

# The SENATE

## Weekly

Issue No. 0040

# Apologise to victims of brutality, House directs NPS

**The lawmakers also called for compensation of victims of police brutality related to peaceful protests and an amnesty to all the peaceful protesters who are unlawfully detained after the protests arguing this will create an amiable environment for a national conversation and dialogue.**

The Senate wants the National Police Service (NPS) to acknowledge and apologise for deaths resulting from the demonstrations that have rocked the country even as it starts the process of amending the law to abolish the positions of the Chief Administrative Secretaries (CAS).

Besides the apology, the lawmakers have called for compensation of victims of police brutality related to peaceful protests and an amnesty to all the peaceful protesters who are still in police custody.

The Senators say this will create an amiable environment for a national conversation and dialogue.

The resolutions are contained in the bipartisan motion on the Current State of the Nation, sponsored by the Majority Leader Aaron Cheruiyot and Minority Leader Stewart Madzayo, which was adopted by the House last week.

The Motion arose from the events of June 25, 2024, when demonstrators stormed the precincts of Parliament as they protested about the Finance Bill, 2024.

The House has debated the motion for three weeks with the lawmakers calling for the country to go back to the basics and undo all acts of omission and commission that have nearly brought the country to the precipice.

The two leaders agreed that the conversation on the Finance Bill, 2024, which has since been withdrawn, had triggered public conversation on the question of the high cost of living when juxtaposed against the wasteful expenditure in all public institutions, including Parliament.

They also acknowledged that the issues raised by the youth and other members of the public touching on corruption, impunity, incompetence within state and public appointments, opulent lifestyles of public officers, unemployment and



high cost of living amongst other issues bedeviling the economy.

“The Director of Public Prosecutions (DPP) should withdraw all the cases in court involving peaceful protesters against the Bill,” said the motion in part.

The House also resolved that Parliament puts in place guidelines on actualisation of Article 37 of the Constitution with respect to how citizens can enjoy the right to picket without resulting in the loss of life or property.

The Independent Police Oversight Authority was directed to investigate and recommend appropriate action against police officers found culpable of using brutality against peaceful protesters.

“NPS should submit to Parliament the revised standard operating procedures on the management of protests, demonstrations and the use of force to contain demonstrations,” resolved the House.

The lawmakers directed the Committee on Justice, Legal Affairs and Human Rights to repeal Sections 2(a) and 12 (a) of the National Government Administration Laws (Amendment) Act, 2024 that establishes the posts of the Chief Admin-

istrative Secretaries and cap on the number of Principal Secretaries (PSs).

The motion on the State of the Nation is also compelling the Justice, Legal Affairs and Human Rights Committee to establish a legal mechanism for the merger of parastatals and state agencies that perform duplicate functions with a view to achieve a lean government.

Senators also compelled the Committee on National Security, Defence and Foreign Relations to engage the National Police Service (NPS) on matters of security and standard operating procedures for handling demonstrations.

“The Committee should engage the government to compensate all persons whose property, both movable and immovable, were damaged or lost due to the demonstrations,” the House resolved, adding that the Committee should engage NPS to fast-track insurance compensation to police officers who either lost their lives or suffered injuries as a result of the demonstrations.

“The Committee should engage with the Directorate of Criminal Investigations (DCI) to have investigations under-

taken to ascertain the identity of persons or organisations funding and coordinating the protests and demonstrations in the country.”

The House also wants the Committee on Justice, Legal Affairs and Human Rights to engage the EACC on matters of corruption and action to be taken to scale up efforts to deal with the menace, especially in county governments.

The Committee on National Cohesion, Equal Opportunities and Regional Integration was directed to engage the Public Service Commission (PSC) and National Cohesion and Integration Commission (NCIC) to audit the state of employment in Public Service, including county governments and propose strategies to adhere to meritocracy, equality and equity of opportunities across Public Service as espoused in Article 232 of the Constitution on values and principles of Public Service.

The Public Procurement Regulatory Authority was ordered to audit compliance with Section 53(6) of the Public Procurement and Asset Disposal Act by all public procurement entities.

Through this, senators want establishment of a roadmap to ensure compliance of provisions of the procurement and disposal Act.

The Committee on Education will have to liaise with the Ministry of Education and other stakeholders to resolve the concerns of Junior Secondary

Schools (JSS), the new funding model for university education and the acceptability of Competency Based Curriculum (CBC) and report their findings and recommendation to the Senate within 30 days.

“I want to confirm to you that this Senate has listened to Gen Z, the Mil-

lennial and the Alpha Generation. I confirm to you that right now with all this raft of recommendations from the Senate, which is the Upper House, this country will be ready for a dialogue. We are the listening House. We listen every day. That is our duty,” said Senator John Kinyua after the House adopted the

amendments.

“In our counties, we listen to our Members of the County Assembly (MCAs) and everybody. With these recommendations, I do not doubt that we will provide a conducive environment for any dialogue so that we can move our country forward.”

# Elections Bill introduced in House



Majority Leader Aaron Cheruiyot, the co-sponsor of the Elections (Amendment) Bill, 2024, with Minority Leader Stewart Madzayo.

**R**eturning Officers will have two hours to electronically transmit results of a presidential election to the national tallying centre, a Bill before the House has proposed.

Those who fail to do so will be forced to offer an explanation through a prescribed form should the Bill become law.

The Elections (Amendment) Bill, 2024, which has been introduced in the House, is further proposing that in procuring technology to be used in an election, the Commission will have to ensure that the supplier or their associates have not been found guilty of violating any procurement law, committed a crime, violated professional standards or been barred from participating in public procurement in any jurisdiction.

“The technology should be accessible and available for scrutiny by candidates, courts and such other persons as required under the law,” says the Bill, adding that such scrutiny will only be undertaken within the framework of the Constitution and the Data Protection Act.

“In procuring the technology, the Commission shall ensure that intellectual property rights to the technology vests in the Commission,” the Bill states in Clause 23.

The Bill is co-sponsored by the Majority Leader Aaron Cheruiyot and Mi-

nority Leader Stewart Madzayo and is part of the recommendations of the National Dialogue Committee (NADCO) Report which was established to facilitate dialogue and consensus building among the political actors.

The Report recommends constitutional, legal and policy reforms on issues of concern to the people focused on five key areas.

One of the key areas was electoral justice and related matters. The Committee looked into the restructuring and reconstitution of the Independent Electoral and Boundaries Commission (IEBC), boundaries delamination and audit of the 2022 presidential elections.

The Bill has also addressed the persistent complaint on election being conducted outside gazetted polling stations.

The Bill seeks to amend Section 38 to give the Commission three months before an election to publish the names of the polling stations established in an electoral area in the Gazette and publicise through electronic and print media of national circulation and other easily accessible medium.

The Bill further declares that no election shall be conducted in a place other than a place gazetted as a polling station.

Section 44 of the Elections Act mandates the Commission to put in place a

complementary mechanism for the identification of voters that is simple, accurate, verifiable, secure, accountable and transparent to ensure that the Commission complies with the provisions of Article 38 of the Constitution.

In the Bill, the two Senators seek further amendment to the provisions and propose that such a complementary system should also have the capacity for transmission of election results and further mandates the Commission to make Regulations for better carrying into effect the provision.

The Bill proposes amendments that will provide for access to information held by the IEBC. “Where such information is required for purposes of scrutiny of votes, the information shall be provided within three days in the case of a presidential election, and within seven days in the case of all other elective positions,” says the Bill in Clause 31.

Clause 33 of the Bill proposes to amend sections 87A, 87B and 87C to provide Parliament to appoint an independent firm to carry out an evaluation of the electoral process after a general election.

The evaluation shall include a review of the legal framework, processes and costs associated with the electoral process. The proposed amendment requires

preparation of a report for submission to Parliament within ninety days of the appointment of the independent firm.

Section 82 of the Act mandates an election court may order for a scrutiny of votes to be carried out in such a manner as it may determine. Such an order could be on the court’s own motion or on application by any party to the petition.

The Bill proposes to amend the Section by providing that a court may extend a scrutiny of votes beyond the polling stations or areas mentioned in the pleadings.

Further Section 74 of the Act obligates the Commission to settle electoral disputes relating to or arising from nominations but excluding election petitions and disputes subsequent to the declaration of election results.

Further, the law gives the Commission 10 days to determine such an electoral dispute and where the disputes relate to a prospective nomination or election, the dispute shall be determined before the date of the nomination or election.

However, the Bill has snatched and taken this power away from IEBC, arguing that this mandate is now a function of the Political Parties Disputes Tribunal.

# If what we do is not publicised, we have failed, says Speaker Kingi

Speaker Amason Kingi has recognised the critical role the media plays while covering Parliamentary proceedings, both in the plenary and Committees. Speaking during a meeting held between the Parliamentary Service Commission, (PSC) and media stakeholders, Speaker Kingi assured the media of its relevance and committed to ensure that journalists covering Parliament are supported and facilitated to do their work effectively.

The Speaker made the remarks in a meeting where PSC engaged representatives from the Media Council of Kenya (MCK), the Kenya Union of Journalists (KUJ) and the Kenya Parliamentary Journalists Association (KPJA).

National Assembly Speaker Moses Wetangula denied reports that some journalists had been banned from the precincts of Parliament. He said journalist had been temporary moved to an alternative building as Parliament undertakes repair works for the facilities destroyed during recent invasion of the facility by protestors.

"The media centre is being used as a storage room for the property damaged during the invasion of Parliament by demonstrators," Speaker said, while re-

vealing plans to put up an ultra-Modern Media Center within Parliament Square to serve as a one stop shop for journalists.

"The Parliamentary Service Commission, under my leadership, is committed to establishing a state-of-the-art media centre within the Parliamentary Square to better facilitate parliamentary reporters in fulfilling their mandate."

Mr Duncan Khaemba, the Chairperson of the Kenya Parliamentary Journalists Association, told the meeting that journalist have been restricted to a few committee rooms in the newly launched Bunge Tower and the Continental House but emphasised the resolve by the members of the fourth estate to do their work.

"Freedom of the media, guaranteed under Article 34 of the Constitution, and access to information for every citizen under Article 35, must and shall be protected at all costs. Parliamentary journalists play a critical role in informing and educating the country on all parliamentary activities that impact society. As KPJA, we understand this significant responsibility and will remain vigilant," he added.



Speaker Kingi makes his contribution during the meeting with media stakeholders last week.

## Ungazetted polling stations criminalised in new Bill

It will be criminal to falsify information on elections and those culpable face jail terms of up to five years and fines of up to Sh2 million, according to a Bill before the House.

The Election Offences (Amendment) Bill, 2024, makes it criminal for members and staff of the IEBC to conduct or hold elections in ungazetted polling stations.

"It will be an offence for members and staff of the Independent Election and Boundaries Commission (IEBC) to conduct or hold an election in ungazetted polling station," says Clause 2 of the Bill.

Besides members of IEBC and staff, the Bill targets other persons having any duty to perform pursuant to any written law relating to any election.

In particular the Bill, sponsored by Majority Leader Aaron Cheruiyot and Minority Leader Stewart Madzayo, is



concerned with officials who make, return or other document which they are required to keep or make an entry which they know or have reasonable cause to believe to be false.

Electoral officials who will permit

any person whom they know is able to read or write to vote in the manner provided for persons unable to read or write.

The Bill, which was introduced in the House last week seeks to make it an offence for electoral officials to permit any

person whom they know or have reasonable cause to believe is visually well to vote in the manner provided for persons who are visually impaired or persons with disability as the case may be.

Should the Bill be approved by the House, it will create offences for members and staff of the Commission who unreasonably delay in declaring elections results or knowingly alter declared election results.

Some of the offences the Bill lists are preventing any person from voting at the polling station at which they know such person is entitled to vote, rejecting or refusing any ballot paper which they know is validly cast for any candidate, counts any ballot paper as being cast for any candidate which they know was not validly cast for that candidate and interferes with a voter in the casting of his vote in secret.

Debate on the bipartisan motion on the Current State of the Nation continued last week with Senators hailing the Gen Zs for awakening the country to rediscover itself. They directed the National Police Service to cease abductions, unlawful arrests, extra judicial killings and exercise restraint in dealing with peaceful and unarmed demonstrators, an immediate release of all persons arrested for planning and participating in peaceful demonstrations relating to the enactment of the Finance Bill. The lawmakers further resolved that the National Assembly should expeditiously consider the presidential memorandum on Finance Bill and resubmit it to the President for assent. They also want all government ministries, departments and agencies, and constitutional commissions, including Parliament, to put in place austerity measures in undertaking their respective functions. The Ethics and Anti-Corruption Commission (EACC) and other government multi sector agencies in the governance, justice, law and order sector were asked to upscale and make concerted efforts to fight corruption. The Government was asked to waive hospital bills for persons who have been injured and defray funeral expenses for those who lost their lives, during the demonstrations. The Judiciary to prioritise and expedite all court cases relating to the enactment of the Finance Bill and the resultant demonstrations.



**Senator Mwenda Gataya Mo Fire**

“The Government overlooked quite a number of cancerous aspects in our nation such as corruption, tribalism and impunity. In Kenya, you can do anything as far as you are politically-correct. You can even commit crimes like murder. We have seen some of us shooting people dead and go scot-free because we belong to this section of the Government. Kenyans had great expectations with this government, so that lives could become better. Those of us who frequent their localities every weekend will bear me witness that we face a lot of problems with our mothers, fathers and our common rural folk seeking for school fees, medication and any sort of assistance from those who are elected. It is time we restore, install and make sure that we are all equal before the law. Some of those things is the reason why we are having our youth going to the streets and making some serious demonstrations. This anger has been building in this country for the last many years. Our young people woke up from those levels of sycophancy, hypocrisy and fallacy; that we are supposed to do exactly what the people sent us here to do.”



**Senator Moses Kajwang**

“The Gen Zs are fighting about the neo-colonialism we are seeing today. When Kenyans are complaining about their Government, the first person to respond to us is the American Ambassador, in power-point presentations, telling us how our elections are free and fair. Telling us how our President has been sent from God and telling us that we are making the right decisions and that we should persevere. The Gen Zs are tired with that neocolonialism and double standards. Someone told me that if those protests were about the rights of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community and 39 people were dead, the western world would have frozen aid and external assistance to Kenya. Are the lives of gay people and lesbians more important than the lives of the 39 we have talked about? It is the arrogance that we have displayed as a leadership and the tribalism that we have been expressing and calling it shareholding. Shareholding is nothing when it comes to national politics. It is pure tribalism. It is ethnic jingoism. It is ethnic chauvinism.”



**Senator Ali Roba**

“We have a situation where unless the President speaks, you do not see any Cabinet Secretary speaking in defence of the Government. You do not see them moving. You find them flying only for them to get opportunities that will make them feel good. The President is faced with a huge challenge when it comes to most Members of his Cabinet. A few of them are diligent and deliver. Most Cabinet Secretaries do not deliver. The President cannot run the country and, at the same time, the political Government. It requires Cabinet Members to perform their responsibilities with minimal supervision. I shared some unfortunate advice even to our President. He does not have to go to a new church every other Sunday because he will be bombarded with requests. Therefore, he will be forced to make promises that are impossible to fulfil. It makes the President look bad. Perhaps he should do it the way the late President Moi and the late President Kibaki were doing. He can just go to churches within the Central Business District (CBD). That way, you can have a lot of time to supervise your Ministries as required.”



**Senator Crystal Asige**

“The President went on national television without a clue of what has been happening in the country that he believes he governs. Was the Deputy President right in his address last week, that his boss may not know what is going on in the country? Like a performance of review of sorts, we expected that on his third attempt to address us on Sunday night, he would come with details, data and definitive or strategies. However, it was still vague, so non-committal and so non-informed. It felt dismissive and disconnected. Tone-deaf and not answering what Kenyans really wanted to hear from the President. Not only were shots fired at innocent young protesters, but it seems that in this interview we also saw shots fired at his Cabinet, his Deputy President and even his communications team caught a stray. What are some of the solutions? In response to austerity measures as directed by this Motion, the President has on record made pronouncements of what he plans to do. Young people do not want more dialogue or multi-sectoral groups before he actions what he has already committed to do. Sorry, not sorry, Mr. President, but wake up your Cabinet Secretaries because the youth are telling you that they are desperately underserved. Wake up your Cabinet Secretary for Interior and National Administration because too many poorly trained, trigger-happy police officers exist under his watch.”



**Senator Catherine Mumma**

“We need to audit our debt. All documents and agreements relating to our debt need to be made available to Parliament, so that Parliament can audit this. We also need to audit our debt expenditure. If we borrowed because of this, have we been doing it? I am suggesting that we get a special team to do this. I think the Office of the Auditor General (OAG) and the Parliamentary Budget Office (PBO) need to be facilitated and revamped to help us to do debt auditing. If we do this transparently so that it is made public and not hidden, then, the Kenyan people will be able to know what we are doing. We have so many funds that include the Youth Fund, the Women Fund and the NG-CDF. How are they being implemented? I think the idea behind the funds is good, but are they being used for purposes that they were intended for? We need to do an audit so that the ones that are being used for right purposes be retained while the others that are not being used for the right purposes are looked at. Let’s do an audit of the cost that unconstitutional laws being challenged in court have cost the taxpayer because we did not do our job as Parlia-

ment. As Bunge, we must take responsibility for passing laws that have violated and circumvented the Constitution. For example, taking only 30 minutes to pass a law that allows the Kenya Defense Forces (KDF) be set against our children with no public participation and adequate time for MPs to discuss it.”



#### Senator Karungo Thangwa

“We should enhance the mandate of the National Employment Authority (NEA) by fighting the wage bill. We need to know who is employed where. It should also be somehow devolved. In Kiambu County, we pay over Sh6 billion per year as a wage bill. A governor gets in and employs all his people. In Kiambu, we have had four governors. Every governor has employed everyone. The next governor will probably do the same. This is the reason I am asking the NEA to have a record of everybody. Every person employed by a governor should submit his Curriculum Vitae (CVs), certificates and a letter of appointment indicating when he was employed. It played very well when we were having an impeachment. The best thing is to have an agency whereby anybody who is employed by a county, has those documents submitted there. If I want to know how many people are employed by the Governor of Kiambu, I do not have to go and ask him. I have written to him a letter, reminders and reminders and he has not given the list of those he calls the liaison officers.”



#### Senator Betty Montet

“Things started going bad about two years ago. Kenyans spoke first when poisonous sugar was imported into this country. It was so sad that later the same sugar was sold to poor Kenyans and was consumed. The importers of that sugar are leaders in this country. They are people working for this country. They are people who are supposed to be servants of the people. They are not supposed to be finishing their people. They have never been brought to book. There is the issue of edible oil. It was a big issue. Kenyans talked and complained. The people who imported it are known. That oil was eventually declared poisonous too. What happened? They have never been brought to book to date. Not that this House did not speak. Not that this House has not tried to even bring to book the people who imported that oil. However, what happened? As usual, we got silent. It is us, Kenyans, who are killing our country. Those who do not have people who can speak for them are there, outside. The Gen Zs who are protesting outside there, are our young people who are well learned, tarmacked for more than five years and with very good degrees.”



#### Senator Raphael Chimera

“Niruhusu nitihoe ya kwamba hakuna vijana wetu ambao wanapata tenda kwa urahisi. Wanahisi kupata tenda ile ni lazima umfahamu mtu fulani ndiposa uweze kupata tenda. Na wanalilia haki yao. Ni lazima kama viongozi tuaamke, tutengeneze mstakabadhi ambao unampa kijana mkenya fursa ya kufanya biashara na Serikali na kuandikwa kazi katika Serikali bila kumtegemea mtu ambaye anajua au ukipenda, godfather. Ninamshukuru Mheshimiwa Rais William Ruto kwa ile hekima yake ya kuweza kusikia kilio cha vijana wetu na yeye ni kweli ameteremka; ameshuka kutoka pale alipokuwa na yupo tayari kuzungumza na vijana hawa. Vijana wetu wa Gen Z wamelia na wamekuwa na matakwa yao kwa siku nyingi. Kumekuwa na ukandamizaji katika maisha ya vijana wetu. Vijana wetu hawapati fursa ya kufanya biashara na Serikali yetu. Ninawaomba hawa vijana wa Gen Z kuwa sisi viongozi wenu tumesikia kilio chenu na tuko tayari kuketi na vijana hawa. Ijapokuwa wanasema kuwa hawana uongozi, nina imani kuwa kutakuwa na muundo ambao tutaweza kuketi kama nchi tuweze kujadiliana, kuridhiana ili tupate fursa ya kusonga mbele tukiwa kitu kimoja, ndiposa nchi hii iweze kuwa na amani, utulivu na tuweze kujivunia matunda ya kati-

ba yetu na nchi yetu ya Kenya izidi kutambulika ulimwenguni kama nchi ambayo ina amani na inamsikiliza mwananchi wake.”



#### Senator Danson Mungatana

“In this liberation that was led by our young people, our children, the question that is being asked is, “What is happening at the National Treasury?” Although many things went wrong, we need not lose focus on the question. Our children are asking, “Why are we collecting taxes? Why is the Auditor-General saying that in the period between 2021 to now we have borrowed Sh11 trillion, yet there are no projects?” The questions being asked are, “Where are the roads and how is this process of making a budget that is continuously loading on us, yet we are not seeing the results? I pray that we do not lose focus on the light that has been shone on the National Treasury. The National Treasury interacts with the figures of the budget for a whole year. As this budget cycle is ending, the new budget cycle starts. The National Treasury is the one that brings these proposals. Looking at the proposed tax cuts and the proposed reduction in Government expenditure, it seems that the National Treasury needs many changes. There needs to be a new thinking in the National Treasury. The people who are working there look at this budget as something they do every day and it is a normal thing. They do not care about the issues of the people.”



#### Senator Margret Kamar

“I will touch on the education sector as raised by the Gen Zs who have gone to school and are not employed. The challenges of going through school are still real in this country. In 2003, basic education in Kenya was supposed to be free. It was declared by Parliament that it was going to be free. Basic education in Kenya is from primary to secondary, the Form Four level. However, has it been free? We need to ask ourselves because that was one sector that was supposed to have been taken care of by our taxes. It would have made everybody happy if our taxes were used to give everybody this human right called education, up to the highest basic level. Then people would have gone to look for training and moved on. However, this has not been the case. That is why our youth are saying that their parents have struggled and paid school fees right from primary, secondary school and up to the university, yet they have no jobs. It is time that we re-looked at that because Kenya has endorsed many agreements, both international and continental, as far as education is concerned. In fact, in 2008, free primary and day secondary education was pronounced however, today we know that there is a lot of payments being done. Are these legal? Can they be stopped, so that we can have fairness as far as basic education is concerned?”



#### Senator Okiya Omtatah

“You cannot brand citizens criminals, kill them and say you are going to do it at all costs. What makes him think that his life is more precious than that of the fellow on the street? If we have to do anything, we must demand accountability for that blood. We must demand that President Ruto produces the criminals he claimed invaded Parliament, if they were not citizens. The President must tell us who these civilians were. How come civilians were mingling with the uniformed police and shooting people? The time when people said words and they got away with it is behind us. We are talking about the Gen Z. Not all the Gen Z are educated. We have got Gen Z who dropped out in Class Eight and did not get an education. I think about 60 to 70 per cent of the Gen Z are people who have already dropped through the cracks and they all came out. Some people have said that these Gen Z used to burn schools. No school has ever been burnt in Kenya and I repeat, no school has ever been burnt in Kenya because a school is not a dormitory.”

# Regional observer Mission praises Rwanda polls

The Forum of Parliaments of Member States of the International Conference of the Great Lakes Region (FP-ICGLR) has commended the Rwandan National Electoral Commission (NEC), competing political parties and the citizens for their efforts for maintaining peace before, during and after the just concluded General election in which President Paul Kagame was re-elected.

As part of its mandate, the Conference dispatched an Election Observation Mission (EOM) to observe the elections. The Parliament of Kenya was part of the Mission was in Rwanda between July 8 and 19 2024.

The Mission comprised 26 observers from five (5) Member States of the FP-ICGLR: the Central African Republic, the Republic of Kenya, United Republic of Tanzania, Republic of South Sudan, Republic of Zambia and the General Secretariat of the Forum.

The delegation from Kenya comprised Senator Hezena Lemaletian, Senator Wahome Wamatinga and the Hon Mugambi Rindikiri, who is also the Chairperson of the Governance and Peace Committee of the FP-ICGLR).

The Mission was led by Hon Moses Moyo, Second Deputy Speaker of the Parliament of Zambia who represented the President of the Forum.

Rwandan held presidential and parliamentary elections on July 15 in the context of the 2015 Constitution Referendum which allowed President Kagame to contest for the third 7-year term with the possibility to run for a further two five-year terms.

President Kagame won the poll with 99 per cent margin.

Women were elected by specific councils (proportional representation), 2 youth representatives by the National Youth Council and 1 person with disability elected by the Federation of the Association of the Disabled.



Senator Hezena Lemaletian speaks with other Members of Observer Mission.



Senator Wahome Wamatinga, Hon Rindikiri and Senator Hezena Lemaletian in Rwanda ready for the Mission.



The team from the International Conference of the Great Lakes Region (FP-ICGLR) before they were deployed for the Mission in Rwanda.

## COMMITTEE ROUND UP

# Committee engages public on Intergovernmental Bill



Senator Abbas Sheikh, the chair of the Devolution Committee, follows proceedings during the meeting with stakeholders.



Governor Ann Waiguru, Chair CoG, Governor Stephen Sang and Governor Mutahi Kahiga during the meeting with the Devolution Committee.

The Committee on Devolution and Intergovernmental Relations last week hosted stakeholders to consider the Intergovernmental Relations (Amendment) Bill, 2024. Among the stakeholders who appeared before the Committee were the Council of Governors (CoG), the Intergovernmental Relations Technical Committee (IGRTC), the County Assemblies Forum (CAF) and the State Department for Devolution.

The Bill seeks to create a structured framework for intergovernmental and intragovernmental relations. It proposes renaming the Intergovernmental Relations Technical Committee (IGRTC) to the Intergovernmental Relations Agency. It also seeks to define the roles of the Council of Governors and the County Assemblies Forum Secretariat in horizontal intergovernmental relations.

CoG, through its chair, Governor Ann Waiguru highlighted the Governors' request for the strengthening the governance structure of intergovernmental institutions and the need to enhance the composition of the agency to empower it to effectively resolve intergovernmental disputes between different government levels.

The Intergovernmental Relations Technical Committee observed that in-

tergovernmental relations, between the two levels of government and among county governments, are fundamental to the success of the devolved system of government.

Mr Philemon Sabulei, representing the County Assemblies Forum (CAF), stated that establishing a structured framework for intergovernmental relations is crucial for enhancing coordination and cooperation between the National Government, County Executives, and County Assemblies. This framework is expected to lead to more efficient governance and improved public service delivery.

"Including CAF and its Secretariat within the legal framework provides a formal platform for consultation, dispute resolution and capacity building among County Assemblies. This inclusion is essential for promoting best practices and ensuring a unified approach to addressing common issues," said Hon Sabulei.

He added that enhancing the functions and powers of the Intergovernmental Relations Agency will facilitate more effective engagements with intergovernmental forums, ensuring that the interests of County Assemblies are adequately represented and considered in intergovernmental discussions.

# Seneta Khalwale ashtumu mauaji kufuatia mzozo wa madini Ikolomani

**M**zozo kuhusu uchimbaji wa madini ya dhahabu umechukua mkondo tofauti baada ya Seneta Boni Khalwale kuwasilisha ombi akitaka uchunguzi kufanywa na ripoti kuwasilishwa Bungeni kuhusu madai ya unyanyasaji unaoelekezwa kwa wakazi wa eneo bunge la Ikolomani na maafisa wa polisi.

Mzozo unadaiwa kuzuka kati ya wakazi na mwekezaji mmoja aliye mmiliki wa kampuni ya binafsi ya uchimbaji dhahabu ya Shanta Gold, na kusababisha kifo cha mkazi mmoja.

Seneta Khalwale anaitaka Kamati ya Usalama wa Taifa, Ulinzi na Mashauri ya Kigeni kufafanua sababu zilizosababisha kifo cha Vincent Moi mnamo Juni 16, 2024 kufuatia ugomvi kati ya wenyeji na kampuni hiyo kuhusu haki za kuchimba madini ikiweka wazi hatua ambazo maafisa wa polisi wamechukua kuchunguza na kuwatia mbaroni waliohusika katika kifo cha mkazi kando na kutaja tarehe ambayo mshukiwa atafikishwa mahakamani kufunguliwa mashtaka.

Aidha Kiranja huyo wa upande wa wengi anaitaka Kamati ya Usalama kukariri mikakati iliyochukuliwa na vyombo vya usalama eneo bunge la Ikolomani kuepusha mzozo na kurejesha hali ya kawaida sawia na mikakati ya kumzuia mwekezaji huyo kuchochea mzozo



Seneta Boni Khalwale

zaidi.

Kamati hiyo inayoongozwa na Seneta William Cheptumo itahitajika pia kuchunguza lalama za wenyeji kwa nia ya kuutatua mzozo kati ya mwekezaji na wenyeji.

Seneta huyo vilevile anaitaka Kamati kuwafichua maafisa wa usalama wanaoaisaidia kampuni ya uchimbaji madini kuifikia migodi kinyume na maoni ya washikadau wengine ikipendekeza hatua zitakazochukuliwa kulitatua suala hilo.

Kiongozi huyo alitumia fursa hiyo kuwasilisha ujumbe wa makiwa kwa familia ya marehemu akimpongeza Ka-



Seneta Mohamed Chute

tibu wa Wizara ya Usalama wa Taifa Raymond Omolo kwa kuchukua hatua ya hima na kuamrisha kuondolewa kwa kampuni ya Shanta Gold kwenye eneo bunge la Ikolomani.

Huku hayo yakijiri Seneta Mohamed Chute ametaka taarifa kuhusiana na mashambulizi kwa wenyeji wa vijiji vya Anona, Waigoda na Abo katika Kaunti ya Marsabit yanayofanywa na maafisa wa usalama kutoka taifa jirani la Ethiopia.

Seneta Chute aliliambia Bunge kwenye ombi lililosomwa na Seneta George Mbugua kuwa serikali ya Ethi-

opia imekuwa ikiendesha oparesheni za kijeshi kwenye mpaka wa Kenya kwa miongo kadhaa, ambazo mara nyingi zimesababisha unyanyasaji wa wakazi wa Kaunti ya Marsabit.

Alisema katika kisa cha hivi maajuzi wenyeji wa vijiji vya Anona, Waigoda na Abo walivamiwa huku nyumba kadhaa zikiteketezwa, pikipiki na rununu zikitwaliwa.

Seneta Chute sasa anaitaka Kamati ya Usalama wa Taifa, Ulinzi na Mashauri ya Kigeni kufanya uchunguzi na kuwasilisha ripoti kuhusu uvamizi huo ikijumuisha hatua za kibinadamu ambazo zimechukuliwa kuwasaidia wenyeji ambao wamehamishwa makwao ikifafanua mikakati inayofanywa na serikali kuwapa makao.

Kamati hiyo inatakiwa vilevile kuweka wazi mikakati iliyowekwa na serikali ya Kenya kudai mali ya wenyeji wa Kaunti ya Marsabit iliyotwaliwa kwa nguvu na juhudi zilizowekwa kuwalinda dhidi ya uvamizi kama huo katika siku za halafu.

Seneta huyo aidha anataka serikali iweke wazi endapo kuna mipango yoyote ya kuwatuma wanajeshi kwenye Kaunti Ndogo ya Sororo kuimarisha usalama na kuwalinda wakazi dhidi ya uvamizi kutoka kwa taifa jirani ikikariri wakati muafaka ambao hatua hiyo itatekelezwa.

# Seneta Ojienda ataka maelezo kuhusu mikakati ya kukabiliana na majanga Kaunti ya Kisumu



Seneta Tom Ojienda

**K**aunti ya Kisumu imetakiwa kupa kipaumbele mipango na sera za kukabiliana na majanga zitakazosaidia kuyalinda maisha ya wakazi na mali.

Akiwasilisa ombi la kauli kwenye Bunge, Seneta Tom Ojienda alieleza masikitiko ya namna wenyeji wa Kaunti ya

Kisumu wanapitia changamoto nyingi kutokana na mafuriko ya mara kwa mara akiitaka serikali ya Kaunti ya Kisumu kulichangamkia tatizo hilo.

Alifichua kuwa takriban wenyeji elfu tano katika sehemu mbali mbali za Kaunti ya Kisumu wameathirika vibaya na mafuriko yanayotokea kila mara akitaka sera dhidi ya majanga kuimarishwa ili kuwasaidia waathiriwa.

Kwenye ombi lake, Seneta Ojienda anaitaka Kamati ya Usalama wa Taifa, Ulinzi na Masuala ya Kigeni kufanya uchunguzi na kuliariifu Bunge kuhusu utayari uliopo kwenye Kaunti ya Kisumu katika kuyakabili majanga ikifichua mikakati, sera na rasilimali kando na kubaini endapo asilimia mbili ya bajeti inaelekezwa kwenye Hazina ya Dharura kufungamana na Sheria ya Usimamizi wa Fedha za Umma.

Mbali na kutathmini uwepo wa mfu-

mo wa kutoa tahadhari unaofanya kazi ipasavyo wakati wa mafuriko na maporomoko ya ardhi kwenye Kaunti ya Kisumu, Kamati ya Usalama inatakiwa kubaini gharama ya kujenga mifumo ya mifereji ya maji, uchimbaji wa mashimo ikiweka wazi matumizi ya fedha kutoka kwenye Hazina ya Dharura kwenye miaka ya Kifedha ya 2017/2018 hadi 2023/2024.

Seneta huyo aidha anaitaka Kamati hiyo chini ya Uenyekiti wa Seneta William Cheptumo kueleza namna serikali ya Kaunti ya Kisumu inavyoshirikiana na serikali ya Kitaifa, Mashirika yasiokuwa ya serikali na Mashirika ya kijamii kuimarisha utayari wa kukabiliana na majanga na mbinu za kuitika kwa hima wakati wa majanga.

Masuala mengine ambayo Kamati hiyo yenye wanachama tisa inapaswa kuangazia kulingana na ombi la Profesa

Ojienda ni pamoja na uwezo wa kiufundi na uwepo wa wafanyakazi waliopokea mafunzo kukabiliana na majanga.

Kadhhalika Kamati inahitajika kubaini iwapo kuna vifaa na makazi ya dharura wa waathiriwa wa mafuriko ikifafanua endapo kuna mikakati iliyowekwa kuyashughulikia mahitaji ya wenyeji walio katika hatari kubwa kama wakongwe, watoto, watu wenye ulemavu wakati wa majanga kando na kukariri juhudi zilizojumuishwa kwenye Mpango wa Maendeleo wa Kaunti kupunguza hatari na kujenga ustahimilivu hususan kwenye maeneo yenye mafuriko.

Vilevile, kwenye ripoti yake kwenye Seneti, Kamati ya Usalama wa Taifa inatakiwa kueleza Seneti ni mara ngapi mikakati na mbinu za kukabiliana na mikasa kwenye Kaunti ya Kisumu zinahakikiwa na kusasishwa kufungamana na mabadiliko ya tabianchi

# ORPP to go in Bill before the House



Minority Leader Stewart Madzayo co-sponsors the Political Parties (Amendment) Bill, 2024.

The Senate has started considering the Political Parties (Amendment) Bill, 2024 which is seeking to convert the Office of Registrar of Political Parties (ORPP) with Independent Political Parties Regulatory Commission.

The Bill, which is currently before the Committee on Justice, Legal Affairs and Human Rights, will also give effect to some of the recommendations and views of the public that were submitted during the national dialogue discourse on the Issues of Electoral Justice, outstanding constitutional matters and fidelity to Political Parties/Coalitions.

The Commission shall be responsible

for registration of political parties and their office holders, the management of the Political Parties' Fund, ensure the publication of audited annual accounts of political parties and the verification and making publicly available the list of all members of political parties.

The Commission will also be mandated to keep and maintain a register of members of registered political parties, a register of political parties and the symbols of the political parties while ensuring and verifying that no person is a member of more than one political party and notifying the Independent Electoral and Boundaries Commission of its find-

ings.

The Commission shall comprise of five commissioners appointed by the President with the approval of the National Assembly and each shall hold office for a non-renewable term of six years.

Sponsored by both the Majority Leader Aaron Cheruiyot and Minority Leader Stewart Madzayo, the Bill is part of the recommendations of the National Dialogue Committee Report which was established to facilitate dialogue and consensus building among the political actors.

The Report recommended constitutional, legal and policy reforms on issues of concern to the people focused on five key areas.

One of the key areas was electoral justice and related matters. The Committee looked into the restructuring and reconstitution of the Independent Electoral and Boundaries Commission (IEBC), boundaries delamination and audit of the 2022 presidential elections.

On the fidelity to political parties or coalitions and the law on multiparty democracy, NADCO delved into possible ways of preventing interference with political parties or coalitions.

The Bill proposes that the Commission consist of two members, one man and one woman, nominated by the majority party or coalition of parties in Par-

liament; two members, one man and one woman, nominated by the minority party or coalition of parties in Parliament; one member nominated by the Parliamentary Service Commission being a representative of non-parliamentary registered political parties.

The members of the Commission shall elect a chairperson and vice-chairperson from among themselves at the first sitting of the Commission and whenever it becomes necessary fill a vacancy in the office of the chairperson and vice-chairperson.

Clause 33C provides that: "The Commission shall have the power to appoint staff upon consultation with the Public Service Commission and the Salaries and Remuneration Commission."

Section 34 of the Political Parties Act delegates the registrar with powers in respect to Political party records.

Sub Section 34 C gives the Registrar the power to make changes to the records of political parties a if member of a political party resigns or is deemed to have resigned from the political party and the Registrar has been notified of the resignation.

The Bill is also proposing to amend this provision by deleting it.

# House to discuss EALA Report on budget

Majority Leader Aaron Cheruiyot has tabled the report on the expenditure of the East Africa Legislative Assembly (EALA), paving the way for Senators to discuss the spending made by the regional legislative body during the 2023/24 financial year.

The report will enable the House to acquaint itself with the details of the discussions that were made during the Fifth Parliamentary Dialogue and General Assembly Meeting that was held in October, 2023, in Nairobi.

The report was compiled by the Committee on General Purpose of the Assembly and will also enable the House to discuss key budgetary documents for the regional body during the new financial year, 2024/25.

The tabled documents include The East African Community Appropriation

Bill, 2024 and The East African Community Supplementary Appropriation Bill, 2024.

Also included in the report is the Budget Estimates for Revenue and Expenditure for the Financial Year 2024/2025.

Report of the Committee on Agriculture, Tourism and Natural Resources of the East African Legislative Assembly on the on-spot assessment of the implementation of projects and plans by the Lake Victoria Basin Commission and Lake Victoria Fisheries Organisation also form part of the document.

The House will get an opportunity to deliberate on the Report of the Committee on Regional Affairs and Conflict Resolution of the Assembly on the Oversight Activity to assess the processes, regulations and challenges of conducting national general elections.



# Bunge FC suffer defeat in a friendly match

**B**unge FC suffered a 3-0 defeat against Ulinzi Legends FC in a football match played at the Ulinzi Complex, Nairobi. Ulinzi Legends brings together retired players of the Premier league side, Ulinzi FC.

Bunge FC started the match on the front foot, controlling the match but Senator Aaron Cheruiyot's 45th minute left foot explosive at the Ulinzi goal was parried away by the goalkeeper for a corner.

Former Harambee Stars goalkeeper, Francis Onyiso, playing at left full-back, proved that class is permanent when he completed a brilliant run on the left flank with a solo effort to put the Legends ahead.

After the first 45 minutes, when scoring seemed the easier option, the Legends' marksman, Mulinge Ndeto missed a glorious chance three yards from goal. His flaws would be covered moments later by Quintine Indeché who capitalised on a defensive blunder from Hon

Dan Wanyama to give the hosts a two-goal cushion.

Alfred Kisenbe should have pulled one back for the Parliamentarians but his curling effort from outside the penalty area in the 75th minute hit the woodwork. As time wore on, the visitors gained the momentum and in the next 10 minutes the Ulinzi shot stopper, Francis Ochieng, found himself busy between the posts and got three corners out of their attempts.

It would prove costly in the end because in their attempt to reduce the deficit, Bunge FC expectedly exposed their backline to counter attacks, which the ex-military players exploited to their advantage. Three minutes from time, they would rue their missed chances as Indeché bagged his brace with a right outfoot shot, to put the contest out of reach for the lawmakers.

Bunge's Co-captain Hon. Otiende Amollo commended their opponents



*Top: Bunge FC pose for a picture before the friendly match against Legends, below, part of the action from the friendly match.*

saying they deserved to win because their display was professional.

"I thank Ulinzi Legends for accepting our invitation to play us during our weekly training session. They are the former country's military football team and their discipline and organisation on the pitch is quite evident," said Hon. Amollo.

## This Week in History



*"Kenya is in the midst of an epidemic that we call non-communicable diseases which include cancer, diabetes and high blood pressure. It is time for us we came up with sophisticated interventions to ensure that our people do not die from the new non[1] communicable diseases. This country can undertake several interventions. I propose that we teach our people to eat healthy food. It is said that we are as healthy as what we eat. Traditionally, people used to eat foodstuff such arrowroots, sweet potatoes and others. They used to drink porridge. These days we drink sodas and eat processed foods. Science has been able to prove that consumption of such foodstuff is one of the many causes of cancer. I would urge our people to revert to what we call African roots and culture, particularly with regard to consumption of natural food."*

**Senator Irungu Kang'ata contributing to the debate on The Cancer Prevention and Control (Amendment) Bill, 2019 on July 30, 2019.**



*"What is this animal called cancer? Cancer is caused by carcinogens or carcinogenic agents. Your body is made up normal cells that work under normal Page | 2 circumstances, which maintains a normal environment, a normal milieu and a normal Ph. The body functions very well at the optimal body fluids level. However, when there is change in the characteristics of the cell or the cell membrane, it does not matter whether the cell is in the breast, prostate, uterus ovary, intestine, colon, stomach, lungs or even in the brain. When the cell's normal characteristics are lost, - in other words the cells in the body are not able to recognize that cell - then you have what you call a cancer process. This is where cells start proliferating abnormally. They grow very fast and in a very uncontrollable manner, therefore, causing disease and, obviously, the kind of death that we are seeing here today."*

**Senator (Prof.) Sam Ongeri contributing to the debate on The Cancer Prevention and Control (Amendment) Bill, 2019 on July 30, 2019.**



*"Cancer seems to be what Chinua Achebe was talking about. He said - "When suffering knocks at your door and you say there is no seat for him, he tells you not to worry because he has brought his own stool." Cancer as a trouble, has visited our country with its own seat and is seated everywhere. It is seated at the high table, middle table and all those tables. We all must get alarmed because if we do not get alarmed, I am sure that it will exterminate all of us."*

**Senator Ochillo-Ayacko contributing to the debate on The Cancer Prevention and Control (Amendment) Bill, 2019 on July 30, 2019.**



*"If there is one thing we must do, it is to fix our broken regulatory systems. What is the Pharmacy and Poisons Board doing? Who is holding them accountable? If this House must do that, let us hold them accountable because 80 per cent of the drugs we use - and sometimes you wonder why we do not get better - are actually fake. The same is true for all the other things; from pesticides that we use in our agricultural sector to even the cattle dips that we use in the pastoral areas. Who is regulating what? Our regulatory system is so broken that we do not even know, and it does not matter your economic or social status. We are not even sure whether the water we are drinking here is actually fit for consumption. This country is, therefore, treading on very dangerous grounds. I do not know if this Bill can lend itself to that. We could find a way of making sure that the regulatory system is also looked at, so that it then becomes part of the preventive measures that the distinguished senior Senator has talked about. That way, we can then look at prevention and prioritise it over the curative aspects."*

**Senator Abshiro Halake contributing to the debate on The Cancer Prevention and Control (Amendment) Bill, 2019 on July 30, 2019.**



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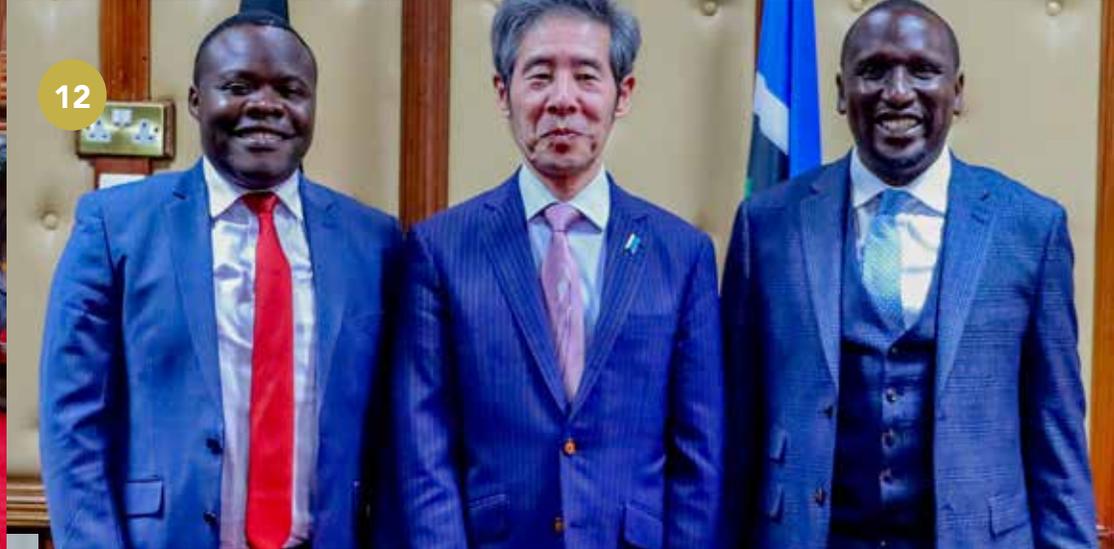


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1. Speaker Amason Kingi and Speaker Moses Wetangula flanked by Clerk of Senate Jeremiah Nyegenye during the meeting between Parliamentary Service Commission (PSC) and media stakeholders at County Hall.
2. Hon Mishi Mboko, the chairperson of the Broadcasting Committee of the PSC speaks during the meeting with media stakeholders.
3. Ms Zubeidah Kananu, the President of the Kenya Editors' Guild, makes a point during the meeting organised by PSC on the relationship between Parliament and the media.
4. Speaker Amason Kingi and Speaker Moses Wetangula join Chief Justice Martha Koome and Deputy Chief Justice Philomena Mwilu during the requiem mass of High Court Judge, the late David Majanja.
5. Speaker Amason Kingi shakes hands with Chief Justice Martha Koome during the requiem mass watched on by Speaker Moses Wetangula of the National Assembly.
6. Head of Public Service Felix Koskei (left), Speaker Amason Kingi, Speaker Moses Wetangula and Chief Justice Martha Koome follow proceedings during the late David Majanja's requiem mass in Nairobi.
7. Senator Dan Maanzo, who is a lawyer, also attended the late David Majanja's requiem mass.



9. *Former Senator Amos Wako, who also served as Attorney General for 20 years, was among those who attended the late David Majanja's requiem mass.*
10. *Majority Leader Aaron Cheruiyot looks on as Japan Ambassador to Kenya Okaniwa Ken who paid a courtesy call at his office in Parliament Buildings.*
11. *Senator Aaron Cheruiyot and Japanese Ambassador Okaniwa Ken during the meeting.*
12. *Majority Leader Aaron Cheruiyot, Senator Eddy Oketch with Japan Ambassador to Kenya Okaniwa Ken.*
13. *Speaker Teddy Mwambire and other leaders of Kilifi County Assembly when they appeared before the County Public Accounts Committee to respond to audit queries.*
14. *Senator Okiya Omtatah (right) speaks to Senator Mwenda Gataya Mo Fire during the County Public Accounts Committee meeting with the Meru County Executive.*
15. *Deputy Speaker Kathuri Murungi with Senator Moses Kajwang, the chair of CPAC, and Senator Richard Onyonkah after the meeting between the committee and Meru County Executive led by Governor Kawira Mwangaza.*



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16. Speaker Amason Kingi speaks to Japan ambassador to Kenya Ken Okinawa (centre) during the launch of last mile electricity connection in Bamba, Kilifi County. The project is funded by Japan International Cooperation Agency (JICA).
17. Speaker Kingi addresses residents of Ganze, Kilifi County, during the launch.
18. Speaker Kingi welcomes President William Ruto to Kwale County, where the Head of State conducted an inspection tour of the Kinango Technical and Vocational Training Centre.
19. Speaker Amason Kingi and other leaders from Coastal region as they waited for President William Ruto's arrival in Kwale County for the official opening of the Matuga Technical Training College, Kwale County. Second right is Hon Gonzi Rai (MP Kinango), Senator Raphael Chimera and Senator Miraj Abdulrahman.
20. President William Ruto introduces Senator Danson Mungatana to residents of Matuga during the launch of construction of the modern Diani Market, Kwale County
21. President William Ruto accompanied by Speaker Amason Kingi, the Prime Cabinet Secretary Musalia Mudavadi and Governor Andrew Mwadime during a church service in Voi, Taita Taveta County.
22. Speaker Kingi with a section of Mombasa residents at the Kenya School of Government auditorium during the President's town hall meeting on job creation.



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- 23. Speaker Amason Kingi and Hon Mohammed Ali, the Nyali MP, escort President William Ruto out of Kenya School of Government after a townhall meeting.
- 24. Speaker Kingi and other local receive the President in Garsen, Tana River County, during the official launch of Ngao Girls' School administration block.
- 25. Speaker Kingi shares a light moment with Governor Godhana Dhadho of Tana River at Ngao Girls', Garsen, Tana River County.
- 26. Speaker Kingi and Governor Abdulsawamad Shariff interact with the President in Ganze, Kilifi County, during the launch of the last mile connectivity project.
- 27. Senator Miraj Abdullahi (centre) shares a joke with President Ruto and Kwale Governor Fatuma Achani, during the launch of the Matuga Technical Training College in Kwale County.



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