



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fourth Session

Tuesday, 7th October, 2025 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 7th October, 2025

*The House met at the County Assembly of Busia,
Busia County at 2.32 p.m.*

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

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

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

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

We do have quorum. Therefore, we will start today's business.
Clerk, you may proceed to call the first Order.

(Loud consultations)

Order, hon. Senators. Kindly take your seats. I cannot put a face to this Senator here. Sen. Osotsi, I could only see you from your rear view. Kindly take your seat.

(Sen. Osotsi sat in his place)

COMMUNICATIONS FROM THE CHAIR

SITTINGS OF THE SENATE IN BUSIA COUNTY

Hon. Senators, I have this Communication to make. I wish to take this opportunity to welcome you to Busia County. This is the second of the series of sittings of the Senate outside Nairobi in the 13th Parliament and the fourth following the sittings held in Uasin Gishu County in 2018, Kitui County in 2019 and Turkana County in 2023.

I thank the leadership of the Busia County Government, both the Executive and the County Assembly, led by the Hon. Gov. Paul Otuoma and the Hon. Speaker, Fredrick

Odilo, respectively, for the warm welcome since our arrival in Busia and for partnering with the Senate to ensure that the sittings of the Senate in Busia County are a success. I request the two distinguished gentlemen to stand, so that they may be acknowledged in the Senate tradition.

If the Governor of Busia County or the Speaker is in the House, kindly rise.

*(The Speaker of the County Assembly of Busia
(Hon. Fredrick Odilo) stood in his place)*

You may applaud the Speaker.

(Applause)

Thank you. You may be seated, hon. Speaker.

*(The Speaker of the County Assembly of Busia
(Hon. Fredrick Odilo) resumed his seat)*

At this point, allow me to convey our deep appreciation to the leadership and Members of the County Assembly (MCAs) of Busia for hosting the Senate and for availing the County Assembly facilities for use by the Senate. I request the County Assembly Majority Leader, Hon. Josephat Wandera and the Minority Leader, Hon. Bonventure Makokha, on behalf of the County Assembly of Busia, to stand so that you may be recognised and acknowledged in the Senate tradition. Are they in the House?

I also acknowledge the contribution that has been made by the national Government in facilitating the Senate to hold these sittings in Busia County. I particularly single out the office of the Cabinet Secretary and the Principal Secretary in the Ministry of Interior and National Administration and the Inspector General of the National Police Service (NPS) in this respect. Your cooperation and swift response to our requests have played a key role in the planning for this event. We thank you.

Finally, our sincere gratitude goes to the great people of Busia County for the warm welcome to your county. The Senate shall forever be grateful for the kindness and hospitality that has been extended to the Senate.

Hon. Senators, ladies and gentlemen, you will agree with me that a major hallmark of the Constitution of Kenya is devolution and the devolved governance structure as enshrined in Chapter 11 of the Constitution. Devolved governments aim to bring services closer to the people as a means of accelerating development and enhancing collective responsibility.

The sittings of the Senate outside its traditional premises at the Parliament Buildings in Nairobi are designed as an innovative way of enhancing the interaction between the national and county levels of government, and as a means through which the Senate may exercise its roles as provided for under Articles 94 and 95 of the Constitution.

The objectives of the sittings of the Senate outside Nairobi are to-

(i) promote the role and work of the Senate and enhance public awareness regarding the business of the Senate and Parliament in general;

(ii) highlight existing and new opportunities for engagement in the legislative process;

(iii) develop and strengthen partnerships at the county level of government; and finally,

(iv) provide an opportunity to members and staff of county assemblies to learn and share best practices with Senators and parliamentary officers.

The Senate embraces the fundamental principle that it exists for the people and stands as a beacon of democracy, representing their collective will and aspirations. Through the Senate *Mashinani* initiative, the Senate is making its contribution towards entrenching inclusivity in the management of public affairs in Kenya.

In holding its sittings at the County Assembly of Busia, the Senate also affirms that county assemblies have the power to directly identify and address the people's concerns, revitalise their hopes and aspirations, deepen a democratic, consultative and participatory government, as well as strengthen institutions of governance in Kenya.

I would like to re-affirm the critical role that county assemblies play in our governance structure. As such, county assemblies need to play a more prominent role in ensuring good governance by proactively taking up their constitutional and statutory roles. In this regard, the Senate is willing and ready to partner with county assemblies to ensure that the promise of devolution is achieved.

Hon. Senators, ladies and gentlemen, beginning yesterday and over the next four days, a number of activities have been lined up, including plenary and committee sittings, as well as engagement forums and inspection visits.

I particularly single out the public engagement forum facilitated by the Standing Committee on Justice, Legal Affairs and Human Rights on the Constitution of Kenya (Amendment) Bill (Senate Bills No.13 of 2025) which brought multitudes of Busia residents to express their views on a critical constitutional amendment proposal to enhance the legislative mandate of the Senate.

In the coming days, there will be similar engagements under the auspices of various select committees on diverse matters, including the status of Early Childhood Development Education (ECDE) and County Vocational Training Centres; the effectiveness of the Busia One-Stop Border Post and the operationalization of industrial parks. These activities will accord the residents of Busia County an opportunity to actively engage and participate in the legislative and other business of the Senate. I encourage the residents of Busia and the neighbouring counties to turn up and engage with the Senate.

Hon. Senators, ladies and gentlemen, I now wish to acknowledge the presence of a number of other invited dignitaries who have joined us for this special occasion. These are elected and other office holders from the executive and legislative arms of the County Government of Busia and counties which neighbour Busia County.

I request each invited guests to stand when called out, so that you may be acknowledged by the Senate. I am aware that some of them are yet to arrive. However, I will read out the entire list of those we had invited-

- (1) Hon. Arthur Odera, Deputy Governor, Busia County.
(2) Gov. Kenneth Lusaka, Governor, Bungoma County and former Speaker of the Senate.

(Applause)

Thank you, His Excellency Governor.

- (3) Gov. Fernandes Barasa, Governor, Kakamega County; he is yet to arrive.
(4) Gov. James Orengo, Governor, Siaya County; he is yet to arrive.
(5) Gov. (Dr.) Wilber Otichilo, Governor, Vihiga County; he is yet to arrive.
(6) Hon. Ronald Ochal, Deputy Speaker, Busia County Assembly.
(7) Hon. Emmanuel Situma, Speaker, Bungoma County Assembly.

(Applause)

Thank you, hon. Speaker.

- (8) Hon. James Namatsi, Speaker, Kakamega County Assembly.

(Applause)

Thank you, hon. Speaker.

- (9) Hon. George Okode, Speaker, Siaya County Assembly; yet to arrive.
(10) Hon. Christopher Omulele, Speaker, Vihiga County Assembly.

(Applause)

Thank you, Rt. hon. Speaker.

- (11) Hon. Geoffrey Odanga, MP, Matayos Constituency; yet to arrive.
(12) Hon. Raphael Wanjala, MP, Budalang'i Constituency; yet to arrive.
(13) Hon. Wilberforce Oundo, MP, Funyula Constituency; yet to arrive.
(14) Hon. Edward Oku Kaunya, MP, Teso North Constituency; yet to arrive.

(15) Hon. Joseph Oyula, MP for Butula Constituency, yet to arrive.
(16) Hon. Mary Emase Otucho, MP for Teso South Constituency; yet to arrive.
(17) Hon. Geoffrey Mulanya, MP for Nambale Constituency; yet to arrive.
(18) Hon. Catherine Omany, Women's Representative, Busia County; yet to arrive.
(19) Hon. Gabrielle Arambo, Ag. Clerk of Busia County Assembly; not in yet.
(20) Mr. Donald Manyala, Clerk of Kakamega County Assembly; yet to arrive.
(21) Mr. Eric Ogenga, Clerk of Siaya County Assembly, yet to arrive; and,
(22) Ms. Ambaka Kilinga, Clerk of the Vihiga County Assembly, yet to arrive.

On behalf of the Senate and on my own behalf, I wish to thank each one of you for honouring our invitation and joining us on this auspicious occasion.

(Applause)

Hon. Senators, ladies and gentlemen, in conclusion, I reiterate the symbolic relationship between the Senate and the county governments. This relationship based on mutual understanding, consultation, learning and experience-sharing is paramount and must be nurtured for devolution to achieve its objectives as enshrined in the Constitution.

Once again, I extend our gratitude to the leadership of Busia County Government and the great people of Busia County for the warm reception accorded to the Senate and for facilitating our sittings.

I thank you.

Next Order.

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

The Speaker (Hon. Kingi): Yes, Sen. Boni.

Sen (Dr.) Khalwale: Mr. Speaker, Sir, I want to beg you to indulge me and the Senator for Vihiga County, because this is a historic moment in our region and within our three communities. I would like to request you to give us a moment to welcome colleagues to our region and also pass a word of appreciation to the people of Busia for hosting us.

The Speaker (Hon. Kingi): You may proceed, Sen. Boni.

Sen (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. Colleague Senators, this is Western. We have three communities here, the Sabaots - who sometimes people try to steal from us by attempting to call them Kalenjins when they are not - the Teso Community and, of course, the Luhya Community.

We feel truly honoured through the Speaker that you are going to be with us for this one week. This is truly historical because when I was looking at it, by the time all the 47 counties are reached, we will not be able to come back to Kakamega, Vihiga, Bungoma and Trans Nzoia any time soon. It is a rare privilege for us.

I want to use this opportunity to thank the people of Busia County. Busia County is unique in our community; it is the centre of academic excellence. The first kidney transplant surgeon in Africa who taught me surgery was Prof. Nelson Awori and he was from here. This week, we are burying Prof. Arthur Obel from Busire Village here in Busia. He also taught me pharmacy, not to mention Prof. Nimrod Boabu; Prof. Ojiambo, the longest-serving Attorney General, Amos Wako, and so on and so forth.

Mr. Speaker, Sir, we are so privileged to have you. We would request that you address the business challenges that Busia County faces. This is an economic giant that is just lying here. They make very little from own-source revenue, raising around Kshs500 million, and yet, the cargo they handle, that comes from Mombasa, passes through here, Busia and Malava, up to about 80 per cent of the total volume.

I believe that own-source revenue of Busia County should be comparable to own-source revenue of Mombasa County. We should unlock this. At the moment, the county government is not able to make any reasonable returns from these trucks that you will see passing here 24-7. It is because there is lack of a holding zone for the trucks when they are trucking from Mombasa.

It has been very difficult both for the first-generation Governor Ojaamong and the current one, Dr. Otuoma, because of the lack of support from the National Land Commission (NLC), which should help them to displace people to create space for us to maximise returns from these trucks. There is that and much more and I am privileged to host you. Even when the area Senator, Sen. Omtatah comes, he cannot claim to host you ahead of me because he is my kid brother.

Thank you and welcome everybody.

The Speaker (Hon. Kingi): Senator for Vihiga County, kindly make your welcoming remarks in under three minutes.

Sen. Osotsi: Thank you, Mr. Speaker, Sir. I also join my colleague, Sen. (Dr.) Khalwale to thank the Senate family for considering Busia County as one of the counties where we are going to have Senate *Mashinani*.

Indeed, it is a great privilege for our region, which is composed of five counties, that is, Vihiga, Kakamega, Busia, Bungoma and Trans Nzoia, which we are also claiming to be part of our region. I hope the other Senators will also have an opportunity.

When you are coming to Busia, you have to pass through my County, Vihiga, which starts from Maseno all the way to Yala. When you get to Yala, you then enter Siaya County. So when you come to Busia, it is important that you visit Luanda, where we have a lot of good things, including the famous herb.

There are a lot of good things we do with the Busia people. I know I will be making a Statement with regards to the road from Kisumu all the way to Busia, which I know the national Government is planning to have a dual carriageway. Even as that is being done, let it be done in a humane manner, so that we have an international highway that benefits our two countries; Kenya and Uganda.

I also want to join my colleague Sen. (Dr.) Khalwale in saying that I think it is important for the Senate to look at opportunities for own-source revenue for our counties at the border. For example, there is a lot of trade between Kenya and Uganda. How much of that trade is benefiting our county governments? When we talk about that, we should also talk about Bungoma County and the other counties that are at the border. That would be an important thing to consider.

Secondly is the issue of challenges faced by the fishermen, who are being arrested recklessly by the Ugandan Government. Therefore, they are not able to do their trade very well because of that harassment. I think the relevant Committee needs to really deal with that issue, so that we continue promoting fish business in this region.

Mr. Speaker, Sir, lastly, as Sen. (Dr.) Khalwale has said, Busia County is very privileged in terms of human resource. This is a county with the highest number of professors in our region. This is an indication that this is a very progressive region. However, we are seeing challenges of early pregnancies and school dropouts and that is negating the good gains that this county has made.

I hope the Kenya Women Senators Association (KEWOSA), our good ladies, led by the Secretary General, are going to look into the issues around early marriages, early pregnancies and all that, so that we ensure that these girls who can become professors in the future, are motivated and empowered to become great citizens of this country.

Thank you.

The Speaker (Hon. Kingi): Thank you, the two Hon. Senators, for the welcoming remarks.

Hon. Senators, allow me to make a further Communication.

USE OF BUSIA COUNTY ASSEMBLY CHAMBER SYSTEM

Hon. Senators, as you may be aware, the Chamber system in Busia County Assembly is different from the one that Senators are accustomed to in the Senate Chamber in Nairobi. It is, therefore, necessary for the presidium to make adjustments in the way Senators request the Floor.

The following procedure will apply in seeking to capture the eye of the Speaker-

One, Senators wishing to make contributions to any matter shall be required to raise their hand. The Speaker will then announce the Senator who takes the Floor. Only the Senator called upon by the Speaker to take the Floor may turn on their microphone. As you raise your hand, please, do not turn on your microphone until the Speaker has given you the Floor. Senators who wish to raise points of order, seek clarification or give information will also be required to raise their hand to capture the attention of the Speaker.

Now, your cooperation in this matter will facilitate the smooth conduct of the Senate proceedings.

Let us move on to the next Order, Clerk.

MESSAGE FROM THE NATIONAL ASSEMBLY

PASSAGE BY THE NATIONAL ASSEMBLY OF THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS (No.2) BILL (SENATE BILLS No.8 OF 2025)

Hon. Senators, I wish to report to the Senate that pursuant to Standing Orders No.46(3) and 46(4), I have received the following Message from the Speaker of the National Assembly regarding the approval, by the National Assembly, of the County Governments Additional Allocations (No.2) (Senate Bills No.8 of 2025).

The Message dated Thursday, 2nd October, 2025, was received in the office of the Clerk of the Senate on the same date. Now, pursuant to Standing Order No.46(4), I now report the Message.

Pursuant to the provisions of Standing Orders No.41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly.

WHEREAS the County Governments Additional Allocations (No.2) Bill, (Senate Bills No.8 of 2025) was published vide *Kenya Gazette* Supplement No.89 of 18th June, 2025 as a Bill seeking to provide for additional allocations to county governments for the FY 2025/2026, the responsibilities of the national Government and county governments with respect to such allocations and for connected purposes,

AND WHEREAS on Tuesday, 30th September, 2025, the National Assembly considered the County Governments Additional Allocations (No.2) Bill (Senate Bill No.8

of 2025) and passed it with amendments as contained in the Schedule of Amendments attached hereto;

NOW, THEREFORE, in accordance with the provisions of Article 112(1)(b) of the Constitution and Standing Orders No.41 and 144 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.

Now, Hon. Senators, Article 112(1)(b) of the Constitution provides that if one House passes an ordinary Bill concerning counties and the second House passes the Bill in an amended form, it shall be referred back to the originating House for reconsideration.

Hon. Senators, in this regard, I direct that Standing Committee on Finance and Budget to deliberate on the National Assembly amendments and to report to the Senate.

Further, pursuant to Standing Order No.165(1) of the Senate Standing Orders, I direct that the National Assembly amendments to the County Governments Additional Allocations (No.2) Bill, (Senate Bills No.8 of 2025) be circulated to all hon. Senators. At the appointed time, the Senate Business Committee (SBC) will schedule the consideration of amendments in the Committee of the Whole. The House is accordingly guided.

Thank you.

Next Order.

PAPERS LAID

The Speaker (Hon. Kingi): The Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir.

I beg to lay the following Paper on the table of the Senate today, Tuesday, 7th October, 2025.

REPORT OF CRA ON OWN SOURCE REVENUE POTENTIAL AND TAX GAP STUDY OF COUNTY GOVERNMENTS

Report of the Commission on Revenue Allocation on Own Source Revenue Potential and Tax Gap Study of County Governments.

Thank you.

(Sen. Cheruiyot laid the document on the Table)

The Speaker (Hon. Kingi): The Chairperson of the Standing Committee on Devolution and Inter-Governmental Relations or any member of the Committee may proceed to lay the paper.

Sen. Catherine Mumma, are you a member of that particular Committee? What happened?

Sen. Mumma: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today, 7th October, 2025 on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations-

REPORT ON INQUIRY INTO COMMERCIAL BANK ACCOUNTS
OPENED AND OPERATED BY COUNTY GOVERNMENTS

Report of the Standing Committee on Devolution and Inter-Governmental Relations on its Inquiry into Commercial Bank Accounts Opened and Operated by County Assemblies.

(Sen. Mumma laid the document on the Table)

The Speaker (Hon. Kingi): The Chairperson, Standing Committee on Land, Environment and Natural Resources.

Sen. Faki: Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, Tuesday, 7th October, 2025-

REPORT ON PETITION ON CHANGARA WATER
PAN PROJECT IN BUSIA COUNTY

Report of the Standing Committee on Land, Environment and Natural Resources on a Petition to the Senate by Mr. William Kaguro Michael regarding the Changara Water Pan, a World Bank-funded project in Busia County.

REPORT ON PETITION ON HISTORICAL INJUSTICES AND ILLEGAL
ALIENATION OF LR No.7153/1, No.7153/2, No.7153/2R
AND NO.12825 IN KIAMBU COUNTY

Report of the Standing Committee on Land, Environment and Natural Resources on a Petition to the Senate by Francis Wainaina Njuguna Mbogo concerning historical injustices and illegal alienation of LR No.7153/1, No.7153/2, No.7153/2R, and also No.12825 in Kiambu County.

REPORT ON PETITION ON DELAYED COMPENSATION
AND OCCUPATION OF PARCELS OF LAND BY
DISPLACED PERSONS FROM NYANDARUA

Report of the Standing Committee on Lands, Environment and Natural Resources on a Petition to the Senate by James Mwaura Njoroge and other Nyandarua internally displaced persons concerning delayed compensation and occupation of parcels of land.

REPORT ON PETITION ON LAND OWNERSHIP DISPUTE
OF WANANCHI SETTLEMENT SCHEME

Report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Wanainchi Self-Help Group regarding land ownership

dispute of the Wanainchi Settlement Scheme in Mwatate Constituency in Taita-Taveta County.

REPORT ON PETITION ON PLIGHT OF LANDLESS
IN MUTHANDARA, EMBU COUNTY

Report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Mr. Peter Kangwaru Nyaga regarding the plight of landless in Muthandara, Embu County.

REPORT ON PETITION ON THREATENED EVICTION OF
RESIDENTS OF MARUNGU, TAITA-TAVETA COUNTY

Report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Mr. Robin Kalama and other residents of Marungu in Taita-Taveta County concerning threatened eviction from the ancestral land by the Holy Rosary Catholic Church Parish, Mwanda.

REPORT ON PETITION ON DELAYED ALLOCATION OF LAND TO
MWABUNDUSI LAND SQUATTERS, KISII COUNTY

Report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by the representative of Mwabundusi Land Squatters in Bobaracho Ward in Kisii County concerning the delayed allocation of alternative land by way of resettlement and compensation for the ancestral land that the Government of Kenya alienated for the creation of the Kisii Agricultural Institute and Kisii Farmers Training Center.

REPORT ON PETITION ON RECOGNITION OF LAND OWNERSHIP
RIGHTS AND REDRESS OF HISTORICAL LAND INJUSTICES
IN MOMBASA COUNTY

Report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Mr. Anagib Shamsan and others concerning recognition of land ownership rights and redress of historical land injustices in Mombasa County.

Thank you. I beg to lay.

(Sen. Faki laid the documents on the Table)

The Speaker (Hon. Kingi: Next Order.

NOTICES OF MOTIONS

The Speaker (Hon. Kingi: The Chairperson, Standing Committee on Land and Natural Resources, Sen. Faki.

ADOPTION OF REPORT ON PETITION ON CHANGARA
WATER PAN PROJECT IN BUSIA COUNTY

Sen. Faki: Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Mr. William Kaguro Michael regarding the Changara Water Pan, a World Bank-funded project in Busia County, laid on the table of the Senate today, Tuesday, 7th October, 2025.

The Speaker (Hon. Kingi: Again, the Chairperson, Standing Committee on Land, Environment and Natural Resources, you have another notice to give. Proceed to give all these notices to your reports.

ADOPTION OF REPORT ON PETITION ON HISTORICAL INJUSTICES AND
ILLEGAL ALIENATION OF LR No.7153/1, No.7153/2, No.7153/2R
AND NO.12825 IN KIAMBU COUNTY

Sen. Faki: Thank you, Mr. Speaker, Sir. I beg to give notice of the following Motion-

THAT the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Mr. Francis Wainaina Njuguna Mbogo concerning historical injustices and illegal alienation of LR number No.7153/1, No.7153/2, No.7153/R, and also known as LR No.12825 in Kiambu County, laid on the table of the Senate, Tuesday, 7th October, 2025.

ADOPTION OF REPORT ON PETITION ON DELAYED
COMPENSATION AND OCCUPATION OF PARCELS OF LAND BY
DISPLACED PERSONS FROM NYANDARUA

Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Mr. James Mwaura Njoroge and other Nyandarua IDPs, concerning delayed compensation and occupation of parcels of land laid on the table of the Senate on Tuesday, 7th October, 2025.

ADOPTION OF REPORT ON PETITION ON LAND OWNERSHIP
DISPUTE OF WANANCHI SETTLEMENT SCHEME

Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Wanainchi Self-Help Group regarding land ownership dispute of the Wanainchi settlement scheme in Mwatate Constituency in Taita-Taveta County laid on the table of the Senate on Tuesday, 7th October, 2025.

ADOPTION OF REPORT ON PETITION ON PLIGHT OF
LANDLESS IN MUTHANDARA, EMBU COUNTY

Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Mr. Peter Kangwaru Nyaga regarding the plight of the landless in Muthanthara Embu County laid on the table of the Senate on Tuesday, 7th October, 2025.

ADOPTION OF REPORT ON PETITION ON THREATENED EVICTION OF
RESIDENTS OF MARUNGU, TAITA TAVETA COUNTY

Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Mr. Robin Kalama and other residents of Marungu in Taita-Taveta County concerning threatened eviction from the ancestral land by the Holy Rosary Catholic Church, Catholic Parish in Muanda, laid on the table of the Senate on Tuesday, 7th October, 2025.

ADOPTION OF REPORT ON PETITION ON DELAYED ALLOCATION OF
LAND TO MWANDABUSI LAND SQUATTERS, KISII COUNTY

Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by Representative of Mabundusi, land squatters in Bobaracho Ward in Kisii County concerning delayed allocation of alternative land by way of resettlement or compensation for the ancestral land that was alienated by the Government of Kenya for the creation of Kisii Agricultural Institute and Kisii Farmers Training Center laid on the table of the Senate on Tuesday, 7th October, 2025.

ADOPTION OF REPORT ON PETITION ON RECOGNITION OF LAND
OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL LAND
INJUSTICES IN MOMBASA COUNTY

Mr. Speaker, Sir, I beg to give the notice of the following Motion-
THAT the Senate adopts the report of the Standing Committee on Land, Environment, and Natural Resources on a petition to the Senate by Mr. Nagib Shamsan and others concerning recognition of land ownership rights and redress of historical injustices in Mombasa County, laid on the table of the Senate on Tuesday, 7th October, 2025.

Thank you.

The Speaker (Hon. Kingi: Now, before I call the next Order, I have just been informed that the Governor of Busia County is in the Chamber.

Governor, you may stand, so that you may be acknowledged by the Senate.

*(The Governor of Busia County (Hon. (Dr.) Otuoma)
stood in his place)*

(Applause)

Thank you.

Next Order, Clerk.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Hon. Kingi: Statement pursuant to Standing Order No.53(1).
Proceed, Senator for Vihiga County, hon. Godfrey Osotsi.

ONGOING FORCEFUL EVICTION OF TRADERS AT
LUANDA MARKET IN VIHIGA COUNTY

Sen. Osotsi: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Transport, Public Works and Housing on a matter of county-wide concern regarding the forceful eviction of traders at Luanda Market in Vihiga County.

Mr. Speaker, Sir, there is an ongoing effort to expand Kisumu-Busia Highway as part of an international highway, which is indeed welcome for the economic growth and improved connectivity between the two countries. It promises economic development and integration between the two countries.

While we support the importance of modern infrastructure, the manner in which it is being implemented has translated into an inhumane affront to the economic and social rights enshrined in Article 43 of the Constitution. The forceful eviction of traders at Luanda Market raises grave concerns, as it is affecting the lives of many Kenyans, not just from Vihiga County, but all other neighboring counties of Kisumu, Siaya, Busia and Kakamega who deserve protection under the law.

Hundreds of small-scale entrepreneurs who have been depending on this market for decades were displaced without offering them conducive alternative sites. The sudden demolition of their stalls and trading spaces has not only disrupted economic activity in the town, but also the future of both adults and children who depend on earnings from the market.

This raises serious concerns regarding compensation, relocation arrangements and the level of concentration undertaken, especially with the stakeholders and the County Government of Vihiga.

In the Statement, the Committee should address the following issues-

(1) Whether the spaces in question lie within a road-reserve or it is a public market legally recognised by the County Government of Vihiga and the law.

(2) Whether the Kenya National Highways Authority (KENHA) has a legal redress mechanism available for processing complaints from affected persons.

(3) Whether KENHA undertook adequate and extensive community sensitisation and stakeholder engagement, particularly with affected traders as well as the involvement of local leadership as required under Article 232(1)(d) of the Constitution of Kenya.

The Speaker (Hon. Kingi): Senator from Busia County, the Hon. Andrew Omtatah.

Sen. Okiya Omtatah: Mr. Speaker, Sir, I have three Statements, and I request that I read them together.

The Speaker (Hon. Kingi): Kindly do so.

PROPOSED LAKE VICTORIA RING ROAD (LVRR) PROJECT

Sen. Okiya Omtatah: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transportation and Housing on a matter of inter-county concern regarding the proposed Lake Victoria Ring Road Project. This is a transformative 487-kilometre road network intended to traverse Busia, Siaya, Kisumu, Homa Bay and Migori counties by crossing the Yala Swamp and encircling Lake Victoria.

First studied in 1986-1987, the project envisioned to spur ecotourism, expand the blue economy through fishing and aquaculture, open historically marginalised areas to trade and cross-border commerce with Uganda and Tanzania.

In the Statement, the Committee should address the following-

(1) Whether the Ministry of Roads and Transport has updated the 1986 feasibility study to reflect current social, economic and environmental realities and if not, when such a review will be undertaken.

(2) The current estimated cost, funding sources and implementation timeline for the project.

(3) Measures to safeguard the Yala Swamp ecosystem and guarantee sustainable resource management during construction and operation.

(4) The extent of consultation with local communities and county governments, including mechanisms to ensure equitable sharing of economic benefits and public participation in any design changes.

(5) The project's role in strengthening regional trade with Uganda and Tanzania, as well as the structures in place to guarantee transparency, accountability and timely completion of the project.

OPERATIONALISATION OF MULUANDA BORDER POINT

Sen. Okiya Omtatah: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations on a matter of regional concern regarding the long overdue operationalisation of the Muluanda Border Point in Samia Sub-County in Busia County.

In 2009, the late President Mwai Kibaki declared Muluanda the third official Kenya-Uganda border crossing point in Busia County. This pledge was reaffirmed by President William Ruto in 2023 and the Prime Cabinet Secretary, the Hon. Musalia Mudavadi, in 2025. However, the border point remains ungazetted and non-operational.

Mr. Speaker, Sir, operationalising Muluanda Border Point would boost customs' revenue, create jobs, improve cross-border services and infrastructure, grow local enterprises and strengthen Kenya's trade position within the East African Community (EAC). Its continued dormancy denies the nation these economic and integration benefits.

In the Statement, the Committee should address the following-

(1) The reasons for non-implementation of the Presidential directives of the year 2009 and 2023 regarding the Muluanda Border Point to date, including whether any performance indicators were established.

(2) Whether there have been any budgetary allocations for the said border point, and if so, outline itemised annual allocations and expenditures for the same from the Financial Year 2009/2010 to date.

(3) Steps taken to engage the Ugandan Government regarding the boundary alignment and cross-border cooperation for the said border point.

(4) The county-level planning and budgeting activities in place to support roads, markets or utilities around the border point.

IRREGULARITIES SURROUNDING BUSIA GREEN PARK PROJECT

Sen. Okiya Omtatah: Mr. Speaker Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and

Natural Resources on a matter of countywide concern regarding the irregularities surrounding the Busia Green Park Project.

The Busia Green Park project initially allocated Kshs8 million, which was later revised to Kshs6 million, intended to serve as the town's sole public recreational space. Despite its strategic role in urban beautification and environmental conservation, the site remains closed to the public, with kiosks now under construction.

County planning documents regarding the project are contradictory, with one claiming that the park is complete, while another states that no land has been secured. This raises serious concerns over transparency, possible misappropriation of funds and the risk of losing public land to private interests.

In the Statement, the Committee should address the following-

(1) The rationale behind revising the budget allocation from Kshs 8 million to Kshs6million, including itemised expenditure, expenditure records and supporting vouchers.

(2) Whether public participation and stakeholder consultations were conducted prior to and during the planning and implementation of the project, pursuant to Articles 10 and 232(1)(d) of the Constitution of Kenya, 2010.

(3) The reasons for the contradictory information between the County Strategic Framework Plan (CSFP) and the Annual Development Plan (ADP) 2025/2026.

(4) The identity of the authority that sanctioned the construction of kiosks at the site.

(5) Whether the land use designation was lawfully changed and whether due process was followed in effecting such changes.

(6) Measures in place to safeguard public land from encroachment, land grabbing or unauthorised private development within Busia County.

(7) The details of the project, including the initial timeline for completion, whether due process was followed in tendering and procurement.

Thank you, Mr. Speaker, Sir.

CHILD LABOUR AND EXPLOITATION IN MAJOR CITIES AND TOWNS

Sen. Miraj: Thank you, Mr. Speaker, Sir. I request for a statement on child labour and exploitation in major cities and towns across the country.

I rise pursuant to Standing Order No. (53) (1) to seek a Statement from the Standing Committee on Labour and Social Welfare on a matter of national concern regarding the alarming rise of child labour and the growing number of street children in cities and towns countrywide.

Children as young as seven years old around are working as hawkers and vendors, often forced in the streets and into this exploitative trade by parents, guardians or by sheer neglect. This exposes them to exploitation, abuse and long-life harm, contrary to Article 53 of the Constitution, which guarantees children protection from abuse and exploitative labour and the rights to parental care and education.

In the Statement, the Committee should address the following-

(1) The steps taken by the relevant ministries, including Gender, Culture and Children's Services, Interior and National Administration and Education to eliminate child labour and ensure all children are enrolled and retained in schools.

(2) Whether there is an ongoing mapping of street children across major cities and towns, if so, the findings of such exercises.

(3) Measures being implemented to rehabilitate these children and provide them with safe homes as well as reintegrating them into education and society.

(4) Interventions to hold accountable those who exploit or force children into labour, including parents, guardians and employers.

(5) Policies or programmes in place to strengthen social protection for vulnerable families, so that poverty does not continue to push children onto the streets.

Thank you.

PROPOSED SALE OF SHARES TO KALAHARI CEMENT LTD
BY EAST AFRICAN PORTLAND CEMENT

Sen. Seki: Thank you, Hon. Speaker. I wish to request for a Statement on the proposed sale of shares in East African Portland Cement to Kalahari Cement Limited.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Trade, Industrialisation and Tourism on a matter of national concerns regarding the proposed sale of a significant stake in East Africa Portland Cement to Kalahari Cement Limited.

Hon. Speaker, East African Portland Cement, one of the Kenya's oldest cement factory, is a strategic national asset that has historically contributed to infrastructure development, industrial growth and employment creation. The company is partly government-owned with a big public investment through the National Social Security Fund (NSSF). Kalahari Cement Limited has entered into a binding agreement to acquire approximately 29.2 per cent of the authorised shares of East African Portland, currently held by Cementia Holdings, AG and Associated International Cement Limited, both subsidiaries of the Holcim Group, which is affiliated to Bamburi Cement Company.

If concluded, the deal will result to Kalahari Cement, through its association with Bamburi Cement, controlling a combination of 41.7 per cent stake in East African Portland Cement. This proposed sale raises significant concern with respect to transparency, governance and public accountability.

In the Statement, the Committee should address the following-

(1) The due diligence undertaken in the proposed sale and the safeguard to protect the shares interests of key stakeholders, including the National Social Security Fund (NSSF), taxpayers and employees.

(2) Whether public participation and stakeholders' engagement as stipulated in Article 232(1)(d) of the Constitution has been undertaken in the proposed sale of such magnitude, given the significant Government stake holding in East African Portland Cement.

(3) Measures being taken to secure the livelihood of employees and mitigate potential jobs losses resulting from the plan.

(4) The extent of Bamburi Cement interest and influence of the proposed transaction through its affiliation with Holcim Group and association with Kalahari Cement.

(5) Steps the Government is taking to ensure that strategic national assets are managed transparently to protect the national interest and enhance accountability and fair competition, especially in the cement industry.

Thank you, Hon. Speaker.

The Speaker (Hon. Kingi): Hon. Senators, I will allow comments for not more than 15 minutes. Sen. Ledama---

Sen. Osotsi, certainly, you were not there when I was reading the guidelines on how you should, on what to do to catch the Speaker's eye. You raise your hand. Do not switch on your microphone. Just raise your hand.

Proceed, Sen. Olekina.

Sen. Olekina: Thank you, Mr. Speaker, Sir. I rise to support the Statement by the distinguished Senator, Sen. Osotsi on the forceful eviction of traders at Luanda Market in Vihiga County.

There is a balance between development and ownership of property. There is also a balance between private property and public property. I have listened to the Statement which has been raised by my colleague and it raises serious concerns that we must be able to address. The highway between Kisumu, Vihiga, Busia, all the way to Uganda is very important for the development of our region.

In every county - in all the 47 counties - many traders occupy land which is public land. That land that is owned by the Kenya National Highways Authority (KeNHA)--- The issues that are raised in this Statement are important. When they are looked into, the question of ownership is definitely going to be unique. This is because I have seen the issues that have been raised by the distinguished Senator, which, of course, I would like to get more details on.

One, which is very important, is whether the land in question lies within the road reserve. When this matter happened, there was a lot of drama, particularly in Maseno, where people came in and they said that the last time that KeNHA gave notice that traders would be evicted from the road reserve was back in 2018. So, at what point should we agree as county governments to build markets that our people can move in? If we want development, should we, as defenders of devolution, be emotive in the matter when traders are moved from the highway?

Mr. Speaker, Sir, when you drive on this road, coming all the way from where we are staying - I am happy that we have come to Busia today - you will find a long line of trucks that are waiting to clear to get into Uganda. Honestly, should we be asking whether it is humane for traders to trade on a road reserve or should we be asking the big question, as to what county governments are doing to accommodate these traders, or even divert the traffic route from the main highway?

Mr. Speaker, Sir, we must ask these are important questions. I know we represent and want to support our people, but we must also find a balance between development, accepting redevelopment of our country and maintaining the mediocrity of allowing everyone to just build wherever they feel like.

There is a question that has been asked here, which I would like to reiterate on - whether the Kenya National Highways Authority has a legal redress mechanism available for processing complaints from the affected persons. Yes, we have to be humane, but ask yourself this question - If today I decide to build my stall in front of your building, which is your private property, should I be putting a mechanism in place to address your concerns, yet you are the one who has encroached on my land and territory, in my private place? Let us not kid ourselves. We have to ask critical questions.

I remember when the Rt. Hon. Raila Amollo Odinga was the Minister for Roads and Transport, he made serious decisions to expand the Mombasa Highway. People went to court and raised a lot of concerns. The same thing applies to the Red Hill Road that goes all the way to Nyari and Village Market. People were bitter. In fact, there are people who are still in court up to today. However, everyone today in our generation is happy that happened, because the distance between Nairobi and Mombasa was reduced. The people who live in Machakos County can now get to Machakos within 17 minutes of use of the Express Way.

As we come into our counties and raise concerns, the big question that we must raise is what we need to do to address and accommodate every trader along the highway. The question is simple and I would like the Committee, when they look at this matter, to proceed and look at the issue of whether the county governments of Vihiga, Kisumu and Busia have gazetted public markets, and whether those markets have been assigned to individuals and not road reserves. In fact, this is an opportunity for us to call upon every county government to move expeditiously and remove everybody who has occupied road reserves.

Let us leave road reserves for them to become areas of expansion. We are growing. We now have a population clocking about 60 million in this country.

The Speaker (Hon. Kingi): You have less than a minute, Hon. Olekina.

Sen. Olekina: Thank you. With a population of 60 million we have to be realistic, unfortunately. Let us call a spade a spade. Let us leave road reserves for the expansion of our roads, so that we can enhance trade, particularly in this region. We want to make it easy for us to trade between Uganda and Kenya. It is wrong in the 21st century, in 2025, that we still have a long queue of trucks waiting to be cleared because the road is very small.

Mr. Speaker, Sir, I support the Statement, but wish the Committee would go further and get into the hidden questions that are in this Statement.

The Speaker (Hon. Kingi): Sen. Catherine Mumma, please, proceed.

Senators wishing to speak will do so in under three minutes.

Sen. Mumma: Thank you, Mr. Speaker, Sir, for giving me the opportunity to speak.

I would request that you indulge me with two minutes to say something about being in Busia County. You were welcomed by Sen. Khalwale and Sen. Osotsi. However, Sen. Khalwale did not acknowledge that I come from this region. This is a predominant culture in this area. Sometimes they do not see the women, but I want to confirm that I am a daughter of Western Kenya, and I come from this region.

(Applause)

Mr. Speaker, Sir, I also wish to add that he also committed a mortal sin by human standards. He did not acknowledge that this is the home of His Excellency Uncle Moody Awori and the Awori family. Everybody knows the contribution that family has made to this country and Uganda. Everybody knows that the humblest political leader we ever had in this country is Uncle Moody Awori.

Hon. Speaker, Sir, he also failed to acknowledge Hon. Julia Ojiambo who---

The Speaker (Hon. Kingi): Hon. Catherine Mumma, tomorrow we will be celebrating the great sons and daughters of this region, so you will have an opportunity. They have been invited. They will be here, and we will be celebrating them as they watch.

Sen. Mumma: Thank you, Mr. Speaker, Sir. I really appreciate. However, allow me to just say something little about Hon. Julia Ojiambo. This is the first woman to join the University of Nairobi.

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

Sen. (Dr.) Khalwale: Is the distinguished Senator, Catherine Mumma in order to misrepresent facts? If indeed she is a daughter of this community, which I know she is---

The Speaker (Hon. Kingi): Which Standing Order is that?

Sen. (Dr.) Khalwale: Standing Order 105. If indeed she is a daughter of this community, and I do agree that she is a daughter of this community, why is she misrepresenting facts?

In this community, once you get married, you cease being the person from this community. You belong to the community where you are married. In my knowledge---

(Loud consultations)

The Speaker (Hon. Kingi): Order, Sen. Boni. Just take your seat.

(Loud consultations)

Order, Hon. Senators! You are disorderly. Your shouting will not address the issue that has been raised.

Hon. Boni Khalwale, if you read the Constitution, yes, it actually accommodates customary practices and values, but those that are repugnant are not acknowledged. So, it is the ruling of the Chair that, that particular culture, to the extent that it offends---

(Loud consultations)

Order, Senator for the Nairobi City County!

(Loud consultations)

Let me hear the Senator of Nairobi City County. Please, note that you are not on a point of order. I have allowed you to make your intervention because you are from this area and are hurt by the statement.

Sen. Sifuna: Mr. Speaker, Sir, I would like to warn that you are waddling into a dangerous territory. I do not think that culturally, you have powers to determine what is culturally right amongst the people of Mulembe.

Mr. Speaker, Sir, with due respect, when we come to the Mijikenda, you are an elder there, but on this one, it is dangerous territory. The next thing I will be told is that my wife does not belong to me, she belongs somewhere else. Let Elder Khalwale guide us on this one.

(Laughter)

The Speaker (Hon. Kingi): Hon. Senators, for purposes of this sitting and for purposes of these proceedings, we will go by the assertion by Hon. Catherine Mumma that, indeed, she is a daughter of this region.

(Applause)

She has temporarily relocated to another region, but she remains a daughter of this region.

Proceed, Hon. Catherine.

Sen. Mumma: Mr. Speaker, Sir, thank you for respecting the Constitution of Kenya. I am sure the elders in Western Kenya are watching and they will be appalled that anyone can purport to speak for them in the manner in which Hon. (Dr.) Khalwale has done.

Be that as it may be, I was saying that Julia Ojambo was the first female African student at the University of Nairobi. She was the first Kenyan woman to join Harvard University. She was the first African woman to receive a PhD from the University of Nairobi. She was the first woman Assistant Minister in Kenya and first female Member of Parliament from Western Kenya. She also ran as Vice President for Kalonzo Musyoka. Of course, the men will never recognise that, so, allow me to do this.

(Applause)

Mr. Speaker, Sir, I will now contribute to two of the statements. One of the statements---

(Several Senators spoke off record)

Mr. Speaker, Sir, please, protect me. Hon. Khalwale took all my time.

I will speak to the issue of Muluanda border point raised by Sen. Omtatah. I call on the Senate to help us strengthen the intergovernmental relations between national

Government and county governments. I believe Busia County, being a border county, is one such county where we should model better intergovernmental relations.

Mr. Speaker, Sir, for instance, 40 per cent of patients in Busia hospitals come from Uganda, South Sudan and elsewhere. A number of the other services are used by people across the border. This would have been a good place for us to demonstrate good intergovernmental relations, where we have cooperation. For instance, with the Ministry of Health by putting a strong referral hospital here and good mechanisms to guard against pandemics because of cross-border movements. Therefore, what Sen. Omtatah is talking about in terms of the border point is an important issue, and I request the Senate to fully take it up and deal with it.

Mr. Speaker, Sir, I also would like to contribute to the Statement by Sen. Miraj on child labour. I believe we have dropped the ball in relation to our children. Children aged 24 and below are 59 per cent of this country. When it comes to 35 and below, they are 70 per cent. We have young 10-year-olds hawking everywhere on the streets. We do not know who is dealing with this.

I would like to state again that this is a multi-sectoral issue. We must remember the issue of children is not being treated the way---

The Speaker (Hon. Kingi): Sen. Oburu Odinga.

Sen. (Dr.) Oburu: Thank you, Mr. Speaker, Sir. I rise to make a comment on the Statement sought by Sen. Okiya Omtatah on the ring road around Lake Victoria. This is a road which is long overdue.

Speaking about this road started immediately after Independence. The road was supposed to be accomplished with a comprehensive irrigation scheme, which was to go around the lake. We were supposed to tap the water from Lake Victoria and pump it up on the hillocks, and bring it down for irrigation, so that we would have a permanent food reserve in our area. Our area was supposed to be a food reserve for the whole country.

Mr. Speaker, Sir, when Raila Odinga, my brother, was the Minister for Roads, Public Works and Housing, they proposed this road and we went around the whole of East Africa. At that time, I was the Chairman of the Committee on Finance and National Planning in the National Assembly. This road is not only for Kenya, but is supposed to go around Tanzania and Uganda. We drove and went round. Once this road is opened, it will open up development in the whole of the lake region and connect the three countries.

Mr. Speaker, Sir, the World Bank was ready to fund the development of this road. The only hindrance we have to the development of this road in Kenya is greed. When people who are land grabbers hear that a road is supposed to pass in a certain area, they go and buy land quickly from unsuspecting *wananchi*. They then raise the price, so that the planned development cannot happen.

This is what has also made it difficult for Kenya to acquire the pipeline, which was supposed to come from Uganda through to Kenya and connect to ours. Land in Kenya becomes very expensive for the Government to buy because grabbers bought it first and then they want the Government to pay high prices. Let us allow the places which have been earmarked for roads to be opened. Let us not allow people to grab them and make it very expensive for the Government. We cannot build roads in the air. Roads can only be built on land and we must allow the Government to buy that land.

The Speaker (Hon. Kingi): Sen. Kathuri Murungi.

Sen. Kathuri: Thank you, Mr. Speaker, Sir, for this opportunity to make brief comments on the statements.

First and foremost, I thank the Busia community; the Executive and the leadership of the Busia County Assembly for hosting us. I arrived in this town yesterday and I am impressed by their hospitality. They are courteous people. I can only compare this community to the Meru.

(Laughter)

In the next three weeks, we will be hosting all the county assemblies and I would like to encourage Senators to participate. They have their games in Meru from 23rd October, 2025. I was in discussion with hon. Speakers and they would like Senators to participate.

Mr. Speaker, Sir, I have been with you from yesterday and we have enjoyed our stay here. The other thing I have noticed in this community is that they have enough food; a lot of food.

(Laughter)

The goal of the Kenya Kwanza Government is to ensure food security. I, therefore, thank the leadership of this County for assisting the Government in making sure that we have food for this country.

The road from Vihiga to here is very dilapidated. Before the dual carriageway is done, KeNHA should come with speed and repair that road. The potholes are extensive and because of trucks, accidents are inevitable.

Mr. Speaker, Sir, I also encourage Sen. Osotsi to talk to your leadership and as fast as possible, remove people from the road reserve, so that they can get a better road. The best thing is not to complain. If the Government has given you a superhighway, remove people from the road reserve, so that the road can be constructed. I think nobody should live on the road reserves. You are delaying the service because people from Vihiga and Busia want to enjoy that road.

Sen. Osotsi, lead the way and make sure that the road is cleared, so that the amendment can be done by the Kenya Kwanza Government before the 2027 elections are held.

Sen. Wambua: Thank you, Mr. Speaker, Sir. I thank the beautiful daughter of the Abaluhya community, Sen. Mumma, who is also a loved wife of the community of Sen. M. Kajwang.

I thank her for recognizing the exemplary demonstration of true leadership by His Excellency Dr. Stephen Kalonzo Musyoka, when he ran for President and nominated Prof. Julia Ojiambo as his running mate. I do not want to be seen to be anticipating debate, but tomorrow when Prof. Julia Ojiambo appears, I will be seeking the attention of the Chair to say a few things about her.

I now comment on the Statement on the Kenya National Highway Authority (KeNHA) and the relocation of the traders along the road reserves. We can argue and debate that matter. I have just come from a sitting of the County Public Accounts Committee of Busia, where we have so many trucks parked right outside this County Assembly.

Of greater importance is that this county government is not allowed to collect fees from these trucks transiting through the county and then interfering with the business of this place. As a Senate, one of the things that I would encourage us to do, maybe through the area Senator, is to find a way of the County Government of Busia to getting some revenue from these trucks.

A simple calculation, they have said they have 1,800 trucks transiting through these county headquarters every day. If they were to charge only Kshs1,000 of transit fee, that would be Kshs1.8 million every day, translating to Kshs54 million a month and Kshs648 million in a year.

Mr. Speaker, Sir, we always blame county governments for not looking for revenue streams, for own source revenue.

Sen. Olekina: Mr. Speaker, Sir, on a point of order.

Sen. Wambua: What is out of order now?

The Speaker (Hon. Kingi): What is your point or order?

Sen. Olekina: Mr. Speaker, Sir, I am sorry, but I have to. I rise under Standing Order 105 on the statement of facts.

The Constitution of Kenya is quite clear on the kind of taxes that county governments can collect and the taxes that the national Government can collect. If the distinguished Senator is now asking Busia County to charge truckers here, what will Kisumu and Eldoret do? By the time your businesses are working here, all the way to Nairobi, truckers will be paying millions of shillings. Is that really what we want to do?

County governments can only collect stipulated revenues, which are also transferred to the County Governments Finance Act. Let us not confuse the country.

Is the distinguished Senator in order to mislead the nation that Vihiga or Busia County can charge truckers moving from Uganda to Nairobi?

The Speaker (Hon. Kingi): Sen. Olekina, your point of order is overruled. The county governments under the Fourth Schedule can charge for parking fees. Any truck wishing to park within the county government will pay parking fees.

Sen. Enoch, proceed to conclude your remarks.

Sen. Wambua: Mr. Speaker, Sir, you know it is a good thing when a Senator admits laziness because I just said we should find innovative ways of helping the County Government of Busia collect some revenue from these trucks.

Truth be told, these trucks interfere with business in Busia Town.

(Loud consultations)

The Speaker (Hon. Kingi): Order, hon. Senators. May the Senator for Kitui be heard in silence.

Proceed, you have less than a minute.

Sen. Wambua: I have not made a ruling; I am just giving an opinion. If you find my opinion unpalatable, when you get your chance, give me your opinion. Maybe you do not even have an opinion, Senator for Uasin Gishu.

The second issue was on the sale of strategic investment in the name of the East African Portland Cement. We must find a way of taming this appetite to sell our strategic investments.

(An hon. Senator rose on a point of order)

The Speaker (Hon. Kingi): Unfortunately, the hon. Senator has long concluded his issue.

Senate Majority Leader, what is your intervention?

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, it is good to mention to the House, although I know, the Clerk's office is working on the communication. At the Senate Business Committee (SBC), this morning, we made a decision about this matter, which colleagues are very passionate about.

Busia and Malaba borders shall be discussed here extensively via a Motion. The Committee on Trade, Industrialisation and Tourism and the Committee on National Cohesion, Equal Opportunity and Regional Integration visited both the border and station.

Tomorrow morning, we have a Motion to discuss this matter extensively. So, I wanted the House to be in the know that there is no need to trade barbs at this point. We shall have sufficient time tomorrow morning.

Mr. Speaker, Sir, Lastly, I hope later you shall inform the House of what time we shall be visiting that station before the House resumes tomorrow morning.

The Speaker (Hon. Kingi): What the Majority Leader has just indicated is true. This matter was extensively discussed at the SBC. It was found proper that a substantive Motion be brought tomorrow, so that hon. Senators will have an opportunity to discuss this substantively.

We also indicated during that meeting that for hon. Senators to be in a position to debate that Motion effectively, they need to understand the workings of the border post. Therefore, it has been agreed that tomorrow, between 7.30 a.m. to 9.00 a.m., Senators will have an opportunity beyond the two committees that have visited there. The entire House will have an opportunity to go to the border post, so that as we debate the Motion tomorrow, you will be debating from a point of knowledge.

Sen. Veronica Maina: Thank you, hon. Speaker, for this opportunity. I want to comment on the Statement that has been brought to this House by Sen. Miraj on the children who are in our streets in different counties in Kenya. I want to specifically comment on the children, the status of the children in Busia County.

Unfortunately, beyond the children who are on the streets, the problem is more complex. They are not only being given child labour from the streets, but also being burdened with parental responsibility of taking care of infants when they are between the age of 10 and 11 years.

We have found pregnant teenagers in Busia County numbering about 4,562, who are having to handle infants at their very tender age. It is unfortunate that as communities, we no longer consider the best interest of these children.

Children do not just land in the streets. As this Committee looks into this complex issue, we must ask ourselves where the children who land in the streets come from. Are they coming from broken families or from situations that have rendered them vulnerable to a point that they have to survive on the streets to raise income that they need? What are the schools doing about the children who are falling out of school? We might get to a point where every county government takes account for the children within their counties who are on the streets.

In the best interest of children, it will be befitting for this Senate to consider that complex question. This is because we have to know where the children who are in the streets will be five years from now. How does this society expect these children to turn out when they turn 18? Are we waiting for them to turn into small gangsters and eventually huge gangs that we find on the streets? When these questions are raised, they sound simple as though they should not be given a lot of attention.

I believe highways and infrastructure are important but the family unit, the welfare of children and the people of Kenya are equally important. Most of the Senators who are commenting on the highway are of male gender, the father of the children who are on the streets. They are more interested in the roads and not the family cohesion. Time has come for this House to have a committee called Gender and Family Committee.

(Loud consultations)

The Speaker (Hon. Kingi): Senator for Nandi County, there is nothing disorderly in that.

Sen. Veronica Maina: Hon. Speaker, Sir, that committee will sort out the issues we have in this nation. For that to happen, it is important that Parliament establishes a committee known as Gender and Family Committee. That committee will look at the issues that have broken down the family.

(Loud consultations)

The Speaker (Hon. Kingi): Order, Senator for Nandi County. Conclude, hon. Senator.

Sen. Veronica Maina: Hon. Speaker, Sir, if that happens, all these issues will be resolved. We will resolve our roads when we resolve the family matters.

The Speaker (Hon. Kingi): Your time is up, Hon. Senator.

Sen. Veronica Maina: Hon. Speaker, Sir, can I be added one minute?

The Speaker (Hon. Kingi): Unfortunately, no. Now, hon. Senators, we have gone beyond the 15 minutes that I had indicated. We have done double of the time I had earlier indicated. We will, therefore, rest it at that.

However, before I allow the Clerk to call the next Order, I wish to confirm that Hon. Raphael Wanjala, Member of Parliament for Budalangi Constituency, Hon. Mary

Emaase, Member of Parliament for Teso South Constituency and Hon. Geoffrey Mulanya, Member of Parliament for Nambale Constituency are in the House. Hon. Members of Parliament, welcome to the Senate Plenary.

Hon. Senators, at this juncture, allow me to rearrange today's Order Paper pursuant to Standing Order No. 45(2). We will now proceed to Order No. 9. I ask the Clerk to call that Order.

MOTION

ADOPTION OF REPORT ON COUNTY GOVERNMENTS (EQUITABLE SHARE) CASH DISBURSEMENT SCHEDULE FOR FY 2025/2026

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Equitable Share) Cash Disbursement Schedule for Financial Year 2025/2026, laid on the Table of the Senate on Wednesday, 24th September, 2025 and that, pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order 189 (3), the Senate approves the County Governments (Equitable Share) Cash Disbursement Schedule for Financial Year 2025/2026.

(Sen. Ali Roba on 24.9.2025 – Afternoon Sitting)

(Resumption of debate interrupted on 25.9.2025)

The Speaker (Hon. Kingi): Serjeant-at-Arms, kindly ring the Division Bell for two minutes?

(The Division Bell was rung)

The Speaker (Hon. Kingi): Serjeant-at-Arms, kindly ring the Division Bell for a further two minutes.

Serjeant-at-Arms, can we close the door and draw the bar?

(The door was closed and the Bar drawn)

Thank you.

Now, hon. Senators, voting shall be by Roll Call. I know you are used to the one that we vote, and under one minute, we are done but this one will be manual because we will do it by Roll Call. Therefore, we will need the tellers; a teller for the Noes and a teller for the Ayes. Sen. Miraj will be the teller for the Ayes and Sen. Montet will be the teller for the Noes. Kindly take your positions before I put the question.

Thank you.

(Question proposed)

Now, the Clerk is going to call the names of the Senators in alphabetical order. Clerk, you may proceed.

(The Senators proceeded to vote by Roll Call)

DIVISION

ROLL CALL VOTING

(Question, that the Senate Adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Equitable Share) Cash Disbursement Schedule for Financial Year 2025/2026, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

Teller of the Ayes: Sen. Miraj

NOES: Nil

Teller of the Noes: Sen. Montet Betty

The Speaker (Hon. Kingi): Hon. Senators, the results of the Division are as follows-

AYES: 26

NOES: Nil

ABSTENTIONS: Nil

The "Ayes" have it.

(Question carried by 26 votes to Nil)

The Speaker (Hon. Kingi): Serjeant-at-Arms, you may now withdraw the Bar and open the doors.

(The Bar was undrawn and the doors opened)

Hon. Senators, we will move to Order No.8.

Clerk, kindly read that Order.

MOTION

ADOPTION OF REPORT OF PETITION ON AMENDMENT TO THE COUNTY GOVERNMENTS ACT, 2012

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Mr. Japheth Makokha, the Executive Director of Tripple the Impact CBO to amend the County Governments Act 2012, on the mandate of the County Governors assigning Portfolio of a County Executive Committee Member (CECM) to the Deputy County Governors, laid on the Table of the Senate on Thursday, 25th September, 2025.

(Sen. Abass on 1.10.2025 - Afternoon Sitting)

(Resumption of debate interrupted on 2.10.2025)

The Speaker (Hon. Kingi): Hon. Senators, debate on this particular Order had been concluded. What was remaining was the putting of the question.

Clerk, do we have the requisite number of hon. Senators?

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

We do. I will, therefore, proceed to put the question.

(Question put and agreed to)

Let us go to the next Order.

BILL

Second Reading

THE COUNTY HALL OF FAME BILL (SENATE BILL NO.18 OF 2023)

Sen. Miraj: Bw. Spika, naomba kutoa Hoja ya kwamba Mswada wa Ukumbi wa Umaarufu katika Kaunti (Mswada wa Seneti Nambari 18 wa Mwaka wa 2025) usomwe kwa Mara ya Pili.

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

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

Bw. Naibu Spika, mwaka wa 2010, Katiba ya Kenya ilianzisha mfumo wa serikali za kaunti ambao ulitambua kitambulisho cha kipekee cha utamaduni na michango ya kaunti zetu 47. Hata hivyo, ugutuzi hauhusu tu uhamishaji wa majukumu na rasilmali bali pia kusherehekea mashujaa mabingwa wetu ambao wameunda kaunti---

(Sen. Wambua consulted loudly)

The Deputy Speaker (Sen. Kathuri): Sen. Wambua, let Sen. Miraj be heard in silence. It is like she is listening to herself.

Sen. Miraj: Asante, Bw. Naibu Spika. Hata hivyo, ugutuzi hauhusu tu uhamishaji wa majukumu na rasilmali bali pia kusherehekea mashujaa na mabingwa wetu ambao wameunda kaunti zetu na taifa letu kijumla kupitia huduma zao za kipekee.

Tunaenda kuangamiza historia hii na turathi ambazo mashujaa wetu wamefanya katika kaunti zetu. Hivyo basi, kutakuwa na pengo la kihistoria la yale ambayo wamefanya kama mashujaa wetu. Kumbukumbu zetu zinaenda kudhoofika na vizazi vinavyokuja havitakuwa na sehemu ya kuona nani alifanya nini katika kaunti zetu.

Bw. Naibu Spika, leo nasimama kwa majivuno, fahari na wajibu mkuu, kuwasilisha Mswada wa Ukumbi wa Umaarufu katika Kaunti ili ushughulikiwe na Seneti hii mashuhuri. Hii ni kwa sababu Mswada huu ukipitishwa, hautakuwa kipande kingine tu cha sheria bali chombo cha mabadiliko kinacholenga kuheshimu na kutukuza ubora huko mashinani kwa kuanzisha mfumo utakaowezesha serikali za kaunti kutukuza watu walioleta utukufu, sifa na maendeleo kadha wa kadha katika kaunti zetu.

Mswada wa Ukumbi wa Umaarufu katika Kaunti unalenga kuziba pengo hilo la kutotambuliwa kwa kuidhinisha mfumo mpana wa kutambua watu binafsi katika ngazi ya kaunti. Mswada huu unalenga-

(a) Utambuzi wa watu maarufu katika kaunti: Kuwaheshimu watu binafsi waliochangia pakubwa katika kaunti za nchi yetu kwa kuhakikisha ubora unasherehekewa katika kila ngazi ya utawala na kila kiwango cha kitaifa.

(b) Kudumisha turathi za kitamaduni: Kuanzisha kumbi za umaarufu katika kaunti kama hifadhi za historia, utamaduni na turathi zetu na kuhakikisha kuwa hazina ya matukio ya kila kaunti inahifadhiwa kwa ajili ya vizazi vijavyo.

Pili ni kuhamasisha vizazi vijavyo, mapendekezo ya Mswada huu yatakuwa kielelezo cha kuigwa na mifano ya kupigwa ubora katika ngazi za ugutuzi ambazo vijana wanaweza kuiga na kudhihirisha kuwa ushujaa na mafanikio ya kila kaunti yanahifadhiwa kwa ajili ya vizazi vijao.

Tatu ni kuimarisha upekee wa kaunti, kukuza hisia kubwa na kujivunia na fahari kwa kusherehekea michango na mafanikio ya kipekee yanayotoa mwelekeo na turathi za kila kaunti.

Kule Mombasa, tuko na vijana mahiri, vijana ambao wameweza kupambana na janga la mihadarati. Kijana kwa jina Taib Abdulrahman amekuwa ni kijana wa kwanza kuonyesha ukakamavu na ushujaa kuanzisha vikao vya kuzungumza na wale ambao

wameathirika na mpaka sasa hata serikali kuu imeweza kukaa naye na yeye ndiye mhasisi wa *reach out centre* ambayo imeweza kusaidia waraibu wengi kurudi katika njia au barabara iliyo sawa.

Mapendekezo ya sheria hii yanaenda kuimarisha na kukuza utalii na elimu katika gatu zetu. Pia itaunda vituo vya masomo na utalii-tamaduni utakaoelimisha wakaazi kuhusu historia yao na kuwa na uwezekano wa kuzalisha mapato ya kuendeleza kaunti.

Bw. Naibu Spika, ukiangalia hivi sasa, wakati Waziri alipokuja katika Seneti juma iliyopita, alisema ya kwamba utamaduni imekuwa kivutio kikubwa cha uongezaji idadi ya watalii katika taifa letu. Ndiposa, tutakapokuwa na sheria hii, itaweka sambamba mikakati ya kuonyesha ni kitu gani na ni tamaduni gani inayovutia zaidi.

Katika jimbo la Magharibi la zamani, kwa mfano, tunajua kuna ule mchezo wa ng'ombe kupigana halmaarufu, "*bull-fighting*" kwa lugha ya Kingereza. Kule kwetu Lamu, Mombasa na hata Kwale, unaweza kujionea turathi nyingi sana. Milango ambayo imetengezwa kwa ulimbwende wa hali ya juu; milango ambayo ingeweza kuashiria huyu ni mfanyi biashara wa ubawabu, huyu ni mfanyikazi wa samaki na huyu ni mfanyi biashara wa hishu.

Hivyo basi, ningependa kuwashawishi Maseneta wenzangu waweze kuunga mkono Mswada huu ili tuweze kupata vitegauchumi haswa katika halmashauri yetu ya utalii.

Bw. Naibu Spika, kila kaunti katika nchi yetu tukufu inayo watu waliyotambulika kupitia utoaji huduma mahususi, ubunifu, uongozi au kwa kujitolea. kuanzia kwa mwalimu wa shule kule Kaunti ya Garissa aliyeimarisha viwango vya elimu katika jamii, mhudumu wa afya katika Kaunti ya Turkana aliyetekeleza majukumu yake kwa uadilifu, licha ya mazingira magumu, mjasiri amali katika Kaunti ya Nyeri aliyetoa nafasi za kazi na kuchangia ukuzaji wa uchumi, hadi kwa mhifadhi wa tamaduni katika Kaunti ya Lamu aliyejitolea kuhakikisha tamaduni zetu zinalindwa, wanahitaji kutambuliwa.

Mswada huu unapendekeza kubuniwa kwa Kamati ya Uteuzi katika kila kaunti, itakayojumuisha watu wanaoheshimika, wakiwemo waziri wa Kaunti anayehusika na mambo ya utamaduni ta Turati, Katibu wa Bunge la Kaunti, mwenyekiti wa Bodi ya Huduma za Umma ya Kaunti, na maafisa wa umma watakaoteuliwa. Kamati hii itahakikisha uteuzi unafanywa kwa njia ya uwazi, shirikishi na kuzingatia sifa na vigezo maalum, katika mchakato utakaohusisha umma kwa njia ya mikutano na kuwasilishwa kwa nyaraka za maoni.

Kipengele hiki kinaenda kuweka kikwazo kwa wale viongozi ambao wanafikiria kwamba ni marafiki na jamaa zao peke yao ndio wanastahili kupewa sifa hizi kedekede za kuwa wamefanya mambo katika gatu zetu. Kipengele hiki kitaweza kupiga msasa uwazi wa kuhakikisha ya kwamba wanaowekwa majina yao katika kumbi hizi na kusherehekewa na jamii zetu katika gatu ni wale viongozi ambao wameweza kufanya mambo na bila ubaguzi wakaweza kuwekwa katika kumbi hizo.

Zaidi ya hayo, Mswada unaamuru kwamba serikali za kaunti zinaweza kuteua majengo ya umma yaliyopo au kusimamisha miundo mipya ili kutumika kama kumbi za umaarufu, na kuhakikisha unyumbufu katika utekelezaji huku zikidumisha hadhi na udumifu wa heshima hizi zinazostahili. Mfumo huo unajumuisha vifungu vya kuhifadhi

vitu vya kihistoria na sanaa, kuunda makumbusho hai ambayo husherehekea sio watu binafsi tu bali turathi pana kwa kila kaunti.

Bw. Naibu Spika, ili niweze kuwajulisha wenzangu zaidi ninazungumzia nini ninapozungumzia kuhifadhi turathi zetu. Kule Mombasa na hata Kilisi, utapata kwamba turathi ama vazi ambalo linapendwa sana na watu wa Kilifi ni “kisutu” lakini ni vazi ambalo hivi sasa, watu wote wa Kimijikenda wanajivunia kwalo. Isipokuwa kule Kwale na jamii ndogo ya Wadigo katika gatuza letu la Kwale, wao nguo yao na turathi yao ni kikoi kile cha rangi ya samawati. Ndiposa sasa, tutaweza kujua na kutofautisha katika kumbi hizi ni nguo ngani zinatoka gatuza gani na ni turathi gani na ni jamii gani.

Kupitishwa kwa Mswada huu si hitaji la kisheria tu; ni wajibu wa kimaadili. Ni wajibu wetu sisi viongozi kuhakikisha kwamba ubora popote unapopatikana unatambuliwa na kusherehekewa. Tunapowaheshimu wale ambao ni waasisi wa mambo tofauti tofauti na kuwasherehekea, basi, tutakuwa tunawapa moyo wale ambao wanachipuza sasa, watoto wadogo waweze kuona ya kwamba juhudi na jitihada zao hazitaambua patupu bali zitakuwa katika kumbukumbu na hifadhi za kihistoria katika ukumbi huu wa umaarufu. Tunapohifadhi historia na turathi zetu, tunawapa watoto na wajukuu wetu hisia ya kujitambulisha na rasilmali zao na kule ambako wanatoka.

Baadhi wanaweza wakahoji kwamba utambuzi unapaswa kuachiwa kwa tuzo za kitaifa tu na kuwa kaunti hazihitaji kumbi zao za umaarufu. Hata hivyo, ingawa utambuzi wa kitaifa ni muhimu, hauwezi kushika uwiano kamili wa bora ulio katika kaunti zetu. Watu wengi ambao huenda hawatapokea tuzo za kitaifa, watapata fursa ya kutambulika katika gatuza zao na kuweza kusherehekewa na yale waliyoyafanya kuhifadhiwa katika kumbi hizi katika gatuza zao.

Wengine wanaweza kuhoji gharama za utekelezaji wa Mswada huu. Lakini tujiulize: Gharama ni gani ya kusahaulika kwa mashujaa wetu? Gharama ni gani ya kuruhusu historia na utamaduni wetu kupotea? Gharama ni gani ya kuwanyima vijana wetu kupata vya kuigwa kutoka kwa wenyeji wao? Mswada huu unaruhusu kaunti kutumia miundombinu iliyopo na unatoa urahisi katika utekelezaji, na kuhakikisha kuwa hata kaunti zenye rasilimali chache zinaweza kushiriki katika jitihada hii yenye heshima.

Mswada huu unaambatana kikamilifu na maandili ya Katiba yetu ya kutambua utofauti wa Kenya na kukuza umoja kupitia huo utofauti. Unaimarisha ugatuzi kwa kuziwezesha serikali za kaunti kusimulia historia zao na kusherehekea mashujaa wao. Aidha, Mswada huu unahimiza uwazi kupitia ushirikishwaji wa Umma wa lazima katika mchakato wa uteuzi. La muhimu zaidi unahakikisha kwamba ubora wa hali ya juu popote unapoibuka katika Jamhuri ya Kenya, unatambuliwa ipasavyo.

Bw. Naibu Spika, tupitishie Mswada huu ili tuchukue hatua ya kijasiri ya kujenga taifa la Kenya ambapo kila kaunti inajivunia mashujaa wake, kila jamii italinda na kuendeleza urithi wake na kila kijana ana mifano bora hapo nyumbani ya ubora wa hali ya juu, itakayompa mskumo katika safari yake ya kuelekea majukumu yake makuu kwenye taifa lake.

Naomba tuupitishie Mswada huu na kuchukuwa hatua ya ujasiri kujenga Kenya ambayo kila jamii inahifadhi tamaduni zake na kujivunia mashujaa wake. Kila kijana anafaa kuwa na mfano bora mashinani utakaomjenga kiimani, kimaadili na hata

kiuchumi. Hii itamsaidia kuona ya kwamba watu wa kabila lake walifungua njia mahali hapakuwa na njia.

Bw. Naibu Spika, kwa ruhusa yako, naomba kuwatambua mashujaa kama mwanamke aliyekuwa mayor wetu wa Mombasa, marehemu Bi. Zubeda Sumba. Alikuwa kiongozi wa maendeleo ya wanawake pale Mombasa. Ametuachia historia kubwa ya kusema kwamba wanawake wanaweza.

Pia namtambua mwasisi wa uongozi wa wanawake kule Mombasa, Bi. Margaret Olang', aliyekuwa mwakilishi wa kuchaguliwa katika eneo la Ganjoni wakati wa Kenya African National Union (KANU).

Bw. Naibu Spika, wanawake kama hawa, historia zao zinaenda kupotea kwa sababu tunawatambua tu waliowika kitaifa ambao bado wapo hai. Najua kama si Sen. Catherine Mumma kumtaja mama Phoebe Aseyo na Julia Ojiambo hapa, labda hata kuna watoto katika gatu lake ambao hawajui yale mambo aliyoyafanya. Lakini kupitia kumbi hiyo maarufu, historia yake itaweza kuhifadhiwa. Haitasheherekewa kimataifa bali hata wale wasichana wadogo katika kaunti zetu watajipa moyo ya kwamba wanaweza kuwa kitu katika taifa hili la Kenya.

Pia niruhusu nimtambue Bw. Alfred Ogweni aliyekuwa raisi wa kwanza wa vijana pale Mombasa. Hajakuwa tena kitu chochote lakini najua kupitia sheria hii ambayo naomba Maseneta wenzangu waweze kuingua mkono, atatambulika kama kijana shupavu. Kuna kijana Alfred Sigo kutoka Changamwe; kijana wa kike, Baby Manga kutoka Likoni na ndugu zangu wote tuliokuwa nao katika mapambano ya mageuzi.

Najua, katika miaka yetu tutakayoishi, sio sote tutakaopata fursa ya kuongoza jamii yetu. Lakini kupitia ukumbi huu wa umaarufu, tutawatambua na kuwasheherekea katika juhudi wanazofanya katika jamii yetu ya Mombasa na Kenya yote kwa jumla.

Bw. Naibu Spika, naomba kumwalika Sen. (Prof.) Margaret Kamar aniunge mkono katika Mswada huu. Asante sana.

The Deputy Speaker (Sen. Kathuri): Sen. (Prof.) Kamar, sijui utatumia lugha ya Kiswahili ndio tuwe na muendelezo mwema.

(Laughter)

Sen. (Prof.) Kamar: Thank you, Mr. Deputy Speaker, Sir. For the sake of the Members who do not understand Kiswahili much, let me speak in English.

I second The County Hall of Fame Bill (Senate Bills No.18 of 2023). I do so proudly because its time has come. It should have been implemented by now. I thank the Hon. Sen. Miraj for moving a very progressive and inward-looking Bill.

We almost lost our identity because of colonialism. We reached a point when the history books of Kenya and those of us in our generation remember that we knew the history of West Africa more than that of Kenya. We knew the history of Europe more than the history of Kenya because nobody was writing it and where it written, sometimes it was distorted.

This Bill is trying to recover an image for our nation and for that, I congratulate my sister, Sen. Miraj. We must be identified by who we are and for that to happen, we must write our history and store it ourselves. Heritage is a right to every community.

Since we lost it, we must look for a way of recovering it. This Bill is trying to do that. We must restore ourselves from the damage done by colonialism.

Incidentally, Sen. Mungatana and I sit in the Pan-African Parliament (PAP). This is the year of reparations due to colonialism. Therefore, this Bill is coming at the very right time, when we must look inward and appreciate ourselves because a lot of damage was done. In fact, in the last sitting, there was a question of how we quantify the damage of colonialism.

Now, I am seeing a new area of damage in this Bill: the fact that we lost identity and did not write our history. Somebody must pay us for that because we had history, chiefs and kings in our own villages that were completely eroded. I am happy again that we are doing it now because it is urgent.

The generation of elders that we should be getting information from is diminishing. I urge my colleagues that we finish this and go to the Third Reading and dispense of with this Bill so that our governors can run around to look for information from the elders that still exist because we have lost a lot of our history. Therefore, we cannot afford to delay.

Mr. Deputy Speaker, Sir, this Bill has wonderful aims. First is to recognise local heroes. There is no community that has no heroes. We now know them by name and we sometimes do not even know what they did because nobody documented them. We need to document that. Recognition of local heroes is a very important thing for us. We were made to believe that our heroes in the colonial times were fighters against modern life and were made to believe that they are not there.

We thank God for the Maasais who have resisted changing their clothes up to now. The Maa Community say that their dressing will continue whether you are modernising or not and our brother was here in full regalia today. There are things we have lost.

A sense of recognition of these heroes is also very important. Our heroes may not have been heroes to the colonialists at the time. However, we need to restore and put them in the heroes list. Recognising heroes also brings a sense of appreciation, which sometimes we do not have in our nation.

Mr. Deputy Speaker, Sir, I was in the East African Legislative Assembly (EALA) from 2002 to 2006. I attended independent celebrations of the three countries, Kenya, Uganda and Tanzania. We had a session just before the Tanzanian independence at that time. At that time, the president was Hon. Ali Hassan Mwinyi, the third President of Tanzania. For one week, all the radios were singing independence songs, praising their heroes. You would feel like Nyerere is alive because the whole town of Arusha was covered with billboards, the size of the billboard our colleague has used to welcome us here. Billboards of their first president, billboards of their first cabinet, billboards of people who have done things, billboards of the Zanzibari leaders, and we asked ourselves as Kenyans, how come before independence we do not even talk about the founders of this nation? We do not even recognise the founder president.

In fact, even now as we are talking, sometimes we do not talk about the founder president, and yet we know he sacrificed a lot for this country. This is what this Bill is trying to restore, to bring back recognition and to recognise people. If we do not learn to

recognise people, even our own children will not recognise us. This is very important. A sense of appreciation in recognition of people who have done something will run through the bloodstream and that recognition will go further. Therefore, I think it is very urgent and very important.

I was very impressed to listen to the daughter of the soil, Sen. Mumma, when she gave us a whole list of heroes of Busia. I felt like even the kidney transplant done by Dr. Nelson Awori is an important point. We only know about the building named Dr. Nelson Awori. I did not know about the kidney transplant. I have been to that building but I did not know who this Dr. Nelson Awori was, except until now, when the Majority Whip said that he taught him and that he did the first kidney transplant. We do not recognise our people and we need to really restore that kind of dignity to people, whether they are alive or they are gone.

Preservation of culture is something else that we have almost forgotten, and as I said, it is because we leaned so much on the culture of the coloniser that we almost considered our cultures to be a taboo.

Inspiration of our future generations, providing local role models, is another very important one. Let us not forget that youth, young people, grow because of role models. So, we cannot afford not to recognise those who were before us and those who made sacrifices before us, people that we can emulate, people who demonstrated heroism in various ways.

This Bill has talked of strengthening county identity. Our counties are different. The Constitution recognises that we are different and that our cultures must be recognized, but what form do we recognise them? This Bill will bring that kind of restoration.

Mr. Deputy Speaker, Sir, promoting education, as we said, now that we are going for Competency Based Curriculum (CBC), practical education, we also need to start identifying things that define us as a nation and that define our country. Therefore, this Bill is very progressive. I want to persuade colleagues that we move very fast to implement it. As I said, it is a very urgent Bill. It must be done in our time, and it must be done before we lose all the old heroes that are still with us.

We have responsibilities that have been given to the county government in this Bill. I really would like to support that it is good that the county government takes responsibility when it comes to implementation of this framework, basically because we have a vision. This county, we have been told, has three different communities, and they must be recognised as such within the county but that reduces to looking at cultures of three communities instead of looking at cultures of 47 or 46, as we are. So, it is very important that this is honed at the county level.

I saw the options that the framework has given, that a county may develop a new building or designate a building. I really want to encourage that we can clean that one up, that they must actually give us new buildings and new areas so that we have our culture. What I see in this is something like Bomas in every county, where the cultural dances also will be displayed for purposes of tourism and that it will not be only an education centre, it will not be a hall of heroes' photos and whatever but we will also have our cultural displays. This will bring quite a number of cultures.

I once went to Holland for an academic trip and they took us to what they call their tourist centre. Of course, tourism in Kenya is big business. Then we went for tourism and we were dressed in the original Dutch clothes and asked to carry six pounds of cheese for photo session. I thought that was really something. However, as we went under a university programme taken care of by our hosts, interestingly, they were paying US\$100, which is about Kshs13,000 now, just to enter, take a photo and go. These are areas that we need to diversify. In any case, our tourism has not been diversified the way it should. We would be having more touristic products if we went for that. So, it is good that we do it at the county level.

I really agree with the very statement that the Senator mentioned, that this is not just legislation. It is about moral obligations for us. As a Senate, we need to move forward and make sure that we do this, for the past, present, and the future of this country and for the future of the nations, so that our children do not look like they came from nowhere because our culture is totally distorted because of whoever colonised us those days.

Mr. Deputy Speaker, Sir, as I wind up, I want to mention that there are a number of aspects that have come up and there is one on costs, that sometimes we look at costs and we do not realise that. A small cost today can pay you more in the future. However, I like the phrase that was used, again, for those who do not understand, because it was in Kiswahili, she put it very clear, that sometimes the cost of implementing the Bill is debated. However, we must ask ourselves, what is the cost of forgetting our heroes? What is the cost of allowing our history and heritage to disappear? What is the cost of denying our young people local role models?

The Bill allows counties, therefore, to use existing facilities for the sake of reducing that cost but the truth is that there is no cost. You cannot put a cost to this. You cannot put a cost to forgetting heroes. Those who were with us before, those who charted the way for this nation and those whose heritage we need to preserve.

Mr. Deputy Speaker, Sir, may I wind up by asking my colleagues, that I want to repeat, this is not a Bill that we would like to spend too much time on. This is a Bill that you read and want to implement, so that we recover what must be recovered and document what must be documented.

With those remarks, I beg to second.

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey, you cannot raise your hand even before we propose the question. Just be patient.

(Question proposed)

Proceed, Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I wonder if we have lost the traditions of this House. How can Cherarkey want to claim the Floor while the people who inducted him and showed him points of order and how to do work in the House are still sitting? He should know that when such opportunities appear, you wait patiently. So, I expect that today, Sen. Kisang, despite his relatively advanced

age than Cherarkey, will also wait for Cherarkey to speak first, then the good man from Tot can speak later.

Mr. Deputy Speaker, Sir, I rise to support this important Motion.

Sen. Kisang: Give seniors priority.

The Deputy Speaker (Sen. Kathuri): I wonder whether Kisang's 10 years in the National Assembly are also recognised.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, he is trying to bribe you because he knows you are an interested party in that matter. However, I know you are a straightforward *Nchuri Ncheke* who delivers justice without compromise from people like Sen. Kisang.

Mr. Deputy Speaker, Sir, I rise to support this important Bill before us, which has seen its fair share of rounds in the House of the Senate. I think this is a third attempt that we are making. Listening to Sen. Miraj and our colleague, Sen. (Prof.) Kamar, move and second this Bill, it gives very cogent reasons why any reasonable legislator, either in the National Assembly or in the Senate, should support this piece of legislation. However, unfortunately, each time this Bill gets to the counterpart House in the National Assembly, they shelve it for reasons beyond my understanding.

I do hope that Sen. Miraj has committed this Bill to prayer before moving it, and that, and all the people that she has mentioned, though limited to Mombasa County majorly, even though its effect will be on the whole country and the 47 counties, will have justified reason to support this important piece of legislation.

One of the things I admire about advanced societies is how they preserve their traditions and various symbolic places, and men and women who make serious commitments. People have moved from celebrating individuals to even celebrating work culture. I have previously given this example many times- I cannot remember the specific airport, but in one of the airports in the United States of America, I read a caption that really impressed me. The same way people queue in airports, they had put a caption that said, "Farmers are the heroes of this State. If you are a farmer, you do not have to queue because you feed us." When we inquired further, we were told that it is because it got to a time where very few people wanted to participate in farming activities because of its meagre returns. So, they encouraged this culture that those that engage in farming activities, are the heroes of that local state. Therefore, they were being celebrated so as to encourage young people, so that even as they grow up, they would know that they are doing a sacred task for the people of that state.

Occasionally, one or two people would, instead of taking the queue, pass by the machine. The only thing that troubled me in my Kenyan mind, is that if you attempt to do that at the Jomo Kenyatta International Airport (JKIA), everybody, including those who farm *Sukuma wiki* and gunny bags on the balconies of Nairobi will claim to be farmers. You know us.

Even in the United States of America, many times when you see military servicemen and women walk into petrol stations and convenience stores, people will greet them and say, thank you for your service, because people appreciate what others do for a living. It is that culture of appreciating men and women who do great for others, that encourages even our young people to know that there is value, in serving your country

and doing the right thing for your community. That is exactly what this Bill is attempting to do. However, unfortunately, because of our lack of good practices of preserving our culture, artifacts and historical events, people have long forgotten us. You just saw this, this afternoon.

In fact, when I saw the exchange between Sen. Khalwale, my good friend, and Sen. Catherine Mumma, I said, perhaps they are setting a precursor for the County Hall of Fame Bill. If there was a County Hall of Fame here in Busia, there would be no need for argument between who has done this contribution or the other. We would have just brought out the roll call here and said, now that you are in Busia County, these are the men and women whose lives have had great impact to the people of Busia County. However, it is non-existent. That is why we have to rely on the cultural perspectives of Khalwale, or the feminine antics of my colleague, Sen. Mumma, to celebrate them.

(Sen. Mumma spoke off record)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, Sir, she is correcting me that antics is not the right word. Okay, let me replace that particular word with “feminine sensitivities”. I do not struggle with English, Sen. Mumma. I know what you mean, and I would like to make sure that I speak right. For the record, you were right, actually. As a father of daughters, I appreciate that you celebrated the women that have made great contribution to Busia County, better than the menfolk from this region attempted to do.

I also agree with her position earlier, that a woman belongs to where she is born, as well as where she is married. It is a gift that God gave to them. They are the only ones that can have two homes. That is why even culturally, you find that women are sometimes elected in their place of birth, or even where they have been married to. If you want to challenge that, become a woman and do the things that they do and carry the burden that they carry, so that you can benefit from that.

So, Mr. Deputy Speaker, Sir, it is my sincere hope that we shall conclude on this Bill and send it to our colleagues in the National Assembly, who will have the place of grace to appreciate that this has nothing to do with Senators, but everything to do with society appreciating important historical happenings, either contribution by human beings, events of nature, sacred locations and things that have had great impact in society, that we will preserve it.

I have said, and would like to repeat for emphasis’s sake, that there is no society that is worth its place of pride that does not have a place for celebrating the men and women that make great contribution for the advancement of that society. That, the only way as a society, we will be able to measure how advanced you are, is when you begin to do things such as this, so that you encourage others to know that there is value in doing right, and in service to community.

In fact, I would like to challenge governors, our colleagues who serve in the executive side of our county assemblies, you do not even have to wait for this Bill. I do not know where we got this culture from, to imagine that to do the right thing, you need the law. In many of these countries that I am citing, there is no law, for example, in the

United States of America, that dictates that if you meet a serviceman or woman, you have to appreciate them and say thank you for your service to the country. People just do it out of appreciation. Therefore, I challenge colleague governors and people that are listening to this broadcast, that there is nothing that stops our county governments from celebrating and setting up county hall of fames, even without the passage of this legislation, so that you appreciate the people that have made significant contributions to your community and country. Even the President must set up this at a national level so that we appreciate and set it to the level where the men and women that have made our country great, all have brought us moments of national pride, are celebrated.

Mr. Deputy Speaker, Sir, for instance, how much will you ever pay Faith Kipyegon for the moments she has given us over all those world championships and Olympics, each time when you stand in front of a television, from whichever part of the world that you are watching from and see her conquer the world? Money will never repay. That is why I was a little bit disturbed last week. I never got a chance to look at my colleagues. I do not want to mention them, but they know themselves, who appeared to be besmirching the Harambee Stars players, who were just encouraged to invest in the Affordable Housing Programme. They took issue with it and asked why they were being rewarded. They were not being rewarded. They were just being encouraged to invest in it.

Mr. Deputy Speaker, Sir, I thought as legislators, we would say, the triumph and the journey of our young people who participated in African Nations Championship (CHAN) 2024, in Kenya, Uganda and Tanzania came at a time when there was a lot of doom and gloom in the country, as a follow-up to the political activities of June and July. They brought us good reprieve as a country and a moment of national pride. That is not something that you can ever replicate. No amount of money will ever buy or bring a country together the way our sportsmen and women - just to use them as an example - do each time when they represent the country. They make us proud and at that moment, you feel proud to be a Kenyan.

Mr. Deputy Speaker, Sir, that is what decent societies do. We need legislation such as this one to remind us. However, because this is our culture and because we know how we behave, perhaps, we need to draft it into law. This would make people begin to appreciate and the same way other crime is punished to deter those that are thinking of committing it. You know the way they read convictions in court in order to prevent you and others from engaging in similar behaviour or ever thinking of doing this. They say; I convict you for this and that. This is an attempt to do the same for those who have done great.

Mr. Deputy Speaker, Sir, when young people from a primary school in Busia here visit the Busia County Hall of Fame, they will read about Julia Ojiambo, the Professor that Sen. Catherine Mumma was talking about. Her biography; the things that she has done, where she went to school, her contribution and her relevance to the people of Busia. That inspires our young children.

Otherwise, if we leave it as it is today, they will get inspiration from *TikTok* and where there are people doing funny things. This is because there is no place they can go and read about the history of their county, community or their region and how the

contributions of eminent sons and daughters of that region, place or country have been captured and recorded.

We will not be here for eternity. In another few decades, most, if not all of us in this House will be part of the history books. How will people remember our contribution if, indeed, we did something good for the country or the counties we represented if we do not bring this kind of culture?

Mr. Deputy Speaker, Sir, when you walk even in European cities, you will find them doing insignificant acts. I remember being in one of the capitals though, I do not recall the specific place, where they were celebrating an individual whose contribution to that community was the fact that for the longest time, he ran a newspaper and magazine store that the greater part of that county or municipality got their news from, for a couple of decades.

At the end of his life, the local municipal renamed that corner of the street in his honour. Those are little contributions. It does not have to take people who do great exceptional things for us to think that this person did something that was life-changing. It could just be someone who did something as honourable as selling newspapers; informing people, earned their bread of life dutifully and diligently and did that for a record number of years to a point that people appreciated that there was an honest person who served the community.

Mr. Deputy Speaker, Sir, I believe there are many such people who have done great things in our counties in their ordinary, honest and decent lives and not necessarily, the things that we, the elite celebrate. This is something that is lacking in our society in our present day, to a point where people can begin to celebrate. For instance, we should say; there was a cobbler who kept his promise unlike other cobblers who tell you; I was just waiting for the shoe to dry before I sew it together and when you walk away, they put it away. We should also say that there was this gentleman who, for the time, served in this place and lived a decent and honest life.

I believe that that is a challenge to all of us who are in leadership and all of us as a society. Part of the struggle that the Kenyan society continues to face, up to this date, is the fact that we lack good examples for people to follow. Everybody is up and about doing their own things. There are few men and women to emulate.

Mr. Deputy Speaker, Sir, I do not know if as a father, you are concerned. I say this because as a father, the many times you engage your children, you get concerned about the people they consider to be their heroes. For you, back in the days, you would think that when you were dealing with a professor by the corner in the village or an individual who had a “big job” in Nairobi, those were good characters.

Mr. Deputy Speaker, Sir, I would like to encourage the young parents like Sen. M. Kajwang’, Sen. Cherarkey and the rest, but we can spare Sen. Omogeni this confusion because to the best of my knowledge, his children are of adult age. However, for Sen. M. Kajwang’ and Sen. Cherarkey, this is a conversation they may want to have with their young children. They should ask them who their heroes and role models are, and they will be shocked that it is not the people they wished to be like when they were growing up.

If we do not set up this culture of celebrating the men and women who do exceptionally well in our society, and finding a place to preserve their stories and make sure that they are told in the right way, then we are setting a very bad culture for our society. It is my hope that in the formation of this hall of fame in our various counties, there will be a designation of that place because it is stated that there will be a designated public building where this can be done.

I have said and I will repeat that counties do not have to wait to enact this Bill. I encourage any forward looking and progressive governors, especially the ones serving their second terms to start this and make it part of their contribution to the society.

In future, when people read about their history, they will read that the culture of Kericho, Bungoma, Busia and Vihiga of celebrating its men and women was began by governor so-and-so and this building was dedicated to the future of this society. This is so that, in a hundred years' time, people will come, read and know that there used to be a senator of theirs who used to do this or the other and is considered a local hero. It does not have to be about politicians; it could be a local priest whose contribution was in making the society better.

Mr. Deputy Speaker, Sir, the part I appreciate about this is on the preservation of historical items and artifacts. For example, there is a place in my county – Kericho, although I do not know which year it was but it was in the early parts of the 20th century where Queen Elizabeth visited and laid flowers in appreciation of how beautiful and vast that land was. I believe you have been to Kericho and you appreciate how beautiful and expansive the land is. If you go to that place today, you will find cows and donkeys just leaping. You cannot recognise it.

In fact, I came to know about it as a Senator when an old woman walked up to me in Nairobi at a shopping mall and told me; by the way, Senator, you people have let me down, there is this corner of the county you need to visit. She gave me the history of how that place became a historically relevant part of the county. When I checked, true to her telling of the story, it was completely neglected and run down. No one even appreciated it.

Mr. Deputy Speaker, Sir, I believe in more decent societies, a place that a person of that world fame has visited and done something that is symbolic and significant would at least be preserved for her admirers or for future generations and people would want to know about that particular person when they visit. There are many other things that can be said.

There was a big contest, back in the day, about returning the head or the spear that was used by Koitalel arap Samoei from the British forces. Up to date, that is yet to be done. How will it be returned Sen. Cherarkey if you have not built the public building to keep it? If it comes, where will you take it? Will it go to your home or the home of my friend Governor Sang'? We must preserve and be ready to do what decent societies do so that we can preserve our culture and celebrate what needs to be done.

Mr. Deputy Speaker, Sir, I do not want to belabour the point because I know this is a fairly straightforward matter. I agree that this is long overdue. My only plea is that when it gets to our colleagues, our counterparts in the National Assembly, they should be duty-bound to ensure that we give the country a good piece of law.

I congratulate Sen. Miraj on the choice to move this Bill while we are here in Busia because it speaks to relevant issues that are related to the people in our counties. I thank you for the chance, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, there is a lot of interest on this Bill. Of course, you have your 20 minutes to contribute but I advise, as your Chair, that you spare your colleagues some time also to say a word. You do not need to use the 20 minutes.

Proceed, Sen. Mumma, for some reasons better known to me.

Sen. Mumma: Thank you, Mr. Deputy Speaker, Sir. I will not be too lengthy. I congratulate our colleague Sen. Miraj on this Bill. She has picked a topic that is one of the neglected functions in this country.

According to the Fourth Schedule to the Constitution of Kenya, 2010, the function of culture, cultural activities, libraries and museums is with the county governments. However, when we do our oversight, I tend to think that the Senate has over-concentrated on departments that deal with other issues, the fancy one being roads. We have not, in the 13 years of devolution, done a good job in assisting counties to implement the function on cultural activities.

Senator Miraj, I congratulate you on behalf of the people of Kenya because this is another ball that we have dropped collectively; both as national and county governments. Why do I say so? We have history books that have misinformation about Africa and about this country. Who can correct that? We have been ranting about it. My own daughters have asked; “how could you people sit around and allow books to say so-and-so discovered Lake Victoria, so-and-so discovered this other bit and you do nothing about it?”

We have history departments in our universities and yet we have never made a national policy to say when we will begin to correct the history that has been written about our country. When will we sit down to document our cultural activities? We treat these as footnotes.

Hon. Deputy Speaker, I am in the Education Committee and we will be reporting to you, at some point, that County Vocational Training Centres (VTCs) is something that counties have taken as a footnote. Budgets are going to functions of national Government but VTCs, which should be lifting the bulk of the youngsters who drop out of universities, are not well funded. As we fund them, we are putting little in terms of nurturing our cultures like building libraries and encouraging our histories to be written.

I congratulate you, Sen. Miraj, because you have brought an issue that seems to be insignificant and yet it is extremely important. Why is this issue very important? We are moving to an age where Artificial Intelligence (AI) is currently taking over operations of our economies and even within the schools. Artificial Intelligence operates on the basis of data, which is mined on the basis of what has been written.

What data do we have about ourselves and the people of Kenya? Where can I go to learn about the people of Kenya? We do not have that information. We only have snippets of information about what has been selected by whoever is authoring a paper or a book at any one time. However, we have rich history, from the over 53 communities in Kenya which we can write.

Our system of devolution provides a good solution for us to have 47 or more simultaneous activities that will help us to document and come up with the kind of data that will ensure the world will plan for Kenya on the basis of what is relevant for Kenya. We have not been doing this.

Hon. Miraj, the only thing I might want to advise that you include in this Bill, as I said earlier, again is what the Senate dropped the ball on, the issue of strengthening intergovernmental mechanisms. This is one Bill where we can have good conversation between national and county governments because of the tourism that would be there, the trade issues and so on.

It is also one of the good Bills that would give us a good inter-county conversation around some of these things. For instance, assuming we want to write about the cultural festivities among the Kalenjin Community. The Nandi people are not just in the Nandi County. The Kipsigis people are not just in Bomet but in Kericho and Nandi. Therefore, if we had an inter-county conversation, we would have a history that is written accurately, that would tell us why we have this community dispersed in the manner it is dispersed.

Hon. Deputy Speaker, we have Luhyas in Migori, the Maragoli. We have Maragolis also in Vihiga. When looking at cultural issues of the Maragoli, I would expect that there would be an inter-county conversation so that the history of the Maragolis is reflected both in Vihiga and Migori. So, this is also an opportunity.

The Deputy Speaker (Sen. Kathuri): Senator Mumma, do you want to be informed by the Senator for Vihiga county?

Sen. Mumma: Hon. Speaker, he is a Maragoli, so I will allow him to inform me.

Sen. Osotsi: Mr. Deputy Speaker, Sir, I just wanted to inform her that the community she is referring to, Maragoli, are not just in Migori or any other place. They are also a recognised tribe in Uganda, just next door.

The Deputy Speaker (Sen. Kathuri): Next time you say, "I wanted to inform Sen. Mumma, not inform her." You call the Senator by name.

Sen. Mumma: Thank you, Mr. Deputy Speaker, Sir. The point the Senator makes is well taken. We have other communities such as the Maasai and Luo in more than one country. Coming together, we would actually bring a very rich product if the counties took this seriously.

Hon. Deputy Speaker, I am sure you have travelled, maybe as a Catholic, to Israel or Rome. When you go there you give a lot of money, basically, to be told about the history of Rome; the history of Christianity.

There is also a history of Kenya. I want us to take seriously what hon. Miraj has done, members, in order to assist, not just to award the heroes and heroines within our communities, but to, one, correct our history and secondly, establish an economy around our culture. Apart from that, for our very informed children, especially the Gen. Zs, and for us to kind of redeem ourselves for having retained a history that does not reflect the truth about Kenya; a history that we can write well.

As I have said, it is one of the county functions not taken seriously. The Committee on Labour and Social Protection needs to possibly start reporting to Senate, on how well counties are investing in this function, what they are investing and how we

can come together inter-governmentally; national and county governments, and also inter-county, to make this law work.

I urge our colleagues that this is a good law, required very urgently by this country because of where the future is going. Let us do our documentation so that we do not have biased interpretation of who we are when we move to the Artificial Intelligence (AI) driven economy.

Thank you, Mr. Deputy Speaker, Sir.

(Sen. Olekina spoke off record)

Sen. Cherarkey: Mr. Deputy Speaker, Sir, you need to protect me from Sen. Olekina.

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

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

Madam Temporary Speaker, I will begin by making a few observations. One, I want to commend Sen. Miraj. She is one Senator who we, as the United Democratic Alliance (UDA) party are proud of. This is because she has continued to distinguish herself in children's rights, culture and many other aspects. I am impressed that she has done more than what some Senators who have been here for 10 years have done. Sen. Miraj, we wish you well.

As a party, we are proud of you. We hope that when this law is passed, Governor Abdulswamad will include you, prominently, when he constructs the County Hall of Fame although he is not doing very well right now.

I want to make a few observations. When you look at the Fourth Schedule on the distribution of functions between the national and the county governments, especially No. 4, you will note that one of the devolved functions is cultural activities, public entertainment and public amenities. This is one of the core functions of the county government. I hope, as the Senate Majority Leader has said, that the National Assembly will pass this law. Sen. Miraj, you need to play hard, through the Speaker, for this Bill to be passed. I say this because this Bill has been taken in circles.

When one reads Rule No. 4 in the Fourth Schedule, they will note that culture is properly domiciled in counties. So, the passage of this Bill is within the aspect and the ambit of the constitutional provisions of what we should do as protectors of devolution. That is provided for in Article 96 of the Constitution as our role.

I am aware that a number of our colleagues have been earmarked to be given national honours, including Sen. Olekina, and a number of colleagues. I hope that we will have a criterion when this law comes to pass. I am not saying that my colleague should not qualify but I suspect that the criteria is for one to be politically correct. That is because, yours truly served as the Chairperson of the Committee on Justice, Legal Affairs and Human Rights, but I was never given an award. This is because the then President

and Powers that be felt that I should not be awarded. I later served as the Vice Chairperson of the Committee on County Public Accounts and was never awarded.

Madam Temporary Speaker, Sir, we need a law like this to give us the criteria. The national honours should not be dished out like sweets or *njugu karanga* on the streets. I remember the biggest scandal of '*githeri*' man. That man just queued to vote carrying *githeri*, yet he was given a Head of State Commendation (HSC), while yours truly has never been given any, yet I have done a lot for this country. I guess next time, I should vote while holding *githeri* in my hand for me to get an award.

In short, this law will provide a proper criterion on how heroes from the county and the national governments are recognised whether they are pro or against the system of the day. They should be awarded based on what they have done for this country. You spoke today about Professor Julia Ojiambo. You remember that I said hello to her when we were having breakfast and I felt honoured. My Chairperson of the Committee on County Public Accounts was also there and we greeted her with a lot of admiration and respect. I wish Sen. Cheruiyot was there to greet her, but I know he is a busy man. He had just landed and had come from attending an empowerment programme.

We greeted Professor Julia Ojiambo and we were amazed. We noted that she is a simple and humble lady. We had a similar experience when Mary and the other lady, went to the tomb where Jesus was buried and an angel appeared before them. They went into a trance and that is what happened to us. I say this because you are a Christian like me, Madam Temporary Speaker. That is what happened to us today when we met Prof, Julia Ojiambo.

We are proud of her together with Hon. Moody Awori, a former vice president, and a distinguished legislator. I am informed his brother is next door, in Uganda. We are proud of the sons and daughters of Busia including Sen. Okiya Omtatah. Sen. Okiya Omtatah has his name in the history of this country as one of the people who have fought for civil rights, human rights and litigation. His other ambition is to be the sixth, but we warned him not to be the sixth on Facebook. Our advice was that he should go put the boots on the ground. My intention is to emphasise on the need to celebrate sons and daughters of this---

Sen. Okiya Omtatah: On a point of information, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, do you want to be informed?

Sen. Cherarkey: No, I do not want to be informed.

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, does not want to be informed. Sorry.

Proceed.

Sen. Cherarkey: Madam Temporary Speaker, that is why I was talking about national honours. Let us reward people who are good in leadership, science, culture, sports and many others fields. We have people like Faith Kipyegon, Odira and even Wanyonyi. We were told that Wanyonyi won the race courtesy of eating *ugali*.

Athletics Kenya should improve the quality of kits that they provide. We are proud of our athletes such as Ezekiel Kemboi, Consensus Kipruto and the gentleman who passed on recently. That man participated in the 1972 Olympics. We also have Maiyoro

from Kisii, Mekatilili wa Menza, Koitalel arap Samoei and many others. We should recognise all of them.

Today, these Genz's do not know who Professor Julia Ojambo is. They can only get to know about her when they Google. I am driving my point home. We need to build a museum where history is kept. I am impressed by colleagues who have travelled outside for benchmarking.

I do not know what is wrong with the microphone today.

If you go to Hartsfield-Jackson Atlanta International Airport- something is said about that state. The same happens when you go to the other states. There is always something unique about those states. We need to refocus.

I will make two points then yield so as to allow my colleagues to also contribute. I want to say something about Koitalel Arap Samoei. I thank His Excellency, the President of the Republic of Kenya, Dr. William Ruto. As we talk today, Koitalel arap Samoei University is being constructed in Nandi Hills town in honour and recognition of Koitalel arap Samoei.

Koitalel arap Samoei led the Nandi resistance against the British. He did not allow it to pass through Nandi land. Instead, it had to pass near your home. I say this because I have been told you have two homes. One home is where you were born and the other one is where you are married. The railway route was diverted because of Nandi resistance led by Koitalel arap Samoei. In honour of him, the Government is constructing one of the biggest universities. It is similar to the Dedan Kimani University.

We also have J.M Kariuki Hospital in Ol Kalou. I want to thank the Senator of Kericho. We should have now received the head that was taken by the whites in 1950s; the skull of Koitalel Samoei. In fact, I have tracked that skull; it is in Pitts River Museum in London. I want to challenge the Chairperson of the Committee on Labour and Social Welfare to track this skull. I know where it is. It is in Pitts River Museum, somewhere in London. I know Commissioner Kinyua has travelled extensively and he might be aware of this museum. Some of us rarely travel. Maybe we do not look nice to travel.

Madam Temporary Speaker, the skull of Koitalel Samoei is in Pitts River Museum. Let us bring the skull. We brought back the artefacts. I want to inform the House that we established a museum in Koitalel, courtesy of President Kibaki. I thank President Kibaki because he was not tribal. He never preached about tribalism. He gave us money to construct Koitalel Samoei Museum in Nandi Hills town. That is where the skull of Koitalel Samoei will be brought.

Remember people like Bishop Muge of Anglican Church of Kenya (ACK) who fought for justice. He died while leaving this County of Busia because he was not politically correct. I want to thank the ACK. They recognised him and buried him at the ACK, St. Matthews in Eldoret. He died on his way back after coming to Busia, your county, after joining other Kenyans in the civil and human rights movement.

Madam Temporary Speaker, Father Alois Cheruiyot Bett, was killed by assassins for trying to bring peace to Kerio Valley. These are later day heroes that we must recognise.

The other day we were doing a fundraiser to construct a church in his home. I want to thank the Catholic Church and the Kenya Catholic Bishops Conference, because

we will remember him. These are heroes who did something for this country. They are not people who went to vote with *Githeri* while at the queue and were given Head of State commendation.

In order to honour Father Alois Cheruiyot Bett, he should be awarded posthumously. I would have expected in these national honours, that people like Father Alois Cheruiyot Bett, would be recognised.

We must recognise the issue of customary law. I would have expected Sen. Miraj to say something about Mekatilili wa Menza, people like Sharif Nassir, Luanda Magere; people who did something for this country. These are people we should recognize, so that our children and grandchildren can know who they are. In fact, in this proposal, at least a museum should be constructed.

Madam Temporary Speaker, you have travelled extensively. If you go to every country, they have a unique place where they try to preserve their culture. What is wrong with us Africans? Why do we run away? I want to separate the Maa Community because they have really tried, despite the modernisation, to maintain their culture and identity. On the aspect of objects, I agree. The issue of posterity of information, we have conversed. On the conflict of interest, we have said that.

On the issue of the selection committee, I want to agree that we need a proper selection committee to know who should qualify, so that in future we should not have people like *githeri* man being awarded a commendation, State honours or county honours. I would have wished Sen. Miraj to address the aspect of county honours, because we have national honours. I do not know how the selection committee would paraphrase that. I am happy about the procedure and petition. I am just running through this in the interest of time.

I am happy that Madam Temporary Speaker did mention something about the sons and daughters of this area. However, in my culture where I come from, I tend to agree with Sen. Khalwale that when you are married and dowry is paid, you belong to the *mzee*, where you are married.

The Temporary Speaker (Sen. Mumma): Order, Sen. Khalwale. I mean Sen. Cherarkey, could you focus on the Bill?

Sen. Cherarkey: Madam Temporary Speaker, Sen. Khalwale must have disturbed you to a point you are referring to me as Sen. (Dr.) Khalwale.

(Laughter)

I am just talking about my Kalenjin culture and the elders are watching me. I just talked to a number of them. In the Kalenjin culture when you marry, you get your wife and you pay dowry. I know my elder Sen. Kisang is smiling in confirmation, because that is how it is done. In conclusion, I will remain focused.

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, I will take opportunity, since you are veering off, to inform you that the first woman Governor in Rift Valley was married in Luo Nyanza.

Sen. Cherarkey: You know, culture and voting are two different things. So, on that one, I agree, because they are totally different things.

In conclusion let me say something about revisionism of history. I have seen some people saying it is only Mau Mau who fought for the freedom of this country. It is not true. These people have written the history for their convenience. We have people from where Sen. Mungatana comes from and even in Ukambani. We should stop this revisionism of history. Even here in Busia County, there were many freedom fighters. However, some people somewhere decided that it is only the Mau Mau who fought for freedom and they come from Mt. Kenya. Even in Mandera and the grandfather to Raila Odinga took part.

An hon. Senator: Who is the grandfather?

Sen. Cherarkey: Madam Temporary Speaker, what is the name of the father to Raila?

The Temporary Speaker (Sen. Mumma): The father to Raila is Jaramogi Oginga Odinga.

Sen. Cherarkey: Those are the freedom fighters. My grandfather, Jean-Marie Seroney was also a freedom fighter. Why is it that when they write history, they want only to recognise people from Mt. Kenya? That is why you see one of the politicians always shouting on top of their voice---

Sen. Veronica Maina: On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): What is your point of order, Sen. Veronica Maina?

Sen. Veronica Maina: Madam Temporary Speaker, I rise on a point of order, under Standing Order No. 98(1) on the accuracy of the contents of the speech being given by Sen. Cherarkey.

Is the Senator in order to raise objections about Mau Mau having fought for the freedom of this nation, while in actual fact, the purpose of this Bill is to honour individuals who have played a critical role in the development of this nation, who have fought battles and conquered in various respects?

If he had an issue about who fought for the freedom of this nation and he believes there are some who fought from Coast, Western or Nyanza regions, what he needs to do is to offer that evidence, but not challenge the role that was played by Mau Mau in fighting for the freedom of this nation.

Is he in order to juxtapose it, so as to bring down the role that was played by Mau Mau? He is out of order. He needs to be called back to order and he should offer evidence.

The Temporary Speaker (Sen. Mumma): Sen. Maina, my understanding was he did not denigrate what Mau Mau did. What he said was that there are others beyond Mau Mau.

Sen. Veronica Maina: He could bring evidence without showing us that he is juxtaposing the two and bringing out one. This is not the purpose of this Bill. The purpose of this Bill is to ensure you celebrate the Mau Mau for what they did, and celebrate---

The Temporary Speaker (Sen. Mumma): Senator---

Sen. Veronica Maina: Let me finish, Madam Temporary Speaker---

The Temporary Speaker (Sen. Mumma): You know what a point of order should be.

Sen. Veronica Maina: You celebrate the Mau Mau and you celebrate whoever else fought for freedom, from their corner.

The Temporary Speaker (Sen. Mumma): Sen. Maina, you know how a point of order should be. Sen. Cherarkey, I will direct that you be sensitive not to denigrate any hero in this country.

Sen. Cherarkey: Madam Temporary Speaker, I thank you. I am surprised because Sen. Veronica is a Member of Speaker's panel. I thought she knows the difference---

Sen. Veronica Maina: You are out of order once again.

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, if you could actually focus on your presentation.

Sen. Kinyua: Point of information!

Sen. Cherarkey: Madam Temporary Speaker, could I conclude?

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, would you like to be informed by Sen. Kinyua?

Sen. Cherarkey: Yes, please.

Sen. Kinyua: Madam Temporary Speaker, I just wanted to inform Sen. Cherarkey that if he bothered to read his history, he would see that it is not only the Mau Mau who fought for Independence. We also had Koitalel arap Samoei and Mekatilili wa Menza who resisted.

He is reading his history selectively. Everybody knows and that is why we are looking for the skull of Koitalel arap Samoei. Why would we be looking for his skull? It is because he resisted.

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, *res ipsa loquitur*. Please, proceed to finish.

Sen. Cherarkey: Madam Temporary Speaker, I think that was a lot of disinformation.

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, please, just focus.

Sen. Cherarkey: I deny that information.

Madam Temporary Speaker, with those many remarks, so that my colleagues can also contribute, we should stop revising history in this country.

I support the Bill.

The Temporary Speaker (Sen. Mumma): Proceed, Sen. Osotsi.

Sen. Osotsi: Thank you, Madam Temporary Speaker, for this opportunity. Let me start by congratulating the Sponsor, Sen. Miraj Abdillahi, for this good Bill. Sen. Miraj, you have demonstrated that nominated Members---

The Temporary Speaker (Sen. Mumma): Sen. Osotsi, allow me to interrupt a little.

For Senators who have not spoken, colleagues have requested that you take a little less time. We know that you have all your time by right, but please take a little less so that they can also speak.

Sen. Osotsi: It is important to appreciate that this is a huge contribution, from this Senate, for a nominated Senator to come up with this necessary and important Bill. Therefore, I would like to congratulate Sen. Miraj who was my Member in the County Public Investments and Special Funds Committee. She is a committed Member, always appearing during the meetings and contributing. I have been missing you since you left.

Madam Temporary Speaker, allow me to quickly make a few comments. This is a good Bill that is long overdue. However, I have a few observations to make. Now that we are here, in everything that we talk about here, we must make reference to Busia County so that it appears that we are, indeed, in Senate *Mashinani*.

There are many heroes in Busia County who have been forgotten. They are not just in the academia like someone put it earlier today. We have heroes in this county like J. J. Masiga.

Those who recall those golden days of AFC Leopards and Gor Mahia will remember that J. J. Masiga could score a goal against Gor Mahia when it mattered most. I remember the East and Central African Challenge Cup in Uganda where Gor Mahia Football Club met with AFC Leopards Football Club in the finals. Gor Mahia led with two goals against AFC Leopards. In the final minutes of the game, J. J. Masiga helped to score three goals against Gor Mahia. That gentleman was not just a footballer; he is also a great doctor in this country.

J. J. Masiga has not received any honour from this Government. Nothing at all but people who have done very little are getting honours. “Githeri Man” got an honour from President Uhuru for just displaying githeri in a paper bag, yet people like Masiga have nothing to show off. We had another sportsman in this county called Wilberforce Mulamba who was also a great footballer of our times but no one is talking about him today.

Noah Wanyama, who happens to be the father of Mariga and Victor Mugabe, hails from this county. Mariga and his brother Victor are the most decorated professional footballers. The two are from this county, but there are no honours to them. Even as we discuss about this, we also need to question the process of giving national awards to our people, starting with people from Busia County. I hope tomorrow when we will be debating that Motion on recognising the great sons and daughters of this county. We should come up with a resolution that will be remembered; whether we are alive or dead.

We should not forget the late Dr. Obel who will be buried very soon. He also hailed from this county. He is the man who made an attempt to discover a drug for HIV/AIDS, but was never given a chance. He is a man who promoted African medicine which has now become a global issue in some countries. We need to push for the recognition of sons and daughters of this county.

When we talk about preservation of history, culture and heritage, I think this is where Kenya has failed because we do not preserve our history. That is why we do not promote patriotism among our youth because they do not understand our struggles and history.

If you go to some countries, you will be amazed by the level of protection of their history and preservation of their culture and heritage. Recently I had an opportunity to visit the Kremlin, which is the power centre of the Russian Federation. Here in Kenya,

we struggle to go to State House. When someone goes to State House, it is a big thing because it is a show of power. However, the Kremlin where the President of Russia sits, is also a museum. They have preserved their artefacts there for centuries. When you go there, you will find military equipment that was used during many wars in the past. There are also other important things such as gold that were recovered during the war. That is important because it teaches the youth to be patriotic to their country. When you go there, you pay something to see all that. You will also see a display of advancement in space technology.

You can easily visit the Kremlin to see those things and learn a lot unlike here in Kenya where going to the State House is political and a show of power. In the other countries, it is about culture, heritage and history which promotes patriotism.

Madam Temporary Speaker, I was looking at the Bill in totality. My concern is about the selection committee that is proposed by Sen. Miraj. I think it needs to be improved because we need public involvement not just during public participation but also inclusion in the selection committee.

It should not be a county government affair only where we have the Clerk of the County Assembly, the County Executive Committee Member (CECM) in charge of culture and heritage, the Chairperson of the County Public Service Board (CPSB) and two public officers nominated by the board. How is the public involved?

You need to consider that we have representation from stakeholders from the public. Otherwise, this committee will be controlled by governors who will bring people who are not worth being given recognition in terms of the Hall of Fame. Therefore, that aspect has to be looked into again. We need clarity on who appoints the select committee. I know you will say the appointment is by dint of the law, but clarity needs to be there, especially for these two public officers and those who appoint them.

Madam Temporary Speaker, let me also talk about the criteria of those who qualify for the Hall of Fame. There are many areas you can look at. When people are looking for these criteria, they will probably look at those who have contributed a lot in politics, those who have contributed a lot in sports, but also, we need to encourage investors in our counties.

For instance, here in Busia, the place where we are, there is a young investor called Itoya, who is my friend. He has a big hotel here and he is doing so well on matters of event management. All the big tents that you see around here, and even in Nairobi, he is the one who installs them.

This is one person who---

(Sen. Mariam Omar walked into the Chamber without bowing)

The Temporary Speaker (Sen. Mumma): Order, Sen. Mariam Omar, do not walk in here like it is your house. Please, go back and bow.

*(Sen. Mariam Omar walked to the Bar,
bowed and walked into the Chamber)*

Sen. Osotsi: Madam Temporary Speaker, you know Members are not used to this Chamber.

Madam Temporary Speaker, we need people like those to be recognised by their respective counties. Like in Vihiga County, we have someone called Ibrahim Ambwere, who is probably the richest businessman in this region. No one recognises him. I think the criteria of recognition must be very specific.

Talking about counties, our role is in Article 96 of the Constitution. Any law we make---

The Temporary Speaker (Sen. Mumma): No, no, Sen. Osotsi. Can we have Sen. Tobiko now?

Sen. Tobiko: Thank you, Madam Temporary Speaker. Let me begin by congratulating Sen. Miraj on this very good Bill. Our sister has done us proud. For a long time, the nominated Members have always been looked at like some flower girls who came here with no brains, no value and no contribution. My sister, you have done us very proud. This is a very good Bill.

I am particularly happy with this Bill because, as many Members have said, will correct and rewrite what needs to be rewritten and corrected. It will also affirm what needs to be affirmed about our history and recognise very important people in the history of our Republic and our communities. It is very important that we do not lose people who have made exceptional contribution in our societies.

The nominees in this Hall of Fame Bill (Senate Bill No.18 of 2023 must demonstrate exceptional contribution and measurable achievement in various fields.

I heard Sen. Osotsi talking about those who have done well in business. However, there should be a rider on the issue of business because this country has been bedeviled by corruption to a point we do not reward and recognise people whose businesses we do not understand their sources.

If we were to reward business people, then the country and the public must understand their sources of resources for their businesses so that we do not reward people who have ripped off the public of resources that would have otherwise gone to development. These nominees must demonstrate an exceptional contribution and eligibility. They should have a distinguished record of competitive achievement at the highest level. I might just become one of the beneficiaries of this, because in my community, I am known to have broken glass ceilings.

(Sen. Kinyua spoke off record)

No, I am not campaigning. I am stating a fact. It is a fact that in my community, I am the first woman ever to be elected; not in the seat that has been preserved for women but for the one that is believed to be a preserve of men. I might be injuring egos here of the Senator from Laikipia County and others but it is a fact. This is not for one term. I did it again just to confirm that, 'yes', the people have agreed that a woman is as good a leader as a man.

This should go through rigorous processes. I do agree with the previous speakers that it should not be left to the county officials only. It should have public participation so

that the public can decide and confirm who really deserves to be put in that kind of record, in the Hall of Fame in terms of the voting process, even at the national level, so that we do not have a situation that has been mentioned severally here, of the ‘*githeri-man*’ man, so that we have people that are recognised nationally and that all Kenyans accept that this person has contributed in very special ways in their various fields.

It is also good for communities to recognise and reward members of their societies who have contributed to those communities. In the Maasai Community, for a long time, the history that has been written about our people is that we were collaborators of the colonialists, but it is not true. We have Maasais who fought alongside the Mau Mau and this is known and recorded.

We have people of distinguished contribution in that society. We have people like the late Hon. Ntimama, who continuously fought for the rights of that community, including their land rights, and may need to be recognised. He fought to the last minute of his life. Therefore, it is important that we have these contributions recognised.

Madam Temporary Speaker, there are women in this country who have contributed, Ms. Grace Ogot, Hon. Julia Ojiambo, Hon. Jane Kiano. They are many. We also have Sen. Beth Mugo, who has stood for the rights of women in this country to the level that we have reached today.

Today, we are in this House standing on the shoulders of very great women. Women like Charity Ngilu held the hands of many women in her community to make it to Parliament. I know how many women who owe their achievements to those women

Madam Temporary Speaker, let me say something about Hon. Julia Ojimbo, because I have a special gratitude towards her.

Madam Temporary Speaker, I would like to speak about Hon. Julia Ojiambo, as I hold special gratitude towards her. The big parties would not recognise a woman from the Maa Community believing women would never make it. For me to get into politics, Hon. Julia Ojiambo accepted me into her political party: Labour Party of Kenya (LPK). That is where I began my political journey. The LPK later formed a coalition with Hon. Kalonzo Musyoka to establish the Orange Democratic Movement (ODM) Kenya. That is how I found myself in this House today. The contributions of those women have produced results that are evident in our country today.

Madam Temporary Speaker, this Bill is timely and we should pass it as soon as yesterday. However, I must emphasise the need for a rigorous process to ensure we are truly rewarding people of achievement: those with tangible milestones in academia, business, politics and other fields. Leadership is not confined to politics; even in the social arena, there are individuals with exemplary contributions who deserve recognition.

I support this Bill. I will now yield time to my colleagues. Thank you.

The Temporary Speaker (Sen. Mumma): Sen. Omtatah.

Sen. Okiya Omtatah: Madam Temporary Speaker, thank you for the opportunity to contribute to this important Bill. I find it important that we establish a way to recognise those who make outstanding contribution to the society.

Sen. Miraj, my concern is that we need to include a provision in the Bill to address the funding of this kind of enterprise. Without secured funding, it risks becoming

a white elephant. Perhaps 2 per cent or 0.02 per cent of the county government's budget should be allocated to support it.

As the host, I will not speak for long. There are many others who wish to contribute. I take this opportunity to invite all of you and welcome you to Busia. Enjoy your time, feel free and at home.

Thank you very much, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Sen. Beth Syengo. Sen. Beth, are you ready?

Sen. Beth Syengo: Yes, I am now ready. Thank you, Madam Temporary Speaker. Let me start by congratulating my colleague, Sen. Miraj. This Bill is very important. Kenya is among the few countries that do not value their history enough to preserve it and ensure that younger generations learn about those who contributed significantly to this nation.

Madam Temporary Speaker, for those of us who have had the privilege to travel, we see statues and writings in other countries, honouring important figures who made great contributions. In Kenya, we only talk about them and then forget. Our history is often distorted. We do not get a true representation of what happened. That is why Sen. Peris Tobiko spoke about the Maasai being labelled as collaborators, yet they were also fighters who contributed to our Independence.

The establishment of a Hall of Fame in the counties is crucial. People from every county have made significant contributions to this nation. Looking at the region like Lower Eastern, I would say there are also very important people who have contributed to the history and to this nation in special ways. Look at what a man called Munyao Kisoï did to hoist the flag at Mount Kenya; a place which is very cold. There were no means of getting to the peak of Mount Kenya yet he moved and went and hoisted the flag of Kenya. Munyao Kisoï must be recognised and it is very important that the contribution of such figures is put into history.

Madam Temporary Speaker, we also know of a man from Kitui County called Chief Kiboi, who led the traders from Europe to go for long distance trade. They were walking all the way from the border of Tana River to the coast on foot. There were no vehicles, there were no flights, but he walked. They walked and led teams to go and do barter trade. Those are contributions of the Kamba people.

We have people like Syokimau, a woman that makes every Kamba to be called Syokimau, a great prophetess who envisioned the coming of the colonialists and the construction of the railway line. People would travel from Nandi and Laikipia to consult Syokimau on what the future held. She was a great prophetess.

Madam Temporary Speaker, I want to add my voice to what the Senator for Nandi is saying ---

(Hon. Senators consulted loudly)

The Temporary Speaker (Sen. Mumma): Order, Senators on my right. Please, listen in silence.

Sen. Beth Syengo: The fighters who fought for the freedom of this nation did not come from one region. Kenyans from all corners contributed. Paul Ngei was in prison with Jomo Kenyatta. We know about that. We cannot talk about the Mau Mau as the only people who fought for the freedom of this nation. Across the country, Paul Ngei, a Kamba; Jomo Kenyatta from Mount Kenya; Koitalel from Rift Valley ---

The Temporary Speaker (Sen. Mumma): Order, Sen. Beth, nobody has said Mau Mau were the only ones. So, make the point about that.

Sen. Beth Syengo: Madam Temporary Speaker, I am talking about inclusivity. Thank you.

Sen. Veronica Maina: Point of Order.

Sen. Kinyua: Point of Order.

The Temporary Speaker (Sen. Mumma): Sen. Veronica, I think I have dealt with the issue.

Sen. Veronica Maina: Yes, there is another point of order.

Sen. Beth Syengo: Madam Temporary Speaker, I do not know why specific people are getting agitated when ---

The Temporary Speaker (Sen. Mumma): Sen. Maina, what is your point of order?

Sen. Veronica Maina: Madam Temporary Speaker, my point of order ---

Sen. Beth Syengo: Under which point of order?

The Temporary Speaker (Sen. Mumma): Sen. Beth, I am the one in the Chair.

Sen. Veronica Maina: Under Standing Order No.105 on accuracy of the speech and the mode in which it is put.

Madam Temporary Speaker, is this Hon. Senator in order to once again denigrate Mau Mau, juxtapose and compare, as opposed to her just giving a contribution?

The Temporary Speaker (Sen. Mumma): Sen. Maina, she has not done what you are saying she has done. If you are raising a point of order, raise it.

Sen. Veronica Maina: Madam Temporary Speaker, if you listen to what she said, let me quote what she said. She said, "it is not only Mau Mau." The phrasing of those words is actually denigrating.

The Temporary Speaker (Sen. Mumma): Sen. Maina, I have ruled that the words are not denigrating. Sen. Syengo, I have requested that because of the sensitive manner in which this issue is ---

(An hon. Senator spoke off record)

Senator, are you in the Chair or am in the Chair?

An hon. Senator: She has freedom of expression.

The Temporary Speaker (Sen. Mumma): Yes, I can actually hear what you are saying. So, please, sit down. I am actually ruling this.

So, I rule your assertion not to be accurate.

Sen. Kinyua, you have the Floor.

Sen. Kinyua: Madam Temporary Speaker, pengine sisi hatuelewi maana ya jina, Mau Mau. Linamaanisha, “Mzungu Aende Ulaya, Mwafrika Apate Uhuru.” Inamaanisha, mtu yeyote aliyekuwa akipigania Uhuru wa Kenya, kama vile Fred Kubai, Achieng Oneko, Bildad Kaggia na wote waliopigania Uhuru. Kwa hivyo, ukisema Mau, unamaanisha mtu yeyote. Pengine ni vile historia yetu inaegemea mahali fulani---

The Temporary Speaker (Sen. Mumma): Sen. Kinyua, that is a point of information, not order. Could you finish that point of information? I just wanted to guide you that it is a point of information, not order.

Sen. Kinyua: Okay. Kwa hivyo, Bi. Spika wa Muda, kinachonisumbua ni vile ambavyo watu wanavyosema kuhusu watu wa Mlima Kenya. Hata Mlima Kenya kuna wale tunaowaita *troponia* na *coordinators*. Kwa hivyo, hilo sio jambo geni. Hata ukienda kwa wamasai kuna wale ambao walichangia ingawa walikuwa upande mwingine.

The Temporary Speaker (Sen. Mumma): Sen. Kinyua has explained what Mau Mau means. From what he is saying, Mau Mau is not restricted to people from Mount Kenya.

What is your point of information, Sen. Kajwang’?

Sen. M. Kajwang’: Madam Temporary Speaker, I would like to inform Sen. Syengo and the entire House that Kenyans of all shades, race, tribe, and colour fought for the Independence of this country.

In Karachuanyo, there is a gentleman called Adala Otuko, who was a founder of the Kenya Taxpayers Organization that resisted British attempts to impose poll tax in certain parts of the country. He was killed. Adalo Otuko's body has never been---

The Temporary Speaker (Sen. Mumma): Sen. Kajwang’, I did not want you to contribute on this.

Sen. M. Kajwang’: He is called Ojijo Oteko. I am very sorry for mixing up the names. Ojijo Oteko's remains have never been found. He was killed by the imperialists. So, this issue of trying to own and to tribalise the original---

The Temporary Speaker (Sen. Mumma): Sen. Kajwang’, I would like to lay this debate around Mau Mau to rest. First, nobody has said, on the Floor of this House, that it is only Mau Mau fought. I would like that debate to cease. Secondly, Sen. Kinyua has given important information on what Mau Mau means. It does not mean Mt. Kenya. Therefore, Sen. Beth, you will contribute without suggesting that Mau Mau is for one tribe.

(Loud consultations)

The Temporary Speaker (Sen. Mumma): Order Sen. Veronica!

Sen. Beth Syengo: Madam Temporary Speaker, I did not indicate, in the slightest way, that Mau Mau belongs to Mount Kenya. I only said that when we talk about Mau Mau fighters, we should be inclusive---

The Temporary Speaker (Sen. Mumma): Order, Sen. Beth Syengo. If you remember, the definition as said, does not refer to one region. So, proceed without making that reference.

Sen. Beth Syengo: Madam Temporary Speaker, that is his interpretation. We know other means.

Anyway, as I was saying, during the struggle, the late Hon. Phoebe Asiyo led a group of women who visited the Kapenguria Seven. These ones also made their contribution. Phoebe Asiyo comes from Nyanza. Kitili Mwendwa from Kitui was the first Chief Justice from that region and he contributed a lot. That was followed closely by Hon. Nyiva Mwendwa, who was the first female Minister from the region of Kitui. As Sen. Peris Tobiko indicated, Charity Ngilu was a presidential candidate when, even men could not dare oppose the late President Moi.

Madam Temporary Speaker, His Excellency Kalonzo Musyoka was also a Vice President from the region of Kitui. Therefore, we have very senior figures from our region who have contributed to the development and history of this nation.

With the Hall of Fame---

ADJOURNMENT

The Temporary Speaker (Sen. Mumma): Hon. Senators, it is now 6.30 p.m., time to adjourn the House. Sen. Beth, you will have eight more minutes when this debate resumes. The House will resume tomorrow, Wednesday, 8th October, 2025, at 9.30 a.m.

The Senate rose at 6.32 p.m.