



The SENATE

Weekly

Issue No. 0059

Push to strengthen Senate

Senator Omogeni's Bill gives the Senate a role in budget making, proposes that all Bills, except money Bills, be considered by both Houses and that the two Speakers should jointly present Bills to the President for assent.



Senator Okong'o Omogeni



Senator Okiya Omtatah



Senator Crystal Asige



Senator Tom Ojienda

A Senator is making another aim at the ever-elusive attempt to amend the 2010 constitution.

Senator Okong'o Omogeni has drafted the Constitution of Kenya (Amendment) Bill, 2025, which is currently undergoing pre-publication scrutiny by the Committee on Justice, Legal Affairs and Human Rights.

The Bill contains a raft of proposals that could significantly alter the structure of the country's basic law if adopted.

It is the latest in the many efforts that have been previously to amend the constitution since it was promulgated in August 2010, all of which have failed.

Senator Omogeni says in the Memorandum of Objects of the draft Bill the aim of his latest effort is to strengthen and secure devolution.

The Bill seeks to clarify the roles of various organs and institutions established by the Constitution in the process

of devolution, review the mandate of both the National Assembly and Senate in order to clarify the shared role of the Houses of parliament.

When he appeared before the Committee, Senator Omogeni said his intention is to fortify governance structures and protect county governments.

"This Bill is designed to enhance the balance of power within our legislative framework while safeguarding devolution. It provides a clear delineation of roles between the Senate and the National Assembly, ensures counties receive adequate financial allocations, and strengthens legislative oversight," he stated.

One of the most notable amendments is the one that seeks to expand the role of the Senate. He has proposed amendment to Article 94 so that the mandate of carrying out oversight over national revenue allocated to National Government and other state organs and their expenditure is vest-

ed to Parliament.

Currently, Article 95 vests the power to oversight the national revenue and expenditure to the National Assembly.

He is also seeking to amend Article 109 by deleting sub articles 2, 3, 4, and 5. The totality of the proposals is to give both Houses the power to consider all the Bills.

He argues that any Bill can originate from either House, except the Money Bill, which will, as is currently, originate from the National Assembly.

He is also proposing that Bills will be referred to the President for Assent by the two Speakers. The current practice is that the Bill is presented for Assent by the Speaker of House in which the Bill originated.

He further proposes that such referral, for assent, should only proceed after the Bill has been considered by both Houses and a certificate to that effect

issued.

Another amendment is the deletion of Article 111 to be replaced with a whole new one which deals with the procedure of enacting the County Allocation of Revenue Bill.

The Senator proposes that the National Assembly will only amend the Bill as passed by the Senate by a resolution supported by a two-thirds majority.

If the National Assembly succeeds in amending or vetoing the Bill, the Senate will require a higher threshold to undo the same.

Senator Omogeni says the Senate will require two thirds of county delegations to amend or veto the resolution of the National Assembly.

The Senator is also seeking to address the gender rule. He has proposed an amendment to Article 81 of the Constitution.

He has proposed to amend Article 2

(6) so that the Senate will, besides the National Assembly, have a role in discussing any treaty or convention ratified by the Kenya Government.

Currently, the law provides that such treaties or conventions shall form part of the law of Kenya under this Constitution after it is approved by the National Assembly.

Of interest is the Senator's attempt to address the gender rule question, which has proved a hard nut to crack since the promulgation date.

He is seeking to amend Article 81 of the Constitution which deals with the general principles of the electoral system. He is proposing to amend sub Article (b) to insulate elective bodies from

the requirements of gender rule.

In his amendment, the lawmaker is proposing that the question of gender should only apply to bodies that are established through nomination.

But Members of the Committee had reservations on the Bill when the senator before it last week.

Senator Okiya Omtatah expressed strong reservations on the Bill, describing it as an 'overkill' that could fundamentally alter the Constitution rather than amending it.

"I don't know if this qualifies as an amendment or an outright replacement of the Constitution. It is an overkill. Instead of dissecting so many provisions, we should focus on key areas. The sil-

ver bullet is ensuring the Senate has a rightful place in budget-making and the approval of presidential appointments. That alone would eliminate much of the legislative mischief we've seen, without the need for sweeping constitutional changes," he observed.

Senator Crystal Asige supported Senator's Omtatah's concerns. She referred to the proposal as a 'monster bill' due to its wide-ranging amendments.

"This Bill is ambitious—perhaps too ambitious. It touches on so many aspects of governance that it risks becoming a monster Bill. Strengthening devolution is crucial, but we must be strategic in our approach to avoid over-legislating and creating unintended consequences,"

she cautioned.

While Senator Tom Ojienda, who chaired the session, acknowledged the significance of the proposals, he advocated for a streamlined approach.

"We have listened to well-articulated perspectives on this Bill. The proposed amendments address fundamental governance issues, particularly devolution and legislative oversight. However, we must examine whether some provisions can be addressed through ordinary legislation rather than constitutional amendment," he observed.

He directed the Committee's secretariat to develop a matrix outlining provisions that could be enacted through statutory reforms instead of constitutional revision.

Senators question livestock vaccination roll out



Senator Mohamed Chute



Senator Ledama ole Kina



Senator Seki ole Kanar



Senator Abbas Sheikh

The House has raised questions on the communication surrounding the ongoing nationwide livestock vaccination programme even as Senators faulted the national government for failing to properly communicate the aim of the exercise so that it gets a buy-in from the professionals.

While the legislators admitted that livestock campaigns or vaccinations have been a common trend in Kenya, conducted annually and have been going on for many years, they wondered why this particular one has caused a lot of interest and concern among livestock farmers.

In a debate in the House on Tuesday, the lawmakers also expressed concern that the national Government, in taking an active lead in the exercise, may as well have usurped a county governments function without proper consultation as vaccination is a fully devolved function for county governments.

Senator Abbas Sheikh gave two reasons on why the current campaign has generated interest.

First, he linked the debate to a video clip that was doing rounds on social media, where somebody by the name of Bill Gates was talking about how to control animal farting.

In the video the individual is captured saying that livestock emit a lot of gas which unfortunately causes global warming.

Secondly, Senator Abbas mentioned the interest from President William Ruto who has issued a decree that livestock must be vaccinated.

"It has not been common because this was a routine thing. I do not know why there is so much interest by the Head of State. This is actually what has caused concerns. Farmers are getting worried, especially because of the issue of Bill Gates that was doing rounds.

Senator Ledama ole Kina expressed concern that there has been a huge disconnect between the Directorate of Veterinary Services (DVS) and the county government as far as passing the information on the vaccines which were coming out mostly, which were foot-and-mouth disease (FMD).

The lawmaker proposed that Director of Veterinary Services (DVS) is invited to the Committee on Agriculture, Livestock and Fisheries to provide full information on the FMD vaccines.

"When a function that is supposed to be carried out by the county government is usurped by the national Government we in this House must be very careful so

that we do not lose our functions, especially for our county governments," said Senator ole Kina.

He said if Kenya Veterinary Vaccines Production Institute (KEVEVAPI) is the manufacturer of the vaccines, it will be important for the Committee on Health to visit the facilities and see the entire process.

The lawmaker made the comments during the debate on the Statement requested by Senator Mohamed Chute on the issue of the vaccinations as pronounced by the President.

Senator Chute wants the Committee on Agriculture, Livestock and Fisheries to submit to the House the specific diseases that the programme is targeting for prevention and control, giving details on when the vaccination was officially launched, including the objective and the expected outcome.

He also wants to know whether the vaccine is locally manufactured or imported, including the manufacturing capacity or the quality to be imported.

The Senator wants the House furnished with details on the funding for the vaccination programme, particularly where the funds are sourced from and whether they are included in the current national budget or whether additional al-

locations have been made for the programme.

"The Committee should submit a timeline outlining how long it will take to vaccinate the targeted 22 million head of cattle and the measures in place to ensure the timely completion of the process," he told the House.

Senator Seki Lenku ole Kanar the programme is facing challenges because farmers have not been told the kind of vaccination that the Government is rolling out for livestock.

"We are yet to know the kind of vaccination to be rolled out. Farmers usually have a variety of vaccinations from time to time. As farmers, we want to be clear about vaccine."

Senator Okiya Omtatah observed that Vaccinations have become very expensive and most ordinary farmers cannot afford them. He said at times county government officials, who are employed to serve the public, at times turn around and charge for their services.

He also talked of fake vaccines, fake veterinary officers who are purporting to be doing extension work and challenged the Committee to look at the criteria for employing people to serve in the county governments in this critical area.

Speaker Kingi launches impeachment manual and digest



1. Speaker Amason Kingi addresses guests at the launch of the Impeachment manual.
2. Speaker Kingi officially launches the manual and digest for the impeachment process.
3. Speaker Kingi hands a copy of the manual to Devolution Committee Chairperson, Senator Abbas Sheikh.
4. Members of the Senate Board of Management join the Speaker Kingi at the podium, each with a copy of the manual, during the launch.
5. Speaker Kingi hands a copy of the manual to Ms Mary Mwititi, the CEO Council of Governors.
6. Speaker Kingi hands a copy of the manual to Ms Winfridah Mokaya, the Chief Registrar of the Judiciary.

The Senate in collaboration with ACT! Kenya Devolution Programme have launched the Impeachment Manual and Digest that will tighten the loose ends in the process of removing state officers from office through impeachment.

The digest is a comprehensive document that provides a structured guide to ensure that impeachment process—a crucial accountability tool—is applied fairly, consistently, and within the bounds of the law.

Over the last 10 years, the Senate has adjudicated upon 15 impeachment proceedings against county governors, five

of which were upheld, while others were overturned—sometimes due to procedural lapses rather than the absence of wrongdoing.

Five cases ended up in court, where two were upheld, the latest one being of former Meru Governor Kawira Mwangaza, and three were nullified, often due to lack of public participation, procedural violations, or failure to meet the constitutional threshold.

While officially launching the digest, Speaker Amason Kingi hailed the manual as a game changer in ensuring impeachment proceedings are safeguarded against abuse of power.

“One of the most valuable contributions of this manual is clarifying the role of judicial intervention in the impeachment process. What role should the courts play? When does judicial oversight become overreach? The manual details these boundaries, ensuring that impeachment remains a legislative function while respecting the rule of law,” said Speaker Kingi.

The manual demystifies the evidentiary burden and standard of proof, ensuring that impeachment cases are backed by solid facts, not political motivations, which will enhance fairness in both prosecution and defence.

The comprehensive impeachment manual and digest were compiled by the Senate in collaboration with the Government of the United Kingdom through the Kenya Devolution Programme (Timiza Ugatuzi) and Act Change Transform (ACT!).

Present were Devolution Committee Chairperson Mohammed Abass, Deputy Clerk of the Senate Mohammed Ali, Council of Governors CEO Mary Mwititi, Judiciary Chief Registrar Winfridah Mokaya and Chief Consultant Conrad Bosire among other stakeholders.

Governor Sakaja defends Nairobi regeneration programme



Governor Johnson Sakaja during the committee sitting.



Senator Eddy Oketch



Senator Miraj Abdulahi

Nairobi Governor Johnson Sakaja has told a Committee of the Senate that public participation was conducted before the construction of New Pumwani estate housing project.

He said the exercise was conducted by his officers and assured the Committee on Roads, Transportation and Housing that he will personally undertake another exercise when the housing project is completed.

The Governor told the Committee, which is chaired by Senator Eddy Oketch, that the County has issued allotment letters to all tenants who vacated

the demolished houses in the city and will receive the apartments upon completion of the project.

“We conducted public participation in all areas and explained the need for housing expansion. We compensated Woodley Estate residents with Sh900,000 each to relocate temporarily before they return to new homes,” he stated.

He added: “The tenants who vacated the demolished houses in Woodley Estate will get the houses in the regeneration housing project for free as a result of the goodwill of the county.”

The Governor had appeared before

the Committee to deliberate on the Urban Regeneration and Renewal Programme of the County Government of Nairobi.

The programme focuses on redeveloping county-owned land through joint ventures with private investors distinct from the national government’s affordable housing programme.

Governor Sakaja told the Committee that the Jeevanjee and Pangani regeneration projects are 45 per cent and 46 per cent complete but had faced difficulties in financing.

He revealed that the title deeds for

the regeneration projects are with the County Government apart from the Jeevanjee Housing project which is held by National Bank of Kenya as a collateral for the loan advanced to the construction company.

Senator Edwin Sifuna challenged the Governor to conduct a site visit to New Pumwani Estate and understand the challenges involved.

The lawmaker implored the Governor to confirm if the site visit had been conducted and provide further information of the exact technicalities that needed to be understood by the county.

Committee probes mismanagement at Police SACCO



Senator Fatuma Dullo

The Committee on National Security, Defence and Foreign Relations has invited officials from the Police DT SACCO to appear before it over claims of financial malfeasance at the institution.

Senator Fatuma Dullo, who chairs the Committee, says the move is aimed at ensuring transparency and safeguarding the welfare of police officers.

The decision to summon the officials was made during the meeting of the Committee on Tuesday last week. It comes in the midst of mounting concern from members on how the Sacco handles contributions from its more than 75,000 members, a huge majority serving police officers.

Senator Dullo said the inquiry is necessary, arguing that effective management of the SACCO is key to the financial well-being of police officers.

“This is on the welfare of police officers, it is a matter that we really need to

know what is happening,” said Senator Dullo when she issued the invite.

The Committee aims to delve into key operational aspects of the SACCO, including governance structures, accountability mechanisms and their impact on the lives of police officers who rely on the institution for financial services.

The scrutiny comes amid rising questions from stakeholders and police officers themselves, some of whom have expressed dissatisfaction with how their savings and benefits are being handled.

During the same sitting, the Committee also evaluated Sessional Paper No. 1 of 2025 on Kenya’s Foreign Policy. The Committee to invite the Ministry of Foreign and Diaspora Affairs for further consultations and plan oversight visits to selected diplomatic missions to monitor the execution of foreign policy initiatives.

Committee support proposal to vet contractors



Committee on Delegated Legislation during in session led by chair Mwenda Gataya Mo Fire (right), Senator Danson Mungatana (2nd right), vice chair, Senator Dan Maanzo and Senator Betty Montent.

The Committee on Delegated Legislation has advised stakeholders in the construction industry to shift from outdated, document centric evaluation methods to a system that places greater emphasis on demonstrable technical expertise.

During a consultative meeting with stakeholders, members of the Committee pushed for entrenchment of higher standards and accountability in the sector.

The Committee had organised the meeting to scrutinise proposed amendments aimed at revamping the contractor registration and evaluation framework.

The committee, which is chaired by Senator Mwenda Gataya, involved

the Ministry of Lands, Public Housing and Urban Development and the National Construction Authority (NCA).

It considered the National Construction Authority (Amendment) Regulations, 2024.

NCA officials told the Committee that the current contractor assessment criteria developed over a decade ago no longer adequately address the evolving complexities and demands of the industry. The proposed amendments advocate for an experience-based evaluation model that would require contractors to present verifiable evidence of their competence through completed projects or practical engagements.

Proponents argue that the proposed amendment will ensure that only qualified and capable professionals are entrusted with construction projects, thereby enhancing the safety, efficiency and quality of infrastructure in Kenya.

In addition to changing the evaluation model, the regulations propose revising the value limits for projects across various construction sectors so as to align project thresholds with prevailing market conditions, while also recognising the distinct technical requirements of civil works, road works and water works categories that were previously lumped together.

The proposals further seek to sep-

arate the value classifications in mechanical and electrical engineering services, a move intended to reflect the specialized nature of these fields and promote more accurate project categorisation.

The Committee offered critical feedback and directed the Ministry and NCA to incorporate their views to refine the draft before submission to Parliament.

The team from the Ministry was led by Public Works Principal Secretary Joel Arumonyang and NCA Board Chairperson Mercy Okiro.

Senator Daniel Maanzo, Senator Issa Juma Boy, Senator Mohamed Faki and Senator Julius Murgor were in the meeting.

Health CS Barasa honours Committee summons



Senator Jackson Mandago, the chair, Health Committee and Senator Mariam Omar (vice chair) during the meeting with the Cabinet Secretary Deborah Barasa and PS Harry Kimtai.

Health Cabinet Secretary Deborah Barasa last week honoured the summons of the Committee on Health after failing to honour several invitations in which the Ministry was to give its input in the 2025 Health Budget Policy Statement (BPS).

Among other substantive matters the Committee wanted to hear from the CS include the current status of the Social Health Authority (SHA), progress of out-

standing payments and recruitments of Universal Health Care (UHC) medical workers, the various reforms being undertaken at the Kenya Medical Supplies Authority (KEMSA) and the response to various pending Statements.

“The Ministry of Health does not have a very good record before this Committee,” Senator Jackson Mandago, the Chairman of the Committee, told the

Cabinet Secretary and senior ministry officials, at the start of the meeting.

“We have various issues of concern and of course we do appreciate that as the Health CS you have the overall responsibility.”

The Cabinet Secretary gave an assurance that the Ministry is committed to developing a good working relationship with the Committee.

“I want to assure you that the Ministry of Health is now mending bridges and is fully committed to honouring all invitations from this Committee.”

The CS briefed the Committee on the proposed policies, programmes and expenditure ceilings of the State Departments under the Ministry of Health as contained in the 2025 Budget Policy Statement.

She also provided the implementation status of the 2024/25 financial budget as at December 31, 2024 consisting of Cumulative Financial Performance, actual outputs achieved relative to the approved targets (including variances) and the status of Capital Projects among others.

The Committee raised concerns on the BPS, noting that the allocation to the Ministry had increased to Sh85.6 billion with a ceiling of Sh204.4 billion.

The committee requested for clarity on the details of the allocations and the

proposal to recruit an additional 20,000 health workers as contained in the BPS.

While the Committee demanded details of the health workers to be recruited, it directed the Ministry to consider the UHC staff on contract and ensure they will be part of those who will be absorbed as Permanent and Pensionable (PnP).

The Committee further requested for additional breakdown on the allocations and expenditures on the various programmes for purposes of transparency.

The Ministry has set policy ceilings and the CS indicated that the priorities were based on health care needs of Kenyans that will promote a healthy and productive population.

KEMSA CEO Waqo Ejersa informed the Committee that the agency has reduced the order turn around Time to improve efficiency, upgraded its warehouses, implemented logistics management information system and the inculcation of a culture change management programme as part of the reforms.

Acting Social Health Authority CEO Robert Ingasira informed the Committee that the current budget stands at Sh76 billion and that the number of registered members stand at 20.5 million adding that the target is to register the entire Kenyan population.

ICT Committee challenges CS Kabogo on budget cuts



CS William Kabogo at the Committee.

The ICT Committee has pressed Cabinet Secretary William Kabogo over budget cuts, unfulfilled ICT infrastructure projects and mounting pending bills, raising concerns over the ministry's financial management and digital transformation efforts.

The Committee's vice Chair Miraj Abdillahi questioned the reduction of Sh423.5 million budget despite the Ministry's ambitious targets for 2025/2026 financial year.

Cabinet Secretary Kabogo defended the cuts, citing efficiency measures and

stakeholder engagements to secure alternative funding.

The National Government had pledged to establish 1,450 digital hubs nationwide, but only 37 had been connected. ICT and Digital Economy Principal Secretary John Tanui admitted delays, attributing them to logistical challenges. Boy Issa Juma (Kwale) demanded details on the completed hubs and associated costs. Tanui acknowledged funding constraints and outlined plans to work with the national government to accelerate progress.

The slow rollout of public Wi-Fi was



Senator Miraj Abdulahi (left) and Senator Isa Boy (2nd right) with Ministry officials during the meeting

another sticking point. The government aimed to install 5,000 hotspots but had only managed 1,491. Tanui blamed initial power cost uncertainties but assured senators that discussions with county governments and the State Department for Urban Development were addressing the issue.

Hezena Lemaletian raised concerns over the ministry's growing pending bills. Mr Kabogo admitted the backlog was worsening due to budget cuts.

"I am new in the Ministry, but two months have been enough to catch up. We have engaged the National Treasury.

With the recent supplementary budget, everything has been reduced to zero. This issue must be resolved at Cabinet level," he said.

On the troubled Kenya Broadcasting Corporation and Postal Corporation, Mr Kabogo stressed the need for restructuring before financial injections. "KBC is in a total mess. A planned Sh9 billion injection from a Spanish fund has been put on hold until redundancies and inefficiencies are addressed," he stated. He also hinted at a sustainable revenue model for the Postal Corporation, awaiting Cabinet approval.

Committee welcomes additional Sh60 billion for counties



Senator Boni Khalwale and Senator Mohamed Faki both are members of the Finance Committee.

The Finance and Budget Committee has hailed the Sh60 billion additional allocations to the 47 counties proposed in the County Governments Additional Allocations Bill, 2025.

The Bill provides for the transfer of conditional and unconditional allocations from the National Government's share of Revenue and from development partners to the county governments for the financial year 2024/25.

The additional allocations to counties

are provided for under Article 202(2) of the Constitution, which stipulates that County governments may be given additional allocations from the national government's share of the revenue to enable them to perform their functions adequately.

While considering the contents of the Bill, the Senator Ali Roba-led Committee were pleased to learn that the Bill proposes to allocate Ksh.60.2 billion as additional allocations to County Governments.

They noted the Bill is being considered and processed three months to the end of the financial year and expressed fears that the delay in its enactment may result in non-disbursement of the full allocations.

"We are approaching April and the Financial Year is almost ending. If we allocate any additional funds in this Bill, it means that we will go to mediation and this thing is going to drag and the donor funding is going to flop," Senator Ali Roba, the Chairperson of the Committee, said.

Senators resolved to publish the Bill ahead of time to ensure counties get resources to construct their county headquarters and avoid the general competitive nature of expenditures towards the end of the financial year.

The County Governments Additional Allocation Bill allocates Sh523.1 million to support the construction of county headquarters offices in Isiolo, Lamu, Tana River, and Tharaka Nithi Counties.

It also proposes an allocation of Sh3.23 billion shared among the 47 counties to

pay the over 107,831 community health promoters (CHPs) a monthly stipend. Under the law, each CHPs receives Sh5,000, of which the County and National governments equally contribute Sh2,500.

The county health promoters are engaged under the Afya Bora Mashinani programme and are expected to deliver direct care to households across the country aimed at accelerating the achievement of Universal Health Coverage through support to the County Governments.

Besides, the Bill provides for an allocation of Sh1.759 billion for the settlement of salary arrears for County Government Health Workers within the 2024/2025 financial year.

The National Government through the Ministry of Health and the Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU) executed a Return-to-Work Agreement in March 2024, which saw the end of the Doctors' industrial action.

House question Sh3B Thwake Dam variation cost



Water CS Eric Mugaa and senior Ministry officials in the House on Wednesday

The increase of the height of the Thwake Dam and the challenge of a weak foundation at the riverbed cost the Government Sh2.8 billion in additional cost for the construction of the dam, Water and Irrigation CS Eric Mugaa has told the House.

The project is being funded jointly

between the Kenya Government and the African Development Bank at a cost of Sh42.5 billion.

The Government of Kenya share in the funding is Sh6.782 billion while that of the Bank stands at Sh35.583 billion.

However, completion of the project has been delayed because of the increase

in the dam height from 77.5 meters to 80.5 meters to increase storage capacity and the weak foundations of the dam at the riverbed, which was discovered during its construction, necessitating excessive excavation and special treatment that took quite a while.

Responding to concerns raised by Members, the Cabinet Secretary told the House that the project will be completed as planned, and the first impoundment is expected to happen by the short rains in December, 2025.

“The contractor is under clear instructions to ensure the remaining dam construction works are completed by October 30, 2025,” CS Mugaa told the House during Question Time on Wednesday last week.

The variation on the dam was Sh2.4 billion for the height, and another Sh432 million for deeper excavation.

Senator Enoch Wambua wanted to know whether the adjustment on the height and excessive excavation of the weak foundation had resulted in variations in the cost of the project, what was

the variation, and what the Government was doing about it.

CS Mugaa said whenever there is a variation on such a project, the Government has to seek concurrence from the other partner, in this case the Africa Development Bank (AfDB).

“When this happened, concurrence was sought from the AfDB and they gave no objection. When you raise a dam from 77.5 to 80.5 metres, you retain more, which is the purpose of the dam. That is water harvesting from our catchment. Whenever there is such a change, there is a cost implication and that concurrence is always sought from the bank that does usual and routine contract appraisals and gives no objection.”

Senator Wambua expressed concern over the variation arguing that the Government must have paid for a feasibility study on the project.

“The issue of how deep to excavate must have been part of that cost,” he said.

Constitution binds KDF when deployed – CS Tuya

Defence Cabinet Secretary Soipan Tuya has said the Kenya Defence Forces (KDF) must retain situational awareness of internal security issues at all times if it has to effectively discharge its mandate of involvement in internal security matters.

The Cabinet Secretary noted that since KDF will mainly work in support of other agencies concerning internal security matters, it has to closely collaborate and regularly exchange information with the relevant agencies.

She told the House during last week’s Question Time that under the Constitution, the KDF is strictly bound by the principles of national security as defined under Article 238 of the Constitution, which is that they have to be subject to the authority of the Constitution and Parliament.

“National security activities must be carried in strict compliance with the law and with utmost respect for the rule of law, and that in performance of its functions and exercise of their powers, the KDF shall respect the diverse culture of the communities within Kenya,” she told the House.

The Cabinet Secretary was responding to a Question sought by Senator Tom Ojienda who wanted a clarification on KDF monitors the security situation

within the country and indicate the state of preparedness of the Force to address potential instability or civilian unrest.

The Senator also wanted to know the modalities for the involvement of KDF in internal security matters and how it balances the internal security needs of the state and the sanctity of civilian lives when dealing with internal instability or unrest.

He further wanted the CS to expound the measures the Ministry has put in place to ensure that future involvement of KDF in addressing instability or civilian unrest is timely to avert civilian deaths that may arise from the shortcomings of the National Police Service (NPS) as was witnessed during the June, July and August 2024 demonstrations.

The primary responsibility for internal security lies with other specialised agencies and where internal threats to the territorial integrity and sovereignty of Kenya arise, the Constitution makes provision for instances when KDF may be deployed internally.

On whether KDF monitors internal security matters, the CS referred the House to the Constitution. “When you look at the design of the National Security Council (NSC) as established by the Constitution, the KDF is a member through the Cabinet Secretary for

Defence and the Chief of the Defence Forces,” she said, adding that the NSC involves all the security agencies and organs and that mandates the KDF to work very closely in coordination and cooperation with other security agencies.

There is also the National Security Council Committee, where we have the KDF represented. The committee is the supportive arm of the NSC, the CS observed, it follows that because of the involvement of KDF in the very crucial national security units, that indeed we have a pulse at each and every aspect of the internal security of the country.

Where KDF is deployed to restore peace in areas affected by unrest, under Article 241 (3) (c), the Chief of the Defence Forces is responsible for the administration, control, and overall superintendence of the operation.

However, where KDF is deployed in a joint operation in support of the NPS and other authorities in situations of emergency, the inspector general of the NPS shall be responsible for the control and overall superintendence of the operations.

For KDF to be internally deployed in support of the National Police Service (NPS), other statutory regulations and measures need to be instituted. They in-



CS Soipan Tuya in the House.

clude compliance with the Constitutional standards requirement for the Cabinet Secretary to, within 24 hours, issue a notice in the Gazette on the commencement of such deployment and do the same upon discontinuation.

Deployment and discontinuation may be performed only in areas and places where the National Security Council (NSC) and the President may determine. The areas of deployment cannot therefore, be arbitrary. They are guided by the NSC accordingly. There is a code of conduct that must be adhered to, which details the operational procedures and regulation of the defence forces.

The law also stipulates that in such deployments in support of the NPS, the KDF personnel shall have the same powers and exercise the same duties as those of the NPS members. The KDF personnel are also required to undergo prior training before deployment.

Senator Mumma seeks info on Hepatitis B national prevalence

Senator Catherine Mumma has expressed concern over the growing Hepatitis B crisis in Kenya, particularly in the counties of Baringo, Migori and Turkana, which continue to report disproportionately high prevalence rates.

The Senator also wants the Government to urgently tough action on those selling diabetes drug for weight loss illegally.

In a request for Statements made on her behalf by Senator Wakili Sigei, the lawmaker said that Hepatitis B prevalence is a cause for alarm and wants the Committee on Health to submit a report to the House on the crisis, including the latest statistics on national prevalence, while highlighting the most impacted counties, particularly Baringo, Migori and Turkana counties.

She wants the Statement to the impact of the diseases in the affected areas, vaccine availability and supply, vaccination accessibility and screening programmes effectiveness.

“The Committee should apprise the Senate on the measures currently being taken by the Cabinet Secretary for Health and the Kenya Medical Supplies Author-



Senator Catherine Mumma

ity (KEMSA), to ensure the consistent availability and supply of Hepatitis B vaccines given the persisting vaccine shortages,” the lawmaker said, when she made the request.

The Committee should provide information on the accessibility rates by percentage per county of Hepatitis B vaccination in Kenya, specifically outlining any ongoing efforts to subsidise costs or

provide vaccines free of charge to vulnerable populations.

“The Committee should also investigate the effectiveness of current screening programmes for Hepatitis B, particularly in remote and highly affected areas and highlight any recent or planned initiatives aimed at expanding screening and early detection efforts.”

Senator Mumma also wants the report on the reach and impact of public awareness campaigns regarding Hepatitis B, detailing any ongoing or new strategies to enhance public education on prevention, transmission and treatment, particularly in counties with high prevalence.

In a related statement, the Senator raised concerns about the illegal sale of Ozempic, a diabetes prescription injectable drug, in Kenya, and its widespread misuse as a weight loss solution.

The Senator cited the easy accessibility of the drug over the counter, particularly under the name semaglutide, which is sold without prescriptions in violation of health regulations.

Diabetes is an increasing public health challenge in Kenya, with many

patients relying on prescription medications to manage their condition.

However, Senator Mumma highlighted that the over-the-counter sale of Ozempic for weight loss, disregarding its severe side effects, is exacerbating the problem.

The drug, intended for managing Type 2 diabetes, can cause serious complications such as hypoglycemia, organ damage and drug interactions if misused.

Senator Mumma wants the Committee on Health to investigate and provide answers to several critical issues, among them regulatory measures, enforcement by Pharmacy and Poisons Board, combating illegal sales as well as devolved governance and oversight.

The senator also requested for a report on how the Pharmacy and Poisons Board has realigned its policies to the devolved system of governance.

This, she noted, will ensure effective pharmaceutical oversight at the county level.

He urged that non-compliant vendors should be apprehended and public education on the dangers of casual use of prescription drugs be prioritised.

This Week in History - On March 26, 2019

Senators question policy on 100 per cent transition to secondary school



Senator Agnes Zani

The House debated a Statement sought by Senator Agnes Zani on the implementation of the 100 per cent transition policy to secondary schools and the Technical and vocational education and training (TVET). Senator Zani wanted the Committee on Education to investigate and file the report in the House on the status of implementation of the 100 per cent transition policy to secondary schools and to Technical and Vocational Education Training (TVET). She wanted the Committee to table a status report on the transition policy, indicating the number of learners per school per county and establish whether there are learners who had not transitioned and explain the circumstances for the failure. She also wanted the Committee to explain the cost implications of implementing the 100 per cent transition policy, and state how the same had been dealt with at the county level and whether the 100 per cent transition policy to secondary schools is sustainable.



Senator Mutula Kilonzo Junior

“Recently I was invited to speak in a forum in Kilifi that was concerned with the pregnancies we were discussing last year. This is because girls who were found to be pregnant during the examinations are having a crisis. The administration of schools is insisting that they must report to school, but some of them cannot do so because they delivered. In the County of Kilifi alone, for example, there are over 17,000 girls who cannot report to school because of the pregnancies. Could the Chairman tell us what measures the Ministry has taken to ensure that these places are reserved for these many students all over the country who, for no thought of their own, fell pregnant? Some did their examinations, but they delivered during that period and are unable to join form one.”



Senator Johnes Mwaruma said:

“The truth of the matter is that the 100 per cent transition has failed. This is because the statistics on the ground show that there are so many students who have not reported to secondary school since they were opened. In my county, for example, there are more than 500 students who have not reported because there are not enough places. The thrust of 100 per cent transition was that the students would transit from class eight to form one without paying a single coin. However, when they are asked to pay some fees, then definitely some of them, who cannot afford even uniform, will not transit as envisaged by the Government”



Senator Ephraim Maina said:

“Before this kind of programme is put in place, there must be a wide consultation. However, I would like to raise a few issues regarding parents in some areas who came together many years back, raised money through harambees and built excellent schools. However, these schools were converted into national schools by the Government. It is the parents who gave their own land and built the schools in their areas. There are schools like Ng’andu Girls and Tumutumu Girls in Nyeri. Instead of the school helping the local students, students are being admitted from all over the country.”

Seneta Kinyua ataka maelezo kuhusu uhaba wa mbegu za mahindi



Seneta Beatrice Ogola



Seneta John Kinyua

Hatua ya kukosekana kwa mbegu za mahindi kwa wakulima msimu wa upanzi ukianza imevutia hisia mbali mbali kutoka kwa viongozi huku Seneta John Kinyua akitaka Kauli ya kina kutoka kwa Kamati ya Kilimo, Mifugo na Uvuvi kuhusu uhaba unaoendelea kushuhudiwa wa mbegu

zilizoidhinishwa katika Kampuni ya mbegu ya Kenya Seed.

Katika ombi lake, Seneta Kinyua alihimiza haswa Kamati kushughulikia uhaba wa mbegu za mahindi zilizoidhinishwa ambao umeibua wasiwasi kuhusu athari ambazo huenda zikashuhudiwa kwa wakulima msimu wa upanzi un-

apong'oa nanga.

Kamati hiyo, inayoongozwa na Seneta Wafula Wakoli imetwikwa jukumu la kuanzisha hatua za kuhakikisha upatikanaji wa mbegu. Zaidi ya hayo, Kamati hiyo inatarajiwa kuchunguza upatikanaji na ubora wa mbegu nyingine zilizoidhinishwa kutoka kwenye kampuni ya mbegu ya Kenya Seed.

Katika siku za hivi karibuni baadhi ya wakulima wamelalamikia pakubwa uhaba wa mbegu za mahindi kwenye Kampuni ya mbegu ya Kenya Seed wakitoa wito kwa hatua muafaka kuchukuliwa na wahusika ili kuwahakikishia upatikanaji wa mbegu zilizoidhinishwa na zenye obora hitajika kwa upanzi.

Huku hayo yakijiri Seneta Beatrice Ogola anataka Kauli kutoka kwa Kamati ya Usalama wa Taifa, Ulinzi na Uhusiano wa Kigeni kuhusiana na hali duni ya maisha ya maafisa wa polisi katika kituo cha polisi cha Ndhiwa Kaunti ya Homa Bay.

Seneta Ogola anaitaka Kamati hiyo kwenye ripoti yake kuweka wazi hali ya makazi ya maafisa wa polisi katika Kituo

cha polisi cha Ndhiwa Kaunti ya Homa Bay, ikiwa ni pamoja na upatikanaji na hali ya huduma za msingi kama vile maji na umeme pamoja na huduma za usafi wa mazingira.

Aidha Seneta anaitaka Kamati hiyo kubaini mfumo wa utoaji wa makazi na huduma za msingi kwa maafisa wa polisi na serikali, ikiwa ni pamoja na hatua zilizowekwa ili kuhakikisha vituo vinakarabatiwa na kupandishwa hadhi mara kwa mara.

Kamati hiyo inayoongozwa na Seneta Fatuma Dullo imetakiwa katika utathmini wayo kuangazia mipango na muda wa ukarabati wa nyumba za sasa za kuishi au ujenzi wa nyumba mpya kwa maafisa wa polisi katika Kituo cha polisi cha Ndhiwa, ikionesha mahitaji ya kibajeti kwa ajili hiyo.

Kadhalika Seneta anaitaka Kamati hiyo kueleza hatua zinazochukuliwa na serikali kuimarisha maslahi jumla ya maafisa wa polisi, hasa kuhusiana na malipo na usaidizi wao wa kiakili na kimwili.

Seneta Ojienda awatetea wanahabari



Seneta Tom Ojienda

Seneta Tom Ojienda ametaka maelezo kutoka kwa Kamati ya Habari, Mawasiliano na Teknolojia kuhusiana na hali ya kutisha ya uhuru wa vyombo vya habari na kuzorota kwa mazingira ya kuhudumu ya wanahabari katika Kaunti ya Kisumu.

Wasiwasi ya Seneta huyo ilichochea na hatua iliyoripotiwa ya kujiuzulu kwa karibu nusu ya wafanyakazi katika Runinga ya Kala, kituo maarufu cha televisheni kinachotangaza kwenye lugha ya asili kilicho na makao yake makuu jijini Kisumu, kufuatia kucheleweshwa kwa mishahara kwa muda mrefu na hali mbaya ya kufanya kazi.

Katika ombi lake, Seneta Ojienda alitaka Kamati hiyo kuangazia changamoto mahususi zinazowakumba wanahabari jijini Kisumu akitaja masuala kama vile kucheleweshwa kwa mishahara, mazingira duni ya kufanya kazi, ukosefu wa usalama wa kazi na visa vya vitisho mbali na ukiukaji mkubwa wa uhuru wa vyombo vya habari.

Alisisitiza uzito wa hali hiyo, akibainisha kuwa changamoto hizo haziyatishii tu maisha ya wanahabari bali pia zinadhoofisha jukumu muhimu la vyombo vya habari katika jamii yenye demokrasia.

Seneta Ojienda ambaye pia ni naimwenyekiti wa Kamati ya Usalama wa Taifa, Ulinzi na Masuala ya Kigeni aidha, alitaka ufafanuzi zaidi kubaini iwapo Baraza la Vyombo vya Habari nchini Kenya (MCK) na vyombo vingine vya udhibiti wa vyombo vya habari viliingilia kati ili kuyashughulikia malalamishi yaliyotolewa na wanahabari katika Runinga ya Kala na vyombo vingine vya habari vinavyoathiriwa vivyo hivyo katika eneo hilo.

Aliitaka Kamati kubaini ikiwa uchunguzi au uingiliaji kati wa mashirika ya kutetea haki za wafanyakazi au mashirika ya kudhibiti vyombo vya habari unaendelea kuchunguza mazingira ya kazi na kuyalinda maslahi ya wanahabari jijini Kisumu.

Mbali na hayo, Seneta huyo alisisitiza kupewa maelezo ya kina kuhusu hatua

ambazo zinatekelezwa kwa sasa ili kuhakikisha ufadhili endelevu na uthabiti wa uendeshaji wa vyombo vya habari vya humu nchini ikizingatiwa kuwepo kwa matatizo ya kiuchumi yanayoikumba tasnia hiyo kwa sasa. Alisisitiza haja ya kuwa na mikakati ya wazi na kabambe ya kuvisaidia vituo vya lugha za kiasili kama vile Runinga ya Kala ambayo ina jukumu muhimu katika kuuhabarisha na kuuelimisha umma kwenye lugha za kiasili.

Kadhalika, Seneta huto aliiomba Kamati hiyo inayoongozwa na Seneta Allan Chesang' kutoa maelezo kuhusu uingiliaji kati wa sera uliopangwa au hatua za kisheria zinazolenga kuilinda haki na maslahi ya wanahabari kote nchini Kenya.

Alikariri umuhimu wa hatua za haraka kuchukuliwa akitaja faida ya vyombo vya habari huru, vya haki na vinavyoongwa mkono vyema akifichua kuwa hatua hiyo itachangia kuwepo kwa uwazi, uwajibikaji na kuendeleza demokrasia.



1. Elite High School, Nairobi County, in the Senate Chambers.
2. Students from Chebonei Girls High School follow the Senate proceedings from the Speaker's Gallery when they visited Parliament Buildings.
3. Students from Maasai Mara University when they visited the Senate.
4. Students and teachers of Koimogul Comprehensive School, Nakuru County, at the Senate.
5. Teachers and students of Enkusero Secondary School, Narok County, when they visited Parliament Buildings.
6. Students and teachers of Tengeche Boys' High School, Kericho County, after their tour of the Senate for academic exposition.



1. Senator Tabitha Mutinda (left) and Senator Hamida Kibwana (centre) share a joke during the Iftar dinner which was organised for Senators by ODM leader Raila Odinga in Nairobi.

2. Speaker Amason Kingi, Senator Abbas Sheikh (second right), Senate Deputy Clerk Mohamed Ali and Council of Governors CEO Mary Mwiti during the Impeachment manual launch in Nairobi.

3. Dr Johnson Okello, Director, Senate Legal Services (left), Mr Njenga Njuguna, Director, Governance and Accountability, and Ms Mary Chesire, Director, Socio-Economic Committees during the launch of the Impeachment manual.



1. Defence CS Soipan Tuyu is received by Senate staff when she arrived in Parliament for last week's Question Time.
2. Senator Mwenda Gataya Mo Fire escorts Defence CS Soipan Tuyu out of the Chamber after the Questions Time last week.
3. Senator William Kisang speaks to CS Tuyu after she appeared in the House.
4. Senator John Kinyua (left), Senator John Methu (right), Senator Mwenda Gataya Mo Fire (2nd right) and Senator Dan Maanzo share a light moment with Defence Principal Secretary Patrick Mariru in Parliament last week.
5. From right, Senator Mohamed Chute (right), Senator John Methu, Senator Mwenda Gataya, Senator Dan Maanzo (partly hidden) and Senator John Kinyua share a light moment with PS Patrick Mariru (second left) at Parliament.
6. Senator Dan Maanzo, CS Soipan Tuyu and Senator Veronica Maina at Parliament.
7. CS Soipan Tuyu speaks to Senator Veronica Maina.



- 1 Sports CS Salim Mvurya is received at the 2025 Legislative Summit by Senator Veronica Maina.
2. CS Salim Mvurya and Senator Veronica Maina get a briefing from the top leadership of the County Assemblies Forum (CAF) at the opening ceremony of the 2025 Legislative Summit in Nairobi County.
3. Senator Veronica Maina and Hon Farah Maalim, the Dadaab MP, at the 2025 Legislative Summit.

4. Senator Veronica Maina and Hon Farah Maalim at the opening ceremony of the 2025 Legislative Summit.
5. Deputy Speaker Kathuri Murungi and Senator Edwin Sifuna carry the Petition to the House presented by the striking Clinical Officers to the House.
6. Senator Sifuna addresses the striking Clinical Officers outside the Parliament Buildings.



A PUBLICATION OF THE SENATE

© Copyright 2023

Email: Senate.weekly@parliament.go.ke

Editor: Ibrahim Oruko

Team Leader: Lucianne Limo

Writers

- Otiato Andayi
- Njeri Manga
- Josphat Ngeno
- Derick Luvega
- Stanley Gikore
- Nandemu Barasa

- Juliet Masinde
- Violet Nalianya
- Lemeteki Lorinyu
- Kevin Lomenen

Hansard: Erick Kipkoech

Photographers:

- James Kimiti Nyambura
- Job Owaga
- Russells Kipngetich
- Alex Fondo

Designed by:

KENYA LITERATURE BUREAU

Publishers and Printers

Belle-Vue Area, KLB Road, Off Popo Road

P. O. Box 30022-00100, GPO Nairobi,

Telephone: +254 (20) 3541196/7,

Mobile: +254 711 318 188/ +254 732 344 599

Email: info@klb.co.ke

Website: www.klb.co.ke