

# The SENATE

Weekly

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# Status Report

**Three Committees report to the House steps taken by State agencies to implement resolutions contained in the Motion on Current state of the Nation adopted in July.**



*A sitting of the Senate.*



*Minority Leader Stewart Madzayo and Majority Leader Aaron Cheruiyot co-sponsored the Motion on the Current State of the Nation.*

Three Committees have submitted the progress they have made in the implementation of the Motion adopted by the House last July, focusing on the Current State of the Nation.

Adopted on July 24, 2024, the bipartisan Motion was necessitated by the issues that emerged early this year, during the nationwide protests, which brought to light significant concerns affecting the nation.

The Committees on Finance and Budget; National Cohesion, Equal Opportunity and Regional Integration; and National Security, Defence and Foreign Relations submitted status reports to the House, indicating the progress made so far.

The House had in the Motion mandated some of its Committees to follow up on the resolutions and the implementation of the recommendations with the government departments, agencies, constitutional commissions and independent offices to which they oversight and also prepare reports to the Senate.

Commonly referred to as Gen Z demonstrations, the protests highlighted the frustrations surrounding the high cost of living, corruption, and the opulent lifestyles of public officials that is in stark contrast to the struggles faced by the people.

The public's outrage over wasteful expenditures in government institutions underscored the growing demand for accountability and reforms.

Based on its constitutional mandate, the Senate sought to address the concerns through the Motion, which made actionable recommendations aimed at addressing the root cause of discontent that was expressed by the people.

The Senate resolved the National Police Service (NPS) acknowledges and apologises for all the deaths resulting from the peaceful demonstrations and victims of police brutality related to the protests, between 2023 and 2024, be compensated by the Government.

The NPS is required to extend amnesty to all the protesters who are

unlawfully detained as a result of the protests besides asking the Director of Public Prosecutions (DPP) to withdraw all the cases in court involving protests against the Finance Bill.

The Independent Police Oversight Authority (IPOA) was directed to investigate and recommend appropriate action against police officers found culpable of brutality against peaceful protestors and that NPS submits to Parliament the revised standard operating procedures on the management of protests, demonstrations and the use of force to contain demonstrations.

Parliament is to put 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 House directed its Committees to urgently engage relevant stakeholders including members of the public to consider weighty national issues.

The Committee on Finance and Budget was directed to consider the Public Debt and Public Finance Management. This

was to be done in consultation with the Parliamentary Budget Office (PBO) to independently audit the national debt and present the actual status to Parliament.

The Committee was also to engage the National Treasury to submit a roadmap on its strategy to reduce the public debt to not more than 55 per cent of the Gross Domestic Product (GDP) in present value terms in compliance with Section 50(2)(c) of the Public Finance Management Act and also identify and implement sustainable strategies to reduce the high cost of living.

The Committee on Justice, Legal Affairs and Human Rights was directed to explore ways of repealing the National Government Administration Laws (Amendment) Act that establishes Chief Administrative Secretaries. It was also mandated to introduce a legislation to cap the number of Principal Secretaries (PSs) appointed pursuant to Article 155 of the Constitution and establish a legal mechanism for the merger of parastatals and State agencies that perform duplicate functions with a view to achieve a lean



government.

On the Security Sector Reforms, Committee was to engage with the NPS on standard operating procedures for handling demonstrations, compensation for all persons whose property, both movable and immovable, were damaged or lost due to the protests and fast-track insurance compensation to police officers who either lost their lives or suffered injuries, as a result of the demonstrations.

The Committee was also to engage with the Directorate of Criminal Investigations (DCI) to investigate the identity of persons or organisations which funded and coordinated the violence during the protests.

In the fight against corruption, the

Committee on Justice, Legal Affairs and Human Rights was to involve the Ethics and Anti-Corruption Commission (EACC) on actions to deal with corruption, especially in county governments.

The Committee is required to develop a mechanism to ensure that broader concerns for citizens especially the youth are received, considered and taken into account in making decisions on public affairs, and the integration of “new media” as a medium for public participation in legislative processes.

In the Health Sector Reforms, the Committee on Health was directed to facilitate public participation in the re-enactment of the Social Health Insurance Act, the Digital Health Act and the

Primary Healthcare Act in compliance with the judgment of the High Court, engage with the Cabinet Secretary for Health and the Council of Governors (CoGs) and standardise human resource policy for health workers across all counties.

On equal opportunities for all Kenyans, the Committee on National Cohesion, Equal Opportunity and Regional Integration was directed to engage the Public Service Commission (PSC) and the National Cohesion and Integration Commission (NCIC) to audit the state of employment in the public service, including county governments and propose strategies to adhere to meritocracy, equality and equity of opportunities across the Public Service.

The Committee was also directed to engage the Public Procurement Regulatory Authority (PPRA) to audit compliance with Section 53(6) of the Public Procurement and Assets Disposal Act by all public procurement entities, with a view to establishing a roadmap to ensure compliance.

In the Education Sector Reforms, the Committee on Education was to liaise with the Ministry of Education and other stakeholders with a view to resolving the concerns raised regarding Junior Secondary School (JSS) education, the new funding model for university education and the acceptability of Competence-Based Curriculum (CBC).

## State of Nation: Committee allows adequate preps by stakeholders

**T**he resolution on the State of the Nation mandated the Committee on National Security, Defence and Foreign Relations to engage with the National Police Service (NPS) on matters of security and Standard Operating Procedures (SOPs) for handling demonstrations.

The Motion also resolved that the National Government should compensate all persons whose property, both movable and immovable, were damaged or lost due to the demonstration, with the Committee being tasked to engage the NPS to fast-track issuance compensation to police officers who either lost their lives or suffered injuries as a result of the demonstration.

The Committee was also directed to engage the Directorate of Criminal Investigation (DCI) to have an investigation undertaken to ascertain the identity of persons or organisations funding and coordinating the protests and demonstrations in the country.

On first tracking insurance compensation to police officers who either lost their lives or, were injured during the demonstration, the Committee invited the Director of Occupational Safety and Healthy Health Services to give details of claims filed by the injured police officers, the Attorney General to discuss the issue of compensation for the damage of property or loss of lives and the Director of the Criminal Investigations Department on the investigation currently being undertaken to uncover the entities funding protests in Kenya.

During the deliberation, with the officers, the Committee adjourned the



*Senator Fatuma Dullo tabled the status report.*

meeting and resolved to reschedule it to November 4, 2024 to allow the stakeholders to prepare adequately for their submissions for extensive engagement and meaningful deliberations.

The Committee further resolved to extend an invitation to the Social Health Authority (SHA) and the Insurance Regulatory Authority (IRA) to provide insights on the issues that may arise out of the engagement with regard to insurance coverage.

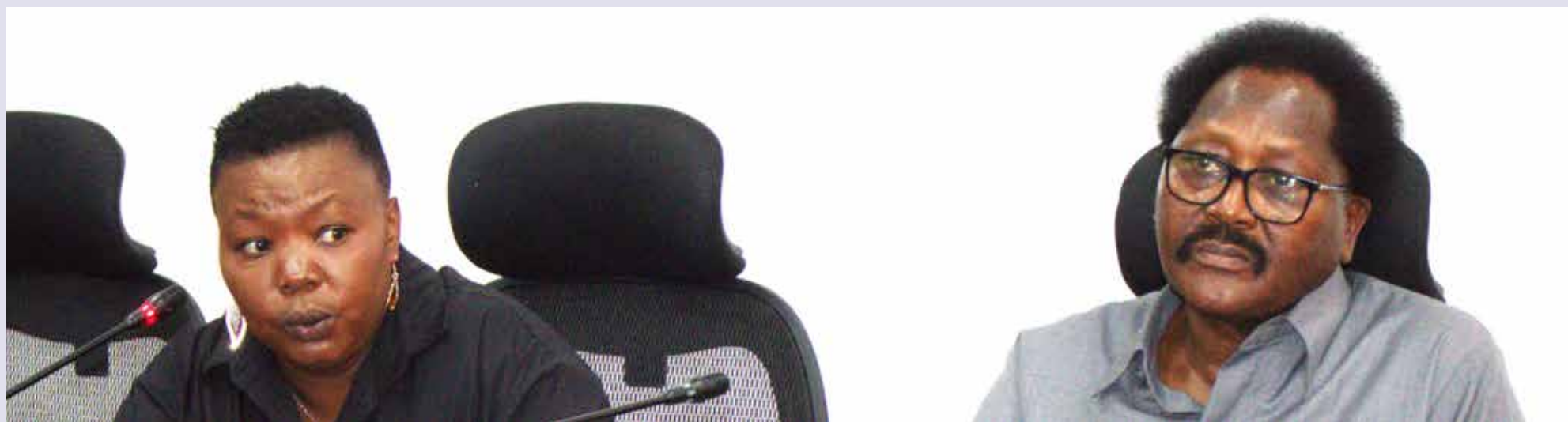
The Committee also met the Cabinet Secretary for Interior and National Administration on October 29, and directed the Ministry to provide a conclusive report on all counties affected and the number of civilians that were injured or lost lives during the protests.

It also resolved to write to the Kenya National Commission on Human Rights (KNHRC) to appear before the Committee on the number of Kenyans who were injured, killed, or reported missing as a

result of the protests.

The Committee expects to receive submissions from the National Police Commission, the Director of Occupational Safety and Health Services, the Social Health Authority, the Insurance Regulatory Authority, the Director of Criminal Investigation, the Office of the Attorney General, the Kenyan National Commission on Human Rights.

# Cohesion Committee: Counties have failed PwDs test



Senator Joyce Korir speaks during a previous meeting of the Committee on Delegated legislation. Senator Julius Murgor looks on.

In compliance with the resolution, the Committee on the National Cohesion, Equal Opportunity and Regional Integration engaged the stakeholders and sought information on demographic composition of all employees of county governments in terms of gender, Persons with Disability (PWDs), age and ethnicity.

The Committee also wanted to establish the demographic composition of counties executive committee members and chief officers in terms of gender, Persons with Disability (PWDs), age and ethnicity.

The Committee met with the PPRA and the NCIC and it has also received submissions from the PSC and 42 county executives.

On the demographic composition of all employees of the county executive in terms of gender, persons with disabilities and age, and ethnicity, the Committee observed that all the 42 counties executive engaged have not complied with the pro-

vision of Article 54 of the Constitution that at least 5 per cent of the members of the public in elective and appointive bodies are persons with disabilities.

While some counties have affirmative action policies concerning persons with disabilities, the Committee noted that all county executive officers have developed and implemented affirmative action policies, which facilitate the progressive implementation of the principle that at least five per cent of the public members in elective and appointive bodies are persons with disabilities.

“On age, the Committee observed that most of the engaged county executive officers have staff comprised of youth. The committee further observed that the county executive has a largely ageing staff of 55 and above,” said Senator Joyce Korir, who presented the report to the House.

The Committee observed that the majority of the county executive have more than a third of its staff from the dominant

ethnic community in the county. Some county executives justified having more than one third of their staff from the same ethnic community by considering sub-tribes within the Kalenjin, Somali, Mijikenda communities as distinct groups.

“Governors acknowledged the political consideration influenced by hiring decisions, particularly for senior staff positions. The Senate should consider undertaking post legislative scrutiny of Section 7 of the National Cohesion and Integration Act which restricts the public establishment from having more than one third of the staff from the same ethnic community to see if compliance with the provision is achievable,” says the Committee in its implementation status report.

Some county executives did not have representation of the minorities, marginalised groups and communities envisaged under Article 27(6) of the Constitution.

Section 35 of the County Government Act prohibits the County Assembly from

approving nomination for appointment of the executive committee if they do not consider minorities, marginalised groups and communities.

But the Committee proposes that County Governments must ensure compliance with Article 56 of the Constitution as read with Section 35 of the County Government Act when nominating and appointing county executive committee members.

The committee recorded that some County Public Service Board (CPSB) have recruited more than 70 per cent of the staff and entry-level positions of the dominant community in the county. The Committee proposed that the County Service Board must ensure that at least 30 per cent of the vacant entry-level positions are filled by candidates who are not from the dominant ethnic community in the county in line with Section 65(1) (e) of the County Government Act.

## State of Nation: Committee to meet PBO over public debt



Senator Tabitha Mutinda tabled the report on behalf of the Committee on Finance.

To effectively deal with the resolution of the House on the State of the Nation, the Committee on Finance and Budget directed the Parliamentary Budget Office (PBO) to look

into and table a comprehensive report on the status of public debt.

The Committee reached out to the National Treasury and received the Revised 2024 Medium-term Debt Man-

agement Strategy (MDBMS), a report on loans contracted by the Government from May 1 to 31 August 31, 2024.

According to a brief submitted to the House, the Committee had scheduled a meeting on November 7, 2024 to be appraised by the PBO on the progress and the status of analysis of the documents on national debt.

“The Committee tasked the PBO to scrutinise the public debt registry reports on newly contracted loans and the revised 2024 MDBMS,” said Senator Tabitha Mutinda when she briefed the House on the status of implementation.

“The Committee will invite the relevant stakeholder, that is the National Treasury and Economic Planning, to appraise the Committee on the current stock of public debt strategies put in place to ensure that public debt remains

sustainable and does not exist the threshold provided for under the law.”

In the Motion, the House had mandated the Committee in consultation with PBO to independently undertake the audit of the national debt and present the actual status to Parliament and engage the National Treasury to submit a roadmap on its strategies to reduce the public debt to not more than 55 percent of the Gross Domestic Product (GDP) in present value terms.

The committee was also to engage the National Treasury to identify and implement sustainable strategies to reduce the high cost of living.



## Senators' KeBS quality checks concern



Senator Ledama ole Kina



Senator William Kisang'



Senator Tabitha Mutinda

The Kenya Bureau of Standards (KeBS) has been directed to ensure that digital products within the Kenyan market are to the required standards.

Senators argue that allowing substandard products in the market will be killing the economy and moving the country backwards.

"As we continue advocating for digital literacy, the gadgets that are in place should have the same standards that give the quality output," said Senator Tabitha Mutinda, pointing out that her observation is drawn from the market perspective.

"We have standard products for the business people and for the end users. If we have substandard quality of ma-

chines, gadgets, the phones, then the output will not be as expected. The digital gadgets should be up to standard."

The lawmaker was debating the Statement sought by Senator William Kisang in which he wants the House to find out actions taken by the Communication Authority (CA) of Kenya to prevent the entry and sale of counterfeit phones and digital products in the market.

Senator Kisang wants the Committee on Information, Communication and Technology to explain why previous measures have not been effective, how KeBS ensures accountability in regulating substandard devices and the penalties imposed on businesses found selling counterfeit products, providing data on cases that led to legal action in

2023/2024.

"The Committee should explain how the counterfeit authority enforces laws to protect measures from counterfeit digital products and detail the metrics used to measure the effectiveness," he said, adding that Telecom companies and retailers should be held accountable for ensuring the authenticity of phones and devices sold in Kenya.

He also wants disclosure for repercussions for non-compliance.

The Committee should provide details on how customer complaints about counterfeit products are handled, including KeBS, response time and systemic changes implemented based on the complaints.

Senator Ledama ole Kina challenged

the Committee to have a comprehensive discussion with KeBS. "If we have a lot of fake or substandard equipment, especially telecommunication equipment which are being sold in the market, it hinders our effort as a country to promote local manufacturing," he said.

He argued that such substandard equipment is dangerous because the manufacturers do not use all the standards and safety measures that are required for the production of telecommunication equipment.

"They could be very dangerous to your health. They will just explode. I hope that it will be taken seriously by the Committee."

## Senator seeks statement on taxi driver death

Senator Beth Syengo is seeking a statement on the security and safety of female taxi drivers following several killing incidents.

The request made on her behalf by Senator Beatrice Ogola, tasked the committee on National Security, Defense and Foreign Relations to submit a report in the House on the matter following the tragic murder of Ms Veronica Mumbua, a Mombasa-based taxi driver.

Ms Mumbua's body was found dumped in Mai Mahiu on October 4, 2024, after she went missing a week earlier, on September 27, 2024.

She wants the Committee to report on the progress of investigations into the killing, including any arrests or leads and outline the assistance provided to her family ever since she disappeared.

Senator Syengo wants the Committee to explain security measures in place to protect taxi operators, particularly female drivers across the country such as coordination between the National Po-



Senator Beth Syengo

lice Service (NPS) and taxi service providers, including online taxi operators to enhance safety and prevent such tragic incidents in the future.

The statements, she added, should recommend additional steps to improve the security and safety of taxi drivers, including the possibility of installing panic buttons in all taxis and online taxi Apps, enhanced vetting of clients and increased surveillance in high-risk areas, with particular emphasis on protecting women working in the industry.

Senator Mohamed Chute is concerned with the utilisation of development funds by the County Government of Marsabit.

For the past seven years, he told the House, funds allocated for development in the County have been consistently diverted towards relief supplies.

"This is despite the existence of a separate allocation specifically designated for drought mitigation and relief efforts," he said, adding that the diversion has hindered the achievement of the core purpose of development, which is to foster equitable development and improve livelihoods at the county level.

Under Section 110 of the Public Finance Management Act, county governments are required to establish an emergency fund which shall not exceed 2 per cent of the county government's total revenue.

The fund is meant to cater for unforeseen emergencies, including disaster response and relief efforts.

"The continuous diversion of development funds to relief activities, therefore contravenes the established framework meant to manage emergencies without compromising long-term development goals.

Senator Chute wants the Committee on Finance and Budget to explain why funds meant for development in the County are being diverted to relief supplies and provide a detailed report on any public participation carried out on development projects for the last three financial years.



# Seneta Oketch ataka uchunguzi wa namna kampuni ya Safaricom inavyoshughulikia deta ya wateja



Seneta Eddy Oketch(Kulia) na Seneta Boni Khalwale kwenye Kikao cha awali cha Kamati ya Fedha na Bajeti.

Seneta Eddy Oketch anaitaka Kamati ya Habari, Mawasiliano na Teknolojia kufanya uchunguzi na kutoa ripoti kuhusu madai ya ukiukaji wa taarifa za siri za msajili unaofanywa na kampuni ya Safaricom.

Akiwasilisha ombi la Kauli hiyo, Seneta Oketch ameitaka Kamati hiyo kubaini iwapo Wakenya wamehusika katika kipindi cha miaka minne iliyopita, kuibua wasiwasi kuhusu ukiukaji wa deta unaofanywa na kampuni ya Safaricom na kueleza hatua zilizochukuliwa kukabiliana na ukiukaji huo kando na kuthibitisha ikiwa kampuni ya Safaricom

ina makubaliano ya kushirikiana katika utoaji wa deta na serikali, ikiwa ni pamoja na tarehe ya uundaji na utekelezaji wake na kama waliojisajili walifahamishwa na kuyaridhia makubaliano hayo ikiweka wazi nakala yake.

Aidha Seneta huyo anaihitaji Kamati kubaini ikiwa ni lazima kwa kampuni ya Safaricom kukusanya na kuhifadhi deta ya wateja kama vile eneo na kufuatilia simu ili kutoa huduma zake na kufafanua kwa nini mbinu kama hizo hazihitajiki kwa watoa huduma wengine wa mawasiliano ya simu.

Kamati hiyo inayoongozwa na Seneta

Allan Chesang` imeombwa kueleza kwa undani ulinzi ambao kampuni ya Safaricom imeweka ili kulinda deta ya wateja inapogawanywa na wahusika wengine, iwe ni kwa au bila agizo la mahakama.

“Kamati inapaswa kubaini ni kwa nini kampuni ya Safaricom inapokea malalamiko mengi zaidi ya ukiukaji wa deta ikilinganishwa na watoa huduma wengine ikifafanua tofauti ya upatikanaji wa deta ya wateja na serikali na mashirika yake wakati wa kuwafuatilia washukiwa lakini deta iyo hiyo haipatikani ili kusaidia watumiaji katika kufuatilia simu zilizopotea,” aliuliza Seneta

Oketch.

Kadhalika, Seneta huyo ameitaka Kamati hiyo kutathmini usalama wa deta ya wateja ikizingatiwa kuwa uwekaji SIM kadi kwenye laini za Safaricom hushughulikiwa na kampuni ya kimataifa kwa jina Neural Technologies na kutoa nakala ya makubaliano kati ya Safaricom na kampuni hiyo.

Katika siku za hivi majuzi, kumeripotiwa lalama chungu nzima kutoka kwa Wakenya kuhusu utoaji wa taarifa zao za siri kwa vyombo vya usalama unao-fanikishwa na kampuni za mawasiliano nchini Kenya.

Ufichuzi huo ulivutia hisia mseto kutoka kwa Wakenya huku mashirika kadhaa ya kijamii na mabalozi wa nchi mbali mbali nchini Kenya wakitoa taarifa za kukashifu kitendo hicho na kushinikiza kulindwa kikamilifu kwa taarifa za siri za Wakenya na kampuni za mawasiliano kama inavyohitaji katiba na sheria zingine.

Kufikia sasa serikali bado haijatoa taarifa rasmi kuyapuzilia mbali au kuyakubali madai yaliyofichuliwa kwenye ufichuzi huo.

# Seneta Dullo afichua kutishwa na usimamizi wa serikali ya Kaunti ya Isiolo

Seneta Fatuma Dullo amefichua kuwepo kwa tishio dhidi ya maisha yake kutokana na hatua yake ya kutekeleza wajibu wa kikatiba wa kufuatilia na kumulika uwajibikaji kwenye serikali ya Kaunti ya Isiolo.

Akiwasilisha taarifa ya binafsi, Seneta Dullo alisikitia hali ya sasa ambapo wajibu wake wa kikatiba unatishiwa kwa nia ya kumnyamazisha.

“Kama Seneta, jukumu langu la kikatiba ni kuwahudumia wenyeji wa Kaunti ya Isiolo, kudumisha uwazi na kuhakikisha uwajibikaji katika shughuli zote za serikali ya Kaunti, kikatiba nimetwikwa jukumu la kumulika shughuli za serikali ya Kaunti ili kulinda maslahi ya watu wa Kaunti ya Isiolo, ikiwemo kuhakikisha usimamizi wa busara na uwajibikaji wa rasilimali,” alisema Seneta Dullo.

Alisema hata hivyo juhudi zake kutekeleza wajibu wake zinalemazwa na hivyo kuwaweka wenyeji wa Kaunti ya Isiolo hatarini kutokana na utendakazi duni wa serikali ya Kaunti hiyo.

“Jukumu hili limekumbwa na changamoto kubwa, hasa vitisho dhidi ya maisha yangu na kuingiliwa bila sababu na watu fulani ndani ya serikali ya Kaunti,” alikariri Seneta Dullo.



Seneta Fatuma Dullo

Aidha Seneta huyo alifichua kwa Maseneta wenzake kuwepo na njama inayoendeshwa na baadhi ya watu kumzuia kuingia kwenye Kaunti ya Isiolo aki-ongeza kuwa mipango hiyo ina nia ya kumzuia kufanya kazi hususan ya kuimulika serikali ya Kaunti ya Isiolo hivyo kusitisha ushirikiano wake na watu anaowawakilisha.

“Wafanyakazi wangu na wafuasi wangu wamekabiliwa na unyanyasaji wa mara kwa mara, ikiwa ni pamoja na makubaliano na wahuni waliokodiwa na kuitwa mara kwa mara na vyombo vya usalama

huko Isiolo kwa nia ya kuwatisha na kuwakataza kuunga mkono kazi yangu, mbinu kama hizo ni za kutisha na zime-wazuia wafanyakazi wangu kutekeleza majukumu yao,” alifichua Seneta Dullo.

Aliongeza Kiongozi huyo, “Mkutano ulifanyika na kuhudhuriwa na wafanyakazi 10 wa serikali ya Kaunti, ambapo mazungumzo yalijikita katika kupanga jaribio dhidi ya maisha yangu, mazungumzo hayo yanadaiwa kuwa ni pamoja na mipango ya kuuawa kwangu na kusababisha tishio la kweli na kubwa dhidi ya maisha yangu.”

Kadhalika Seneta huyo aliliambia Bunge kuwa mbali na matukio hayo, kesi imewasilishwa katika mahakama kuu mjini Isiolo ikidhamiria kufifisha na kuzuia kazi yake na kumchafulia jina kama mtumishi wa umma.

“Hii inaongeza changamoto ninazokumbana nazo katika kutekeleza majukumu yangu ya kikatiba. Afisi yangu ya Kaunti ilivunjwa hivi majuzi na bidhaa kuibwa chini ya hali ya kutiliwa shaka, kitendo hiki mbali na kudhoofisha kazi yangu kinazua maswali kuhusu umbali ambao watu fulani wako tayari kwenda kuzuia shughuli za afisi yangu,” alieleza Seneta Dullo.

Vilevile Kiongozi huyo alikariri kuwa Serikali ya Kaunti ya Isiolo itapaswa kuwajibishwa endapo tukio lolote baya litamkumba, familia yake, wafanyakazi na wafuasi wake.

—Alifichua kuwa tayari amewasilisha taarifa kwenye Idara ya Uchunguzi wa Jinai kuhakikisha suala hilo limeshughulikiwa kwa hima na kina akieleza kujitolea kwake kupigania haki na uwazi kwa ajili ya wakazi wa Kaunti ya Isiolo licha ya vitisho na changamoto zilizopo.



## Absorb interns, Senators urge PSC



Senator Kathuri Murungi

Senators have called on the National Government to absorb into full employment hundreds of young Kenyans who get a chance to participate in the internship programme of the Public Service Commission (PSC).

The lawmakers said there is no need to offer the youth the opportunity for internship and fail to employ them, saying such a programme is a waste of resources.

“It is important that we have a policy where these young people will be absorbed in public service on permanent and pensionable terms,” said Senator Godfrey Osotsi, noting that the internship programme is one of the most creative agenda of the National Government.

“The only challenge is that after two years, the interns have nowhere else to

go. They are not able to be absorbed in the same public service. It is a waste of time and resources.”

The lawmaker was making comments to a request for a statement made by Senator Kathuri Murungi regarding concerns raised by the Kenyan youth about internship opportunities offered by PSC.

Senator Murungi, who is also the Deputy Speaker, said applicants have complained of the slow performance of the online application system for the internship programme which has frustrated many young people.

He wants the Committee on Labour and Social Welfare to outline measures implemented to ensure the system is user-friendly, efficient, transparent and



Senator Godfrey Osotsi

accurate.

He also wants the Committee to provide details on the system in place by the PSC for absorbing interns into Government Ministries and State agencies, upon completion of the internships, stating whether there is a traceability mechanism to prioritise interns for future employment opportunities in public service.

“The Committee should explain the criteria used for the recruitment of interns and state whether past recruitment processes reflect the diversity of Kenyan communities in accordance with Articles 10 and 232 of the Constitution,” he said, adding that the Committee should provide a breakdown of the distribution of internship opportunities by county.

He also wants the Committee to submit justification for the exclusion of diploma and certificate holders from eligibility for internships in public service.

While supporting the Statement, Senator Samson Cherarkey said there is no need for giving internships and then failing to absorb them, yet Government resources are used.

“I want to appeal to the Government and the PSC, that most of the young people who are given internships in public service should be reabsorbed, noting that a 5.7 per cent unemployment rate in the Republic is still a challenge.”

## PARTNERSHIPS

## Senate Mashinani pushed to 2025

Financial challenges have forced the House to suspend the 2024 Senate Mashinani by a year.

The House adopted the Motion that will see the event held in Busia County in 2025, after Senators voted in favour of the motion sponsored by Majority Leader Aaron Cheruiyot.

“It is unfortunate that we shall not be in Busia this year the way we had hoped,” said Majority Leader Aaron Cheruiyot, while moving the Motion.

“We were to go and interact with the people of Busia, enjoy walking in the border towns of Busia and so many other

towns in that part of the country.”

Initially, the event was to be held in September 2024 but later moved to October 28 to November 1, 2024 before it was put off again.

“Given the financial situation that the country finds itself in, our travel budget has been significantly reduced in follow-up to resolutions that have been made outside this House. Even our own resolution when we passed the State of the Nation Motion,” explained Senator Cheruiyot.

“We said we must take the lead as Parliament in living within our means and

ensuring that we reduce on expenditure across. There has been very little travel both without the boundaries of Kenya and even without the boundaries of Nairobi City County.”

The House and its Committees have been transacting business within Parliament due to the financial constraints.

Parliament will in December host the East African Parliamentary games, an event that will be fully funded by the Parliament of Kenya.

“It is quite a costly affair hosting the rest of the East African countries. We

have been hosted like kings, we have played and lived like royalty across all the capitals of the other eight East African countries,” he said.

Senator Cheruiyot noted that the pressure on the Parliament’s budget necessitated the move to defer the sitting of Busia to a further date.

“I want to give a personal commitment to the people of Busia. When we resume this programme, we shall begin in Busia. It is not to say that it is completely off, but only that there is a temporary suspension based on the financial situation that the country and Parliament find itself in.”



# Lawmakers call for tough action on femicide



*Senator Tabitha Keroche*



*Senator Eddy Oketch*



*Senator Betty Montett*



*Senator Hamida Kibwana*

The House has expressed outrage over the rising cases of femicide in the country, warning that it is becoming pleasurable to kill women as there is no equal response in terms of the rule of law on killers.

Senators challenged the State to take the issue of femicide seriously, pointing out that if the killings are allowed to fester, the situation could extend to all genders.

“This is domestic violence that has escalated to the point that it is no longer just an issue on women, but also porosity in terms of security. It has come to the point that we can see a country taking the killing of women and people as a pleasurable thing,” Senator Eddy Oketch told the House.

He made the comments when moving an adjournment Motion to discuss an urgent matter of national importance on the rising cases of femicide in the country.

The murders appear to target young women and girls, the most recent being the murder of three women in Eastleigh on October 22.

Ms Dahabo Daud Said, Ms Amina Abdi Rashid Dahir, and Ms Nusuiba Abdi Mohammed had been reported to have disappeared a day earlier, on October 21, 2024.

A week earlier, on October 14, 23-year-old girl, Ms Seth Njeri Nyakio,

was murdered in Thika, Kiambu County, on 14th October, 2024.

In Mombasa County, a taxi driver Ms Victoria Mumbua was also killed by unknown assailants.

The four murders cap what was a dark month as over 20 murders were documented across the country during the month.

Data from Kenya Police show that there were 152 killings of women on gender-based cases in 2023.

The legislators regretted the numbers saying they raise a concern, especially because of the sheer brutality of how the crimes are committed and no suspects have been apprehended so far.

“The worst thing is that the security officers only offer journalistic updates on simple accounts and leave it as a situation whereby we will do further investigations. The murders end at conversations by authorities on a promise of further investigations,” observed Senator Oketch.

Senator Hamida Kibwana, who seconded the Motion, warned that the trend is tragic, painful to the family and a reflection of an escalating crisis.

“Twenty lives have been lost within one month and no explanation has come out for Kenyans to understand why this is happening,” wondered Senator Kibwana.

Senator Tabitha Keroche condemned

the abductions and the femicide pointing out that it is sad Kenyans appear to be hapless despite having security in place.

“We are helpless when murders of our young girls are taking place. Our security system should save us from the torture that the parents and the families are going through,” she said, adding that, “Even the process of finding justice for those children is torture. Why would we, as a country, just sit so helplessly and allow such crimes to happen when we can arrest such heinous murders?”

Senator Betty Montett said all arms of Government should address the killings urgently because it is a matter of national importance. “Let us come together and see what is happening and what we can do to improve. Whether it is the police, let us discuss and see what can be done. If it is the judiciary, let us see whether these cases that come up of the murderers when they are caught can be hastened so that people can be deterred or if they know that if you are caught, your time is up,” she said.

Describing the killings as enough as enough, Senator Sheikh Abbas, argued that criminals are hiding because of the Government’s penchant for arbitrary arrests, abductions and extra-judicial killings.

“We do not know who the criminal is, the Government representative or the

agency. Kenyans must wake up and say, “Enough is enough.” We must separate Kenyans from criminals. We must live in peace and do our business without fear.”

Senator Samson Cherarkey advised the National Police Service that when an issue becomes of national concern, they should form a special unit to address issues of femicide cases, as the President declares it a national disaster.

While condemning the killings, Minority Leader Stewart Madzayo asked the Inspector General David Kanja to speed up investigations and report back findings to the public.

“This matter must be taken with the seriousness it deserves and the culprits taken to court to face murder charges,” he said.

Minority Whip Ledama ole Kina said the matter of femicide is a multifaceted issue that requires a concerted effort from the Government, civil society, and communities to address.

“I have confidence in the Inspector General of Police. He should take this matter seriously. Those three young girls or women who were killed in Eastleigh, we need justice for them. That young girl, the taxi driver who was killed in Mombasa, we need justice for her.”



## Somebody is after my life, Senator Dullo tells House

Senator Fatuma Dullo has expressed fears over her life which she links to her push to uphold transparency and ensure accountability in the operations of Isiolo county government.

The lawmaker claimed that there was a meeting which was attended by 10 county government employees, in which discussions centered on plans to attempt on her life.

“The conversation allegedly included plans for my assassination, posing a very real and serious threat to my life. I am, therefore, deeply concerned for my well-being,” the lawmaker told the House, adding that she had reported the matter to the Directorate of Criminal Investigation (DCI).

“I would like to state categorically that should anything happen to me, my family, my employees or my supporters, the County government of Isiolo must be held accountable.”

She had filed the report, she said, so that the matter can be addressed promptly and thoroughly adding that she is committed to pursuing justice and transparency for the sake of the people of Isiolo and will continue to carry out her oversight duties despite the threats and challenges.

As a Senator, she is constitutionally tasked with exercising oversight over county government functions to safe-



Senator Fatuma Dullo

guard the interests of the people of Isiolo County, including ensuring prudent and responsible management of resources.

She told the House that this responsibility has come with significant challenges, most notably threats to her life and unwarranted interference by certain individuals within the county government.

She said she had received credible information that plans are underway by some individuals aiming to obstruct her access to Isiolo County.

“These plans are an attempt to pre-

vent me from performing my oversight role effectively and hinder my engagement with the people that I represent,” she explained.

Members of her staff and supporters have faced continuous harassment, including confrontation by hired goons and repeated summons by security agencies in Isiolo intended to intimidate and dissuade them from supporting her work.

She told the House that the tactics are alarming and have hampered her staff’s ability to perform their duties.

A Petition has also been filed against

her at the High Court in Isiolo aimed at destabilising, preventing her work and tarnishing her reputation as a public servant, adding to the challenges that she faces in discharging her constitutional oversight functions.

“My county office was recently broken into and items stolen under suspicious circumstances. This act not only undermines my work but raises questions about the lengths certain individuals are willing to go to hinder my office operations.”

### This Week in History

## Senators debate the Treaty Making and Ratification (Amendment) Bill, 2016.



Senator Yusuf Haji

On November 15, 2016, the House debated the Treaty Making and Ratification (Amendment) Bill, 2016. The aim was to amend the Treaty Making and Ratification Act of 2012 in order to reinstate the role of the Senate in the Treaty making and ratification process. The Bill, sponsored by the Committee on National Security, Defence and Foreign Relations, was moved by Senator Yusuf Haji, who chaired the Committee.

The Constitution bestows treaty making on Parliament, which consists of both the National Assembly and the Senate.

Moving the Bill, Senator Haji said the function of considering and approving the ratification of treaties is a function that resides in both Houses of Parliament in exercise of their shared legislative authority under Article 94 of the Constitution.

“However, when the British Government and the Kenyan Government entered into a defence pact recently, it went to the National Assembly and without referring it to us,” said Senator Haji.

“They deleted the power of the Senate. That is what we are trying to address because the Constitution is very specific that Parliament is made up of both Houses. Such treaties must be considered by both Houses. The amendment is addressing the position that Parliament should have its role in treaty making.



Senator Amos Wako said:

“It is appropriate that I speak on this Bill because I have just come from New York and last Friday, we had elections to the International Law Commission which is one of the five organs of the United Nations. The organs under the United Nations Charter include; the General Assembly, the Security Council, the Economic and Social Council, the International Court of Justice and the International Law Commission. I was re-elected for another five-year term starting January 2017. The International Law Commission is concerned with codification and progressive development of international law. In fact, at our last session in May, we were concerned about the Vienna Convention on the law of treaties. What came out clearly is that there is now a developing international law that needs codification on the way treaties are ratified. In this country, under the old Constitution, there is one main method but there are really two methods of ratifying treaties. One was Cabinet decision that a treaty can be ratified. However, under the new Constitution, the treaty can only be ratified by approval of Parliament.”



Senator Stephen Sang said:

“This country has a new Constitution. This country adopted the Constitution after a long process of negotiations. It is unfortunate that we have institutions who still think that the country is still being governed by the old constitution. There are new institutions courtesy of the new Constitution. Previously, we had a unicameral Parliament. Under the new Constitution, we have a bicameral Parliament; that is the Senate and the National Assembly. However, many of our people think Parliament is made up of the National Assembly. It is an unconstitutional for Members from one Chamber to propose amendments to various legislations without, including participation of the other House. Some of the treaties this country has ratified have serious implications with regard to agriculture and health and yet those two functions are fully devolved. There is no way that this country can be treated to a circus where devolved functions like agriculture, health and infrastructure, this country will be committing itself and ratifying some of the treaties within those sectors. The contribution of the Senate must be mainstreamed and must be ensured in these Bills.”



Senator Daniel Karaba said:

“It is important to help the Members of Parliament to understand what a bicameral Parliament is. It is also important to fit the Senate to what we call the Senate of the world. That will help us get to know what powers we have as the Senate and we will also get to know if we are behind, ahead or in the middle. We can compare ourselves with the Senates in India, USA, Russia, Germany, Australia and other countries. Otherwise, we will be lost. This is because somebody might just wake up one day and say that the Senate is not doing anything. Some of the people in the National Assembly who are telling us this were not even there when we were struggling with the Constitution making process. It is a pity to see that whatever was discussed at the Bomas of Kenya is being watered down.”



# Sh413,000 compensation for pupils' death is little, Senator Khalwale tells State



Education Cabinet Secretary Julius Ogamba is escorted out of the Senate Chamber by a Parliamentary staff when he appeared to answer Members' Questions.

The government paid Sh413,000 to each family that lost a learner in the stampede that occurred at the Kakamega Primary in February 2020, the Ministry of Education has

said.

Cabinet Secretary Julius Ogamba made the revelation when he appeared before the Senate to respond to a question by Senator Boni Khalwale.

The amount is however lower than the Sh1.25 million that was ordered by the High Court in its judgment that was delivered in March 2023.

The Minister however noted that the government is working to secure the resources to effect the judgment before the end of this Financial Year.

"Through a multi-stakeholder effort involving the national Government, the County Government of Kakamega, the Ministry of Interior and National Administration and the Salvation Army Church, each family has been paid Sh413,000," he said.

Senator Khalwale was concerned that compensation as well as the water poisoning incident at Mukumu Girls' High School had been delayed.

The Senator asked to know the list of the learners who lost their lives in the stampede that occurred February 3, 2020.

He also asked the Minister to indicate the amount due to each family.

The Cabinet Secretary said 16 learners lost their lives in the unfortunate incident.

For the Mukumu Girls incident, the CS said the families of each student have so far been paid Sh500,000 in compensation.

They are the late Miriam David Nam-ajanja and the late Mambili Diana. The payment for the third victim, the late Wendy Amani Oyugi Abeti is yet to be paid as the claim for her last expense and group life benefits has not yet been processed.

The CS said errors were found in her claim form and her parents were advised to correct and resubmit it.

Regarding the deceased teacher, the Minister said the Teacher Service Commission (TSC) is currently processing the gratuity for payment to the family.

Senator Khalwale urged the CS to expedite the compensation process as losing a child is not comparable with Sh400,000.

"When you delay it, you make the mourning continue. When will you settle it?" he asked.

## HONOURS

### Senator Asige hails Time100

Senator Crystal Asige has hailed Time100 for offering her the honour and privilege to represent Kenya on the global stage.

Time 100 Next named her in the list of 100 most influential personalities who are defining the next generation of leadership worldwide.

The list recognises remarkable individuals in politics, technology, science, philanthropy, media, business and entertainment for their outstanding contributions.

In a statement in the House, the Senator said she was humbled by the accolade from Time100.

"I believe I was given this mountain to show others that it can be moved. I am more convinced than ever that indeed mountains can be moved," she told the House, adding that being a young Kenyan woman with a disability has given her a unique perspective on the power of the mind.

She said she has living experience of how multiple barriers in society can limit potential, but also that every twist and turn in life can work together for one's good.

"Whether through my legislative work, in levelling the playing field for disability rights, bringing into focus the exemplary self-efficacy that can be found in the youth, empowering those



Senator Crystal Asige

that remain invisible to society through my Crystal Asige Foundation or continuing to connect universally through my first love; music, it is all to build a legacy of servanthood which I pray will outlast me," she told the House.

She added: "Being recognised on the Time100 list is not just a personal achievement, but a testament that disability need not to be a barrier to making significant contributions to society."

She said she was honoured to be in the company of individuals with immense influence, who are not only her

peers but have become her friends.

The Senator is listed beside Mr Bas-sirou Diomaye Faye, Senegal's youngest President who is championing economic reforms and anti-corruption efforts in his country, Governor Wes Moore, the first black governor of the State of Maryland, United States of America (USA), who demonstrates extraordinary leadership in crisis response and so much more.

Chart-topping performer Shaboozey, a rising star in country music whose creative talent is reshaping the genre as we know it. Pop sensation Sabrina Carpenter, the petite powerhouse who is making her mark in pop music with wit and confidence and unfiltered charm. Three-time Grammy award-winning musician Victoria Monet, celebrated for blending R&B, funk, and pop with her soulful personal lyrics, crafting a sound that is both empowering and deeply intimate. Journalist Agatha Atuhaire, the bold voice unmasking corruption and defending justice right next door in Uganda. Chef Aisha Ibrahim, whose leadership in the culinary world is breaking barriers and creating inclusive spaces in an industry known for its stereotyping. Three-time National Basketball Association (NBA) all-star and Most Valuable Player (MVP)

Jaylen Brown, also known as Juice, who is using sport and going beyond the basketball court to build generational wealth and transformation in communities of colour through his Boston Exchange Initiative.

Brazil's Minister of Racial Equality, Anielle Franco, who through her work with the Marielle Franco Institute, is transforming Brazil's racial equality landscape through her lived experience and relentless advocacy. Long Beach hip-hop icon Vince Staples, who is transforming hip-hop with gritty storytelling, social commentary and also the star of Netflix's "The Vince Staples Show".

Kenya's Thomas Njeru, recognised in the advocates category for his ground-breaking work to provide insurance solutions to millions of smallholder farmers across Africa, Asia and Latin America.

"My call to the public is to always look beyond what is visible and continue to rise above and dismantle the barriers that continue to hold so many of us back. Disability, or being unable to do something in whatever form, is not the sum total of who you are, nor does it have to define who you can be."



## Committee pitch for integrated revenue collection for counties



Senator Allan Chesang', (right) the chair of the ICT Committee, with Senator Samson Cherarkey during the meeting with the top leadership of KRA (the picture on the right) led by Commissioner General Humphrey Wattanga.



A committee of the Senate has urged the national Government to roll out an integrated county revenue system that can help county governments to increase their own source revenue.

The Committee on Information, Communication and technology (ICT) made the request after the Kenya Revenue Authority (KRA) revealed that most county governments are using multiple, non-integrated revenue collection and management systems which they don't have no control over, leading to loss of public funds.

At a meeting with the KRA top management, led by Commissioner General Humphrey Wattanga, Members of

the Committee were appalled that each county government is using different systems to collect revenue, which often-times are controlled by third parties.

The committee decried the failure by the devolved units to have full control and administration of the systems because they are owned by the independent vendors.

They urged the Authority to help the counties to manage their own source revenue saying that 'will cure the problem'.

"If counties don't have the requisite rights to manage the systems, they cannot efficiently manage accountability and responsibility for revenue collection and performance," said Senator William Kisang, suggesting that KRA should en-

gage counties so that they can be their revenue-collecting agents.

This will prevent the funds from going to people's pockets."

Senator Godfrey Osotsi said the national Government should conclude the process of developing, implementing, and rolling out the Integrated County Revenue Management System.

"I know many Governors won't agree to this request of enabling KRA to be their revenue collecting agent because they like the current system," he said.

Senator Samson Cherarkey noted that the roll out of an integrated system that supports both structured and unstructured revenue streams would go a long way in stopping the wanton leakage of

counties' own source revenue.

Mr Wattanga urged the Senate to anchor the Integrated County Revenue Management System in the Public Finance Management Act to empower the National Treasury, through KRA, to develop and implement the centralised system.

The Senator Allan Chesang-led Committee was meeting with KRA's top leadership to deliberate on the Committee's inquiry into the Integrated Financial Management System (IFMIS) and other county revenue collection and management systems.

## No reduction in county allocation, Senators dig in

Senators picked to sit on the Mediation Committee on Division of Revenue (Amendment) Bill, 2024, insist that counties must get an allocation of Sh400.1 billion as earlier agreed between the two Houses of Parliament.

The lawmakers vowed that they will not accede to the request for the reduction of the allocation to counties.

Senator Ali Roba, who leads the Senate mediation team, took a firm stance in defence of devolution, underscoring its maturity and importance.

"Devolution has come of age," Senator Roba asserted during the first meeting of the Mediation Committee on Friday last week.

"We legislate for posterity and therefore there is need to discuss the issues at hand objectively."

The Senate has consistently pushed for increased county allocation arguing that adequate funding is essential for maintaining sustainable service delivery across all counties.

The Senate's opposition to the proposal to reduce county allocation by Sh20 billion was echoed by several Senators, who sit in the Committee.



Senator Ali Roba (left) consults with Kiharu MP Ndindi Nyoro, his co-chair of the Mediation Committee on Division of Revenue (Amendment) Bill, 2024 during the meeting on Friday last week.

Senator Eddy Oketch voiced his dissatisfaction with the proposed Sh380 billion allocation warning that it would impair counties' capacity to deliver critical services.

"The proposal to allocate counties Sh380 billion is underfunding," Senator Oketch argued. "If you slash Sh20 billion, you will be defunding counties."

Senator Veronica Maina highlighted the financial pressures facing counties

including pending bills and unpaid staff salaries.

"We need to be cautious about reducing any revenue going to the counties," she warned, adding that many counties are pushing for pending bills to be paid. We would like to know where else monies can be deducted besides the counties."

Senator Edwin Sifuna affirmed the Senate's commitment to securing the Sh400.12 billion.

He said the Senate is guided by the Commission on Revenue Allocation (CRA) on allocation to the Senate.

"The Senate will never agree to an allocation below the previous financial year's allocation," he said, even as he questioned the rationale behind the National Assembly's decision to reduce the County allocation by Sh5 billion from last year's Sh385 billion expressing the Senate's resolve to uphold fair funding.

The committee agreed to examine several key factors that could lead to a compromise. These include analysing the basis for the reduction in County funding from Sh400.1 billion to Sh380 billion and addressing a Sh346 billion shortfall in national revenue projections. The committee will also assess revenue collection trends and County-level revenue generation to better understand the fiscal landscape.

Another critical topic the committee aims to address is the Roads Maintenance Levy Fund. National Assembly members urged the Council of Governors to drop pending legal cases related to the fund.





1. Students from Kianda School and Starehe Boys Centre, who are in the Senate for a two-week voluntary service, follow House proceedings from the Speaker's Gallery.
2. Senator Edwin Sifuna poses for a group photo with students from Starehe Boys Centre and Kianda School who are in the Senate for a two-week voluntary service.
3. Minority Whip Ledama ole Kina greets students from Starehe Boys Centre who are in the Senate for voluntary service.
4. Deputy Speaker Kathuri Murungi with a delegation from the Ministry of Agriculture of Djibouti which paid him a courtesy call at Parliament Buildings, Nairobi.
5. Deputy Speaker Kathuri Murungi poses for a picture with Mr Syad Ali Hassan, the President of Commerce in Djibouti who was part of the delegation of the Ministry of Agriculture officials who paid a visit to the Deputy Speaker's office.
6. The Deputy Clerk Mohamed Ali presents a gift to Dr Obiageli Ezekwesili, the Chairperson of the School of Politics, Policy and Governance (SPPG) at the Africa Development Policy Initiative who paid him a courtesy call at Parliament Buildings





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