



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Thursday, 24th September, 2026 at 2.30 p.m.

PA PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 24th September, 2026

*The Senate met at the Kilifi County Assembly
Chamber, Kilifi County, at 2.31 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? Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Hon. Senators, we now have quorum. So, we will start the afternoon's business. Clerk you may proceed to call out the first Order.

(Sen. Lomenen stood up in his place)

Senator for Turkana, take your seat.

(Sen. Lomenen sat in his place)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION OF TEACHERS AND STUDENTS FROM MALINDI GLORIOUS JUNIOR SCHOOL IN KILIFI COUNTY

Hon. Senators, I would like to acknowledge the presence of a visiting delegation of four teachers and 52 students from Malindi Glorious Junior School in Kilifi County who are seated in the public gallery. The delegation is visiting the Senate for an academic exposition.

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On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

I will call upon the Senator for Kwale, Sen. Issa Boy, in under one minute, to extend a warm welcome. ,

Sen. Boy: Asante sana, Mheshimiwa Spika kwa kunipa fursa hii kuwakaribisha watoto wetu wa shule na walimu wao ambao wamekuja kuona shughuli inavyofanyika katika Bunge letu la Seneti. Mkiwa hapa, mtaona vile sisi tunafanya kikao chetu. Tunawaombea siku moja muweze kuja hapa kama Maseneta katika siku zitakazokuja.

Kwa hayo machache nawakaribisha. Asante.

The Speaker (Hon. Kingi): Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

Request for statements pursuant to Standing Order No.53(1). Senator for Embu County, the honourable Sen. Alexander Mundigi.

PROTRACTED DELAY IN ISSUANCE OF TITLE DEEDS TO RESIDENTS OF MWEA SUB-COUNTY

Sen. Munyi Mundigi: Mr. Speaker, Sir, I rise to request for a Statement pursuant to Standing Order No.53(1). I request for a Statement from the Standing Committee on Land, Environment and Natural Resources on a matter of countywide concern regarding the protracted delay in issuance of title deeds to residents of Karaba, Mwea and Ria Kanau in Mwea Sub-County.

Mr. Speaker, Sir, secure land tenure remains fundamental to economic empowerment, investment access to credit, and the protection of property rights. Although the adjudication process in the affected area was undertaken in 2011, thousands of residents continue to wait for title deeds, leaving them unable to fully enjoy the benefits of land ownership while a temporary order issued in 2022 affected the process. That order has since lapsed, yet many beneficiaries remain without titles. The continued delay has generated uncertainty among landowners and undermined efforts to unlock the social and economic potential of the region.

In the Statement, the committee should address the following-

(1) The status of title deeds processing and issuance for residents of Karaba, Mwea and Riakanao, including clear timelines for completion and distribution.

(2) The factors responsible for the delay in issuing the title deeds since the conclusion of the adjudication process in 2011, and the institutions charged with the outstanding process.

(3) The effects of the 2022 temporary order on the issuance process, and the current legal and administrative position following its lapse.

(4) The number of adjudication parcels pending titling in each area, and the measures the Ministry has put in place to ensure that all eligible land owners receive their title deeds without further delay.

Mr. Speaker, Sir, I have another Statement.

The Speaker (Hon. Kingi): You may proceed to request.

VIOLENCE DURING UDA MEETING IN EMBU COUNTY

Sen. Munyi Mundigi: 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 national concern regarding the violence that occurred during the United Democratic Alliance (UDA) delegates meeting held in Embu County on 12th September, 2026, in which several people were injured, vehicles were destroyed, and lives were reportedly lost.

In the Statement the committee should address the following-

(1) The progress made in investigating the incident and identifying the persons who planned, organised or participated in the violence.

(2) The number of suspects arrested and charged in connection with the incident, including further action being taken against those found culpable.

(3) Measures being implemented to prevent the recurrence of such violence in Embu County as well as other parts of the country, and to ensure the safety of participants during political meetings and gatherings.

Mr. Speaker, Sir, I have a third one.

The Speaker (Hon. Kingi): You may proceed.

DELAYED RECRUITMENT OF CHIEFS

Sen. Munyi Mundigi: 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 countrywide concern regarding the prolonged vacancies in the offices of chiefs in various parts of the country, including Kirie Location in Mbeere North Sub-County, Embu County, which has remained without a substantive chief since November, 2023.

Mr. Speaker, Sir, chiefs remain the cornerstone of the national Government administrative structure at the grassroots level serving as the primary link between citizens and the Government.

They play a vital role in maintenance of law and order, security coordination, implementation of Government programmes, civil registration, dispute resolution and delivery of essential public service. However, prolonged vacancies in the offices of chiefs across several locations, particularly within Embu County, have adversely affected service delivery, weakened administrative oversight, and strained the capacity of local communities to access Government services effectively.

The continuous delay in filling these positions raise concerns about the efficiency of the recruitment process and the commitment to strengthening grassroots administration.

In the Statement, the committee should address the following-

(1) The number and distribution of vacant chief and assistant chief positions across the country, including the duration of the vacancies and the areas mostly affected.

(2) The status of recruitment and deployment process for the vacant positions, including timelines for filling long standing vacancies just as that of Kirie Location in Embu County.

(3) The administrative, financial or logistical constraints contributing to delays in recruitment and the impact of the vacancies on security coordination, service delivery and implementation of Government programmes.

(4) The measures the Government is taking to ensure vacant positions in offices of chiefs are filled within reasonable times, to strengthen the effectiveness of grassroots administration countrywide.

Senator for Embu County, Alexander Munyi Mundigi; *Daktari*.

The Speaker (Hon. Kingi): Senator for Marsabit County, Hon. Mohamed Chute.

ESCALATING CATTLE RUSTLING IN NORTHERN KENYA

Sen. Lomenen: Thank you, Mr. Speaker, Sir. I stand on behalf of the Senator for Marsabit County, Sen. Mohammed Chute. This is a request for a statement on the escalating security on cattle rustling in northern Kenya.

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 inter-county concern regarding the escalating cases of cattle rustling, armed attacks and intercommunity violence in Northern Kenya.

Mr. Speaker, Sir, northern Kenya continues to grapple with persistent insecurity characterised by cattle rustling, armed banditry and recurring intercommunity conflicts that have led to loss of lives, displacement of families, destruction of properties and severe disruption of pastoralists livelihoods. The recent killings of five people in Gotu in Isiolo County, including security officers and civilians during an operation to recover stolen livestock underscores the grave security challenges facing the region. Similar incidents continued to be reported across Marsabit, Isiolo, Samburu and neighbouring counties, raising concerns over adequacy of security deployment, intelligence coordination, livestock recovery efforts and mechanisms for protecting vulnerable communities from retaliatory attacks and cycles of violence.

Mr. Speaker, Sir, in the Statement the committee should address the following-

(1) The prevailing security situation in Northern Kenya, particularly Marsabit, Isiolo, Samburu and neighbouring counties, including incidents of cattle rustling, armed attacks, deaths, injuries, displacement of persons and the areas most adversely affected over the last three years.

(2) The adequacy of deployment, operational readiness and logistic capacity of the Anti-Stock Theft Unit (ASTU), National Police Reservists (NPRs) and other security agencies, including the functionality of security installation and response capability in security-prone areas.

(3) Efforts to recover stolen livestock, dismantle cattle rustling networks, contain cross-border movement of stolen animals, and hold perpetrators accountable.

(4) The Government's long-term security and peace-building framework for northern Kenya, including measures aimed at addressing the drivers of conflict, strengthening local security structures, protecting pastoral livelihoods, supporting affected communities, and securing lasting peace and stability in the region.

Sen. Mohamed Chute (MP), Senator for Marsabit County.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator for Machakos County, Hon. Agnes Kavindu. Is she not here? The Statement is dropped.

INCREASING STRAY DOGS MENACE IN SYOKIMAU

(Statement dropped)

Senator for Kilifi County, Hon. Stewart Madzayo.

MGOGORO WA MIPAKA YA ARDHI YA SHIRIKA LA MAENDELEO YA KILIMO MAGARINI, KILIFI

The Senate Minority Leader (Sen. Madzayo): Asante sana, Mheshimiwa Spika. Ombi langu la Kauli ni kuhusu mipaka ya ardhi ya Shirika la Maendeleo ya Kilimo (ADC) katika eneo la Magarini, Kaunti ya Kilifi.

Nasimama kwa mujibu wa Kanuni ya Kudumu ya 53(1) ya Kanuni za Kudumu za Seneti, kuomba Kauli kutoka kwa Kamati ya Ardhi, Mazingira na Mali Asili kuhusu mgogoro wa mpaka wa ardhi kati ya Shirika la Maendeleo ya Kilimo, yaani ADC, na wakazi wa maeneo ya Adu Kamale na Adu Chamari katika eneo la Magarini, Kaunti ya Kilifi.

Jamii za Kaunti ya Kilifi ambazo mashamba yao yamepakana na ardhi ya ADC inayojulikana kama ADC 1 FR119-36, zimeibua madai kwamba mpaka wa ardhi wa ADC ulibadilishwa kinyume na sheria, na kusababisha kupanuliwa kwa shamba hilo, huku jamii zinazopakana na shamba hilo zikapokonywa ardhi hiyo.

Jambo hili liliwasilishwa Bungeni mwaka wa 2021, na Bunge likapendekeza zoezi la kuweka na kuchora mipaka kufanywa upya chini ya usimamizi wa Mkurugenzi wa Upimaji wa Ardhi, Shirika la Maendeleo ya Kilimo (ADC), Tume ya Kitaifa ya Ardhi, Serikali ya Kaunti ya Kilifi, pamoja na jamii zilizoathirika. Hata hivyo, mapendekezo hayo hayajatekelezwa hadi sasa. Hali hii imepelekea wakazi wa eneo hilo – ambao ni wengi sana – na wao ni wa kabila la Wagiriam na Waata, kufurushwa kutoka kwenye ardhi yao.

Katika Kauli hiyo, kamati izingatie zaidi masuala yafuatayo-

(1) Iwapo zoezi la kuweka mipaka upya limefanyika, na iwapo limefanyika, kuwasilisha ripoti ya upimaji, ramani na matokeo yake.

(2) Hali ya sasa ya michakato ya upangaji na ugawaji wa ardhi, pamoja na utoaji wa hatimiliki za ardhi katika maeneo ya Adu Kamale na Adu Chamari.

(3) Hatua zilizochukuliwa na Wizara ya Ardhi, Shirika la Maendeleo ya Kilimo (ADC), na Tume la Kitaifa la Ardhi katika kutekeleza mapendekezo ya Bunge na Tume la Kitaifa la Ardhi.

(4) Uchunguzi wa Idara ya Upelelezi wa Makosa ya Jinai (DCI) na Tume ya Maadili na Kupambana na Ufisadi (EACC), kuhusu tuhuma kwamba mgogoro huo wa ardhi unatokana na mgongano wa maslahi baina ya maafisa wa Serikali walio katika ofisi zinazopaswa kutatua mgogoro huo.

Asante, Bw. Spika.

Bw. Spika, kama utaniruhusu nitasoma Kauli nyingine.

UTENDAJI WA MAENEO YA UZALISHAJI WA BIDHAA ZA MAUZO YA NJE KATIKA KAUNTI YA KILIFI

Mheshimiwa Spika, nasimama kwa mujibu wa Kanuni ya Kudumu ya 53(1) ya Kanuni za Kudumu za Seneti, kuomba Kauli kutoka kwa Kamati ya Biashara, Ukuzaji wa Viwanda na Utalii kuhusu utendaji wa Maeneo ya Uzalishaji wa Bidhaa za Mauzo ya Nje, yaani *Export Processing Zones* (EPZ), katika Kaunti ya Kilifi.

Katika Kauli hiyo, Kamati izingatie yafuatayo-

(1) Hali ya shughuli za uzalishaji katika maeneo hayo, ikiwemo idadi ya kampuni zinazofanya kazi katika EPZ katika Kaunti ya Kilifi, wastani wa uzalishaji wa kila kampuni kwa mwaka, pamoja na idadi ya wafanyakazi walioajiriwa na kampuni hizo.

(2) Mikakati iliyowekwa ya kuimarisha utendakazi wa maeneo hayo na kukuza ajira endelevu za viwanjani, haswa hatua zinazochukuliwa kushughulikia changamoto zinazokabili shughuli za uzalishaji, ikiwemo upatikanaji wa mali ghafi, mapungufu katika miundo mbinu, pamoja na masuala ya upangaji, matumizi na maendeleo ya maeneo ya viwanda, ili kuongeza ufanisi, uzalishaji na uwekezaji zaidi katika Kaunti hiyo.

SABABU ZA KIFO CHA BRIGHTON KARISA KILIFI

Mwisho, nataka kusoma ombi la Kauli kuhusu kifo cha Brighton Karisa, mwanafunzi wa Shule ya Msingi ya Bahari, Kaunti ya Kilifi.

Mheshimiwa Spika, nasimama kwa mujibu wa Kanuni ya Kudumu ya 53(1) ya Kanuni za Kudumu za Seneti, kuomba Kauli kutoka kwa Kamati ya Usalama wa Kitaifa, Ulinzi na Mahusiano ya Kimataifa kuhusu kifo cha Brighton Karisa, mwanafunzi mwenye umri wa miaka 11 kutoka Shule ya Msingi ya Bahari, katika eneo la Mtwapa, Kaunti ya Kilifi, aliyefariki tarehe 27 Agosti, 2026.

Katika taarifa hii kuhusu mazingira ya kifo chake, zimeibuliwa wasiwasi kuhusu usalama wa watoto wanaoishi chini ya uangalizi wa wazazi walezi, kwa Kiingereza *foster care*.

Katika Kauli hiyo, Kamati izingatie yafuatayo-

(1) Mazingira yalio pelekea kifo cha Brighton Karisa, na hatua zilizo chukuliwa kuchunguza tukio hilo, ikiwemo kuhifadhi ushahidi na kubaini chanzo cha kifo chake.

(2) Kuangalia uchunguzi wa mwili pamoja na upasuaji wa mwili na hatua zilizochukuliwa kutokana na matokeo yake.

(3) Mazingira ambayo Brighton, akiwa yatima, aliwekwa chini ya malezi ya mama mlezi, na iwapo mamlaka husika zitafuatiliwa ustahi wake na mazingira aliyokuwa akiishi.

(4) La mwisho Bw. Spika, ni kwamba Kamati ichukue hatua ya kuimarisha mfumo na ulinzi wa mayatima na watoto walio katika mazingira hatari katika Kaunti ya Kilifi na nchini kote kwa ujumla, pamoja na mfumo wa kuripoti kisheria na matukio ya ukatili dhidi ya watoto walio chini ya wazazi walezi, na mikakati ya kuboresha ushirikiano kati ya shule, walezi na taasisi kuhusika na Serikali zinazohusika na maslahi ya watoto.

The Speaker (Hon. Kingi): Are you done, hon. Senator?

The Senate Minority Leader (Sen. Madzayo): I still have one more. I will take the shortest time possible. I will not read the first part, but I will go straight to the question.

Ombi la Kauli kuhusu mpaka wa ardhi, shirika la maendeleo---

The Speaker (Hon. Kingi): Senator, you have already read that Statement. You had three. I was very attentive when you were reading. You have actually read the three of them.

The Senate Minority Leader (Sen. Madzayo): Ngoja, Bw. Spika, nichukue muda kidogo nijipange, halafu limebaki swali moja tu---

(An hon. Senator spoke off record)

Asante.

The Speaker (Hon. Kingi): Sen. Hamida, proceed,

ACUTE SHORTAGE OF CONTRACEPTIVES AND FAMILY PLANNING COMMODITIES IN KENYA

Sen. Hamida: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee on Health on a matter of national concern regarding the acute shortage of contraceptives and family planning commodities in Kenya.

Nine of the 13 essential family planning commodities are unavailable at the Kenya Medical Supplies Agency (KEMSA), including injectable and oral contraceptives, with lactating mothers particularly affected by the shortage of progestogen-only pills.

The crisis has been exacerbated by outstanding obligations exceeding Kshs600 million, and inadequate budgetary allocations, with only Kshs500 million earmarked against an estimated requirement of Kshs3.8 billion for the 2026/2027 Financial Year.

In the Statement, the committee should address the following-

(1) The current status of contraceptive and family planning commodity stocks at KEMSA and across the 47 counties, including the commodities affected, the causes and the duration of the stock outs, and the counties and health facilities more adversely impacted.

(2) The status and nature of outstanding financial obligations owed to KEMSA by the United Nations Fund for Population Activities (UNFPA), including Government commitments under the Kenya UNFPA, matching funds arrangement and the timelines for settlement of those obligations.

(3) The adequacy of funding for family planning commodities, including budgetary allocations for Financial Year 2026/2027, the amounts released to date, and the measures being taken by the Ministry of Health and the National Treasury to address the funding shortfall.

(4) The immediate and long-term interventions being implemented to restore and sustain adequate supplies of safe and suitable contraceptive options, particularly for lactating mothers, adolescents, women in rural and underserved areas, and other persons who rely on public health facilities.

(5) Finally, plans in place to prevent future shortages through improved procurement, financing, focusing and supply chain management.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Statement pursuant to Standing Order No.57(1), the Senate Majority Leader.

(The Clerk at the Table consulted with the Speaker)

Sen. Wakili Sigei, you may proceed to read the statement.

BUSINESS OF THE WEEK COMMENCING
TUESDAY, 29 SEPTEMBER, 2026

Sen. Wakili Sigei: Mr. Speaker, I am reading the Statement by the Senate Majority Leader on the business of the Senate for the week commencing Tuesday, 29th September, 2026, pursuant to Standing Order No.57(1).

Mr. Speaker, Sir, pursuant to Standing Order No.57(1), I hereby present the business for the week commencing Tuesday, 29th September, 2026. During this week of Senate Mashinani in Kilifi County, the Senate has engaged in a broad programme of legislative oversight and public engagement activities.

The Senate has considered the Fisheries Management and Development Bill (National Assembly Bill No.29 of 2023) at Second Reading, which is now awaiting division; and a Motion on the County Fiscal Performance Measurement Index (CFPMI), which is awaiting the putting of the question. Senators also raised Statements on direct matters, some of which directly concern the residents of Kilifi County, which have been referred to respective select committees for interrogation.

In addition, Mr. Speaker, Sir, the committees have had several meetings on a wide range of issues, including the blue economy, pending bills, roads and transport

infrastructure, social protection, Early Childhood Development Education (ECDE), health and implementation of previous Senate resolutions. These engagements, together with those undertaken by the Kenya Women Senators Association (KEWOSA), reflect the Senate's commitment to functionally bringing parliamentary business closer to the people.

I take this opportunity, to thank the hon. Senators for their presence and active participation through the Senate Mashinani programme in Kilifi County. The valuable insights into the unique challenges facing the residents of Kilifi County, and the opportunities available to transform their lives will certainly not end with our departure from Kilifi. Select committees will continue to pass matters brought to their attention to their logical conclusion.

Mr. Speaker, Sir, the status of legislative business is as follows-

(1) Sixty three Bills are pending conclusion, of which 43 are at Second Reading, 19 are at the Committee of the Whole, and one is awaiting First Reading.

(2) Twenty nine Motions are pending conclusion.

(3) Seventeen Petitions are pending conclusion by respective Standing Committees, out of which 14 are due for reporting.

(4) Lastly, 569 statements pursuant to Standing Order No.53(1) are before standing committees.

At the next sitting of the Senate on Tuesday, 29th of September, 2026, the tentative business for the day will include business not concluded from today's Order Paper, as well as the business indicated in the Notice Paper.

The tentative business for the morning sitting on Wednesday, 30th September, 2026, will include Questions to Cabinet Secretaries as approved by the Senate Business Committee (SBC), as well as Motions. The Questions scheduled are those to the Cabinet Secretary, Ministry of Roads and Transport, the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs, and lastly, the Cabinet Secretary for Environment, Climate Change and Forestry.

Mr. Speaker, Sir, the business for the afternoon sitting on Wednesday, 30th September, 2026, will include business not concluded from Tuesday's Order Paper and the following-

(1) Bills at Second Reading-

(a) The Artificial Intelligence Bill (Senate Bills No. 4 of 2026)

(b) The Crops (Amendment) Bill (National Assembly Bills No. 8 of 2023)

(c) The Kenya National Library Service Bill (National Assembly Bills No. 20 of 2023).

(2) Bills at Committee of the Whole-

(a) The Health (Amendment) Bill (Senate Bills No. 12 of 2025)

(b) The Sports (Amendment) Bill (Senate Bills No. 33 of 2024)

(c) The Agriculture Produce (Minimum Guaranteed Returns) Bill (Senate Bills No. 17 of 2025)

(d) The National Construction Authority (Amendment) Bill (Senate Bills No. 15 of 2025)

- (e) The Autism Management Bill (Senate Bills No. 19 of 2025);
- (f) The County Governments Laws (Amendment) Bill (Senate Bills No. 14 of 2025)
- (g) The Referendum Bill (Senate Bills No. 3 of 2026)
- (h) The Assisted Reproductive Technology Bill (National Assembly Bills No. 61 of 2022)

(3) Motions-

- (a) Delinking Junior Secondary Schools from Primary Schools.
- (b) The rising cases of student unrest, arson and insecurity in schools in Kenya.
- (c) Strengthening disability-inclusive education for learners with all forms of disability, including neurodevelopmental conditions and specific learning disabilities.
- (d) Improving access to clean water and sanitation services in informal settlements in Nairobi City County and other Counties.
- (e) The implementation of Section 39(k) of the Basic Education Act on the provision of sanitary towels.
- (f) Establishment of a national framework for the diagnosis, treatment and management of endometriosis in Kenya.

The projected business for Thursday, 1st October, 2026, will include business not concluded from the Order Paper for Wednesday, 30th September, 2026 and any other business scheduled by the Senate Business Committee.

Mr. Speaker, Sir, let me end by thanking the County Assembly of Kilifi for their hospitality and support to make the sittings a success; as well as the people of Kilifi County for hosting the Senate and their participation in Senate business. It was a classic case of Article 118 of the Constitution in practice. For that, I say *Asante sana*.

Mr. Speaker Sir, I thank you and hereby lay the Statement on the Table of the Senate.

Sen. Aaron Cheruiyot, EGH, MP, Senate Majority Leader.

Thank you, Mr. Speaker, Sir.

(Sen. Wakili Sigei laid the document on the Table)

The Speaker (Hon. Kingi): Senator for Kilifi County, Sen. Madzayo, you may make your last statement that you had forgotten.

AJIRA KATIKA MAENEO YA KUZALISHA BIDHAA ZA
MAUZO YA NJE KATIKA KAUNTI YA KILIFI

The Senate Minority Leader (Sen. Madzayo): Asante sana, Bw. Spika. Hili ni ombi la Kauli kuhusu ajira katika maeneo ya kuzalisha bidhaa za mauzo ya nje, yaani shirika la EPZ katika Kaunti ya Kilifi.

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Bw. Spika, nasimama kwa mujibu wa Kanuni ya Kudumu Nambari 53(1) ya Kanuni za Kudumu za Seneti, kuomba Kauli kutoka kwa Kamati ya Leba na Ustawi wa Jamii kuhusu hali ya ajira na utekelezaji wa sheria za kazi katika maeneo ya kuzalisha bidhaa za mauzo ya nje, yaani EPZ, katika Kaunti ya Kilifi.

Bw. Spika, katika Kauli hiyo, Kamati izingatie yafuatayo-

(1) Mfumo na na hatua ya kuhakikisha kuwa kampuni zinazofanya shughuli katika maeneo ya EPZ katika Kaunti ya Kilifi zinazingatia sheria za kazi, ikiwemo mikakati hususan ya kuhakikisha kwamba-

(a) Mikataba ya ajira inazingatia Katiba na sheria za kazi, hususan kuhusu saa za kazi, siku za mapumuziko na likizo, uhuru wa kujiunga na vyama vya wafanyakazi, pamoja na haki za wafanyakazi wajawazito.

(b) Mishahara na marupurupu yanayotolewa kwa wafanyakazi iwe ni ya haki na yanaafikiana na viwango vya mishahara ilivyowekwa kisheria.

(2) Kamati hiyo pia iweze kuzingatia matokeo ya ukaguzi au uchunguzi wowote uliofanywa na Wizara ya Leba na Maslahi ya Jamii kuhusu usimamizi wa wafanyakazi katika maeneo hayo tangu mwaka 2023, pamoja na hatua zilizochukuliwa dhidi ya kampuni zinazobainika kukiuka sheria za kazi na haki za wafanyakazi.

Asante sana Mstahiki Spika.

(Interruption of Statements)

The Speaker (Hon. Kingi): Honourable Senators, before I allow comments on the Statements sought, I have the following Communication to make.

(Sen. Madzayo stood in his place)

Senator for Kilifi, kindly take your seat.

(Sen. Madzayo sat in his place)

COMMUNICATION FROM THE CHAIR

VISIT BY HON. JIMMY KAHINDI KAHINDI KADHUA,
FORMER SPEAKER OF KILIFI COUNTY ASSEMBLY

Hon. Senators, I would like to acknowledge the presence in the Speaker's Gallery this afternoon of Hon. Jimmy Kahindi Kadhua, the former Speaker of the Kilifi County Assembly.

(Applause)

Hon. Jimmy Kahindi Kadhua served as the inaugural Speaker of the Kilifi County Assembly and served in that capacity from 2013 to 2022. Following his service as Speaker, Hon. Kadhua was appointed to national leadership roles, including as

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Chairperson of the Public Procurement Regulatory Authority (PPRA) in 2023, and he currently serves as the Chairperson of the Coast Water Works Development Agency (CWWDA), where he leads efforts to address water infrastructure and supply challenges across the coastal region.

Hon. Kadhwa, I request you to stand so that you may be acknowledged in the Senate tradition. On behalf of the Senate and on my own behalf, I extend a warm welcome to you and wish you a fruitful visit.

Once again, I will request the Senator for Kilifi County to extend a word of welcome, to be done in under one minute. Hon. Madzayo, you may proceed.

The Senate Minority Leader (Sen. Madzayo): Asante sana, Bw. Spika. Nataka niungane na wewe kwa kumkaribisha ndugu yangu, Mheshimiwa Jimmy Kahindi, katika Bunge la Seneti, ambayo sasa tunafanyia kazi hapa ndani ya Bunge la Kaunti ya Kilifi, ambapo alikuwa Spika kwa muda mrefu katika Bunge hili la Kaunti.

Bw. Spika, ni vyema kupata wageni, najua pia yeye amekuwa na *experience* hapa. Ni mtu ambaye amefanya kazi hapa, na anaelewa kanuni zote. Nafurahi tu kwamba amefika ili pia aweze kuona jinsi tunafuata taratibu zetu za Seneti. Asante kwa kunikaribisha niweze kumkaribisha naye pia. Najiunga nawewe katika salamu hizo. Asante.

(Resumption of Statements)

The Speaker (Hon. Kingi): Hon. Senators, I will allow comments for not more than 20 minutes on the Statements that have been sought. If you get an opportunity to speak, kindly do so for no more than three minutes.

Proceed, Hon. Senator for Nyeri, Sen. Wamatinga.

Sen. Wamatinga: Mr. Speaker, Sir, thank you for giving me this opportunity. I want to comment on the Statement sought by the Senator for Embu, Sen. Mundigi.

We are heading towards a political season where tension in this country is growing, and where we have very many competing interests. It is indeed in the interest of the young generation that we ensure that we have a country that is free from goons.

Mr. Speaker, Sir, it was such a shameful incident that a function presided over by none other than the Deputy President of the Republic of Kenya could be disrupted, property destroyed and people harmed.

It is high time that we, as leaders, take responsibility. Indeed, we call the Inspector General of Police and the security operators to ensure that any leader, regardless of their political stand, are free to hold and free to express their opinion without being harmed. Political intolerance at such a time when the country is heading to a political competition in less than one year is not safe for our country.

Therefore, I urge my fellow leaders to try, as much as we can, to tolerate each other. Let us use politics of persuasion and not politics of violence. Let us avoid disrupting other people's activities. We should be good examples to the younger generation because at the end of the day, we have one country and we cannot get another country.

If we follow this path, it will lead to a very dangerous situation. We will have communities fighting and even maiming each other. At the end of the day, when the elections are over, we will still have a country. We actually need this country. Therefore, I want to persuade us, the leadership of this country, that it is high time we stop using young people to force other people to take our position, because this trend will not lead us anywhere. It will only lead to deterioration of democracy that our forefathers fought for.

As I wind up, it is high time that we start recording these incidences. We also have to set up a branch of the International Criminal Court (ICC) in this country so that people who believe that they can only win political position by fighting others, using goons and hurting others are brought to book.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator for Homa Bay County, Sen. Kajwang’.

Sen. M. Kajwang’: Mr. Speaker, Sir, Sen. Mundigi has asked a very interesting question in one of the statements. He has sought a statement regarding vacancies in the offices of chiefs in various parts of the country.

Out of principle, I have a problem with that kind of statement because Article 17 of the Sixth Schedule of the Constitution required that within five years after the effective date, the national Government shall restructure the system of administration, commonly known as a provincial administration, to accord with and respect the system of the devolved government established under this Constitution. However, what the national Government did was to engage in semantics. So, provincial commissioners were renamed regional commissioners. District commissioners were renamed as county commissioners. District officers were renamed as assistant county commissioners. This went on all the way to the chiefs. This obviously conflicts with the structure and system of the whole government.

Today, we have village elders who report to chiefs, and the County Governments Act requires county governments to establish structures from county to sub-county, to ward, to village, which includes village councils. Why should we have this repetition? So, the Senate, which is supposed to defend and protect devolved systems and devolved government, might not be the best place to discuss the appointment of chiefs, because that will entrench impunity and a governance structure that directly conflicts and competes with the devolved governments.

I call on governors to implement the provisions of the County Governments Act and ensure that services move beyond the county headquarters. That has been the problem, and it has been the gap that the national Government has been exploiting. However, I think we have conned this country by just renaming the Act from the old Act to National Government Administration Act, and changing the titles of those people.

Devolved governments are the governments that are supposed to go down all the way to the structures. What we have now, where village elders are being paid a stipend – which is good because people are looking for something – is a violation of the constitutional principles. How I hope our governors will effectively put structures. This should be done all the way to the interior location in Mbeere North sub county, where

there is supposed to be a village council and a village administrator paid by the county government and providing services to citizens.

Thank you, Mr. Speaker, Sir. I hope I will get a new name, now that I am in Kilifi, and I am appropriately dressed. I could be Ustadh Otieno Kajwang’.

(Applause and laughter)

The Speaker (Hon. Kingi): Thank you. Your concern, Hon. Kajwang’, is very valid. Maybe, that will be an opportunity for the Committee, as it goes down to work, to look into that contradiction and return a better verdict as they table their report in the Senate.

As for your name, I will leave it to the Senate Minority Leader to give you one.

Sen. (Dr.) Mungatana, MGH: Thank you, Mr. Speaker, Sir. I want to comment on the Statement about chiefs. My approach is a bit different. The question must not be that a Senator must stand before the House to ask for a chief's position, a Deputy County Commissioner’s (DCC) position or an Assistant County Commissioner (ACC) position to be filled in his county.

What is the rationale of division of the resources within the Ministry of Interior and Coordination of National Government? How are the resources shared within that Ministry? This is the question that the Committee must look at? Why should it be that all these positions are filled in most counties, yet in counties like Embu and Tana River, these administrative posts are not filled? The Committee should ask Mr. Murkomen how he activates these administrative positions when he gets his budget. Why is it that there is discrimination, that some areas are filled and some areas are not filled?

Hon. Murkomen came to Tana River, looked at the administration building and told us, the leaders and I was present, that the building for the county commissioner was going to be constructed within this year. We waited for the first year and the second year, yet there is nothing on the ground to show that they are going to construct that building. We know that he has been receiving budgetary allocations. Why should it be that you have to talk to a Cabinet Secretary for the resources of this country to be divided?

I want the Committee of the Senate to tell this Cabinet Secretary that we do not want to beg for vehicles for our county commissioners and our police. There must be a scientific way of allocation of resources. If a county is big, there must be a justification for how the vehicles are allocated for the police, how the buildings are constructed, and how administration is activated. We must have a fair distribution of resources.

We cannot, as legislators, stop legislating and doing the things of the people, and start begging the cabinet secretaries. That is not what we are called here to do. The cabinet secretaries must find scientific ways of sharing the resources of this Republic. These are not resources for the Ministry of Interior and Coordination of National Government; they are the resources of the Republic of Kenya, and this is what should be done across the entire country.

Thank you.

Sen. Ogola: Mr. Speaker, Sir, even as I rise to comment on the Statement by Sen. Hamida on the shortage of family planning commodities, on the last engagement that

Sen. Kajwang' and Sen. Mungatana have brought forward, we must also take note that the counties have equally created a vacuum. Services were devolved from the centre at the national level only to be re-centralised at the county level. So, there is a vacuum at the bottom. In our sub-counties and wards, our people can hardly walk to the ward offices or sub-county offices and get devolved functions. People cannot access agriculture and land services down at the wards. So, we just created a vacuum that the national Government is taking.

Mr. Speaker, Sir, I comment on the shortage of contraceptives and family planning commodities in Kenya. That, this should have been declared a disaster in the country because we are dealing with a long-term crisis in the future. Populations must be planned. There must be a planning unit at the Ministry of Health and at the National Treasury that is capable of knowing the age groups that we have and their basic requirements. This has been compounded by the fact that a number of health facilities have been closed across the counties.

So, if a hospital is literally and physically closed at the gate, the question is, how do the young women, access some of these family planning commodities? These are requirements that go with biological cycles. Once a woman needs the services and are not able to access it at a time, then it means they are not able to benefit from it. So, eventually, the country will have to deal with populations that were unplanned for, which literally affects the health and education sectors, and every aspect of our life.

Mr. Speaker, Sir, it is also worth noting that women need to make choices of when they can have children so that they can live in dignity, and are plan for themselves.

Mr. Speaker, Sir, I support this Statement.

(Applause)

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

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir, for this opportunity. I would like to comment on the Statements made by the Senator for Embu County, Sen. Alexander Mundigi. The first is on issuance of title deeds in a place called Mwea in his county.

Mr. Speaker, Sir, this is not a matter that is unique to Embu County. There has been a lot of laxity in our land registry offices, even in Murang'a County. I have raised a Statement in this House, where you even just need a search and you do not get it for a long time because the registrars are not available. When adjudication and all the necessary paperwork are done, there is no reason why a Kenyan should not be able to obtain a title deed within the shortest time possible. We must, therefore, call out land registrars. I believe that the Senate Standing Committee on Land and Natural Resources will look at this matter very seriously and make it known to the registrars and everybody that is responsible for the issue of title deeds.

The importance of title deeds cannot be gainsaid. We use title deeds to secure facilities. Some old people require medical attention, which is very costly, especially because the Social Health Authority (SHA) does not work the way we are told it does. So, people need money for treatment. That is why we need titles for people to secure facilities for these and other things.

Mr. Speaker, Sir, I also want to comment on the Statement by the same Senator on the violence that happened at a place called Nembure in Embu County, which was widely reported because the Deputy President was present there. It is so important that we say here some of the things that we do know. We do not have to waste the time of the Senate asking for Statements, when we have the answers. Sen. Mundigi was present in that particular meeting, and he knows why the youth had or made that particular violence because these facts are there. A section of young people from Embu County were gathered in a particular play field, and were going to be given huge amounts of money by none other than the Deputy President himself.

The Speaker (Hon. Kingi): What is your Point of Order, Senator for Migori County?

Sen. Joe Nyutu: Please, freeze my time.

Sen. Oketch Gicheru: Mr. Speaker, Sir, I hope this will not affect my queuing for the comment on the Statement, because I even the words I speak might--- However, this is an important Point of Order under Standing Order No.101(4).

It says-

“No Senator shall impute improper motive to any other Senator or to a Member of the National Assembly except upon a specific substantive Motion of which at least three days’ notice has been given, calling in question the conduct of that Senator or Member of the Assembly.”

Mr. Speaker, Sir, is it in order, from the statements that my brother has made, to insinuate that Sen. Mundigi was aware of the violence that was experienced in Embu? I did not mean to stop him. Is it not a borderline of what you impute about improper motive on the person of the Senator of Embu County, as well as the stake that it takes with regards to that kind of violence in Embu? Is it in order, or should you withdraw and apologise to the Senator of Embu County?

The Speaker (Hon. Kingi): Sen. Nyutu, what we are attempting to do is giving material that is, of course, supposed to be given when the Committee sits to process this Statement. If you feel you have any material that will help that Committee, kindly reserve it for the Committee when it sits, and you wish to have that Committee benefit from that material. This is because, certainly, you are giving a lot of evidence that will be required by the Committee when it finally sits.

You may not proceed to impute improper motive on your colleague. In this case, alluding to the fact that Sen. Mundigi ought not to bring this Statement because he is fully aware of what happened. That is not allowed. Kindly desist from pursuing that line of comment and stick to the Statement as sought by Sen. Mundigi.

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir. I actually do not believe that I imputed improper motive on the Senator for Embu County.

The Speaker (Hon. Kingi): That is why I have just advised you to abandon that line of comment.

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir. In the same breath, it is important that the Senator for Embu County also appears before the Committee, because evidence is presented by people who are present---

The Speaker (Hon. Kingi): Sen. Nyutu, it is upon the Committee to choose who to summon for purposes of giving evidence. You cannot direct the Committee. I believe it has an able Chairperson, and its membership is equal to the task. Kindly proceed to make your comments and conclude your thoughts.

Sen. Joe Nyutu: Thank you very much, Mr. Speaker, Sir.

Perhaps I did not base my argument in the right way, but what I was trying to say is that we are Kenyans and are elected leaders. Therefore, we must do our politics in a way that does not promote division amongst our people. All I was trying to say is that you cannot have a group of a section of the population from a particular area, and lock them somewhere while ignoring others out there. We must promote oneness and unity amongst our people---

The Speaker (Hon. Kingi): You have one more minute, Sen. Nyutu.

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir, for your magnanimity. As I have said, as politicians, especially as we go to the elections next year, we must treat our people equally. If I am supposed to meet people somewhere for a public meeting, I should open it up to all who may want to attend that particular public meeting. I do not want to go to the merits of the investigation that Sen. Mundigi has called for. However, it is important that we, as politicians, carry ourselves and treat our people in a way that promotes unity and not division.

Mr. Speaker, Sir, you are also aware that there has been – and that is why I suspect there was that problem – some politicians who have been preaching division of the “mountain”. It is there; it is known. People propagating division into Mount Kenya East and Mount Kenya West. That could also be the reason that we saw the---

The Speaker (Hon. Kingi): What is your point of order, Senator for Meru?

Sen. Kathuri: Hon. Speaker, Sir, you know we cannot allow Sen. Nyutu just to throw pedestrian statements in this office. The function that Sen. Mundigi referred to – I was following his statement before I came to this Chamber – belonged to a particular political party called UDA. My colleague here supports--- What do you call your party? I do not even remember your political party – is it DCP or DCS? He is trying to downgrade the Statement by Sen. Mundigi.

If I call a meeting in my family, in my house, why should you purport to attend that function which does not belong to you? He is saying that if UDA calls a meeting, then no political party should be allowed to come to that political meeting. This was a political party meeting, and DCP was not invited. We know that DCP goons went and disrupted this meeting in Nembure, led by the Member for Manyatta. We cannot allow you just to play politics. We are also politicians. This matter is actively under investigation---

The Speaker (Hon. Kingi): Senator for Meru, I hear you. I think both of you are basically prosecuting the Statement. You are doing the work of the Committee. If you feel strongly that you have so much information that will aid and help the Committee, kindly take it up.

Sen. Nyutu, one second to wrap up your thoughts.

(Sen. Sifuna spoke off record)

Senator for Nairobi City County, I will throw you out.

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir. They say that the guilty are always afraid, and that tells you where the Deputy Speaker lies. He is one of the promoters of division of the “mountain”. That is why he is speaking the way he is---

The Speaker (Hon. Kingi): Senator Nyutu, kindly take your seat.

Sen. Faki, you may proceed.

Sen. Faki: Asante, Mheshimiwa Spika, kwa kunipa fursa hii kuchangia *Statement* iliyoletwa na Sen. Madzayo kuhusiana na shughuli za uzalishaji katika kampuni za EPZ katika maeneo ya Kilifi. Vile vile nitagusia *Statement* ya shamba la ADC.

Ni kweli kampuni nyingi za kigeni zimewekeza katika maeneo ya kuzalisha bidhaa, yaani EPZ. Hata hivyo, hali ya kazi katika maeneo hayo ni ya kudunisha sana. Wafanyakazi wetu wanalazimishwa kufanya kazi saa nyingi kwa mshahara mdogo. Vile vile, mazingira katika mabohari wanayofanyia kazi ni duni sana. Wengi baada ya muda wana maradhi ya Kifua Kikuu na mengineyo. Hata Ukimwi umekithiri katika maeneo hayo.

Nilipokuwa katika Kamati ya Leba na Maslahi ya Kijamii, nimewahi kuzuru viwanda hivyo maeneo ya Changamwe na Mtwapa, na kujionea wazi vile hali ilivyokuwa. Baadhi ya mapendekezo tuliyofanya mpaka sasa hayajatekelezwa kwa sababu hali ya kazi katika kiwanda cha Ashton Mombasa Apparel (EPZ) Ltd pale Changamwe bado ni duni vile vile.

Kwa hivyo, kamati hii itakapovalia njuga suala hili, ni lazima wazuru hizi EPZ, waangalie vile wafanyakazi wanavyoendelea. Mara nyingi huwa wanaajiri wasichana, na wengine lazima wanyanyaswe kijinsia ili wapate ajira pale. Hii ni Taarifa muhimu sana ambayo Kamati lazima iangalie.

Taarifa ya pili ni ile inayohusu suala la shamba la ADC. Hivi leo nimekuwa na karibu mikutano minne kuhusiana na masuala ya ardhi katika maeneo haya ya Kaunti ya Kilifi.

Mwisho kabisa nilikuwa na mkutano na Mbunge wa Magarini, Mhe. Kombe, ambaye alikuja na watu karibu sita. Kila jamii iliyokuja ilikuwa na malalamiko kuhusu ugawaji wa mashamba katika maeneo ya Magharini. Kuna mashamba ambayo yamegawanywa na mpaka sasa wananchi hawajapata hati miliki. Kuna mengine yamegawanywa, lakini hawajui kwa sababu ile orodha iliyotolewa pale ni tofauti na ile iliyopelekwa Nairobi ili kutengeneza hati miliki.

Haya maswala ya ardhi hapa Kilifi yamekithiri mno. Ningependa tunapomaliza vikao vyetu hapa, hii Kamati ya Ardhi ya Bunge la Kaunti ya Kilifi ishughulikie baadhi ya haya maswala, kwa sababu Seneti hatuwezi kuja kila kaunti kila mara. Lakini hii kamati ya hapa ina uwezo wa---

The Speaker (Hon. Kingi): One minute, hon. Senator, to conclude your thoughts.

Sen. Faki: Kamati ya Bunge la Kaunti ya Kilifi ina uwezo wa kuyashughulikia baadhi ya haya mambo, kwa sababu mengine ni kujaribu kuleta uwiano baina ya zile pande zinazozozana. Hilo ni jambo ambalo Wabunge wa Kaunti hii wataweza kufanya ili

kupunguzia Seneti baadhi ya mambo yanayoweza kufanywa. Pia, tutawapa nguvu zile kaunti zetu ili waweze kutatua baadhi ya matatizo katika kaunti hizo.

Nawapa kongole wakazi wa Kilifi kwa kulikaribisha Bunge la Seneti na kuwa na vikao vya kufana sana.

The Speaker (Hon. Kingi): Senator for Wajir County, Sen. Abass.

Sen. Abass: Thank you, Mr. Speaker, Sir. I wish to contribute to the Statement by the Senator for Marsabit on the security issues and loss of lives and livestock. The Isiolo, Maralal, Marsabit and Turkana triangle is actually a hotspot for a long time now, and many Kenyans have lost their animals and lives. It has now become a common thing.

Mr. Speaker, Sir, all these raiders do not come from outside this country. They all come from the Kenyan side, and they live within the communities. We have so many police officers, including the local police reservists, who are community members. But, unfortunately, there is continued loss of lives. I think this is an internal problem; must be due to the laxity of police officers. It cannot continue in an independent and developed country such as Kenya. In this era of high-tech technology, it is easy to identify--- When you lose so many animals at any given time, you can easily trace and track all the animals, because you have all the mechanism to track them but, of course, they are never found.

Mr. Speaker, Sir, we suspect that many citizens are given arms, calling themselves the National Police Reservists. These people should be vetted and motivated. We also have drones at this time, so there is no way you can escape with 100 or 2,000 animals and you do not find them, yet they do not cross borders. Of course, there must be a problem.

Mr. Speaker, Sir, from the records, about 63,000 head of cattle and other livestock have been lost for the last three years, and many people have died. That cannot happen and it should not continue. If this Government can compensate the young men and women who were demonstrating and were killed by the police, then why not compensate the people who lost their lives taking care of animals? It is the responsibility of this Government to take care of people's lives and their properties. Therefore, we ask for pastoralists to be given compensation because the loss of lives and livelihoods is unacceptable.

As we approach elections, I am sure that this issue will escalate; more and more animals will be lost simply because everything is being commercialized. We seek the indulgence of the national Government. People and their properties must be protected.

The Speaker (Hon. Kingi): Sen. Eddy Oketch.

Sen. Oketch Gicheru: Mr. Speaker, Sir, I will quickly comment on the Statement by Sen. Mundigi on the issuance of title deeds in the areas of Riakanau, Karaba and Mwea. This is one of those classical cases that we need to take seriously, as a Senate, especially because the consent around land has been devolved.

There are two things that I would like to bring to the attention of this House, because we are talking about decades of deadlock. One is our irrigation schemes, where we see a number of land disputes. Then number two, the areas of mines, where there are land disputes. The reason I am bringing this up is because these decades of land stalemate has led to a serious element of dead capital. These are some of the areas that want to see

serious economic activities, yet the issuance of title deeds problems has been a big fundamental problem. This is because the issuance of title deeds depends and relies heavily on what I would call clean land registries.

Mr. Speaker, Sir, if you look at the issue of land registries in those two areas, you will find that it is even difficult for you to have a reliable way of underwriting titles of these lands. This is a classic case of what is happening in Mwea, Karaba and Riakanau that Sen. Mundigi has brought here. Remember in 2020, we had cancellations of over 9,000 titles in that area. Despite the fact that this is still going on in courts, there is no way to deal with this issue.

Adding to this is the issue of institutional deadlock, because somewhere like Mwea, you will find that the National Irrigation Scheme is still in tussle with private landowners to the extent that even insuring land in this place becomes a problem. It leaves farmers in these places to be perpetual land settlers or sometimes having land licenses without ever accessing freehold or even leasehold titles.

This is akin to what is happening with our mines. If you go to Migori, the Macalder Mines, the same problem surfaces. We see a constant element of licensing of lands where people do not even get titles at all. Again, if you go to Lower Kuja Irrigation Scheme in Migori County, the same features, where institutional deadlock between the National Irrigation Scheme and private landowners surface again.

Mr. Speaker, Sir, maybe, through this Statement, it is time that this House commissions a serious committee that will be dedicated to just deal with these land issues in these two areas and solve this issue once and for all. I do not see this being just dealt with in the Committee---

The Speaker (Hon. Kingi): Just conclude in one minute.

Sen. Oketch Gicheru: Mr. Speaker, Sir, I do not see the Committee solving this issue, because decades of these tussles have led to serious fraud, political interference, and community clashes that we have seen around these land issues. Perhaps, it would be good if we formed a committee to deal with these two issues of lands in irrigation schemes, and land in mines, where titles have become a problem. That could be a better way to deal with it rather than just having this become an issue of the Committee to deal with it in one area.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Mutinda Tabitha.

Sen. Tabitha Mutinda: Shukran, Bw. Spika. Nitaanza na *statement* ya kwanza ya Seneta Madzayo wa kutoka Kilifi kuhusu kudhulumiwa sana kwa wanawake katika kampuni za EPZ, ambalo ni jambo la kuhuzunisha sana. Wanawake tuna ile talanta ya kufanya mambo mengi kwa muda mmoja. Utapata kwa hizi kampuni, idadi kubwa ya wafanyakazi ni ya wanawake kwa sababu ya umaarufu wao, uwezo na kuchapa kazi kwao.

Ni jambo la kuhuzunisha katika mwaka huu wa 2026, kwamba kuna ripoti kuwa wanawake bado wanazidi kudhulumiwa kwa makampuni kwa mshahara mdogo, na katika zile nafasi zao za kusonga mbele kikazi na mambo mengi tofauti. Nikiangalia kwa mtandao, nimeona ripoti zilizotoka Bunge la Seneti vile bado dhuluma zinazidi kuendelea.

Bw. Spika, kampuni ni nyingi, na sio za EPZ hapa peke yake, hata zile ziko Athi River. Ni jambo ambalo nitaomba Kamati iangalie tena kwa ufasaha katika kampuni nyingi, na si za Kilifi peke yake.

Ningependa kugusia pia ile *statement* ya Seneta Mundigi kutoka Kaunti ya Embu. Jambo lililofanyika pale Kaunti ya Embu ni la kuhuzunisha sana. Naibu wa Rais ana haki ya kufanya mkutano pahala popote nchini. Vile vile, viongozi tofauti wa vyama tofauti wana haki ya kufanya mikutano popote. Ni jambo la kuhuzunisha kwamba wale wale viongozi wa pale Embu, wakiongozwa na yule Mbunge ambaye anajulikana, kwa sababu, sio siri, wanachukua fursa hio kupanga vijana waharibu mikutano. Ni jambo la aibu sana!

Chama cha UDA ndicho chama ambacho kina Rais wa nchi hii, na kinastahili heshima. Vyama vidogo vidogo vilivyokuja juzi havina mipangilio ya vile watafanya wakichukua serikali 2027. Vile wanafanya ni kupanga vijana na kudhulumu watu katika mikutano---

(Sen. Tabitha Mutham's microphone was switched off)

The Speaker (Hon. Kingi): Sen. Mutinda, you are off record. I will give you one minute to conclude your thoughts.

Sen. Tabitha Mutinda: Vyama vinavyokuja, kama Linda Mwananchi na DCP, waheshimu chama cha UDA na ODM. Wakati sisi tunafanya mikutano, tunaifanya kwa heshima. Wakati Linda Mwananchi inafanya mikutano, ifanye mikutano yao kwa heshima. Cha muhimu ni tusikize zile ajenda ambazo wanazo.

Wakati Bw. Rais na Naibu wake wanafanya mikutano, wapewe heshima yao. Wananchi wanataka kusikia yale mambo utafanya ukiwa rais, sio kuleta vijana hadharani na kuwafanya wapigane na kuchomea wananchi magari yao. Ni jambo la kuhuzunisha na la aibu sana. Itakuaje leo hii, Kaunti ya Embu ambayo imekua na amani muda mrefu - mimi nilisomea kule – Naibu wa Rais akiwa pale, wewe Mbunge ambaye ni kiongozi unachukua muda wako---

(Sen. Tabitha Mutinda's microphone was switched off)

The Speaker (Hon. Kingi): Sen. Mutinda, unfortunately your time is up.

Proceed, Sen. (Prof.) Tom Ojienda, the Senator for Kisumu County.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Mr. Speaker, Sir, I wish to comment on the Statement by the Senator for Embu, Sen. Mundigi, on the prolonged vacancies in the offices of chiefs across the country.

Mr. Speaker, Sir, it is beyond peradventure that chiefs play a crucial role in the administrative setup in this country. Under Section 15 of the statute that governs the organisation of government, chiefs and assistant chiefs are appointed under principles that ensure that the administrative setup in this country works, and that the national Government is able to coordinate its activities. It is, therefore, important that all the positions that have to be filled for chiefs must be properly established so that the national Government functions.

That is not to say that the intention of the transitional provisions of the Constitution in the Sixth Schedule be undermined, as alluded to by Sen. M. Kajwang'. County governments are supposed to ensure that they create an administrative framework that mirrors organisation of the national Government within the counties, and ensure that all wards and villages have a framework of administration that ensures there is delivery of administration in those areas.

In my own county, the county government has shown that it is unable to deliver that framework. Village administrators who were employed by the county and served for a while are not out of work because the county is unable to pay them. Recently, the Public Service Commission found that village administrators ought to be paid salaries that are outstanding of up to two years.

It is the challenge of counties to ensure that, within wards where there are ward administrators and within villages where there are village administrators, these officers are enabled to create a seamless administrative network that will deliver to the people up to the village councils that are intended to ensure that the administrative setup in our counties work. The challenge to governors is to ensure that they mirror the administrative network and structures like the national Government, and ensure that chiefs are enabled at the lowest unit in the villages to deliver to our people.

Lastly, Mr. Speaker, Sir, it is a challenge of the national Government to establish these units, because it is through these units that we have registered additional voters and ensure that all the devolved---

*(Sen. (Prof.) Tom Odhiambo Ojienda's
microphone was switched off)*

The Speaker (Hon. Kingi): Professor, you have one minute to conclude your thoughts.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Thank you, Mr. Speaker, Sir.

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

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

It is these devolved units, villages and chiefs who ensure that all our citizens at the lowest level register for the Social Health Authority (SHA). The additional registration of voters that we have seen has been led by chiefs, assistant chiefs and village leaders. It is, therefore, imperative that any position that is declared in a location or sublocation is filled as indicated by the Senator for Embu.

Thank you.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Sigei Hillary.

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I want to pick up from where Sen. (Prof.) Tom Ojienda has just left on the Statement by Sen. Mundigi regarding filling of vacant positions where he comes from and many other areas. This is because it is not

only in Embu, where Sen. Mundigi comes from, where quite a number of such vacant positions exist.

Sen. M. Kajwang' raised something critical. I have read the Constitution and the objects of the Act that establishes that - Section 3 of the National Government Co-ordination Act - replicates what Articles 131 and, in particular, 132(3)(b) and (4)(a) of the Constitution on the functions of the Office of the President through several Government Departments and Ministries. The Act that establishes offices of chiefs and assistant chiefs is the National Government Co-ordination Act, which is alive to that provision of the Constitution. Part of the objects is to ensure performance of the roles of the relevant Cabinet Secretary to deliver services to the people. Therefore, those positions should exist. Section 6 equally recognises that the functions of county governments are not going to be affected by existence of these national Government co-ordination offices. Therefore, such offices are relevant in terms of administering work to the people of Kenya through offices of assistant chiefs and chiefs.

We call upon the relevant Ministry to make sure that such gazetted offices, regions or sublocations are operationalised, and that vacant positions are filled. That is the only way we will make sure that services are taken to the lowest level of representation where we have assistant chiefs and chiefs across the country.

Secondly, Mr. Deputy Speaker, Sir, I would also like to comment on the second Statement by Sen. Mundigi regarding the violence that we experienced during the meeting that was convened by the Deputy President in his backyard. It is common knowledge that the meeting was disrupted by people who were not invited to the meeting. As to whether they were going to be paid or otherwise, they were not officially invited to that meeting. Definitely such people are not expected to take responsibility, especially where there was violence like what was experienced.

We call upon the political class---

(Sen. Wakili Sigei's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): You have one minute.

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I invite the political class to take responsibility for their supporters. If you do not want to listen to what I am talking about in my meeting because your political formation is different from mine, you have no business attending my meeting. I equally would not invite those who do not want to attend so that they do not cause chaos, because at the end of the day, it is a criminal act and responsibility lies with an individual. The National Police Service (NPS) should take action against those who are found to have either sponsored or those who caused chaos where property was destroyed.

Mr. Deputy Speaker, Sir, Kenyans will have to accept the fact that we have got different political formations. Therefore, we do not have to fight when we disagree.

I thank you.

The Deputy Speaker (Sen. Kathuri): Next is the Senator for the Capital City of Kenya, Sen. Sifuna Edwin.

Sen. Sifuna: Bw. Naibu Spika, ni kinaya sana kusikia vibaraka wa Serikali katika Bunge hili wakizungumza hapa huku wakijifanya kwamba wanakemea matukio yaliyotokea kule Embu, ilhali wakati sisi tunavamiwa kama wana Linda Mwananchi, wananyamaza kimya. Wanatuambia kupita Waziri wao, Mheshimiwa Murkomen, kwamba kama unajua kwamba kulikuwa na wahalifu, mbona ulienda pale? Mshindwe katika jina la Yesu na majina yote matakatiifu yaliyo katika dini zote katika nchi hii.

(Applause)

Bw. Naibu Spika, niruhusu kwa kifupi nizungumzie Kauli ambayo iliyoletwa hapa na Seneta wa Kilifi kuhusu hali ya mandhari ya kazi ya watu ambao wanafanya kazi katika mabohari hapa Kilifi na maeneo mengine haswa kule Mombasa.

Mheshimiwa Naibu Spika, nilipata fursa ya kuzungumza na baadhi ya viongozi wa hawa wafanyakazi leo katika hili Bunge la Kilifi. Wamenambia ya kwamba kuna shida kubwa sana. Hata wakati wanapojaribu kuwasilisha shida zao kupitia wale viongozi wa *union* zao, wanapata tayari viongozi wale wametekwa nyara na wale mabepari na wazito waliomo katika hizi kaunti, haswa pale Mombasa.

Shida kubwa ni kwamba wengi wa wafanyikazi hawa, Mheshimiwa Faki anajua kwamba wanashinda kule kwenye baa. Wao ndio wanaobeba simiti katika mabohari, na kubeba vifaa vya ujenzi kwa migongo yao. Mandhari wanayofanyia kazi ni mabaya sana, na inawasababishia kupata magonjwa mengi, lakini hakuna fidia inayotolewa pale.

Wamenambia hayo kama kiongozi wa Linda Mwananchi. Nimesikia wengine wakisema kwamba hicho ni chama kidogo. Hicho chama kidogo ndicho kitakachomfurusha Mheshimiwa William Ruto kutoka ofisini.

(Applause)

Ajenda yetu ni moja peke yake; kuhakikisha kwamba Mheshimiwa William Ruto anakuwa Rais wa kwanza kuenda nyumbani baada ya muhula mmoja, kwa sababu amewaangusha Wakenya. Tunajua hiyo ajenda Wakenya wako nayo ndani ya mioyo yao. Hata yeye mwenyewe anajua kwamba mda wake umeisha.

Mheshimiwa Naibu Spika, kama viongozi wa Linda Mwananchi, tumealikwa na hawa wafanyakazi kule Mombasa. Wamesema kuna zaidi ya wafanyakazi 40,000 katika mabohari haya. Tunakuja Mombasa mwezi wa kumi, na tutafanya maandamano kuingia katika ofisi za hawa mabwenyenye wanaosema wao ndio wenye Mombasa. Wajue pia vyuma vyao vi motoni. Nimejaribu kufanya mambo fulani pale Mombasa. Nasikia eti kuna watu ambao kama hujaongea nao, hauwezi hata kufungua kibanda katika Kaunti ya Mombasa. Tunataka tukutane na hao wanaume, maanake hata sisi ni wanaume, tuonane “Mundu khu Mundu”, vile tunavyosema kule kwetu, na tujue ni kina nani ni wengi katika Kaunti ya Mombasa.

Mheshimiwa Faki, wafikishie salamu zangu na uwaambie wakati huo kiongozi wao Ruto anapoenda nyumbani, na wao pia wataenda nyumbani.

Asante sana, Mheshimiwa Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Sen. Joyce Korir.

Sen. Korir: Asante sana, Mheshimiwa Naibu Spika, kwa kunipa nafasi hii niweze pia kuchangia mada ya viongozi iliyoletwa jioni ya leo. Ningependa kuongelea mada ya Seneta Mundigi pamoja na Seneta Chute. Wote wanaongea kuhusu utovu wa nidhamu katika nchi yetu ya Kenya. Nimesikia yale viongozi mbalimbali wamesema. Ni jukumu letu, kama viongozi, haswa sisi kina mama, kuhakikisha ya kwamba tunadumisha amani haswa tunapoelekea katika uchaguzi.

Vita tunavyoviona, hasa kwa mambo ya wizi wa ng'ombe, ardhi, na vijana kutumika katika siasa, vyote hutokea kwa sababu ya wanasiasa. Hii ni changamoto inayoletwa na viongozi. Hali hii ni tisho kubwa sana. Siku moja nikiwa kule Bungeni, nilisikia kiongozi mmoja akisema ya kwamba ng'ombe iliyoibiwa akitaka irudishwe itarudushwa. Hii inamaanisha kuwa wale waliochukua ng'ombe hao ni vijana waliopangwa na sisi, kama viongozi.

Mheshimiwa Naibu Spika, hili ni jukumu letu, kama viongozi, kama tunataka nchi yetu iendeleo kuwa na amani. Hatutategemea polisi, wazee wa vijiji, serikali au mtu yeyote. Amani inaanza kwako na mimi.

Sen. Sifuna: On a point of order.

Sen. Korir: Mheshimiwa Naibu Spika, sisi tumekuwa na viongozi katika nchi yetu ya Kenya---

The Deputy Speaker (Sen. Kathuri): Samahani, Seneta Joyce.

Sen. Sifuna, what is your point of order?

Sen. Sifuna: Mheshimiwa Naibu Spika, nimeonya dhidi ya kusikiza hawa vibaraka wa Serikali, wanaposema mambo ambayo wanajua ni ya kupotosha. Wanapotosha taifa zima, na hata Bunge hili.

(Sen. Korir spoke off record)

Mheshimiwa Naibu Spika, naomba unilinde dhidi ya hawa vibaraka ninaozungumzia.

The Deputy Speaker (Sen. Kathuri): *You understand* Kanuni za Kudumu za Seneti.

Sen. Sifuna: Naibu Spika, ndio nakueleza kuwa kabla hajasikiliza hoja yangu ya nidhamu, hawezi kujua kama nina hoja ya nidhamu. Naomba anisikize---

The Deputy Speaker (Sen. Kathuri): Mbona unawasikiza wengine?

Sen. Sifuna: Kwa sababu wanapiga nduru hapa; yuko hapa kwenye sikio langu, na wewe ndio utanilinda. Hata mimi nitakuja kukulinda hapa---

(Sen. Korir spoke off record)

Mheshimiwa Naibu Spika. Sisi sote tunajua kwamba jukumu la kulinda maisha na mali ya mwananchi liko juu ya Serikali na vitengo vyake vya usalama. Kweli Seneta anaweza kusimama hapa atuambie ya kwamba ulinzi unaanza na sisi, ilihali mimi niliyesomea sheria najua – na Seneta Mungatana yuko karibu na yeye angemueleza kuhusu *social contract* ambayo inasema kwamba kama raia tunapokubali kuwa hatutabeba silaha, tutakuwa na jeshi la polisi ambalo liko chini ya Serikali---

The Deputy Speaker (Sen. Kathuri): Sen. Sifuna, sema hoja yako ya nidhamu.

Sen. Sifuna: Ngoja Mheshimiwa. Na wewe umeanza kunipatia presha.

The Deputy Speaker (Sen. Kathuri): Kwa sababu umeanza kujadili. Wasilisha hoja yako ya nidhamu ili na yeye amalizie.

Sen. Sifuna: Hoja ya nidhamu ni hii. Na wewe pia uwe mtu wa kutusikiliza, kwa sababu tuna mafunzo tunaweza kukupa. Najua wewe si wakili. Wewe ni mzee wa Njuri Ncheke, lakini hujui sheria. Sheria inasema---

(Loud consultations)

Naibu Spika, nilinde kutokana na vibaraka wa Serikali tafadhali.

The Deputy Speaker (Sen. Kathuri): Inaweza kuwa umesoma sheria, lakini haikusaidii.

Sen. Sifuna: Sheria ambayo nimesoma itakusaidia na wewe, Naibu Spika, nisikilize tu. Tunaposema hatutabeba silaha, tutawachia Serikali ilinde kila mtu, hawezi kusimama na kupotosha Bunge hili na taifa nzima akituambia ya kwamba usalama unaanza na wewe. Hata fujo tuliosikia imekuwa maeneo mengi, polisi walikuwa na ilani na walikuwa wanajua. Wangeweza kuchukua hatua kuzuia fujo hiyo kwani hiyo ndio kazi yao. Huwezi kutuambia kwamba usalama unaanza na mimi. Kama usalama unaanza na mimi, na mimi pia niwe na jeshi langu la polisi basi.

The Deputy Speaker (Sen. Kathuri): Umesimama kwa kifungu gani katika Kanuni za Kudumu za Seneti.

Sen. Sifuna: Anapotosha Bunge hili.

The Deputy Speaker (Sen. Kathuri): Kupitia Kanuni za Kudumu za Seneti, kipengele kipi?

Sen. Sifuna: Anapotosha Bunge, Mheshimiwa Naibu Spika. Haufai kutoa hoja ambazo zinapotosha Bunge. Nakuelezea wewe!

Sen. Korir: Nimesikia Mheshimiwa Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Ni sawa, amesikia.

Sen. Korir: Asante sana, Mheshimiwa Naibu Spika. Nimekuwa kwa siasa kwa muda, wakati hata kina Sifuna walikuwa shuleni. Huu ni mwaka wangu wa ishirini, na tumekuwa na viongozi wengi katika nchi yetu, ikiwemo viongozi wa Kilifi na Pwani nzima. Tumekuwa na akina Aisha Jumwa, Katana Ngala, na Zipapa, ambao wanajua ya kwamba ni lazima tudumishe amani katika nchi yetu. Hatutatumia vijana wetu. Ndio maana unasikia matamshi ya viongozi tulionao wanaojifanya wanang'ang'ania uongozi, wakiongea mambo yanayoleta tatanishi katika nchi yetu ya Kenya. Sisi, kama kina mama, hatuna ruhusa ya kupatia viongozi kutumia vijana wetu---

(Sen. Korir's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): Muongozee dakika moja, sababu muda wake umepotea hapo awali.

Sen. Korir: Mheshimiwa Naibu Spika, ndiposa nimesema ya kwamba Miswada tulio nayo hapa, ni sisi wanasiasa wenyewe tunachangia. Ni sisi viongozi tutaamua jinsi

nchi yetu itakavyokua; kama tunataka kuleta amani au vita; tunataka maendeleo au tuendeleo na siasa isiyo na muelekeo, watu ambao hawana ajenda wala maono. Wanaleta tu siasa duni isiyojenga nchi yetu.

Hivyo basi, tumekuja Kilifi ili tutatue shida za watu wa Kilifi. Sio mambo ya kutishana, au kuuliza kama tunajua sheria au la. Tunataka tutatue mambo ya deni ya zaidi ya Shilingi 10 bilioni katika Kaunti ya Kilifi. Hiyo ndiyo kazi ya Seneti---

The Deputy Speaker (Sen. Kathuri): Sawa, Sen. Korir.

Sen. Murgor.

Sen. Murgor: Bw. Naibu Spika, nashukuru kwa kunipa nafasi niweze kuchangia Kauli ya upotofu wa usalama katika Kaunti ya Marsabit, kwa Mheshimiwa Chute.

Sisi tulikuwa na shida kama hiyo kati ya watu wa Pokot na Marakwet. Kwa sababu Waziri wa Usalama ametoka sehemu hiyo ya Kerio Valley, alichukua hatua ambayo akichukua miongoni mwa sehemu zingine, kutakuwa na usalama. Alipata majina ya wezi wa ng'ombe, wauwaji barabarani, na watu ambao wana upotevu wa nidhamu katika vijiji. Watu walitoa list ya hao watu wabaya. Waziri, pamoja na *team* yake ya *security*, waliwafuata wao mmoja mmoja kama panya. Waliwashika, na wale waliotoroka waliuwawa. Waliotoroka kuenda kwa mapango, walifuatwa hadi ndani. Hiyo ilileta amani kati ya watu wa Pokot na Marakwet.

Sielewi ni kwa nini mauaji na wizi wa ng'ombe unaendelea katika sehemu ya Isiolo kwa muda mrefu. Hivi majuzi, askari watano waliuawa. Kwa hivyo, naona kuwa usimamizi wa *internal security* unaangalia mambo tofauti katika *area* zingine. Kwa nini asichukue hatua aliyochukua---

The Deputy Speaker (Sen. Kathuri): Msaidie na dakika moja.

Sen. Murgor: Sioni ni kwa nini hatua iliyochukuliwa kati ya watu wa Pokot na Marakwet, isichukuliwe kwingine ili amani iwe miongoni mwa majirani na watu wote. Kwa sababu kama hawa bado wanafaulu kwa mipango ya kuiba na mauwaji ya watu, bila shaka wataendelea na hio tabia yao. Hii ni kwa sababu wanajiona mashujaa ambao wameshida askari na Serikali.

Kwa hivyo, namuomba Waziri wa *Interior and National Administration* achukue hatua sawa na ile alichukua kwa watu wa Pokot na Marakwet. Bila shaka, amani itarejea katika sehemu hizo.

Leo tumesikia mada ya kurufusha President kutoka kwa ofisi. Mimi sijui kama Sen. Sifuna anafikiri vijana watamfurusha aje bila *violence*? Kwa hivyo---

The Deputy Speaker (Sen. Kathuri): Sen. Hezena.

Sen. Lemaletian: Thank you, Mr. Deputy Speaker, Sir. I rise to contribute to the two statements, one by Sen. Chute of Marsabit County, on the escalating insecurity in the northern parts of Kenya; and also the one by Sen. Mundigi, on the violence that was meted on the Deputy President of Kenya in Embu County, where I was raised.

Mr. Deputy Speaker, Sir, we have had serious issues in this country. We normally say that you cannot cure diarrhoea by blocking the anus, when the root cause of the problem lies in the digestive system. We have, indeed, had many security overlaps in this country. There have been goons roaming all over town, they have not been contained? Not yet. Many people have been killed in the northern counties in Kenya, have the killers been contained? Not yet. We have heard the people of Meru, Isiolo, Turkana, Samburu,

Baringo and Marsabit complain about insecurity, has it been contained? No. I want to call on our colleagues from the United Democratic Alliance (UDA) side to not stand here boldly and support mediocrity.

Mr. Deputy Speaker, Sir, I am a mentee of Baba, His Excellency Rt. Hon. the late Raila Amolo Odinga. One thing was very clear in how he mentored me; that I should always stand on the side of integrity no matter who I go against. As we speak, Samburu is bleeding. There were a few criminals who went to attack people in Isiolo County and, consequently, what did the Ministry of Interior and National Administration do? They attacked the people of Samburu.

Yesterday, grenades were thrown against the people of Samburu, and a huge flock of cows were destroyed. There was a man who lost 137 herd of cows. What kind of frustration and depression will that person go through? There was a man who was just going to buy water for people and he was shot. There is a serious security overlap in this country. If our people on the UDA side are not going to call bullshit for what it is, we are going to help them from the Orange Democratic Movement (ODM) side.

While I very strongly support President Ruto, we must call out any member of the Cabinet---

The Deputy Speaker (Sen. Kathuri): Sen. Hezena, as much as your colleagues are not questioning you on the right language to use, and as much as I can see that you are agitated, kindly use parliamentary language.

Sen. Lemaletian: I apologise, Mr. Deputy Speaker, Sir. That is well noted. I hope my time has been held, while at it.

The fact that we are in the Broad-Based Government does not mean that we are going to bury our heads in the sand. If somebody within the Executive is failing the Broad-Based Government, it is our duty to call it out, whether we are in UDA or ODM. Yesterday, grenades were thrown against the people of Samburu. This shows there is a serious overlap in the Ministry of Interior and National Administration, because I have seen our colleagues here---

The Deputy Speaker (Sen. Kathuri): I am really challenged to add more time to you, because of the question I asked. However, let me give you one minute to conclude.

Sen. Lemaletian: Thank you, Mr. Deputy Speaker, Sir. It is very hypocritical that I have seen our colleagues here standing up to mention Members of the National Assembly as the perpetrators of the attack against the Deputy President.

As far as the Standing Orders are concerned on the content of speech, we are not supposed to impute improper motive against any of our colleagues, whether in this House or the other, when they are absent.

Mr. Deputy Speaker, Sir, I hope that these two statements will be referred to the relevant committees, and that they will be handled with the seriousness they deserve. This shows that there is a problem with the Ministry of Interior and National Administration. They are not doing enough investigations. They are not calling out a spade for what it is.

The fact that we have a community called Samburu, we also have a county called Samburu, and when there is a problem that was perpetrated by Samburu's in Isiolo County, the Governor of Isiolo and the leadership of Isiolo should act against the

Samburu people who live within their own county. But they should not bring the same problem against the people of Samburu who live in Samburu County.

When a Luo or a Kikuyu commits a crime in Nairobi, we do not hear of any person going to attack members of that community in the counties. Just because a county bears the same name as the people and the residents who live there does not mean we continue---

(Sen. Lemaletian's micropone was switched off)

The Deputy Speaker (Sen. Kathuri): Now, still, I can see some Members still want to speak. Is it on the statement of the next business?

Sen. Kisang, you may proceed.

Sen. Kisang': Thank you, Mr. Deputy Speaker, Sir. Mine was still on that statement. I just wanted to tell the Members that as we debate these issues, it is good to be sober and stable emotionally. We should not become too emotional.

Mr. Deputy Speaker, Sir, I wanted to comment on the statement by Sen. Munyi Mundigi on the attack by some groups of people or goons. If we are not very careful, I do not know--- In 2007, some of us vied for seats and lost, and we accepted the results. However, because of what happened, immediately after the presidential election results were announced and some swearing-in happened, there was some spontaneous insecurity across the country.

This coming election of 2027, we need to be very careful, because if you see what is happening in preparation for the elections, people are already agitated. So, we need to ask the National Cohesion and Integration Commission (NCIC) and the Cabinet Secretary for Interior and National Administration to be on the lookout. It is like people are preparing for a fight; I do not know why. Kenya is a democratic country. We accept when we win, or when we lose, because that is a contest. In a contest, there is a winner and there are losers.

So, Mr. Deputy Speaker, Sir, those who were attacked at that particular United Democratic Alliance (UDA) function in Embu should know it was uncalled for. We need to condemn it because that was a private party affair. It was not a public function, as some colleagues are trying to allude. The reason why there was an attack was that they wanted to be included and to benefit from some incentives. How? This was a private function. We need to ask our colleagues to tolerate each other, do their functions, finish and go. Please, do not use the youth. We know there is a lot of unemployment, and the youth are ready outside there to be used. Why do you want to use youths and we are not using our sons or our daughters? Let us not take advantage of this kind of unemployment and misuse this particular group of the youth.

Mr. Deputy Speaker, Sir, we need our country. The Independent Electoral and Boundaries Commission (IEBC) should also start what we call a list of shame. I remember a while ago, the National Transport and Safety Authority (NTSA) used to take photos of vehicles that were going on the wrong side or overspeeding, and then in the news, you flash the number plate, the owner of the vehicle, and then shame them. We

need to start this particular activity of shaming, especially our colleagues and ourselves, who are politicians misusing the youth.

You cannot get votes by attacking your opponent. Even if you attack your opponent, the public, the people would want to---

The Deputy Speaker (Sen. Kathuri): Sen. Catherine Mumma, do you want to contribute to the statement or---

Sen. Mumma: On the statements, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Okay, go ahead.

Sen. Mumma: Thank you, Mr. Deputy Speaker, Sir, for the opportunity to also contribute to the statements. Allow me to contribute to the statements by Sen. Chute and Sen. Munyi Mundigi on the issue of insecurity.

Mr. Deputy Speaker, Sir, my plea is that Members of the Senate and Members of Parliament will remember that they hold positions of responsibility, and their utterances must contribute to bringing this country back to order.

The primary duty-bearer on matters of security is actually the Government.

(Applause)

So, when we see what happened in Embu, Homa Bay, and what is currently happening in Samburu, and they all come in all manner and forms; whether it is an attack on political rallies, or an attack on one community to another, we are actually nurturing something that we may not be able to deal with. It is important that, as Parliament, we collectively, in a bipartisan manner, call the Cabinet Secretary for Interior and National Administration to order. They can actually trigger a bigger problem in this country.

I want to call our attention to the fact that we do not have enough policemen more than the people. So, if the ordinary people start feeling that they cannot get protection from the police, and decide to take protection in their own hands, we will end up with a situation we cannot deal with.

I want to urge our colleagues to be careful and desist from using these microphones just to call out praises to your political parties. We need to collectively say no to the violence that is happening, regardless of who has been attacked, or who the perpetrator is. The criminal law needs to swing in, and we need to get order back into this country.

A few of the statements that have been made have been about just making jabs at each other, talking about who has which agenda. We are turning this house into a rally instead of discussing the issue before us, which is insecurity. I hope that the necessary committee, the Committee on Security and Foreign Affairs, will take this issue seriously.

Mr. Deputy Speaker, Sir, I would want to see the Constitutional Commissions being called to order. In fact, we have the Kenyan National Commission on Human Rights (KNCHR), and we do not hear their voices. We want to see the IEBC disqualifying people at this point, because if you ask me, there is a lot of breach of the elections law around what is happening, but the IEBC is watching. Let the IEBC actually speak to this issue and call out the offending groups and politicians and actually shame them.

I happen to have served on the KNCHR, and I led the team during 2005 that actually named and shamed politicians who were trying to set us into tribal factions, who were using hate speech, who were misusing public resources in campaigns. I wish the NCIC would swing back and actually do what we did in 2005 during the referendum, to actually name and shame and call all of us to order. If we do not call the politicians to order, we will set this country on fire. I would like to put you, politicians, on notice. When the country burns, I can assure you, you will be the first targets. So, we need to call ourselves to order. However, the state, as the primary duty bearer, must start using the tools of the state for the safety and security of every Kenyan, regardless of their political persuasion.

We need to stop the mayhem, the killing of our young people, and the use of excessive force by our forces when they arrest young people. We need to stop all of this. We are actually agitating the nation, and they are losing trust, not just in the Executive, but also in this House. So, I would want to ask all of us, as we speak, that we should be responsible enough to actually contribute in a manner that is responsible; a manner that respects every law that talks about security; and in a manner that respects the Constitution that we have sworn to protect.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Well, that is the end of the statement hour.

Hon. Senators, looking at our business this afternoon, Orders No. 8, 9, 10, 11, and 12 stands deferred.

MOTION

NOTING OF COUNTY FISCAL PERFORMANCE MEASUREMENT INDEX REPORT 2026

THAT, the Senate notes the County Fiscal Performance Measurement Index (CFPMI) Report 2026, laid on the Table of the Senate on Thursday, 6th August, 2026.

(Motion Deferred)

BILL

Second Reading

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

(Resumption of debate interrupted on 4.8.2026)

(Bill deferred)

BILL*Second Reading*

THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL
(NATIONAL ASSEMBLY BILLS NO.29 OF 2023)

(Bill deferred)

HOJA

KUMBUKUMBU YA KUDUMU YA WAATHIRIWA
WA AJALI YA FERI YA LIKONI YA 1994

IKIBAINISHA KWAMBA, mnamo tarehe 29 Aprili 1994, janga la ajali ya feri ya Likoni lilisababisha vifo na majeraha kwa wananchi wasio na hatia, wengi wao wakiwa wakaazi wa Likoni na Kaunti ya Mombasa, na hivyo kuleta majonzi makubwa kitaifa pamoja na madhara ya muda mrefu ya kimwili, kisaikolojia, kijamii na kiuchumi kwa familia zilizopoteza wapendwa wao na manusura;

IKIWA NA WASIWASI KWAMBA, licha ya hakikisho na ahadi zilizotolewa na mamlaka mbalimbali kufuatia janga hilo, bado kuna mashaka na maswali kuhusu iwapo fidia ilitolewa kikamilifu na kwa haki kwa familia zote zilizoathirika;

IKIKIRI KWAMBA, kuanzishwa kwa kumbukumbu ya kitaifa ni hatua muhimu ya kuheshimu na kuenzi waliopoteza maisha, na pia ni chombo cha kuendeleza uponyaji wa pamoja wa kijamii na kuimarisha uwajibikaji wa Taifa kwa raia wake;

SASA BASI, Seneti inaamua kwamba –

(i) Kamati ya Kudumu ya Seneti ya Barabara, Uchukuzi na Makazi ifanye uchunguzi wa kina ili kubaini idadi ya familia zilizoathirika, fidia iliyolipwa hadi sasa, madai yoyote ambayo hayajalipwa, pamoja na kubainisha familia zipi bado hazijapata fidia na sababu za kutolipwa kwa fidia hiyo; na

(ii) Serikali ya Kaunti ya Mombasa kwa ushirikiano na Wizara ya Barabara na Uchukuzi, ianzishe kumbukumbu ya kudumu kwa heshima ya wahanga wa ajali ya feri ya Likoni, 1994 kwa mashauriano na familia zilizoathirika.

(Hoja ilihairishwa)

COMMITTEE OF THE WHOLE

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO. 8 OF 2026)

(Committee of the Whole deferred)

We will go to Order No. 13.

BILL

Second Reading

THE LIVESTOCK PROTECTION AND SUSTAINABILITY BILL (SENATE BILLS NO.32 OF 2024)

(Sen (Dr.) Lelegwe Ltumbesi on 9.8.2026)

(Resumption of debate interrupted on 15.9.2026 – Morning Sitting)

The Deputy Speaker (Sen. Kathuri): Any Member with a balance of minutes? Sen. Mandago had a balance of 18 minutes, but I can see he is not in the House. I will, therefore, open the Floor to any other Member wishing to contribute.

Sen. Sifuna.

Sen. Sifuna: Mr. Deputy Speaker, Sir, I will be very brief just because of the lateness of the hour and seeing the mood in the House.

As always, whenever there is legislation proposed in this House, I make the habit of understanding the objects of the Bill and the reasons why that legislation is being proposed. I always begin with the Fourth Schedule of the Constitution that assigns responsibilities and duties between the national Government and the county governments. Of course, the title of the Bill itself is Livestock Protection and Sustainability Bill, (Senate Bills No. 32 of 2024).

If you went to the Fourth Schedule, in fact the functions and powers of the county governments begin with agriculture. As you know, I have become a proud Member of the Committee on Agriculture, Livestock and Fisheries. Agriculture, including crop and animal husbandry, is clearly stated as a function of the county governments. So, going through this brief Bill by the Senator from Samburu County, Hon. Lelegwe, my expectation is to see whether indeed the provisions accord with the constitutional dichotomy between the two levels of government.

It is interesting that we are debating this Bill about livestock protection in the context of what has happened in Samburu County. If you read the purpose of the Bill at the beginning, it is that it is supposed to go towards safeguarding livestock from adverse conditions, including as drought. I am just wondering in the context of the conversation that happened here, between yesterday, when the Statement that was made by the Senator from Samburu, and the conversation today whether indeed, the biggest threat to livestock in Kenya today as we speak, is drought. As pastoralists, you have painted this picture of the primacy of livestock in your lives.

Mr. Deputy Speaker, Sir, I know you are a Member of one of the WhatsApp groups that has all the Senators in this House. I saw pictures of what exactly happened in Samburu County posted on that group. The police are using grenades on animals. Yesterday, Sen. Lelegwe told us that there has been shooting of goats and livestock, and that people have lost an upward of 200 of them. If you ask that farmer which one poses an existential threat to them as a livelihood, between drought and the Kenya police, the answer will not be drought. I have never seen an animal, like a cow, blown up by a grenade; it is quite a sight to behold. How low have we sunk as a country that the police can be that brutal even to animals?

One time when I was still a Member of the County Public Accounts Committee (CPAC), we had the Inspector General (IG) of police appear before us. At that particular moment in time, there were allegations that some of us who were facing brutality during our rallies were teargassing ourselves. I asked the IG of police whether all munitions have serial numbers. He confirmed to the Committee and to this House that, in fact, all munitions – be they bullets, tear-gas canisters or grenades – have specific serial numbers. That the chain of handling those munitions is such that you can tell a level of specificity which police station a tear-gas they originated from.

On behalf of the people of Samburu County; I say that it is possible for us to trace the munitions, such as grenades, that have been used to kill these animals to a specific police unit. Today, I have just seen a police release that in fact, a suspect has been arrested in the murder of my lecturer at the University of Nairobi, the late Kyalo Mbobu, who was assassinated on a public road in Nairobi one of these evenings about a year ago. They have been able to arrest that suspect, get the weapon that was used, and traced it to the bullets that actually killed Kyalo Mbobu.

In a country governed by the rule of law, it is possible for us to find out the people doing these things on behalf of the people of Samburu County. I know that the country has lost a lot of hope, that what is right is never done at any particular point in time. We want them to have faith that in the fullness of time, all these people who are doing these things and abusing power will be brought to book.

Looking at that Bill, Mr. Deputy Speaker, Sir, the only problem I have with it is that, having framed the argument that, in fact, the Fourth Schedule of the Constitution has given the functions to do with agriculture and animal husbandry to county governments, I already have problems with some of the provisions. I am hoping that my brother, Sen. Lelegwe will appreciate some of the amendments we will be proposing to him to have a Bill that accords with the Constitution when we come to the Third Reading.

Clause 3 of that Bill talks about the Cabinet Secretary being the one to formulate policies on livestock management. I already have a problem with that because this is a devolved function. If you look at Article 96 of the Constitution, our responsibility as Senators is to defend counties and their governments. Increasingly, we have seen a claw back on functions of the counties by the national Government. This is something that we, who believe in Constitutional purity, cannot countenance. We want every single piece of legislation brought before this House or the lower House of the National Assembly, be in accordance with the Constitution.

Every single time there is a Bill that I think infringes on the functions of county governments, it is my responsibility under Article 96 to say that we will oppose this. We want that responsibility to be placed on the county governments, because that is their responsibility according to the Fourth Schedule. Since the Bill is very brief, I do not have much to say about it. I want our colleagues to appreciate that we are trying to build a country where people actually respect the Constitution.

Yesterday, I heard somebody also reference an incident that happened during the Jubilee administration where police did something similar in Laikipia County. Around the same time, Tanzanian authorities had intercepted a consignment of chicks – the babies of chickens for those who do not understand what I am saying – and they burned them alive. We have to have some humanity. The most heartbreaking thing is that, as a country, we must learn from the good and the bad manners of administrations that preceded us, and stop the bad manners and try and do things differently.

I was surprised that the people who were criticising the Jubilee Government for shooting cattle in Laikipia are today presiding over an administration that is using grenades on cattle. It means, we learnt nothing from the Laikipia incident. I want to give hope to the country and to the pastoralists that some of us are built differently. We actually believe in the things that we speak about. We believe in constitutionalism and the rule of law. By the way, those pastoralists in Samburu should know that the rule of law also covers the fact that you cannot be condemned unheard. Even before you shoot the cow dead, you must undertake due process. You cannot just shoot people's animals. You cannot just shoot cows!

Another one told us the other day that you shoot them in the leg before you take them to court. That ecosystem is what we want to destroy. So, it does not matter how much you say, that some of us do not have an agenda, or that some of us do not have plans.

Mr. Deputy Speaker, Sir, this document called the Constitution of Kenya is an entire plan. This was a project by the people of Kenya to stop certain things, and to start doing certain things. It is enough for me to tell you that we need to drag this country back to the rule of law, to democracy, and to the freedom that we wanted to enjoy as a people. That is a good enough agenda for the people of Kenya. Many of them understand what we mean when we say these things. Just a few who have admitted themselves in public that they are a bit slow. We will go at their pace, but at the end of the day, when every ballot is cast in 2027, people will understand what we are trying to do for this country.

Thank you.

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

Sen. (Dr.) Mungatana, MGH: Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to make my comments on this Bill. I rise to support the Livestock Protection and Sustainability Bill (Senate Bill No.32 of 2024). Thank you, Sen. (Dr.) Lelegwe, for bringing this Bill to the Floor of this House.

Mr. Deputy Speaker, Sir, Tana River is both an agricultural as well as a pastoral county. My first contribution to this Bill is that we need to expand it more. I am requesting the Committee, before we go to the Committee Stage, to really have a look at what this Bill is proposing. When you look at all the sections of this Bill, it is heavy on

looking just at the issues surrounding drought. Yet, the issues around livestock are huge. I would like to invite the Committee on Agriculture, Livestock and Fisheries to take time to look at what we can do to improve this Bill.

Mr. Deputy Speaker, Sir, one of the things that needs to come out clearly is legislative support for the identification of livestock systems. I accompanied the Cabinet Secretary for Agriculture and Livestock Development, Hon. Mutahi Kagwe, to Tana River. He launched that system where livestock are supposed to be vaccinated and identified. In other words, he created a system where the livestock has an identity card, just like a human being. Once the ID is scanned, it is immediately read how many vaccines that animal has received, where it was bred, whether it was on free range, how many times it has gone to the cattle dip, what diseases it is exposed to. So then, the market where it is targeted to, they are able to pay the correct premium.

Mr. Deputy Speaker, Sir, this Bill needs to come up with legislation that supports that, because we have had a problem with cattle rustling. If there is identification on the livestock, you cannot steal it because that livestock is identified. If you are moving livestock, you will be stopped. If you cannot show the identity, then automatically you lose that animal. You are also able to know which livestock have been vaccinated, which ones have gone to the cattle dip, which ones need the attention of the veterinary officer. Therefore, this Bill needs to be enriched in that manner.

Also, on the fodder banks, there must be a clear provision on how these reserves for fodder are taken care of. We should list, within this Bill, clauses that allow county governments to carry out purchases specifically to keep their livestock alive during the dry season. Why do I say so? This Bill does not seem to push county governments to do what is right. The Bill is not saying that governors, especially from Arid and Semi-Arid Lands (ASAL), must set aside some budget so that they can purchase feeds or fodder and stock them so that it is granted automatically when required.

Mr. Deputy Speaker, Sir, the current Government has also talked about livestock insurance. Again, this Bill does not elaborate on those provisions or what we need to do to ensure that livestock for all farmers are insured. This is so that when we have drought or floods, and we lose animals, farmers are able to be compensated through insurance. It has not created compulsory insurance for livestock farmers. In fact, the question of livestock insurance has even caused people to fear. This is because they think that if they take up this insurance, then people will know how wealthy they are, and the Kenya Revenue Authority (KRA) will come for them. So, people are trying to hide, yet this law has an opportunity to make it compulsory.

We pay insurance for our vehicles so that, in case of anything, people are restored to where they were or somewhere near where they were before the accident. The same should apply to livestock insurance. Whether you have so many cars or otherwise, the insurance companies will show, and the KRA will come for you. So, why should it be different for livestock insurance? If we have these provisions being made compulsory within this Bill, then even with incidences such as the violence that has been created against the livestock in Samburu, insurance would then immediately kick in, and people are compensated. That way, we will resolve the issues of cycles of poverty and cycles of wealth within pastoral communities.

Mr. Deputy Speaker, Sir, livestock markets development is not well articulated within this Bill. I am raising these issues so that the Committee, hopefully because the Chair is not here, will sit down and look at the HANSARD and hear what people are saying in Kilifi. Even in Kilifi, many herds of livestock are kept there. We are neighbours, Tana River is on one side and Kilifi on the other side. So, obviously, we all do pastoral farming. How will we sell these animals? Again, this Bill has lost an opportunity for us to create markets, and a deliberate effort to help our people to have markets.

Yesterday, I was watching news, and I saw the Cabinet Secretary for Agriculture and Livestock Development, Hon. Mutahi Kagwe, in Taita Taveta County. He was launching a very big centre, where he said is going to be one of the biggest areas for marketing so that somebody in America, Argentina, Ethiopia, Saudi Arabia and so on, who take a lot of our animals, especially during Eid, can be able to access that market. Many people were joyous about that whole thing. I must congratulate, Hon. Mutahi Kagwe. Every day he comes up with new ideas and innovations that focus on not only helping the folk in agriculture, but also the folk who are practising livestock keeping. If that market area is disease-free and gazetted as an area where proper marketing will be done, then this legislation should create spaces – not just in Taita Taveta County, but also in other ASAL counties as well. Proper markets should also be established there.

What the Cabinet Secretary is doing should be backed by legislation for the work not to be rewound when the Cabinet Secretary leaves office. To establish that, we have to do proper legislation.

I will give the example of what President William Ruto has done with the health sector. We have four pieces of legislation that anchor universal health care. Animals have so many challenges, and they also need legislative action. If we do that, we will ensure that what President Ruto is doing right now through his Cabinet Secretary will be anchored in law so that other administrations that will come in 2032 and beyond will not claw back on the gains that have been made.

This law needs a deeper look. I urge the Chairperson of the Committee on Agriculture, Livestock and Fisheries to take time with his Committee and relook at what needs to be done. It should not just be about drought, but about proper livestock protection and sustainability, as the Bill is titled. The title of this Bill is so big, but the Bill is so simple. This Bill is just talking about setting up a Livestock Development Fund. There are so many things that we can do to modernise our livestock keeping. This Government is already planning to execute so many things through the ministries. What it needs is to codify those things through legislation. This legislation needs more work for it to carry the aspiration of our people who are involved in livestock keeping.

I support this Bill, but I urge the Chairperson of the Committee on Agriculture, Livestock and Fisheries of the Senate to put in more work for us to bring relevant amendments and make this Bill more useful to the people of Kenya.

With those many words, I support.

The Deputy Speaker (Sen. Kathuri): Very well, Sen. Mungatana. Having no other Member wishing to contribute, the Mover will be required to reply. I, therefore, defer the replying by the Mover.

Looking at the House, Movers of Order No. 14 to 23 are not available to move these Bills and Motions. Therefore, that comes to the end of our business today.

BILLS

Second Reading

THE BASIC EDUCATION (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO. 59 OF 2023)

Second Reading

THE COUNTY GOVERNMENTS (STATE OFFICERS REMOVAL FROM
OFFICE) PROCEDURE BILL (SENATE BILLS NO.34 OF 2024)

Second Reading

THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT)
BILL (SENATE BILLS NO.13 OF 2023)

Second Reading

THE COUNTY WARDS (EQUITABLE DEVELOPMENT)
BILL (SENATE BILLS NO.20 OF 2024)

Second Reading

THE COUNTY GOVERNMENTS (AMENDMENT) BILL
(SENATE BILLS NO.5 OF 2026)

Second Reading

THE QUALITY HEALTHCARE AND PATIENTS SAFETY BILL
(NATIONAL ASSEMBLY BILLS NO.41 OF 2025)

(Bills Deferred)

MOTION

ADOPTION OF REPORT ON PETITION ON LIMITATION OF TENURE
FOR NOMINATED MEMBERS OF COUNTY ASSEMBLIES

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Laban

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Omusundi and others concerning limitation of the tenure of nominated Members of County Assemblies (MCAs) to a single term of five years, laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION

ADOPTION OF PETITION REPORT ON RE-INTRODUCTION OF ELECTIONS (AMENDMENT) (NO.3) BILL SENATE BILLS NO.48 OF 2021

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Mohamed U. Alasow concerning the re-introduction of the Elections (Amendment) (No. 3) Bill (Senate Bills No. 48 of 2021), laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION

DELINKING JUNIOR SECONDARY SCHOOLS FROM PRIMARY SCHOOLS

THAT, AWARE that, the Ministry of Education in Kenya, introduced Junior Secondary Schools (JSS) as part of the Competency-Based Curriculum (CBC) implementation marking a major milestone for the country's education system, and a key opportunity to improve the quality of education available to students;

APPRECIATING THAT, the Junior Secondary Schools program play a vital role in shaping the academic trajectory of learners by providing students with a strong foundation in core subjects, helping them develop essential skills and offering them opportunities to participate in extracurricular activities promoting greater social inclusion;

CONCERNED THAT, the integration of Junior Secondary Schools within primary school setups has posed major challenges for Junior Secondary teachers, including inadequate training on the new competency-based curriculum, limited opportunities for career advancement, conflict in leadership, decision-making and resource allocation leading to strained relationships with head teachers;

FURTHER CONCERNED THAT Junior Secondary Schools (JSS) face critical shortages in essential infrastructure such as laboratories, libraries, ICT hubs, and science equipment necessary for the implementation of the JSS curriculum, coupled with inadequate access to approved learning materials and

teaching resources, resulting in inconsistencies in curriculum delivery hindering effective teaching, learning, and overall student development;

NOW THEREFORE, the Senate resolves that the Ministry of Education, the Teachers Service Commission and the Kenya Institute of Curriculum Development should: -

- i) Provide for an independent administrative and operational framework for Junior Secondary Schools to enhance governance, streamline management, and create a more focused learning environment for the learners;
- ii) Allocate adequate funds for the construction and equipping of Junior Secondary Schools with essential facilities such as science labs, libraries and ICT rooms, and provide adequate learning materials relevant with the curriculum;
- iii) Offer professional development programs for Junior Secondary School teachers to help them specialize in specific subjects to effectively implement the JSS curriculum;
- iv) Develop a clear career progression framework for Junior Secondary School teachers, including opportunities for promotions and additional responsibility allowances;
- v) Formulate clear policies and guidelines outlining the structure, curriculum, and management of Junior Secondary Schools; and ensure an optimal teacher-student ratio to facilitate personalized student attention and effective learning.

(Motion deferred)

MOTION

IMPROVING ACCESS TO CLEAN WATER AND SANITATION SERVICES IN INFORMAL SETTLEMENTS

THAT, AWARE THAT Article 43(1)(d) of the Constitution guarantees every person the right to clean and safe water in adequate quantities and to reasonable standards of sanitation;

COGNIZANT THAT under the Fourth Schedule to the Constitution, county governments are responsible for county water and sanitation services, while the National Government is responsible for water resources management, policy and regulation, and that the Water Act, 2016 and the National Water Policy provide the framework for universal, equitable and sustainable access to water and sanitation services, thereby requiring effective intergovernmental coordination to ensure equitable access to such services;

CONCERNED THAT despite the existing constitutional, legal and policy framework, many residents of informal settlements in Nairobi City County continue to experience inadequate, unreliable, unsafe and unaffordable access to water and

sanitation services due to inadequate infrastructure, weak implementation and insufficient investment in water supply and sanitation infrastructure and service delivery;

APPRECIATING THAT expanding water and sanitation infrastructure, strengthening public-private-community partnerships and promoting community participation can significantly improve access to affordable, safe and sustainable water and sanitation services within informal settlements;

NOW THEREFORE, THE SENATE resolves that the Nairobi City County Government, through the Nairobi City Water and Sewerage Company, in collaboration with the Ministry of Water, Sanitation and Irrigation, the Athi Water Works Development Agency, the Water Resources Authority and other relevant agencies —

1. Develops and implements a County Water and Sanitation Improvement Plan with clear targets, timelines and financing for expanding water and sewerage services to informal settlements;

2. Strengthens water supply infrastructure, sewerage networks and sanitation facilities, while promoting appropriate low-cost and innovative service delivery models;

3. Establishes transparent regulatory and consumer protection measures to curb illegal water connections, exploitation through informal water vending, inflated tariffs and unsafe water supply practices; and

4. Deploys, in collaboration with the Water Resources Authority, adequate financial, technical and institutional resources to restore and protect urban rivers and water catchment areas within Nairobi City County through strengthened enforcement against pollution, rehabilitation of riparian ecosystems and sustained investment in water resource protection, so as to ensure a reliable and sustainable supply of clean and safe water to residents of Nairobi City County.

(Motion deferred)

ADJOURNMENT

The Deputy Speaker (Sen. Kathuri): Hon. Senators, there being no other business on the Order Paper, the Senate stands adjourned until Tuesday, 29th September, 2026, at 2.30 p.m.

The Senate rose at 5.05 p.m.