came and colonized us, a number of people resisted that and Ngũgĩ was very creative. Other than just speaking, he wrote about it. The beauty is that what is written in the books remain as a record for the society and everybody can read, including the young students that we have today.

I want to tell you that as you go to read the novels that you are taught today, in honour of Professor Ngũgĩ wa Thiong'o, a gallant son of this country, please go and find books called *The River Between*, *A Grain of Wheat* and *Weep Not, Child*. For a number of us who have not read, if you are not a fan of reading, at least go and read *A Grain of Wheat*. As I have said, one of his interesting books is *Petals of Blood* that led to his imprisonment.

One outstanding characteristic of Professor Ngũgĩ wa Thiong'o is that he believed in what he wrote about. He believed in the contents of the teachings that readers would get from his books. Therefore, jailing did not even dampen his spirit.

As I stand here to celebrate Professor Ngũgĩ wa Thiong'o, I call upon all of us to celebrate and appreciate such great writers that we have had. He plays in another league. We also call upon the Government of Kenya that since we are celebrating the gallant son, let us do that to the end. May the Government come out and give Professor Ngũgĩ wa Thiong'o a deserving send-off when his body is brought back to the country.

I cherish the teaching of that great son. I have read his books many times. As I have said, I ask everybody that has not read to take some time to read his works.

As I wind off in supporting this great Motion by Sen. Mungatana, we must as a country continue to celebrate our gallant sons and daughters. I appreciate Professor Ngũgĩ wa Thiong'o for sticking to his identity and calling out everybody to be proud of their identity and culture. Culture is a way of life and it changes. As culture changed in his writings, the main themes remain in the contents as he wrote them.

Professor Ngũgĩ wa Thiong'o lived a full life and he fought a good fight. May his soul rest in peace and may he join our gallant sons that went before us. I remember one such writer, Margaret Ogola, who wrote *the River and the Source* and many other writers.

I want to compare Professor Ngũgĩ wa Thiong'o to people who came out boldly to shed off names that they were not comfortable about. One such person is Jaramogi Oginga Odinga. Yes, Adonija Jaramogi Oginga Odinga refused to pick that other name and he fought for that identity.

As I conclude, I want to remind us to keep on celebrating such gallant sons. Let us not be ashamed of our identity, culture and environment, environmental circumstances.

I support.

Sen. Faki: Ahsate, Bw. Spika wa Muda, kwa kunipa fursa hii ili nichangie hii Hoja ya kumkumbuka mwenzake Professor Ngũgĩ wa Thiong'o. Alikuwa ni gwenzi wa sanaa ya uandishi. Ameandika vitabu karibu 200. Ameandika pia michezo mingi ya kuigiza. Ameweka Kenya na Afrika katika upeo wa juu kwenye masuala ya sanaa.

Maisha yake yalianza katika hali ya chini lakini alitumia kipaji chake na masomo kujiweka katika hali ya juu katika masuala ya usanii na akatambulika ulimwengu mzima

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kama gwiji wa sanaa. Alipigania uhuru wa nchi yetu na pia alipigana ili lugha za kiafrika ziwekwe katika *map* ya ulimwengu. Alitaka hizi lugha ziwe zinaweza kutumika kama lugha zingine ulimwenguni.

Mtu mweupe alipokuja Afrika, alidunisha na kudharau lugha za kienyeji. Lugha nyingi hazikuwa zikitumika. Hiyo ndio sababu sisi tunatumia Kiingereza kama lugha ya kwanza ilhali tuko na lugha zetu ambazo tunaweza kutumia. Mfano mzuri ni lugha ya Kiswahili ambayo imepata matumizi makubwa katika Afrika Mashariki na Afrika ya Kati. Wakati huu, lugha hii inatumika hata kule Afrika Kusini. Lugha ya Kiswahili inatumika na inatambulika hata katika Bunge ya Afrika.

Msukumo wa mwendazake Professor Ngũgĩ wa Thiong’o ulileta kutambulika kwa lugha za Kiafrika. Hiyo ilichangia katika kuunganisha Afrika. Moja ya silaha ambayo ilitumika kuunganisha Waafrika wakati wa ukoloni ilikuwa Lugha ya Kiswahili. Kwa hivyo, mchango wake ni mkubwa.

Baada ya uhuru, aliona ya kwamba majina tu ndio ilibadilika na mwafrika hakupata uhuru kamili. Hii ndio sababu yake ya kukosoa muongozo ama mwelekeo ambao nchi ilikuwa inatumia ili kuendesha masuala yake. Professor Ngũgĩ wa Thiong’o alijipata pabaya kwa sababu wale ambao walikuwa mamlakani wakati ule hawakukubali fikira ambayo alikuwa nayo.

Licha ya kwenda uhamisho, vitabu vyake viliendelea kusomwa. Hiyo imesaidia pakubwa kuleta mwamko wa masuala ya kiutamaduni, serikali na masomo. Hii ni kwa sababu vijana wengi wamesoma na kufuata mwelekeo wake.

Juzi, wasichana walizuiliwa kuonyesha mchezo wao katika maonyesho ya sanaa ya nchi yetu. Ilikuwa ni aibu kwamba tulizuia wale wasichana ilhali hao wasichana walikuwa wakifanya vizuri kila mwaka katika masuala ya sanaa. Lazima tujiangalie upya kama taifa la Kenya.

Professor Ngũgĩ wa Thiong’o amekufa ugenini kwa sababu nchi yake haikumkubali kwa sababu ya mawazo yake. Kuna watu wengi ambao wako nje. Jana, tulikuwa tukimzunguzia msichana aitwaye Rose. Huyo msichana alipelekwa mahakamani kwa sababu ya kutenabaisha watu kuhusiana na Mswada wa Fedha ambao unakuja katika Bunge la Kitaifa katika wiki inayofuata. Nchi yetu bado ina safari kubwa ya kwenda ili tuone ya kwamba ule uhuru tuliopigania unakuwa wa manufaa na kila mtu nchini ako huru kufanya vile ambavyo sheria inampasa kufanya.

Ninachukua fursa hii kutuma rambirambi zangu binafsi, za familia yangu na za watu wa Mombasa kwa familia ya mwendazake Professor Ngũgĩ wa Thiong’o kwa kumpoteza mpendwa wao ambaye alikuwa kiungo kikubwa katika nchi yetu kwa masuala ya sanaa. Tunaomba roho yake ilale mahali pema peponi. Sisi ambao tumebaki katika huu ulimwengu, ni vizuri tuendeleze mafunzo na fasihi ambayo ameacha katika nchi yetu.

Tunaomba roho yake ilale mahali mema peponi.

The Temporary Speaker (Sen. Abdul Haji): I call upon the Mover to reply.

Sen. Mungatana, MGH: Mr. Temporary Speaker, Sir, I thank you for giving me the opportunity to reply. I also want to thank my colleagues who contributed to this Motion. I will start with the Secunder of the Motion, Sen. Tobiko. I also want to thank

Sen. Wambua, Sen. (Dr.) Oburu Oginga, Sen. Ogola, Sen. Faki and not forgetting the co-sponsor of this Motion, Sen. Veronica Maina. I thank those who made their contribution.

The running theme in the contribution of the Hon. Senators was the emphasis on the question of the use of language, particularly our indigenous languages. It is unfortunate that Professor Ngũgĩ wa Thiong'o's fight continues to be a struggle even today in our various families. The Europeans and the white men continue to affect our children.

They go to school, learn the language and obtain knowledge in mathematics, physics and history, using the white man's language. They then come home and greet us in the white man's language. They make jokes in the white man's language and watch movies in the white man's language.

The kind of speech and culture that our children have adopted is no different from a child who has been raised up in Leicester or somewhere in New York. Our children watch a lot of television and this has continued to make the struggle that Professor Ngũgĩ wa Thiong'o started. The language they use reflects the cultural values of those people.

The cultural values of a lot of our European brothers are not reflective of the cultural values of the African people as we had envisaged them through the mind of Professor Ngũgĩ wa Thiong'o. As we pay our homage, this Senate urges the rest of the country that we must continue to inculcate our children and our generations, with the cultures of our people. We must continue to take the good things about our cultures and keep talking to our children about them.

Mr. Temporary Speaker, Sir, in Pokomo culture, for example, you would not answer back to your elder brother, leave alone your mother or father. In my culture, you would not call your elder a liar. He could only have forgotten the facts. You cannot finish eating on the table and leave your elder brother eating, leave alone your father, because it is inferring that he is greedy. You cannot greet your mother-in-law with your hands. You have to look far away. If she is coming this way, you go far away. You cannot meet them face to face. We, therefore, had a lot of problems when we shifted to Nairobi and our mothers-in-law would come to visit. It would be very complicated because you are not supposed to be under the same roof with your mother-in-law.

Sometimes when we tell some of our colleagues that it is wrong, for example, to call leaders, the President and Ministers liars, that, it is against what we have been brought up to say, some people do not understand us. However, I know the spirit of Professor Ngũgĩ wa Thiong'o would understand when you say I cannot, for example, in my culture, mention the name of my elder brother. I cannot call him by his name. I have to add a title. So, in my language, if I want to call my elder brother Professor Eric Mungatana, I have to say "Tata" Eric. You cannot mention his name without adding a title. These things that held our families and communities together, and made us be respected amongst our people, are gone nowadays. People who are the age of your fathers, who are all your fathers, they could discipline you. You were subject to that control.

Mr. Temporary Speaker, Sir, I strongly believe that this Senate will continue to make that call, that our people will continue to honour our cultures like they did, like Professor Ngũgĩ wa Thiong'o would have wanted. For us to honour him, let us sit down

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with our children and young ones, and tell them that even if they watch television, they should remember where they came from.

They should remember that there is circumcision and when you are circumcised, this is how you behave. They should remember the good things about our tribes. They should remember about the brave people of old who helped to keep our communities as they are and the folklores that we had.

Mr. Temporary Speaker, Sir, as I finish, I urge the correct institutions, perhaps those institutions where Professor served, that, we need to have some of the books and works in a digital format, so that, they will never be forgotten and they can form part of our history. When you visit some of these museums here in Nairobi, they tell you about certain things, but these people of stature like Professor Ngũgĩ wa Thiong'o should be celebrated in some of these important museums. They should be recorded as people who have made their contribution to this nation.

They should be honoured even posthumously. I call upon the Government of Kenya to honour people like Professor Ngũgĩ wa Thiong'o and others, even posthumously because they are deserving of national, East African and African recognition, for what they contributed in this life when they lived it. May God rest his soul in eternal peace.

Mr. Temporary Speaker, Sir, I beg to reply and pray that the putting of the Question be deferred to another date.

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Sen. Mungatana. The putting of the Question is deferred.

(Putting of the Question on the Motion deferred)

Next Order.

BILL

Second Reading

THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS NO.51 OF 2024)

(Sen. Cheruiyot on 29.5.2025)

(Resumption of debate interrupted on 3.6.2025)

The Temporary Speaker (Sen. Abdul Haji): There being no Senators to contribute to this Bill, we shall defer the reply and rearrange the Order Paper.

(Reply to the Bill deferred)

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We shall defer the Order Paper from Order Nos.11 to 17.

COMMITTEE OF THE WHOLE

THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL
(SENATE BILLS NO.54 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE LOCAL CONTENT BILL
(SENATE BILLS NO.50 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL
(SENATE BILLS NO.41 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE SPORTS (AMENDMENT) BILL (SENATE BILLS NO.33 OF 2024)

(Committee of the Whole deferred)

MOTIONS

ADOPTION OF REPORT ON INTRODUCTION OF A
FRAMEWORK FOR RECALLING NOMINATED MCAS

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of a Petition to the Senate by Mr. Laban Omusundi regarding the introduction of a framework for recalling Nominated Members of the County Assemblies (MCAs), laid on the Table of the Senate on Wednesday, 28th May, 2025.

(Motion deferred)

ADOPTION OF REPORT ON IMPLEMENTATION
OF AWARD BY ENVIRONMENT COURT FOR
COMPENSATION AND RESETTLEMENT

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of a Petition to the Senate by Mr. Bakari Halifan Munge and three (3) other residents of Kwale County regarding the implementation of an Award by the Environment and Land Court for compensation to and resettlement of the owners of Ramisi Phase 1 Block 5056 in Kwale County, laid on the Table of the Senate on Wednesday, 28th May, 2025.

(Motion deferred)

ADOPTION OF REPORT ON BRANDING PUBLIC PROJECTS/
COUNTY VEHICLES WITH IMAGES OF GOVERNORS AND MCAS

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Mr. Laban Omusundi concerning the branding of public projects with images of Governors and Members of the County Assemblies (MCAs) and branding of county vehicles, laid on the Table of the Senate on Tuesday, 3rd June, 2025.

(Motion deferred)

The Temporary Speaker (Sen. Abdul Haji): Clerk, call the next Order.

BILL

Second Reading

THE LABOUR MIGRATION AND MANAGEMENT (NO.2)
BILL (SENATE BILLS NO.42 OF 2024)

The Temporary Speaker (Sen. Abdul Haji): Sen. Tabitha Mutinda, please proceed.

Sen. Tabitha Mutinda: Thank you, Mr. Temporary Speaker, Sir. I beg to do a Second Reading of my Bill, The Labour Migration and Management (No.2) Bill (Senate Bills No. 42 of 2024).

Mr. Temporary Speaker, Sir, I take this opportunity to thank the Senate Standing Committee on Labour and Social Welfare that was working on this Bill as far as public participation is concerned to where it is today. The main aim of this Bill is to provide for the regulation of private employment agencies and the recruitment of workers from

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within and outside Kenya, as well as, safeguard the rights, welfare of job seekers and migrant workers and for the connected purposes.

Mr. Temporary Speaker, Sir, I put this Bill down because I have had passion for issues of our young boys and girls who have gone to the Gulf countries. I have seen what they have gone through over time and the challenges that they have endured as they have worked in these abroad countries.

Mr. Temporary Speaker, Sir, the labour market is big and it is growing. The Kenyan labour market has been of high demand. Out of the challenges that have been raised by our young Kenyans who have gone to work out there, more so specifically in the Gulf countries, that is what made me, as a legislator, to come up with this Bill. This Bill provides regulations and safe place for our young people when they are working in these foreign countries, in the event that there are harassments and misunderstandings---

The Temporary Speaker (Sen. Abdul Haji): Sen. Tabitha, I would like to guide you that before introducing the Bill and going into its introduction, you are supposed to move the Bill to be read a second time and then proceed thereafter.

Sen. Tabitha Mutinda: Thank you, Mr. Speaker, for guidance.

My sincere apologies, at times, because of the busy schedule, we miss some of these points, but it is not intentional.

Mr. Temporary Speaker, Sir, allow me to Move the Motion –

THAT the Labour Migration and Management Bill (No.2) Bill (Senate Bills No.42 of 2024), be now read a Second Time.

As I earlier mentioned, I would like to appreciate the Standing Committee on Labour and Social Welfare that has prosecuted this Bill in this House to where it is today, for the Second Reading stage.

The main purpose of this Bill is to provide for the regulations of private employment agencies and the recruitment of workers within and outside Kenya to safeguard the rights and welfare of our job seekers and migrant workers, with the purpose of connectivity between the foreign countries and our people.

As I mentioned earlier when I started, this was driven by what I have seen over time and over the years, where our people have sought jobs through the agencies out there to earn a revenue to make a living.

We have seen the challenges that have come with that. We have seen how in some cases our people have been mistreated. A few of the complaints that have been brought about have been a bit fair or okay. They have not had the same issues like most of the people who, in my view, have had challenges. It is in that regard, as a legislator, that I sat with the legal team and drafted this Bill to safeguard the working spaces that our Kenyan people work in.

This Bill will ensure that we have a functionality of the authority in charge when it comes to ensuring that the recruitment agencies are thoroughly vetted, so that we do not have agencies that just moves our Kenyan people from here and leave them hanging out there, as we have seen previously.

The Bill sets out regulations, policies that both countries, that is our country and the foreign countries, need to adhere to and the bilateral MOU agreements that need to be signed so that both countries have an understanding.

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This Bill will ensure that our people can get the fairest earnings. The fact that there is an understanding, there is a policy in place, it will give our people an opportunity to earn fairly or be able to match other foreigners who are also working in those countries. At times, people from other countries are paid higher than our Kenyan people, yet they are doing or offering the same services that are needed. This is quite unfair.

The Bill also brings in the responsibility of the Ministry of Foreign and Diaspora Affairs, which will need to have a clear database, in collaboration with the Ministry of Labour and Social Protection of our migrant workers or Kenyan workers who got jobs abroad and are working in those spaces.

At times, it is shocking that until an individual raises an alarm that they are going through a mistreatment or challenges with this particular employer and move to the Ministry of Labour and Social Protection, or the Ministry Foreign and Diaspora Affairs, who are not even aware that that person travelled for that purpose or anything like that. It becomes a challenge where the loved ones now end up having the pressure and the stress of trying to find one of their own, because the channel that was used is not within the database.

So, the Bill provides that the authority that will be in place will ensure total collaboration and ensure that the data is in place for our people who are travelling and moving to work in these foreign countries.

Some of the functions are to ensure that they register and regulate private employment agencies because this is where we have had a challenge. We have had those who are genuine and we have had those who are rogue and after the money. They take money from Kenyans without offering them jobs.

There is a need for the development of pre-departure programmes for migrant workers. At times, our people get these jobs and because we have different cultures in different foreign countries, they are not able to adapt to those cultures. They are not able to understand how they are supposed to behave. We have examples of the ones who get the house jobs. It becomes a challenge in how they dress and how they handle certain things because the culture there is different from our own culture.

Mr. Temporary Speaker, Sir, the authority will ensure that even before departure, there is what we call a pre-departure programme for the migrant workers, which will ensure that they are more informed. They get more informed as far as their rights are concerned in that foreign country. They will also be informed of the policies that are in place, where they can report, the channels that they can use in case they have challenges or in case there is a disagreement between the employer and the employee.

In the current scenario, we find that they run away from this particular employment and they are nicknamed Kemboi or something like that. This is what has been happening. Does it solve the problem? It does not solve the problem.

Identification and creation of awareness on employment opportunities in any of those foreign countries to facilitate access to the new opportunities. I do not believe that someone would just want to work at the same level in the same spot, for years and years. They want to transition. It is good when there is a platform for them to ensure that the information reaches them.

Verification and approval of job orders that are emerging from private employment agencies. Continuous awareness for them needs to be offered. The Bill ensures all that. The authority that I am proposing will ensure that it monitors the performance of all these agencies. How are they working? How many people have been able to move? How many cases are being received as far as complaints are concerned and have these workers been able to go through this agent? For example, if agent x has more issues, then there needs to be investigations as to why this agency has issues when they move people to work abroad, unlike this particular agent. There needs to be continuous inspection of these particular agencies.

The authority will also ensure continuous training. There needs to be standards. Depending on the different countries that our people go to work, there needs to be different facilities that have been set up before they leave the country and they are guided by the cultural norms of the different laws that are within those countries, what they are supposed to do and what they are not supposed to do.

There also needs to be a multi-agency committee on vetting of those private employment agencies. It is very important. I propose that the Principal Secretary in charge of matters on Labour and the Principal Secretary for Foreign Affairs be its representatives. These two people are very important because matters on Labour and Foreign Affairs, there needs to be maximum collaboration and synergy so as to achieve maximum results.

Mr. Temporary Speaker, Sir, I have also proposed the Commissioner for Labour, the Director of Criminal Investigations (DCI), the Director General on National Intelligence, the Director General on Migration and its representative, among many others. This is so that security is offered. There is clear data and information from the Ministry of Foreign and Diaspora Affairs, Ministry of Labour and Social Protection on what kind of works and contracts our people signs.

The committee will be required to submit an annual report to the Cabinet Secretaries for Labour and Foreign Affairs. It will ensure that they have updated a list of the any new agencies that have been brought about, updated issues that have been raised, how those issues were solved and measures that have been put.

The Cabinet Secretary shall also deploy a labour attaché to serve in each Kenyan mission. This is very important. Currently, we have this gap. When issues occur to people in the Gulf countries, at times, it is always a challenge on how they report and how fast the response is.

If this Bill passes and there is a provision for the Cabinet Secretary to deploy a labour attaché to serve in each Kenyan mission, targeting the issue of migrant workers, then definitely, we will be able to solve many issues before they get out of hand.

The Cabinet Secretary also responsible for matters foreign affairs shall put in place mechanism to safeguard the welfare of the migrant workers which include developing strategies for migrants to participate in the development process. This is so that our people do not stick to one place of employment, but are able to enhance their skills and move to the next level of employment. That will also be developing measures to enhance safety and security of migrant workers.

Mr. Temporary Speaker, Sir, through the Kenyan mission attaché, the Bill provides that they can set a safe house for our Kenyan people. In the event that an issue occurs, harassment or misunderstanding, then provision of a safe house for each and every country where our people are working will give them an opportunity to be able to still continue feeling safe and know that the Government is still offering them security. As I speak, they run away, they are stranded and they do not know where to go.

The provision of a safe house ensures that at least they know where to go. This is information that they have at hand even before they leave the country. They should know where it is the safe house is located and the contacts in the event there is an occurrence and they need to be in that place.

Still the Cabinet Secretary for Foreign and Diaspora Affairs shall for the effective implementation of this section facilitate information sharing as a means of ensuring continuous engagement between the national and the county governments and migrant workers.

The Bill talks about ensuring that at each county level, among the 47 counties within the County Executive Committee Member for Labour, there needs to be an officer who is responsible for matters migrant workers. Many people from different countries pass through our big airport JKIA to seek employment abroad.

In the event they need to go for these trainings or that there is an occurrence there, the county officer in charge of the migrant workers can assist them. The Bill proposes that even these trainings need to be designated at the different county level. Our people are able then to get that training at the lower level before even they come to Nairobi and prepare for their travel.

As I conclude, Clause 14 of the Bill proposes that-

“a person who intends to operate a private employment agency shall submit an application for private employment agency, county operating license to the respective county executive committee member”

The Bill is bringing this down to the county level. The agencies need to be licensed at that county level or *mashinani* level to our own people. This is because most of these people are also coming from the different counties, as much as many are also coming from Nairobi City County where I represent. At least the Bill provides that all Kenyans will be able to have equal opportunity as well. A county operating license shall be renewed annually.

Mr. Temporary Speaker, Sir, I do not want to go into all the details because hon. Senators have read the Bill and they will contribute to enrich it.

With those many remarks, I request my Sen. Hamida to second.

Sen. Kibwana: Thank you, Mr. Temporary Speaker, Sir. I beg to second. First, I want to chip in on this Bill which I feel strongly is long overdue. It should have been moved early enough.

We have been having issues with the recruitment and agents, maybe I should even call them scammers who have been really scamming our young. Most of them, of course, are women who are taken to, especially to the Middle East. It has been such a nightmare because without these laws you may find that the recruitment agency has come and taken the money. The workers end up being in the wrong hands.

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I am happy that the Bill provides for the establishment of Migrant Workers Welfare Fund. It also provides a bilateral labour agreement appeal against administrative decisions that will be made and the establishment of safe houses in the destination countries.

It is our pride when we go to Qatar and find our young men and women working there. They all seem very happy and quite motivated to work. The other time when I was talking to the Ambassador of Qatar he told me, you know how the Kenyans workers are quite energetic and motivated that they do not mind the whole airport of Qatar or Doha to have Kenyans.

Kenyans are hard-working people. We want them to have the best working out of the country in diaspora. The best thing - looking at the Bill – it will provide for the pre-departure procedures for foreign employment. Also, the biggest issue is that we always have workers trying to come back home and they are unable to do that due to their passports have been confiscated or you know, their bosses have taken advantage of our girls. So, you may find that they are unable to travel back because they do not have their passports. I am hoping and praying that this Bill shall take such matters into consideration, especially the establishment of the workers' welfare. This is because then there will be some under the PFM Act, the repatriation of the migrant workers.

Mr. Temporary Speaker, Sir, we do not want to end up with girls in hospital. Some of them have tried to commit suicide and do many other things or maybe the same. We do not want their employers to take advantage of them. Unfortunately, at that time when you are looking for the agents who recruited these workers, they are nowhere to be found. That is why I call them scammers. They have 'eaten' their money and they have used them and dumped them. So, it is really unfortunate how workers are taking advantage back in other countries. I would not just peg it on one of the countries, maybe it is most of the time they talk about Saudi Arabia. I would say maybe some of the Middle East countries where the workers are taken advantage of.

This Bill will take care of all the pertinent issues raised by Kenyan workers working abroad or should I say diaspora. Some of these provisions will take care of them.

Mr. Temporary Speaker, Sir, I feel that even the part that the Bill exempts certain classes of persons from that pre-departure. It gives and provides an enforcement of act and the appointment of inspectors; their functions and powers.

This is a good Bill that will mandate the national Government to consult county governments in creation of registers and investment opportunities. This is what one of the CSAs was dealing with. When I spoke to the Ambassador for Qatar, he spoke highly of how we are so organized when it comes to labour. I think we have more or less an MOU for labour and he feels that that area has been taken care of very well. I should say our CS for Labour and Social Protection is doing so far a good job in terms of taking care of genuine labour issues for the immigrants.

I commend this Bill. It is a pity sometimes we hear young girls being harassed and at receive their bodies not knowing what caused their death. Many young girls who have died working abroad in order to support their families. It so disheartening hearing our young girls are being killed and harassed in foreign land.

Mr. Temporary Speaker, Sir, we need to have all these workers registered. Even if there is cancellation for any registration, then it needs to be provided. We need to have a proper data of our Kenyan workers working abroad. We need to have the data of which city they are, company, organization, or house that they are working. It seems we do not have this information and that is why some of the agents disappears into thin air after getting money from innocent Kenyans. Our children are suffering out there.

I support this Bill and I second the Motion. I feel this Bill speaks to our boys and girls working in abroad. It will take care of the same small issues that they have been raising, especially with the agents.

Mr. Temporary Speaker, Sir, I second the Bill.

Thank you.

(Question proposed)

The Temporary Speaker (Sen. Abdul Haji): Sen. Danson Mungatana.

Sen. Mungatana, MGH: Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity to support this Bill. I start by thanking the sponsor of the Bill, the Hon. Sen. Tabitha Mutinda and the team that worked with her to bring this legislative proposal or Bill before this House. A legislative proposal always responds to a certain need that exists within the country.

There is a need to regulate these labour employment bureaus. The main purpose of this Bill, and as was stated during the moving of it, is to create an Act of Parliament to provide for the regulation of private employment agencies and the recruitment of workers within and outside Kenya. It is also supposed to safeguard the rights and welfare of job seekers and migrant workers and for connected purposes.

Mr. Speaker, Sir, just before I got elected to the Senate, on instruction of my client in the practice of law, I travelled all the way to a border court in Zambia. We had to land in Lusaka and go across Zambia, all the way towards the border near Tanzania. There were ten young men from my county in Tana River. They had been arrested because they were heading towards South Africa. They were going for an employment opportunity that had arisen there. However, they had been misguided in the manner in which they could reach Johannesburg and start working.

Some of them were accompanying their friends. They had been misled into believing that they can just go with them using some other *panya* routes to reach South Africa and start working there. They had been promised better life than what they were doing in Tana River County.

Mr. Temporary Speaker, Sir, there is a need for us to look at the employment opportunities being offered outside Kenya and what we can regulate here to make sure our young people are not arrested when they are going that side.

We struggled a lot in that particular case. At the end, we succeeded in getting those children, young men, let me call them, back to Tana River County at a great cost. People had to sell their cows and land so that we could manage the court processes in Lusaka and Chinsali at the border between Tanzania and Zambia. Then, we had to get

these people transported all the way back to Nairobi. This is because they had mishandled the opportunity for employment back in Johannesburg.

There is a category of young people who want to go abroad, but do not know how to access job opportunities, leading them to seek shortcuts. There is also another category of individuals who set up bureaus under the guise of creating employment or searching for job opportunities when, in fact, they never had any intention of genuinely helping our people. Their original intention, and it remains so, was to con these individuals, particularly the young men.

This Bill by Sen. Tabitha Mutinda addresses this need. It is a legislative proposal aimed at solving a problem that currently exists within our country and society. Many young men and women are not necessarily thinking solely as Kenyans. In a sense, they are global citizens.

Some have gone to study in Kampala and have returned. Others have studied in Tanzania and they are back. Some did not qualify to enter certain colleges in Kenya, but managed to enroll themselves in neighbouring countries and obtained their degrees. Some can speak different languages and intend to live elsewhere. Therefore, because of that desire, some people cash on it. This need is being addressed by this legislation. That is one case I have dealt with and resolved.

There is another case, which was being handled in the criminal court that deals with trans-border crime. In that case, I was representing a director of an employment agency who had been accused of trafficking. In fact, very serious charges were brought against that director. According to the Directorate of Criminal Investigations (DCI) who brought the case, they believed that the clients of that lady were not actually going to work, but were being trafficked from Kenya to another country.

We struggled significantly because the law in this area was not well established. We had to produce extensive documentation and prove many things before we could convince the prosecution that this was a genuine person who had been engaged in labor recruitment for a long time. We had to provide a list of many people who had been assisted by that firm and demonstrate that there was no justification for closing it and accusing them of trafficking. After some struggles, the director was eventually freed.

This law also protects genuine employment firms that are conducting legitimate work. It promotes and protects the private employment bureaus that are genuinely seeking to help Kenyans secure job opportunities. I am very happy with this Bill. I am pleased with the way it has been drafted. It addresses several concerns and questions that we frequently encounter when traveling outside the country.

I have had the fortune of serving as an Assistant Minister in the Ministry of Foreign Affairs and I have travelled to many countries on behalf of the Republic of Kenya. Ordinarily, after all the formalities, the ambassador always organizes an opportunity to meet with Kenyans. They not only meet the embassy staff, but also the residents, the movers and shakers in the area. Many times, when we meet these young men and young women, they frequently share their concerns about documentation and how they are being treated in those countries.

In many embassies around the world, you will find military, education and trade attachés. However, this law now proposes that we must establish compulsory labour

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attachés in these embassies that we maintain in various capitals across the world. I believe this is a good Bill. I urge fellow Senators to support it because it solving a problem. I am confident that once it is enacted, we will have a better system for protecting our children who seek employment abroad.

Mr. Temporary Speaker, Sir, I cannot conclude my submissions without congratulating the current Cabinet Secretary for Labour and Social Welfare. He has not been Nairobi-centric; he has travelled to various counties where he has actively promoted the Government's policy of encouraging labour migration. He has visited different regions, emphasizing that there are employment opportunities for drivers, individuals to work in the hospitality industry and nurses outside the country. He has also specified qualifications that are required and the defined process for securing these positions.

I know we have faced challenges. I recall the Cabinet Secretary appearing before committees and being questioned about some of these employment bureaus. However, with this Bill now in place and the implementation of this policy, I believe many of the issues that have bedevilled this industry through the labour migration will be reduced.

One of our former colleagues here had raised many questions, leading to exchanges between herself as a Senator and the Cabinet Secretary. This generated a lot of fear and made people question whether these overseas job opportunities were genuine. I remember walking out of the Senate and meeting individuals who clearly stated that they had been conned. Their money was gone and they were not able to report to their stations or the promised jobs.

These kinds of sentiments and uncertainties will be addressed by this law. When this Bill becomes law, I will confidently say that I am dealing with an employment bureau recognized by the Kenyan Government. It is registered and has passed through the vetting and validation process of the committee that has been set by the law.

This will ensure that when I assist people from my county in Tana River to come to Nairobi, I can be certain that I am not dealing with conmen or fake bureaus seeking to fleece our young people of the little they have. I believe this Bill is responding to an existing need, addressing the confusion caused by the labour migration policy and settling the questions surrounding the implementation of this policy across the country.

We will no longer have fake employment bureaus. All such bureaus will be required to register. As you can see, representatives from the DCI, the Director of Labour and senior Government officials, including the Cabinet Secretary for Foreign Affairs, will be responsible for vetting applicants in this committee before granting a license. Moreover, that license can be revoked, as it is issued under specific conditions. If you do not fulfil those conditions, then you will not be able to operate.

This settles a big problem and our people now will have confidence that this labour migration policy under President Ruto's Government is not just something that was being talked in the air and that after 2032 when he is gone, this thing will die. Now we have a signature legislation that will anchor this policy and help our people know where to seek jobs.

With those many remarks, I again thank the sponsor of this Motion. It is a good Bill. I want to urge Senators to support it. I want to tell the country that this is where we shall go. We are moving away from uncertainty to a situation where there is certainty.

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We are also moving away from fake bureaus to a situation where we have now registered bureaus that are recognized by law. You can Google them, know them and you deal with entities that will assist our people.

We are moving from a position where we never had labour attaches. Now we will have in our embassies abroad. Even when your children go out there to work, there will be a place where they can lodge their complaints. They can have their rights asserted if their employers are not treating them right. We thank the sponsor of this Bill.

I beg to support.

The Temporary Speaker (Sen. Abdul Haji): I now call the Mover to reply.

Sen. Tabitha Mutinda: Thank you, Mr. Temporary Speaker. For me, it is a really great evening. This is a Bill that my colleague; the seconder, Sen. Hamida, made a positive contribution. These are things that touch our people very dearly. She has been able to share some of the examples and I really want to thank Sen. Hamida for her great input. I know she is a champion when it comes to matters health and anything that affects our young people.

I also want to thank Sen. Mungatana. He has been able to give us two great examples of what he came across when he travelled as far as the issue of migrant workers is concerned, the court cases that he has been able to represent in his other life when it came to the issues of a recruitment agency. These are issues that are affecting our people each and every day.

I pray and hope that my colleague Senators, as they will be voting for this Bill, they will also find time to understand what is in the Bill. This is because I have really ensured that it covers at least 100 per cent of all the areas that are needed to bring synergy and solutions to the issues affecting the migrant workers.

Clause 15 of the Bill talks about the authority establishing an online portal. This online portal will be able to facilitate the registration of all private employment agencies. We will also be able to on-board all the migrant workers.

We will give them a platform to access more job opportunities, provide information on matters clearance, approvals and registration for requirements of the migrant worker so that we have a clear and clean database. If a person contravenes the law, as far as not having the requisite operating license of a private agency, they will be subjected to a fine not exceeding, Kshs10 million or a 10-year imprisonment.

Mr. Temporary Speaker, Sir, as I conclude, the Bill says that;

The national Government may conclude a memorandum of understanding, a bilateral labour agreement or any other instrument with another country and this will ensure and enhance safe, fair and orderly migration, increment of opportunities, safeguard the welfare and the rights of migrant workers.

Another thing I would like to highlight is that any memorandum of understanding, bilateral labour agreements or other instruments under Section 1 shall be concluded on the basis of the following principles, among others:

Promotion of fair recruitment, protection of migrant workers' rights, safety and human dignity of migrant workers within the country, protection of labour and any other human rights of Kenyan migrant workers in the concerned country, respect to

international standards, migrant workers' rights to information and the right to redress if their rights are violated.

The Bill is averse and it covers everything as far as their safety, growth, opportunities and online data security is concerned. Everything is covered by this Bill. What will change the perception that our migrant workers are being trafficked? We will serve genuine and rogue agencies, once and for all.

Mr. Temporary Speaker, Sir, with those remarks, I appreciate my colleagues and also appreciate this day. It is the second Bill I am moving. My first Bill is in the National Assembly, awaiting the Second Reading.

I now request that the putting of the question be deferred to a later date.

(Putting of the Question on the Bill deferred)

The Temporary Speaker (Sen. Abdul Haji): Very well, Senator. The Division will be deferred.

Clerk, read the next Order.

BILL

Second Reading

THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM BILL (SENATE BILLS NO.43 OF 2024)

The Order is deferred.

(Bill deferred)

Next Order.

MOTIONS

ADOPTION OF REPORT ON INQUIRY INTO THE STATE OF MARKETS IN VIHIGA AND BUNGOMA COUNTIES

THAT, the Senate adopts Reports of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of markets in Vihiga and Bungoma counties arising from statements sought by Sen. Godfrey Osotsi, MP, and Sen. David Wafula Wakoli, MP.

The Temporary Speaker (Sen. Abdul Haji): The Order is deferred.

(Motion deferred)

Next Order.

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ADOPTION OF PROGRESS REPORT ON DIVERSITY AND
INCLUSIVITY IN STAFFING OF STATE AGENCIES

THAT, the Senate adopts Progress Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration into an inquiry on the diversity and inclusivity in the staff composition of state agencies in Kenya.

The Temporary Speaker (Sen. Abdul Haji): That Order is deferred.

(Motion deferred)

Next Order.

ADOPTION OF REPORT ON COUNTY OVERSIGHT AND
NETWORKING ENGAGEMENTS IN WAJIR COUNTY

THAT, the Senate adopts the Report of the Standing Committee on Energy on the County Oversight and Networking Engagements in Wajir County.

The Temporary Speaker (Sen. Abdul Haji): The Motion is deferred.

(Motion deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, there being no other business on the Order Paper, the Senate stands adjourned until tomorrow, Thursday, 6th June, 2025, at 2.30 p.m.

The Senate rose at 6.19 p.m.