



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Tuesday, 22nd September, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 22nd September, 2026

*The Senate met at the County Assembly of Kilifi,
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?
(The Clerk-at-the-Table consulted the Speaker)

Then let us get down to business. Kindly, proceed to call the first order.
The Chairperson Standing Committee on Health.

PAPER LAID

Sen. Mariam Omar: Thank you, Mr. Speaker Sir. I beg to lay the following Papers on the Table of the Senate today, Tuesday 22nd September 2026.

REPORT ON CONSIDERATION OF THE QUALITY HEALTHCARE AND PATIENT
SAFETY BILL (NATIONAL ASSEMBLY BILLS No.41 OF 2025)

Report of the Standing Committee on Health and its consideration of the Quality Health care, Patient Safety Bill (National Assembly Bill No.41 of 2025). Thank you, Mr. Speaker Sir.

(Sen. Mariam Omar laid the document on the Table)

*(Sen. Madzayo walked into the Chamber
and sat on the Majority Side)*

The Speaker (Hon. King): Sen. Madzayo, you are forgetting your side. Sen Madzayo, take your seat, because according to the list that I have, you have four statements. We are now under request for statements pursuant to Standing order 53(1).

(Loud Consultations)

Order, Honorable Senators. Allow the Senator for Kilifi to read his Statements.

(Loud Consultations)

Order Majority Leader, Senate Madzayo, you may proceed.

QUESTIONS AND STATEMENTS

STATEMENTS

UPANUZI WA UWANJA WA NDEGE WA KIMATAIFA WA MALINDI

The Senate Minority Leader (Sen. Madzayo): Asante, Bw. Spika, kwa kunitetea.

Bw. Spika niko na ombi la kauli kuhusu upanuzi wa Uwanja wa Ndege wa Kimataifa wa Malindi. Mheshimiwa Spika nimesimama kwa mujibu wa Kanuni za Kudumu za Seneti Nambari 53 (1) kuomba kauli kutoka kwa Kamati ya Kudumu ya Barabara, Uchukuzi na Makazi kuhusu kukwama kwa mradi wa upanuzi wa Uwanja wa Ndege wa Kimataifa wa Malindi. Kucheleweshwa kwa mradi huo kuna sababisha masuala ambayo hayajatatuliwa kuhusu ardhi, ucheleweshaji wa fidia na ukosefu wa makazi mapya kwa wananchi walioathirika.

Katika kauli hiyo, kamati izingatie yafuatayo:

(1) kutoa ripoti kamili ya maendeleo na mipango ya kurefusha njia ya ndege na kuinusha hatua maalumu zinazochukuliwa kutatua migogoro ya kisheria, na inayohusika na ekari 74 hadi 100 zilizotengwa kwa mradi huo;

(2) kamati hiyo iweze kueleza msimamo wa serikali kuhusu malipo ya fidia inayodaiwa kwa wakaazi 189 wa eneo la Kwachocha waliofurushwa tangu mwaka wa 2017, na iuainishe tarehe rasmi ya kuwapa makazi mbadala ya kudumu;

(3) kufafanua mikakati inayochukuliwa na Wizara ya Ardhi, Kazi za Umma, Nyumba na Maendeleo ya Miji ikishirikiana na Tume ya Kitaifa ya Ardhi (NLC) kuhakikisha hati zote za umiliki ili kulinda masilahi ya wenye halisi dhidi ya walaghai wanaowasilisha stakabadhi ghushi ili kujipatia fedha na fidia kwa njia isiyo ya halali; na,

(4) kuwasilisha ratiba rasmi ya utekelezaji wenye tarehe na makataa maalumu inayoonyesha jinsi ya maswala yote ya ardhi na fidia itakayo miliki kabla ya kuendeleza ama kuendelea kwa ujenzi wa Uwanja wa Malindi.

Asante, Mstahiki Spika.

The Speaker (Hon. Kingi): Sen. Prof. Ojienda, the Senator for Kisumu County.

IMPLEMENTATION STATUS OF THE COUNTY AGGREGATION
AND INDUSTRIAL PARKS PROGRAMME

Sen. (Prof) Tom Odhiambo Ojienda SC: Mr. Speaker, Sir, I rise, pursuant to Standing Order No.53 (1) to seek a statement from the Standing Committee on Trade, Industrialisation and Tourism on a matter of national concern regarding the implementation status of the County Aggregation and Industrial Parks, (CAIPs) programme.

Mr. Speaker, Sir, the CAIPs programme was launched to strengthen value addition, promote industrialisation and enhance county-level economic growth. Significant public resources have been allocated with initiative yet questions remain about the disbursement of funds, oversight mechanisms, project progress and the readiness of facilities to deliver on their intended objectives.

In this statement, the committee should address the following-

(1) The annual breakdown of funds allocated and disbursed under the County Aggregation and Industrial Parks, CAIPS programme in the 2023/2024, 2024/2025, and 2025/2026 financial years, including distribution across the counties;

(2) the framework for the national Government oversight of funds transferred to the county governments under the CAIPS programme and its effectiveness in ensuring timely absorption and proper project implementation;

(3) the current implementation status of the CAIPS projects including the percentage of works completed, projected completion timelines in respect of each project and measures to address any delays;

(4) the findings of the most recent monitoring exercise by the Ministry of Investments, Trade, and Industry, together with recommendations and directives issued; and,

(5) the measures that are in place to ensure that the aggregation and industrial parks are adequately equipped with common user equipment upon commissioning.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator for Kitui County, Hon. Enoch Wambua.

THE GOVERNMENT'S PREPAREDNESS TO DISTRIBUTE SEEDS
AND SEEDLINGS AHEAD OF THE EL NINO RAINS

Sen. Wambua: I thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No. 53 (1) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries on a matter of national concern regarding the Government's preparedness to distribute seeds and seedlings ahead of the anticipated above-normal rains associated with the *El Nino* phenomenon.

Mr. Speaker, Sir, while the Government has made efforts to mitigate the adverse effects of the anticipated rains, little clarity exists on measures to harness the unique opportunity for positive outcomes such as enhanced agricultural productivity, particularly in arid and semi-arid counties.

A timely provision of certified seeds, seedlings and agricultural extension services is critical to ensure farmers benefit from the rains and to strengthen resilience during future droughts. In the statement, the committee should address the following-

(1) The plans by the Government to procure and distribute certified and early maturing seeds to farmers in Kitui County and other arid and semi-arid counties before the anticipated rains in October, 2026, including specific details on the varieties and quantities of the seeds and seedlings that targeted beneficiaries and distribution timelines;

(2) whether there are plans to also provide appropriate seedlings and planting materials of fruit trees. Since we are in Kilifi, I am reminded of the fast-maturing hybrid coconut seedlings, indigenous and agroforestry trees, pasture and fodder suited for arid and semi-arid lands conditions;

(3) the framework to ensure transparent, equitable and needs-based distribution, including coordination with county governments, farmer groups, cooperatives, and community-based organisations in remote and drought-prone areas; and,

(4) the measures in place to provide farmers with timely extension services and climate-smart agricultural support on planting dates, land, soil, and water management. Last, pest and disease control and fodder and pasture establishment to maximize the benefits of the rains and to strengthen resilience during future droughts.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Hamida Kibwana.

DEATH OF AHMED AMIR AND OTHER UNEXPLAINED DEATHS IN MAKUENI COUNTY

Sen. Kibwana: Thank you, Mr. Speaker, Sir. My statement is on the death of Ahmed Amir and other unexplained deaths. I rise, pursuant to Standing Order No. 53 (1), to seek a statement from the Standing Committee of Justice, Legal Affairs, and Human Rights (JLAC) on a matter of national concern regarding the disturbing death of Ahmed Amir, a 28-year-old man at a religious institution in Makindu, Makueni County, and other recent unexplained deaths.

Mr. Ahmed was taken to the institution by his family members in search of spiritual guidance. However, he tragically died while there. Police are investigating the circumstances surrounding his death as a murder. A post-mortem examination reportedly established that he died from blunt force trauma.

This is not an isolated case. In recent months, unexplained deaths have been reported in similar contexts, including the deaths of Samuel Katavi in Yatta and Kennedy Mutiso, Stanley Muthungu and Charles Mutiso in Machakos, all under unresolved circumstances. Such deaths are deeply disturbing and raise fundamental questions about what happens to Kenyans once they are arrested. It also underscores systematic gaps in safeguarding vulnerable persons and demand urgent accountability. The Constitution guarantees every person the right to life and protection from torture, cruel, inhuman or degrading treatment.

These rights remain intact regardless of arrest, suspicion, or institutional custody. In the statement, the committee should address the following:

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- (1) Circumstances surrounding Ahmed Amir's death, including events before, during, and after the incident; and
- (2) the cause of death.

(Loud consultations)

Sen. Hamida: Mr. Speaker, Sir, kindly protect me.

The Speaker (Hon. Kingi): Order, hon. Senators. Sen. Kibwana should be heard in silence. Proceed, hon. Senator.

Sen. Kibwana: In the statement, the committee should address the following-

- (1) Circumstances surrounding Ahmed Amir's death, including events before, during and after the incident;
- (2) the cause of death, with reference to the post-mortem report and whether injuries were consistent with assault or a form of violence;
- (3) allegations of assault, mistreatment, or denial of medical attention while Ahmed was in the institution as well as identification of persons responsible for his custody and accountability for their actions or omissions.
- (4) updates from the National Police Service (NPS), and the Directorate of Investigations (DCI), on investigations, including arrests or charges; and,
- (5) the broader context of the reasons on unexplained deaths and measures to prevent recurrence or few regulations, oversight and protection of vulnerable persons.

I thank you Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Madzayo, you had another Statement. Proceed.

CHANGAMOTO ZA WAHUDUMU WA AFYA
YA JAMII KATIKA KAUNTI YA KILIFI

The Senate Minority Leader (Sen. Madzayo): Asante sana, Mstahiki Spika. Nimesimama kwa mujibu wa Kanuni za Kudumu za Seneti nambari 53(1) kuomba kauli kutoka Kamati ya kudumu ya Afya kuhusu hali ya hudumu za afya ya jamii katika Kaunti ya Kilifi.

Mheshimiwa Spika, wahudumu wa afya ya jamii almaarufu *Community Health Volunteers* au *Community Health Promoters*, katika Kaunti ya Kilifi wana jukumu muhimu katika kutoa huduma za afya hususan katika maeneo ya mbali ambayo hayahudumiwi ipaswavyo. Hata hivyo baadhi yao walihudumu kwa miaka mingi bila kuwezesha au kutambuliwa na Serikali kuu au Serikali ya Kaunti ya Kilifi. Hali hii inatofautiana na maeneo mengine ambapo wahudumu wenzao wamejumuishwa katika mipango na hatua mbali mbali za Serikali zinazolenga kuimarisha huduma ya afya ya jamii. Katika kauli hiyo, kamati hii izingatie yafuatayo-

(1) Vigezo vinavyotumika kuwatambua, kuwasajili na kuwawezesha wahudumu wa afya ya jamii katika Kaunti ya Kilifi;

(2) idadi ya wahudumu hao waliotambuliwa rasmi na kujumuishwa katika mipango ya hatua mbali mbali za Serikali inapolenga kuimarisha hudumu ya afya ya

jamii katika Kaunti ya Kilifi pamoja na sababu za baadhi ya wahudumu wenzao kutojumlishwa licha ya kutolewa huduma kwa muda mrefu katika jamii;

(3) hatua zinazochukuliwa kuhakikisha ushirikishwaji wa haki na usawa kwa wahudumu wote wa afya ya jamii katika programu na mipango ya serikali inayolenga kuimarisha huduma za afya katika jamii ndani ya Kaunti ya Kilifi.

CHANGAMOTO ZA JAMII YA WARIDEI, ORMA NA
BORANA KUPATA VITAMBULISHO VYA KITAIFA

Mheshimiwa Spika nataka kuongea jambo lingine kuhusu vikwazo vinavyowakabili wanajamii wa kabila la Waridei, Orma na Borana wanapojiandikisha kupata vitambulisho vya kitaifa. Nimesimama kwa mujibu wa Kanuni za Kudumu za Seneti Nambari 53 kuomba kauli kutoka kwa Kamati ya Usalama wa Taifa, Ulinzi na Uhusiano wa Kimataifa kuhusu changamoto zinazowakabili wana jamii ya Waridei, Orma na Borana katika Kaunti ya Kilifi katika mchakato wa kujisajilisha ama upatikanaji wa vitambulisho vya kitaifa.

Mheshimiwa Spika, vitambulisho vya kitaifa ni nyaraka muhimu zinazoweza raia kupata huduma za Serikali, kushiriki katika shughuli ya kiuchumi na kutekeleza haki zao za kiraia na kisiasa. Hata hivyo, kumekuwa na malalamishi ya muda mrefu kuhusu ucheleweshwaji wa kutoa vitambulisho na mahitaji ya ziada ama uhakika uliowakabili baadhi ya wanajamii ya Waridei, Orma na Borana hali ambayo imeibua wasi wasi kuhusu upatikanaji wa huduma hizi kwa usawa na wakati unaofaa.

Mheshimiwa Spika, katika hali hiyo kamati izingatie yafuatayo-

(1) Idadi wa wakaazi kutoka jamii ya Waridei, Orma na Borana katika Kaunti ya Kilifi ambao wamejiandikisha kupata vitambulisho vya kitaifa tangu mwaka wa 2010 lakini hawajavipokea pamoja na sababu za kucheleweshwa au kutolewa kwa vitambulisho hivyo;

(2) sababu zinazopelekea wana jamii hao kuhitajika kufuata taratibu ndefu za ziada za uhakika wanapojiandikisha kupata vitambulisho hivyo;

(3) matumizi ya taratibu hizo katika maeneo mengine ya nchi, usawa na utekelezaji wake kwa raia wote, uangalifu wake na haki za kikatiba za usawa na kutobaguliwa kuambatana na kipengele cha 27 cha Katiba;

(4) hatua zinazochukuliwa na Serikali kuhakikisha usajili, uhakiki na utoaji wa vitambulisho vya kitaifa kwa wanajamii wa Waridei, Orma na Borana katika Kaunti ya Kilifi; na

(5) mipango ya kuboresha upatikanaji wa huduma za usajili na uhakiki wa vitambulisho vya kitaifa kwa wanajamii hao pamoja na kueleza iwapo serikali inaweza kuanzisha vituo vyengine vya usajili na uhakiki katika Kaunti ya Kilifi ili huduma hizi zipatikane kwa urahisi.

Asante, Mstahiki Spika.

The Speaker (Hon. Kingi): Hon. Senators, I will allow comments on the Statements that have been sought for not more than 15 minutes. If you have an opportunity to speak, kindly do so for not more than three minutes.

Hon. Senator for Tana River County Sen. Mungatana, you have the Floor.

Sen. (Dr.) Mungatana MGH: Thank you Mr. Speaker. Before I say anything, I thank you, Mr. Speaker, the Senate brotherhood, sisters and brothers who are here and colleagues for standing with me and my family during the death and finally burial of my daughter. I really want to thank you. You have proven to be good brothers and sisters. Thank you so much and God bless you.

Mr. Speaker, Sir, I rise to comment on the statement by Sen. Madzayo on the question of the airport. This airport serves both Kilifi and Tana River counties. As we talk now, the runway is only 1.4 kilometres. This means that it is very uncomfortable to land even the small aircrafts and we have all experienced that. The Government has said, many times, that they are planning to increase the runway to 3 kilometres to accommodate bigger aircrafts.

Tana River County has a lot of agricultural output. There is a lot of potential in the Galana Kulalu and all the schemes that are in Tana River County. In order for us to increase the exports to various markets, this must be done like yesterday.

Mr. Speaker, Sir, I want to urge the committee to look into all ways to make sure that the problems that are surrounding the expansion of the airport are resolved so that the people of Kilifi and Tana River counties can benefit from this major infrastructural development.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Catherine Mumma.

Sen. Mumma: Thank you, honourable Speaker, for the opportunity to contribute. Thank you, Sen. Madzayo, and the good people of Kilifi County for the good welcome we have had as the Senate. I would like to comment on the statement by Senior Counsel, Prof. Ojienda, on the matter of CAIPS.

Hon. Speaker, the issue of CAIPS is something I believe that the Senate owes this country for us to evaluate and see the wisdom behind it. This is supposed to be a partnership, or it is a partnership between the national Government and a number of county governments; where the national Government provides Kshs250 million and the county governments provide another Kshs250 million, in an effort to try and get an industry happening in all the 47 counties. It is important now that unemployment is high, that we, as the Senate, report back to the country on how this programme has actually progressed.

I would like to ask the relevant committee to report back on this issue, to find out how many industrial parks are in the 47 counties, how many are functional and what value they are adding so that we know whether this was a value for money investment or whether, as a country, we need to rethink this kind of investment.

Hon. Speaker, I hope that we can learn from it. I personally think we put the cart before the horse. We need to invest in production before we start building godowns in the name of industries where people should be taking their produce. It is important that, as a Senate, we evaluate this programme.

I thank you.

The Speaker (Hon. Kingi): Senator for Laikipia, Sen. Kinyua.

Sen. Kinyua: Asante, Bwana Spika kwa kunipa fursa hii. Kwanza kabisa, nataka kuwapongeza watu wa Kilifi kwa ukarimu waliotunyeshwa sisi ambao tumefika hapa.

Bwana Spika, Seneta Madzayo ameleta taarifa kuhusu kukwama kwa kutengenezwa kwa uwanja wa ndege wa hapa Malindi. Ni jambo la kuvunja moyo sana kusikia kwamba ujenzi wa uwanja umekwama na vile vile wakaaji wa sehemu ile wamefurushwa na hawana mahali pa kwenda. Hawajapewa fidia na wanaishi sasa kwa maisha ya uchochole. Serikali inapaswa kuwa ikiwaangalia kwa sababu iliwapata pale na kulikuwa na mipango maalum wakati walisema watatengeneza ule uwanja wa ndege.

Bwana Spika, kuhusu mambo ya madaktari wa nyanjani, hawa madaktari wa nyanjani wanachangia sana kwa mambo ya afya. Wanapaswa kushughulikiwa na kulipwa wakati unaofaa. Tuliitembelea shule ya chekechea ambayo inaitwa Sabaki Mgurureni.

Bwana Spika, nataka kukupongeza kwa sababu tuliambiwa wewe ndiwe uliyeianzisha wakati ulikuwa gavana.

Ile shule ya chekechea iko katika hali nzuri. Ni sawa na tunapaswa kukupa kongole lakini mahali pale pana shule ya msingi ambako watoto wanaketi kwenye sakafu. Hakuna madawati lakini kuna watoto zaidi ya 100 katika ile shule. Hiyo ni aibu ya kiwango ambacho hakiwezi kuhesabika.

Kwa hivyo, Serikali kuu inafaa kuiangalia kwa sababu shule ile ni ya Serikali kuu. Watoto wana haki kisheria kukaa kwenye madawati. Watoto wanaogopa kutoka kwenye shule ya chekechea ambapo kuna madawati nzuri kwenda katika shule ya msingi. Kwa hivyo, Mbunge ambaye ametumia pesa za NG-CDF kutengeneza pale ashughulikie watoto wale.

Bw. Spika, vile vile kuna shamba ambalo lina deni. Hilo shule---

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

Sen. Ogola, you have the Floor.

Sen. Ogola: Thank you very much, Mr. Speaker, Sir. As I rise to comment on the statement by Sen. Wambua, I want to applaud the Senate for the wisdom of bringing the Senate to the counties. That was great wisdom because it demonstrates that every part of this country matters.

Back to the statement by Sen. Wambua, which I support, we must enhance the distribution of seeds not only in one county, but in all parts of the country. However, as this is done, certain factors must be taken into consideration. One of them is the appropriateness of the seeds that are distributed and the timeliness of the distribution of the seeds. These seeds cannot just be distributed at any time.

The different levels of government, whether the county governments or the national Government that will be distributing these seeds, must ensure that the timelines are monitored according to the weather forecast. There must also be a monitoring structure and this brings me to the idea of the enhancement of the extension department of county governments.

Hon. Speaker, we have often said that farmers mostly are on their own in the counties. You get the seeds and nobody monitors when these seeds are planted, how the farms are progressing. Finally, nobody even brings up a monitoring tool or a report that will inform future decisions. So, this must be looked at. Agriculture is so crucial to this country in terms of food security and our growth, but a lot must be put into this.

Honourable Speaker, I support.

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

Sen. Abass: Thank you, Hon. Speaker. I want to also contribute on the statement by the Minority Leader on the airport issue. Malindi is actually one of the oldest municipalities in this country where the likes of Vasco da Gama visited. There are many people who used to come to this place for tourist visits. However, unfortunately, this airport has remained the same for many years. Many a times, people have asked for interventions but there is no improvement that has been done.

Hon. Speaker, I have been told that this municipality has very many international tourists who live here and even own property. Most of the planes that would have landed here directly cannot do so. Therefore, it is high time the county government intervened. This is not a municipality that should be saying it has no airport. It should not be facing such infrastructural challenges.

Mr. Speaker, Sir, I went around the town and was shocked by the state of roads within the municipality. They are in a pathetic condition. There are many hotels in the area. Last night, when I visited Ocean Beach Resort and Spa. I could not believe that it is one of the best hotels in this country. The roads leading to it are very rough and too narrow. Even on the main roads, movement is difficult. The sidewalks are also too high and the small traders and hawkers have encroached on them. Malindi is a renowned destination and it needs improvement.

Thank you.

The Speaker (Hon. Kingi): Sen. Seki, Senator for Kajiado County.

Sen. Seki: Thank you, Hon. Speaker. I also rise to contribute to the statement by the Senator for Kisumu County, Sen. (Prof.) Tom Ojienda, on the issue of County Aggregation and Industrial Parks (CAIPs). This statement has come at the right time. Counties had allocated substantial amounts of money, amounting to Kshs250 million, equal to the contribution of the national Government in addition to providing land.

This programme was intended to support long-term development in line with the Vision 2030 blueprint. The CAIPs were meant to promote the Bottom-Up Economic Transformation Agenda. The key objectives of the programme were to promote manufacturing and investment, create employment, increase farmers' income and enhance foreign exchange.

The time has come for county governments and the national Government to come forth and tell us the status of this programme and the progress made so far. As we approach the end of this term and head towards another election period, we must account for the funds that were budgeted for this programme. We also need to see Kenyan youth benefiting from it. I support this programme and this statement at this juncture.

Thank you.

The Speaker (Hon. Kingi): Senator for Nairobi City County, the Hon. Edwin Sifuna.

Sen. Sifuna: Mstahiki Spika, najiunga na wenzangu waliotoa shukrani kwa watu wa Kilifi kwa mapokezi tuliyopata, tukianza na wewe mwenyewe pamoja na Seneta wa Kaunti ya Kilifi, Sen. Stewart Madzayo. Niruhusu nigusie kauli iliyoletwa na Seneta wa Kaunti ya Kilifi kuhusu uwanja wa ndege wa Malindi.

Mheshimiwa Spika, unajua kwamba mimi uhubiri kuhusu utawala wa kisheria. Utawala wa kisheria unahitaji mizozo iwe na ukamilifu. Lazima kuwe na mwisho wa

mizozo. Haiwezakani kwamba migogoro iliyopo kati ya wenye kudai ardhi tunayotaka kuitumia kupanua uwanja wa ndege imechukua muda huu wote. Migogoro hiyo lazima ikamilike ili tusonge mbele.

Jambo la pili kuhusu utawala wa sheria ni uhakiki wa hati miliki za mashamba. Hapa Kenya tuna shida kubwa sana. Mtu hawezi kuwa na uhakika kwamba ardhi aliyo na hati miliki yake ni yake kwani siku nyingine utasikia mwingine akisema kuwa ni mmiliki wa shamba hilo hilo. Kumekuwa na shida hiyo katika mradi wa uwanja wa ndege wa Malindi.

Kuna suala la maskwota ambao wameingilia mashamba hayo. Mwezi wa tatu mwaka uliopita, tume ya kushughulikia masuala ya ardhi ilifanya uchunguzi kujaribu kujua hali halisi iliyopo kwenye mashamba hayo ili kujua kwa kina wamiliki wa haki. Hatuelewi kwa nini baada ya ripoti hiyo kukamilika kwa nini watu wasipewe ripoti hiyo ili wajue hali halisi ya madaai ya watu wanaosema kuwa pia wao wanamiliki ardhi hiyo.

Pia, kumekuwa na suala la kufidia wale waliopo katika eneo hilo. Hii ni kwa sababu tunahitaji shamba hilo ili tuweze kupanua uwanja wa ndege. Jambo la kufidia wananchi kwa mradi muhimu kama huu halifai kuchukua muda uliochukua kwa sababu kila mtu anajua bei ya shamba hapa. Ripoti ya uchunguzi ya Tume ya Ardhi itolewe wazi ili wale wanaostahili kulipwa fidia walipwe ili mradi uendelee.

Mradi huu wa Malindi na pia Diani unazuia mambo mengi sana. Ule ufupi wa njia ya ndege ambao Sen. Mungatana amezungumzia, urefu wa kilomita 1.4 pekee, unazuia ndege kubwa kutua Malindi. Hata uzito wa ambao ndege zinazotua Malindi zinafaa kubeba ni wa chini kwa sababu haziwezi kutua kwa usalama katika njia hiyo fupi.

Kwa hivyo, naunga mkono Sen. Madzayo na wakaazi wote wa Kilifi kwamba huu ni mradi ambao tunafaa tumalize migogoro yote ambayo---

(Sen. Sifuna microphone went off)

Mheshimiwa Spika, kama mzee wa kaya, ungeniongezea muda kidogo.

(Laughter)

The Speaker (Hon. Kingi): Since when did you become a Kaya elder?

Sen. Sigei is the last Senator to contribute to the statements.

Sen. Wakili Sigei: Thank you, Mr. Speaker, Sir, for giving me this opportunity. First, I would like to appreciate the people of Kilifi for the reception we received yesterday. I also thank the leadership of the House. I appreciate the hospitality we have experienced so far. I look forward to more engagements such as those we have had since our arrival.

Mr. Speaker, Sir, allow me to comment on the statement by Sen. (Prof.) Tom Ojienda regarding the CAIPs issue. It is worth noting that the comments made by my colleague, Sen. Seki, who acknowledged that the intention behind the CAIPs programme was to support the bottom-up economic transformation agenda. Indeed, when we look at the number of such programmes that have been completed and those that are at advanced stages, the achievements realised go beyond infrastructure development. The programme

has created employment opportunities and provided affirmative action opportunities for people within the affected areas, as envisaged in its design.

It is, therefore, timely to undertake an assessment of the performance of the programme and to establish the extent of resources committed by both the national and county governments. Such an assessment will enable us to evaluate whether the programme is achieving its intended objectives as a national Government initiative implemented in partnership with county governments.

Mr. Speaker, Sir, I support the statement.

I thank you.

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

The Speaker (Hon. Kingi): Yes, Senator for Kakamega County.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, I thank you. I would like to request that you indulge us. As you can see, there are 14 distinguished Senators seeking an opportunity to address not only the Senate of Kenya, but also the people of Kilifi from Kilifi.

(Applause)

Mr. Speaker, Sir, this being partly a ceremonial sitting, allow the people of Kilifi to hear from the Senators. Since I have the microphone and your face looks fairly---

The Speaker (Hon. Kingi): Pursuant to that request, I will allow a further 15 minutes.

(Applause)

We will start with the Senator who has made the request.

Sen. (Dr.) Khalwale Thank you, Mr. Speaker, Sir. I beg that you indulge me. I would like that, during this sitting, you allow me not to limit myself to the request made by Senators through statements for this reason. One, this is a unique opportunity to feel the work that you did as the Governor of Kilifi. This is because you are the one who put up this Chamber.

(Applause)

It is not a mean achievement.

If you were to challenge me to host the Senate in Kakamega, I would have nowhere to take them. This is because the chamber was built in 1914 for the army during the world war.

(Laughter)

My last point is that when we moved around yesterday, we had an opportunity to tour vast areas in the county. I want to use this opportunity to appeal to colleague

Senators to move around and see the impact of the Equalisation Fund. If you ever wanted to see what it can do, Kilifi is one such a case.

I want to use this opportunity to congratulate the Governor for the work he has done on roads, water projects and Bamba Sub-County Hospital.

Having said this, I want to challenge Senators who come from counties that do not deserve the Equalisation Fund. You know them. The original counties were 14. Kilifi was one of them. However, out of many reasons, the Commission on Revenue Allocation (CRA) brought the second marginalisation policy that then ended up eating into the money that was made to equalise these places.

Places like Kericho should be removed from the list.

(Loud consultations)

Kericho cannot afford to compete for water---

The Senate Majority Leader (Sen. Cheruiyot): On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): What is your point of order, Senate Majority Leader?

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, with all due respect to the bullfighter and the Senator for Kakamega, I am not the one who put Kericho on that list. I have severally told him to change his travel route to Kakamega. Instead of passing through Londiani, which is his famous route because of the roasted maize that is sold there, he should use the Muhoroni route so as to appreciate that there are deeply marginalised parts of Kericho that are arid. Some are more arid than the northern parts of this country.

I offer to assist him this weekend so that he can appreciate that reality. This is not the first time that Sen. (Dr.) Khalwale is besmirching the people of Kericho on that account of being part and parcel of marginalised areas.

The Speaker (Hon. Kingi): Senator for Kakamega, you have heard the Senator for Kericho County indicate that, indeed, he was not the one who put Kericho on that list. There were certain parameters that were observed in putting these counties as marginalised, hence the need to give them the Equalisation Fund. So, if you have to pick a fight, kindly pick it with those who looked at those parameters and included Kericho in that list. Do not pick a fight with the Senator for Kericho.

You may proceed.

Sen. (Dr.) Khalwale Thank you, Mr. Speaker, Sir. I will not pick a fight. I just want to appeal to him. There is a story of a beggar who was very comfortable begging because he did not have shoes until he saw a man without legs who was not begging.

Senator for Kericho, in this matter of the Equalisation Fund, you have legs, shoes, gumboots, sports shoes and sneakers but the people of Kilifi do not have feet.

(Laughter)

Sen. Boy: Asante, Bw. Spika, kwa kunipa fursa hii niweze kuchangia kauli ya Sen. Madzayo kuhusu Uwanja wa Ndege wa Kimataifa wa Malindi.

Hapa Malindi, tegemeo kubwa la uchumi ni utalii. Uwanja huu wa ndege haujaanza kupanuliwa jana au leo. Uwanja huu umekuwa ukipanuliwa kwa miaka mingi sana. Kwa hivyo, mimi sioni shida iko wapi.

Ningependa kuongeza ya kwamba, kwetu Kwale, tuna Uwanja wa Ndege wa Diani ambao ulikuwa na shida kama hii. Lakini, kama sisi viongozi hatungekaa kidete, uwanja huo haungepanuliwa. Kwa hivyo, Kamati inayohusika na mambo ya viwanja na uchukuzi iangazie Uwanja wa Ndege wa Kimataifa wa Malindi.

Ni aibu kubwa sana kwa sababu sisi kama viongozi, leo tungekuwa tunajivunia kwamba Uwanja wa Ndege wa Kimataifa wa Malindi umepanuliwa na ndege kubwa za kimataifa zinaingia hapa kutoka Italia. Lakini, mpaka leo, ni ndege ndogo zinazotua.

Sen. Madzayo yuko hapa. Kwa hivyo, naomba tupiganie jambo hili katika kamati ili uwanja huu ufanyiwe ukarabati wa haraka.

Bw. Spika, kwanza, Serikali ilipe maskwota ili iweze kuanza ujenzi.

Kwa hayo machache, natoa shukurani kwa Seneta na watu wa Kilifi kwa kutukaribisha kwa ukarimu katika kipindi hiki cha Seneti Mashinani.

Sen. Gataya Mo'Fire: Bw. Spika, ningependa kuchangia kauli ya rafiki yangu, Sen. Madzayo, Seneta wa Kilifi, ambayo inahusu upanuzi wa Uwanja wa Ndege wa Kimataifa wa Malindi.

Malindi ni mji ambao una historia ndefu sana. Hii ni kwa sababu ulianza kwa utalii. Kando na hayo, ni mji ambao unashughulikia ujenzi wa uchumi. Kutopanuliwa kwa Uwanja wa Ndege wa Kimataifa wa Malindi kunachangia kuadimika kwa biashara za kitalii. Ni jambo ambalo limechelewesha maendeleo na kuathiri utalii.

Vile vile, kuna miradi ambayo imekwama katika pande za Isiolo. Kuna uwanja wa ndege ulioanzishwa lakini hadi leo, haujatumika. Wale ambao tunatoka katika sehemu za Mlima Kenya mashariki, tuna matatizo mengi kwa sababu hatuna uwanja wa ndege. Hili ni jambo ambalo lingechangia uchukuzi katika sehemu hizo.

Kwa hivyo, naunga mkono kauli hiyo. Serikali inatakikana ichangie kwa haraka ili viwanja vya ndege vipanuliwe.

Sen. Onyonka: Bw. Spika, mimi ni mrefu. Kwa hivyo, sijui kama utanikubalia nizungumze nikishikilia kifaa hiki hapa. –

(Sen. Onyonka spoke while leaning towards the microphone)

Ninashukuru kuwa hapa katika Kaunti ya Kilifi. Hii ni kaunti ambayo ina historia yake kwa wale ambao tumetoka bara. Hii ndiyo mara yangu ya tatu kufika Kilifi.

Mimi natoka katika Kaunti ya Kisii. Ukiangalia, watu wa Kisii ambao wamefika hapa, hawawezi kuwa zaidi ya 100. Lakini, ninafurahia kwa sababu hamna uwanja wa ndege na viongozi wenu wako katika Broad-Based Government. Nilikuwa nafikiri kule Kisii ndio tulikuwa tunachapwa. Tumengojea uwanja wa ndege lakini haufiki. Pia, tunangoja kuletewa vile vitu tunavyoulizia lakini havifiki. Hivi ndivyo demokrasia ilivyo; unapata vingine na vingine unakosa.

Vile mnatarajia kuwa uwanja wa ndege wa Kilifi utatengezwa na Serikali hii pia sisi katika Kaunti ya Kisii tunangojea uwanja wa ndege wa Suneka utengenezwe ili wananchi wajisikie vizuri na pia Serikali ifanye kazi yake.

Ugatuji ni jambo ambalo sisi kama Seneti ni tunaliangalia kwa undani. Ingewezekana, hakungekuwa na haja ya Seneti Mashinani kuja mahali mara moja kwa mwaka. Tujaribu kubadilisha jambo hili hata tuwe tukitembea kaunti moja kwa mwezi kwa sababu tunaweza kuwa na vikao na hivyo ndivyo tutashuhudia mambo ya kaunti. Pia, tutapata nafasi ya kufanya oversight na kutembelea miradi mbali mbali ili kuona vile counties na Serikali Kuu, wabunge, MCAs, Maseneta na viongozi wote wanavyofanya kazi kwa jumla.

Bw. Spika, jina lako limesifika hapa. Mungu akubariki na uendele kushikilia vivyo hivyo vile umeshikilia.

Asante sana.

The Speaker (Hon. Kingi): Senator for Meru County, Hon. Kathuri Murungi, you may proceed.

Sen. Kathuri: Asante sana, Bw. Spika. Ningependa kujiunga na Maseneta wenzangu kwanza kabisa kukushukuru wewe kwa sababu ulikubali Seneti ije mashinani. Kama ofisi yako haingekubali, hatungefika hapa.

Naomba kumshukuru sana Spika wa hapa Kilifi ambaye amekubali tutumie makao yake na makao ya wabunge wa bunge hili la ugatuji. Tunawashukuru kwa ukarimu wao kwa sababu jengo na mambo ambayo tumepata hapa ni ya ajabu sana. Pia, namshukuru Gavana wa hapa Kilifi kwa kuturuhusu kufika hapa. Gavana huyu asingeruhusu safari hii, ingekuwa vigumu kufika hapa Kilifi.

Bw. Spika, naomba kukupongeza kwa sababu ulifanya kazi hapa Kilifi kwa miaka kumi. Kwa hiyo miaka kumi, kulikuwa na matunda yake na alama zake tumeziona tukitembea hapa. Wakati kumbukumbu ya Kilifi itakapoandikwa, wewe utakuwa katika ukurasa wa kwanza kwa sababu umefanya kazi ukiwa mbunge wa hapa Kilifi. Ulifanya kazi ukiwa Waziri wa Rais mwendazake mheshimiwa Mwai Kibaki na umefanya kazi kama gavana. Kwa mambo yote ambayo umefanya, tunakushukuru. Tunapotembea, kweli tunaona kazi ile uliyoifanya hapa ni ya kupendeza.

Ningependa kumwambia Seneta wa Kisii kwamba hatuwezi kupata kila kitu kwa siku moja. Kaunti hii itapata leo, kaunti nyingine ipate kesho na nyingine ipate kesho kutwa lakini kupata yote kwa siku moja haitawezekana. Tumekuwa kwa dunia hii kwa muda ila mimi nilikuja hapo mbele kidogo. Mambo yote ambayo tunataka yawepo, ni lazima wale viongozi ambao watakuja kesho wayafanye.

Ninaona Sen. Sifuna anang'ang'ana ili pia yeye achukue hatamu ya uongozi. Nawe ukichukua hatamu hiyo, hautaweza kufanya kila kitu kwa siku moja. Itabidi ufanye pole pole kwa sababu mwingine atakuja na pia hatutamaliza shida zote za Kenya.

(Laughter)

Kwa hivyo, tukienda kwa uwanja wa ndege, hata sisi tunataka uwanja wa ndege. Sen. Gataya Mo Fire amesema hata sisi tunataka Uwanja wa Ndege wa Isiolo upanuliwe ili ndege ziweze kutua na kuondoka huko.

Cha msingi, na kabla nimalize, naomba kuwashukuru wakaazi wa Kilifi kwa sababu watu wa Meru wako hapa kwa wingi. Wameru wako hapa kwa biashara mbali mbali kama vile biashara ya vioski, duka na hata biashara ya miraa ambayo imeboba.

Ninawashukuru na kuwaambia kuwa muendeleo kuwa wakarimu kwa jamii ya Wameru na Wakenya wote kwa sababu Kilifi kuna watu wa kila kabila.

Pia, katika Kamati ya Sen. Chute---

(Sen. Kathuri's microphone was switched off)

The Speaker (Hon. Kingi): Deputy Speaker, you have one minute.

(Loud Consultations)

Sen. Kathuri: Sen. Sifuna ni lazima ujue kwamba kuna utaratibu wa maneno haya. Hata katika nafasi ya kuketi, mimi niko karibu na Bw. Spika nawe uko mbali. Kwa hivyo, naomba utulie. Nitamaliza kwa muda wa dakika moja

(Laughter)

Bw. Spika, ukarimu wa watu wa Kilifi uendeleo vivyo hivyo. Kila kabila liko hapa katika Kaunti ya Kilifi. Hiyo ndiyo sababu tunaomba kuungana tuwe Kenya moja wala sio Kenya ya kutengana tukisema ooh, sijui hawa ni wa wapi, hawa ni boma gani na hawa ni wa wapi?

Hata viongozi wetu na wale ambao wanataka uongozi wa Kenya hii, tunaomba wasisitize tuwe Kenya moja kwa sababu Kenya ni moja. Iwapo utashinda kiti basi utashinda na iwapo utashindwa kwa bahati mbaya lakini maisha yanaendelea. Ninaomba tushirikiane wote kwa sababu hapa pwani kuna kila kabila hata Wakalenjin, kabila ya Sen. Cheruiyot wako hapa. Pia Waluhya wako hapa wengi. Nimezunguka nimeona mwingine ni kama anafanana na Sen. Sifuna. Nikaona kweli hii---

(Laughter)

Unajua amefanya kazi nyingi akiwa katika Chama cha Orange Democratic Movement (ODM), akiwa Secretary General (SG) na alikuwa anatembea hapa sana

(Laughter)

Ninashukuru na ningependa kuwaambia watu wa Kilifi waendeleo vivyo hivyo. Sisi tuko hapa kwa muda wa siku nne. Tuendeleo vile tulianza jana hadi Ijumaa.

Asante, Bw. Spika, nashukuru sana kwa muda wako.

The Speaker (Hon. Kingi): Senator for Kitui County, Hon. Sen. Enoch Wambua, you may proceed.

Sen. Wambua: Thank you, Mr. Speaker, Sir. I rise to comment on the statement by the Senate Minority Leader, Sen. Madzayo, on the discrimination and the restriction of communities living in Kilifi, especially the Wardei, Oromo and Borana.

I want to also begin by thanking you because when you were the Governor of Kilifi, this county was as cosmopolitan as cosmopolitan can get and we never came

across issues where you discriminated against people based on their tribes or the communities from which they come. The Wardei, the Oromos and the Boranas are Kenyans and they must be given every opportunity available to every other Kenyan; to be registered, to be issued with ID cards, to be allowed to register as voters and to participate in the democratic process of electing their leaders.

Mr. Speaker, Sir, this is important. I want the Senate Majority Leader to hear this so that he delivers this message very well. We cannot have a situation in this country where people are discriminated against simply because of where they are born or the communities they belong. Yesterday, I heard a leader, whose name I will not mention because the Standing Orders do not allow me to do that, saying that certain communities must be denied employment opportunities simply because they are members of certain communities. If we work in that direction, surely, we will tear this country apart.

Every Kenyan who is qualified to be employed can take up any assignment of the Government or the public service and must and should be accorded that opportunity to serve this country. Elections will come and go. Leaders will be in office today and tomorrow, they will not be in office. When, as a leader, I say that people from a certain community should be denied employment opportunities, what happens in the next election? If I am not a leader, what kind of language will I use to appeal to every person in this country?

I will appeal to all of us for as many times as I need to. Yes, we are going to compete for elective positions. We will be voted into office while others will be voted out of office. However, all of us are Kenyans. We must all enjoy the fruits of Independence irrespective of our political differences---

The Speaker (Hon. Kingi): Sen. Mundigi, Senator for Embu, proceed.

Sen. Munyi Mundigi: Asante Bw. Spika. Kwa kunipa nafasi ili niweze kuchangia. Kwanza; nawashukuru watu wa Kaunti ya Kilifi ambao walikuwa wanafanya kazi na Spika wa Seneti, Mheshimiwa Kingi. Bw. Spika. Tunakushukuru kwa sababu umekuwa nasi kwa mda wa miaka nne na umetuweka pamoja.

Pili; naunga mkono kauli ya Seneta Wambua inayohusu kilimo. Nikiwa mmoja wa wanakamati wa Kamati ya Kilimo, Mifugo na Uvuvi, ningeomba hiyo kauli ifuatiliwe kwa sababu kazi zimekosekana nchini Kenya ingawa watu wanaendelea kusoma. Mambo ya kilimo kama vile mbolea na mambo ya watendaji kazi yakiangaliwa inavyofaa, hatutakuwa na janga la njaa na kona zote katika kaunti zetu zitapata maji. Naomba kila gavana apeleke mbolea huko mashinani ili jambo la janga la njaa liishe. Kwa sasa, tunatarajia mvua nyingi. Tungetaka wakulima watatayarishwa vinavyofaa, tutajivunia kumaliza janga la njaa nchini Kenya.

Kuhusu mambo ya uwanja wa ndege; ningeomba Kilifi au kaunti zote ziwe na viwanja vya ndege. Nikimalizia, ningependa kuwaambia wale ambao wanapinga Serikali ya kwamba, Roma haikujengwa kwa siku moja. Serikali ya Broad-Based imewaajiri walimu na pesa za malipo ya uzeeni na kilimo zinapatikana katika kona zote. Kwa kipindi cha miaka mitano, hii serikali ya Broad Based imefanya kazi nyingi.

Bw. Spika, naunga mkono nikiwa Seneta wa Kaunti ya Embu, Dk. Munyi Mundigi.

The Speaker (Hon. Kingi): Senator from Mombasa County, the Hon. Faki.

Sen. Faki: Asante, Bw. Spika, kwa kunipa nafasi ili pia nijiunge na Maseneta wenzangu ambao wameipa kongole Kaunti ya Kilifi kwa maendeleo ambayo wamepata tangu tuanzishe ugatuzi. Vile vile, pia nimpe kongole Seneta wa gatuzi hili, Mheshimiwa Steward Madzayo, kwa kutukaribisha hapa Kilifi. Naona ni mara ya kwanza kwa wengine kufika Kilifi, kwa hivyo, karibuni.

Bw. Spika, ningependa kuunga mkono kauli ya Seneta Madzayo inayohusu Uwanja wa Kimataifa wa Ndege wa Malindi. Miaka ya hapo nyuma ya 1980 na 1990, uwanja wa Moi International Airport Mombasa ulikuwa unapokea wageni wengi sana kutoka nje ambao walikuwa wanakuja Malindi. Wakati huo ndipo hoja ya kupanua Uwanja wa Kimataifa wa Ndege wa Malindi ilibuniwa ili ndege za kimataifa zije moja kwa moja hadi Malindi. Ilikuwa inachokesha wageni kusafiri kwa masaa manane kwa mfano kutoka Ulaya hadi Mombasa kisha tena kuwa na masaa mawili barabarani ili kufika Malindi.

Kwa muda sasa, ujenzi wa uwanja huo umesimama na kama alivyosema Seneta Madzayo, kuna tatizo baina ya maskwota na Kenya Airports Authority (KAA) inayosimamia masuala hayo. Nafikiri hilo sio tatizo kwa sababu kabla ya kuja kwa Tume ya Kitaifa ya Ardhi, kulikuwa na matatizo. Lakini kwa sasa, Tume ya Kitaifa ya Ardhi ina uwezo wa kufanya ushirikishi wa umma na kuhakikisha kwamba wale wakaazi wamepewa ardhi mbadala ama wamelipwa fidia ili waondoke na uwanja upanuliwe.

Ni aibu kwamba baada ya karibu miaka 20, ujenzi wa uwanja umekwama. Ukiangalia, *Terminal 2* ya uwanja wa Moi International Airport Mombasa, ule ukanda wa kubeba mizigo haujafanya kazi kwa miaka miwili sasa na hakuna anayehusishwa kuurekebisha. Wanaposhuka ndege, wasafiri wa ndege za kinyumbani kama vile Skyward na JamboJet wanaposhuka wanasongamana ili kupokea mizigo yao.

Juzi katika uwanja wa Kimataifa wa Moi, Mombasa, kumejengwa vizuizi ili magari yanayoingia yalipishwe ada ya *parking fee*. Jambo la kusikitisha ni kwamba, *parking fee* ya Mombasa ni shilingi 150 kwa saa ilhali ya Nairobi ni shilingi 100 pekee kwa saa moja. Kwa hivyo, kuna utepetevu katika Kenya Airports Authority (KAA). Juzi, tulizungumzia shirika la Kenya Airways (KQ) lakini pia KAA ina utepetevu mkubwa. Kamati ambayo ---

The Speaker (Hon. Kingi): Have one more minute.

Sen. Faki: Nigependa kamati ambayo itashughulikia kauli hii ikiongozwa na Seneta Hamida ambaye amechukua mamlaka hayo hivi juzi, ihakikishe kwamba ile mikanda ya mizigo inafanya kazi na huu uwanja wa Malindi unajengwa ili kuadhimisha kuwepo kwa Seneti hapa Kilifi.

Asante.

The Speaker (Hon. Kingi): Lastly, let us have Sen. Tabitha.

Sen. Tabitha Mutinda: Nashukuru, Bw. Spika, kwa kunipa fursa hii ili niseme machache. Nitaanza kwa kuwashukuru watu wa Kaunti ya Kilifi haswa wale ambao wametukaribisha hapa Malindi kwa moyo mkunjufu.

Tuna kile chama cha Kenya Women Senators Association (KEWOSA). Bila kupoteza muda, tulianza safari yetu na kwenda kuwaona dada zetu walio katika jela ya Malindi. Nawapa kongole wanawake wa Kaunti ya Kilifi kwa sababu tulipata ripoti ya kwamba, kiwango cha uhalifu miongoni mwa wanawake katika Kaunti ya Kilifi kiko

chini sana. Pia, idadi ya wale waliokuwa gerezani ilikuwa chini. Kwa hivyo, mimi na dada yangu, Sen. Hamida, tuliwalipia faini ili waweze kuachiliwa huru.

Kuongezea, niruhusu nizungumzie kwa ufupi ile kauli ya Mheshimiwa Madzayo. Kauli ambayo Seneta Madzayo ametoa kuhusu uwanja wa ndege wa Malindi ni la kusikitisha. Mji kama huu wa Malindi ni mji wa utalii na unafaa kuwa na ndege za kifahari. Nawauliza ndugu zangu, haswa wale walio katika upinzani, waache kupinga maendeleo. Miaka miwili iliyopita wakati mambo ya Adani yalikuwa yakipingwa sana, hii ni mojawapo ya miradi ambayo ingenufaika ili tujiendeleze.

Bw. Spika, tumezunguka na tumeona kazi ambayo ulifanya ulipokuwa gavana na tunashukuru. Gavana wa sasa pia amechapa kazi. Kwa hivyo, tunawaomba mzidi kukaza kamba kama viongozi wa Kilifi na muendeleo na maendeleo.

Kwa hayo mengi, namwomba dada yangu, Seneta Hamida, ajue ya kwamba, wakati huu kauli kuhusu Uwanja wa Kimataifa wa Ndege wa Malindi itafika katika kamati yako, hakikisha kwamba tukirudi Nairobi bajeti yake itapewa kipaumbele.

Shukurani.

The Speaker (Hon. Kingi): Hon. Senators, we will come back to comments. I can see we still have a number of you who want to comment on these statements. However, at this juncture, allow me, pursuant to Standing Order No.45(2), to rearrange today's Order Paper. We will move to Order No.16. Once we dispense with that Order, we will come back to continue with the comments on the statements that are being sought. However, before I allow the Clerk to call out Order No.16, allow me to make the following communication.

(Sen. Boy stood in his place)

Senata wa Kwale, tafadhali keti.

COMMUNICATION FROM THE CHAIR

SITTINGS OF THE SENATE IN KILIFI COUNTY

Hon. Senators, ladies and gentlemen, I take this opportunity to welcome you to Kilifi County. This is the third in the series of sittings of the Senate outside Nairobi in the 13th Parliament and the fifth following the sittings held in Uasin Gishu County in 2018, Kitui County in 2019, Turkana County in 2023 and Busia County in 2025.

I thank the leadership of the Kilifi County Government, both the Executive and the County Assembly, led by the Hon. Governor Gideon Maitha Mung'aro and the Hon. Speaker, Catherine Kenga, respectively, for the warm welcome since our arrival in Malindi, and for partnering with the Senate to ensure that the sittings of the Senate in Kilifi County are a success. I request the Hon. Governor, represented by the Hon. Deputy Governor, Hon. Flora Mbetsa Chibule and the Hon. Speaker to stand so that they may be acknowledged in the Senate tradition.

(The Deputy Governor of Kilifi County (Hon. Flora Mbetsa Chibule)

*and the Speaker of Kilifi County Assembly (Hon. Catherine Kenga)
stood in their places)*

(Applause)

Hon. Senators, ladies and gentlemen, at this point, allow me to convey our deep appreciation to the leadership and Members of the County Assembly of Kilifi for hosting the Senate and for availing the County Assembly facilities for use by the Senate. I request the Members of the County Assembly to stand, so that you may be recognised and acknowledged in the Senate tradition.

(Members of the County Assembly stood in their places)

(Applause)

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

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

Hon. Senators, ladies and gentlemen, one of the defining features of the Constitution of Kenya, 2010 is devolution, as entrenched in Chapter 11. The devolved system of governance is intended to bring services closer to the people and accelerate development. The sittings of the Senate outside its traditional premises at the Parliament Buildings in Nairobi are designed as an innovative way of enhancing the interaction between the national and county levels of government, while furthering the Senate's constitutional mandate under Articles 94 and 96 of the Constitution.

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

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

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

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

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

The Senate embraces the fundamental principle that it exists for the people and stands as a beacon of democracy, representing their collective will and aspirations.

Through the Senate *Mashinani* initiative, the Senate contributes to the entrenchment of inclusivity in the conduct of public affairs in Kenya. The initiative further affirms the central role of county assemblies in Kenya's devolved system of

governance. In discharging their constitutional and statutory responsibilities, county assemblies have an indispensable role to play in advancing good governance and realising the promise of devolution. The Senate remains ready and willing to work in partnership with them in that endeavour.

Hon. Senators, ladies and gentlemen, beginning yesterday, and over the next four days, a number of activities have been lined up, including plenary and committee sittings, engagement forums and inspection visits. The Kenya Women Senators Association (KEWOSA) has already undertaken a series of engagements, including a visit to Malindi G.K Women Prison in Mtangani area, an engagement with coastal women caucuses and community leaders, an outreach to Gede Primary School and Gede Special School and a visit to Malindi Sub-County Hospital.

In the coming days, Select Committees of the Senate will undertake engagements, including inspection visits to projects funded through the Equalisation Fund in Ganze Sub-County; oversight visits to Malindi and Marafa Sub-County Hospitals to assess healthcare service provision; inspection visits to Krystalline Salt Limited and Mjana Heri sand quarries in Magarini Sub-County to assess compliance with environmental audit standards; inspection visits to the proposed Kilifi County Headquarters and the proposed Outpatient Block at Kilifi County Referral Hospital; site visits to the County Aggregation and Industrial Park in Sabaki, the ship building company at Old Ferry Ramp, the Malindi Marine National Park and Reserve, and the Mambrui Sand Dunes; a visit to Huduma Centre, Kilifi, to evaluate digital government service delivery; and an inspection visit to the Tezo Cashew Processing Plant to assess workplace safety standards, labour practices and worker welfare, among others.

Collectively, these engagements are expected to enhance accountability, strengthen service delivery and promote more responsive and inclusive governance. The committees will also hold meetings and stakeholder engagements with relevant institutions, community representatives and other stakeholders on matters arising from oversight under their respective mandates.

These activities will accord the residents of Kilifi County and Kenyans in general an opportunity to actively engage and participate in the legislative and other business of the Senate. I encourage the residents of Kilifi and the neighbouring counties to turn up and engage with the Senate.

Hon. Senators, ladies and gentlemen, before I invite the other distinguished guests to rise for acknowledgement, allow me to observe that this is a particularly special occasion for me as a son of Kilifi County. I have had the honour of serving the people of this County in several capacities, including as the Member of Parliament for Magarini Constituency and, subsequently, as the first Governor of Kilifi County for two terms. I also had the privilege of serving in the national Executive through successive Cabinet portfolios, including as Minister for East African Cooperation, Minister for Fisheries and Minister for Industrialisation. I now have the honour of serving as the Speaker of the Senate.

It is, therefore, with a profound sense of pride and privilege that I join the people and leaders of Kilifi County, together with those from our neighbouring counties, on this special occasion. I would be remiss if I did not also acknowledge Sen. Justice (Rtd.)

Stewart Madzayo, EGH, MP, the Senator for Kilifi County and the Senate Minority Leader. Sen. Madzayo, who served our nation with honour as a Judge of the High Court of Kenya before his election to the Senate. He is now serving his third term as the Senator for Kilifi County and continues to bring to the House a wealth of experience, wisdom and leadership. I take this opportunity to thank him for his service.

I now wish to acknowledge the presence of a number of other invited dignitaries who have joined us for this special occasion. These are elected Members of the National Assembly as well as office holders from the executive and legislative arms of the County Government of Kilifi and other counties that neighbour this county. I request each guest to stand when called out, so that you may be acknowledged by the Senate-

- (1) Hon. Owen Yaa Baya, CBS, MP – Member of Parliament, Kilifi North Constituency and Deputy Majority Leader in the National Assembly;
- (2) Hon. Seth Mwatela Kamanza - Speaker, County Assembly of Kwale.
- (3) The Hon. Azhar Ali Mbarak, Speaker of the County Assembly of Lamu;
- (4) Mr. Mkare Arnold Jefwa, Secretary, Administration Executive Office of the Deputy President. He also served as the first clerk of the County Assembly of Kilifi and at some point, served as my County Secretary in my second term as the Governor of Kilifi County;
- (6) Mr. William Katana, Chief Officer Executive Office of the Governor;
- (7) CPA Michael Bidii Ngala, Clerk, County Assembly of Kilifi;
- (8) Mr. Ali Godana, Clerk, County Assembly of Lamu;
- (9) Ms. Christine Mududa, Deputy Clerk, County Assembly of Mombasa, representing the Clerk of County Assembly of Mombasa;
- (10) Mr. Gadiel Maganga, Clerk, County Assembly of Taita Taveta;
- (11) Mr. Silas Mulewa, Deputy Clerk, County Assembly of Kilifi; and
- (12) Ms. Fatuma Hassan Mwalupa, Clerk, County Assembly of Kwale.

(Applause)

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

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

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

I thank you.

Now, Hon. Senators, I am informed that we have quite a number of Hon. Members of County Assembly (MCAs) from Kilifi County Assembly. They are the people who are hosting us and it is only respectful that we acknowledge and applaud their presence.

Hon. MCAs from Kilifi County may you be upstanding, so that you may be acknowledged.

(Members of the Kilifi County Assembly stood in their places)

(Applause)

You may be seated. Thank you so much.

Now, hon. Senators, I had indicated that we move to Order No.16. However, if you look at Orders No.8 and 9, you will note that they are Orders for First Reading. We will, therefore, take seconds in dispensing these Orders after which, we will handle Order No.10, which is a voice vote and thereafter, we may move to Order No.16.

Clerk, kindly call those Orders.

BILL

First Reading

THE BASIC EDUCATION (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO.3 OF 2025)

*(Order for the First Reading read - Read the First Time
and ordered to be referred to the relevant Senate Committee)*

BILL

First Reading

THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO.17 OF 2025)

*(Order for the First Reading read - Read the First Time
and ordered to be referred to the relevant Senate Committee)*

MOTION

CONSIDERATION OF THE NATIONAL ASSEMBLY
AMENDMENTS TO THE KENYA SIGN LANGUAGE BILL
(SENATE BILLS NO.9 OF 2023)

THAT, the National Assembly amendments to the Kenya Sign Language Bill (Senate Bills No. 9 of 2023) be now considered.

(Sen. (Prof.) Kamar on 16.9.2026)

(Resumption of debate interrupted on 16.9.2026)

The Speaker (Hon. Kingi): Clerk, do we have the requisite quorum? Now, hon. Senators, I will put the question on Order No.10. This is a voice vote.

(Sen. Mumma and Sen. Onyonka stood in their places)

Sen. Mumma and Sen. Onyonka, kindly, take your seats. I will now proceed to put the question.

(Question put and negatived)

We move to Order No.17.

The Speaker (Hon. Kingi): The Senate Majority Leader to move the Bill.

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

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

BILL

Second Reading

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

The Senate Majority Leader (Sen. Cheruiyot): I thank you, Mr. Deputy Speaker, Sir. Before I move this Bill, allow me, in a minute, to join the rest of my colleagues in registering my appreciation to the people of Kilifi for a very hospitable welcome to the town of Malindi. I appreciate these wonderful sittings that we are having out of Nairobi. I must put it on record that the town of Malindi holds a very special place in my family. If I do not do so, I may get into trouble. This is where, as a young person, I proposed to my then-girlfriend, who is now my wife. If I do not put it on record---

(Several Hon. Members spoke off record)

It is not a question of which one. I only have one wife and not the Kibaki one---

The Deputy Speaker (Sen. Kathuri): Order, Senators. Allow the Senate Majority Leader to disclose all details that he has pertaining to that issue.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I would have used my fingers to indicate how many wives I have but Sen. Sifuna will take that photo and misuse it.

Mr. Deputy Speaker, Sir, allow me to get to the business that has brought me here.

Sen. Sifuna: On a point of order, Mr. Deputy Speaker, Sir. I do not mean to interrupt the Senate Majority Leader. We have problems accessing the documents. The Serjeant-at-Arms should help us because we want to follow debate on the Bill. We do not have the Bill.

The Deputy Speaker (Sen. Kathuri): The Secretariat will provide that. Sen. Omogeni, what is it?

Sen. Omogeni: Mr. Deputy Speaker, Sir, I want to help the Senate Majority Leader. You have graciously given him an opportunity to tell us how he proposed to his wife in Malindi. You can imagine what that lady is feeling, now that the Senate Majority Leader is just talking about a girlfriend without giving us the name. Some of us from Nyanza should teach him how to do these things. He should tell us how he proposed to his wife and give us her name while smiling. That is how it is done. He is young but I want to teach him how these things are done. We do not want him to cause confusion in his House.

The Deputy Speaker (Sen. Kathuri): Senate Majority Leader, you can give some details but avoid the key detail on the context.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, there is a way Kalenjins do their things and I am now being influenced very badly. For your information, my wife is called Linah Chesang. That is the furthest I can reveal and by the way, she is very beautiful.

Mr. Deputy Speaker, Sir, it is not right to make a dry Kalenjin man say certain things in daylight. There are things you only do in darkness. We belong to that category that must switch off the lights. I do not want to say anything further.

Mr. Deputy Speaker, Sir, I beg to move the following Motion-

THAT, the Fisheries Management and Development Bill (National Assembly Bills No.29 of 2023) be now read a second time.

This is a very solemn moment and the setting could not have been any better other than here in the County Assembly of Kilifi. The county has the largest coastal line in the Republic of Kenya.

Mr. Deputy Speaker, Sir, the Fisheries Management and Development Bill (National Assembly Bills No.29 of 2023), was published in the *Kenya Gazette* Supplement No.91 of 2023, dated 26th June, 2023 and was passed by our colleagues in the National Assembly on 5th August, 2026 - last month.

I know we have had this debate many times, including with the Clerk of the Senate, Jeremiah, and the technical leads that guide us on how we conduct business. This is on whether it is proper to first deliver a report before debate commences in the House or debate when the committee can take into submission all the feedback, including the contribution of Members. We have since come to the conclusion that none of the ways is perfect. Either of them has its pros or cons.

This is one of those occasions where we are moving this Bill as a joint committee. I think it is the Standing Committee on Agriculture, Livestock and Fisheries with another committee. I do not know the other committee but I know that the Standing Committee

on Agriculture, Livestock and Fisheries is leading consideration of this Bill. They have asked members of the public to submit their thoughts and memoranda on this particular topic, up to 8th October, 2026, meaning that we are squarely still within the period.

I am saying this because this morning, I saw a video clip where Members, I believe of the Standing Committee on Agriculture, Livestock and Fisheries, visited the Kilifi Central Fish Landing Site. Members of the public and the people that operate that site raised various concerns on how fast the World Bank programme is being implemented, and many other concerns about this Bill. As you would understand, when our citizens see a Bill considered and passed by the National Assembly, on many occasions, they imagine and believe that it is *fait accompli*.

I wish that the fishing folk of Kilifi County would rest easy and know that this matter is still within Parliament. Even on consideration of their views and thoughts, this is the most perfect time, because we are still in the public participation phase of considering this Bill. That is why Members today can share their thoughts while we still have enough time; between now and 5th October, 2026, to continue receiving submissions from the various players in the industry, including the people that benefit from this particular industry.

Mr. Deputy Speaker, Sir, this is a very important step that we are making as a country. How we have organised this sector leaves a lot to be desired. My colleagues must have noticed many people say, on many occasions, that these days there are many people who are very active online, asking all the wrong questions. They do not have the basic discipline to check and establish what the problem is. I have seen people asking in a public fora, including politicians, because we are sometimes reckless in our utterances, why we consume fish from China yet we have a lot of fish in Lake Victoria. Due to lack of organisation in this particular sector, which is part of the things that we need to do, the yearly stock production in Kenya is at 190,000 metric tonnes, against a demand of 600,000 metric tonnes. So, we have over 450,000 metric tonnes deficit as a country in terms of fish consumption in the country. That is an opportunity.

(Loud consultations)

Mr. Deputy Speaker, Sir, I am struggling. I do not know if somebody is trying to get your attention.

The Deputy Speaker (Sen. Kathuri): Order, Senators! If you are doing something, you should do it quietly so that we have clear flow of business at hand.

There is a point of order from Sen. Boni. Please proceed.

Sen. (Dr.) Khalwale: Mr. Deputy Speaker, Sir, I rise under Standing Order No.105. Senate Majority Leader, I am not trying to interrupt you. However, you have said something very critical. Being somebody from the background of what the sugarcane farmer is going through, because of importation, due to imagined and fake shortage, could you share with the House the document that you are referring to, showing that we produce so much fish and, therefore, we need to import this much to meet the deficit? I am not pointing a finger at you or your Government. However, we are in a culture where

deficits are manufactured, so that farmers lose out to middlemen who then end up making undeserved profits.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I do not see how that is a point of order, important to the statement that Sen. Khalwale is raising. I will have him just refer to the Kenya National Bureau of Statistics (KNBS) annual reports on the performance of various sectors in the country. That is where that information is available, Sen. Boni Khalwale.

I thank you, Mr. Deputy Speaker, Sir.

(Several Senators walked out of the Chamber)

Before the interruption from our colleagues who are moving out of the Chamber, the point I was making, and not to be deviated, is that the statement by Sen. Boni Khalwale is equally important. As much as I felt it was not a point of order, I share his sentiments on what is happening in the sugar sector. I am also a representative of sugarcane farmers, and I know that is one of the challenges the sector is facing.

There was a statement to the Standing Committee on Agriculture, Livestock and Fisheries, which was brought by Sen. Maanzo. Unfortunately, maybe when Members of the Standing Committee on Agriculture, Livestock and Fisheries rise to speak to this Bill, and how we organise agriculture, you may have us, the representatives of sugarcane farmers, be at peace by guiding us on how you have treated that statement by Sen. Maanzo.

It is alleged that one of the local sugar industries that imported huge bulk amounts of raw sugar continues to process them into table sugar as opposed to the industrial sugar that they promised the country. That matter is something that is in public domain, including in our sister House, the National Assembly. So, I agree with you, Sen. Boni, that we must be sure of the sources of our data as we discuss this.

Back to this particular Bill, I said that it would help us organise a very important sector that can bring economic reprieve to the challenged counties such as Kilifi, Mombasa, and all these other either lake or ocean bordering counties, that can grow a maritime and blue economy out of a well-organised and properly managed industry. The industry will employ millions of young people and provide daily bread to many families that continue to face this challenge. There are many countries whose history we can borrow and read from.

India is one such example, dear colleagues. The Indian---

(Loud consultations)

The Deputy Speaker (Sen. Kathuri): Order, Sen. Githuku!

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

I was saying, in reference to India, for example, if you read the history of the Indian fishing industry, you will find that in the past 30 years, they have organised that industry and grown it in the three sub-sectors of both maritime, inland and aquaculture, to

a point where in this day and age, their fishing economy employs a record 28 million people in their country. The contribution from that sector is almost at two per cent of their Gross Domestic Product (GDP). India is a big economy. Therefore, a contribution of two per cent to the GDP is no mean achievement by a sector such as this that we continue to look at and be dismissive of.

There are even further lessons to learn. It is not just about the volumes that you produce, Sen. Madzayo, because we do not want the people of Kilifi to imagine that, for example, we want to organise this industry for them, so that it is just about volumes. There are countries with modern practises that we can borrow from.

One of the leading producers in the globe, China, is a country that has organised its fishing ecosystem to admirable levels. Today, the most consumed fish, globally, is actually China produced. So, we are not just alone as a country. However, the point I am making is not just in the volumes. There are countries that have demonstrated to us that you do not necessarily have to focus on quantity, but even with on the quality and highly skilled industry, you can get better returns.

Norway is one such example. With their Norwegian salmons, that particular country will not feature anywhere. I think they do an average of between four to five million tonnes annually. They do not feature even in the levels of the hundreds of millions that countries such as China, India and Vietnam do. In terms of value that the sector creates, they rank way up there with the very best in the industry. It is not just volumes but also a quality game.

We must be honest with ourselves on this conversation. Many of you in the House this afternoon represent farming communities. Going by what I have seen being done to many other industries, we must equally organise fish farming communities across the Republic of Kenya to begin to draw value from the industry.

As we sit here today, I know this is not something that many other people may like. However, Chinua Achebe told us about the lizard that jumped out of the Iroko tree, when no one praised it, then it will definitely praise itself. I sit here as a representative, again, for example, of coffee farmers. I know where we began this journey in 2022.

Kenyans are not very generous with their applause, particularly on Government interventions. Each time I visit the coffee growing parts of my county even in public fora, be it weddings, funerals and the rest, many times the farmers will actually stand up and say: "Please, tell the President that we appreciate the reforms that have happened in the coffee industry."

Sectors that were earning less than Kshs30 per kilo of cherry across the country are today reaping upwards of Kshs120, Kshs130, and so on and so forth. We can say the same of what was a cumulative earning in the dairy sector; sectors that had collapsed, including the sugarcane sector that I spoke about.

There is a very famous town in my county called Kapsoit. For those who drive, it is through a road I was telling my colleague, Sen. Khalwale to use going to Kakamega. It is where sugarcane and tea farmers meet because on the northern part of the road is where the tea growing sector is. On the south, as you go towards Kisumu, is where the sugarcane farmers meet.

Back in the days in evening meeting joints, bars and social places, the voices of sugarcane farmers were extremely drowned, and the story was that they would speak in hushed voices when tea farmers walked into the bars in the evening. In the past two years, that has changed. Today, sugarcane farmers are calling the shots because one, they are paid every seven days unlike their tea farming colleagues who have to wait for 30 days. Secondly, they have a better pay on return than the tea farmer, meaning there is a lot that needs to be done in that particular sector.

The point I am putting across is that as representatives and policy-makers, we must develop each and every industry, including the fishing industry in our Republic, to a point that makes economic sense to participate and be an active engager in, as has been done in other regions. That is why we have this Bill being proposed to us; the establishment of a framework for conservation, because it is important to conserve.

If you read the Food and Agricultural Organisation (FAO) reports on the threats to aquaculture across the globe, you will see an increasing threat to the sustainability of that particular industry, and it is now upwards of 63 to 64 per cent on performance. What forthright countries that know how to plan their affairs well do – and Kenya must join that league – is that they are now becoming extremely strict on the practice of maritime activities, both inland and even in the marine life. They are regulating how fishing is done, observing the world's best practices in terms of restocking and ensuring compliance with equipment standards. That is something that the countries that mind about their industries and are concerned about sustainability of the various sectors are doing. We must have that conversation as part of the proposals that go into this Bill.

I know this is something that our farmers are concerned about. In fact, I saw the public engagements that happened today when our Committee on Agriculture, Livestock and Fisheries visited the Kilifi Central Fish Landing Site. There are concerns from the farmers and the fishing folk. We must assure them that even as we do conservation, management and development of fisheries and other aquatic resources in the republic, we shall do it in their best interest. We must watch out because in this country, sometimes we imagine that everything that is popular is what we, as policy makers, must always endeavor to do. Sometimes not what is popular is the right thing.

As leaders, we must always seek to do that which is right more than that which is popular in the engagement. If we can, of course, let us walk with the people. The thing that I love and appreciate about the people of Kenya is that when you explain to them to a point of understanding and they can see sense in the direction that you are taking them, then they will walk the journey with you.

This Bill seeks to establish the Kenya Fisheries Service as a central institution responsible for implementing the fisheries policy, enforcing the regulation and coordinating the activities. The Bill will repeal the Fisheries Management and Development Act, Cap. 378; the principal law that today governs the fishing sectors and fishery sector in the republic. The effectiveness of that law is greatly undermined thanks to a court decision back in April, 2023, which declared quite a significant number or portions of that law to be unconstitutional. The Bill, therefore, aims to replace that framework and give us a more robust framework that will guide us and provide the perfect opportunity for us to manage that sector better.

There are many key highlights that I have spoken to on the Bill but I am aware that Members are going through it as we speak today. Many of them are finding time to read the Bill and to listen to what is being mentioned. I know the seconder of this Bill is a representative of the fishing folk, the Senator of Kilifi, and will dwell into perhaps some of the issues that are being mentioned and there are many others that are here this afternoon.

I see Sen. Ojienda, is here. You cannot claim to be a fisherman. I doubt if you can fish to save your life, Sen. Mumma, your beloved deputy governor or who you will deputise. I always enjoy the debates on who will deputise the other in Kisumu in their next life.

This is not one of those Bills that we just pass for the sake of it. This is a Bill that can change the lives of millions of people in this country. If we handle this right, Sen. Ogola, your people back at home in Ndhiwa will know that it was worth having you in the Senate. Sometimes I sympathise with colleagues who come from certain regions, because if in your five-year period as a Member of Parliament, the key economic activity in your region has not undergone any serious reform, then I do not know how you will face the electorate. I shudder to imagine, if, for example, in my first term I had completed without doing anything meaningful for the tea folk back at home, sugarcane farmers or the coffee farmers; I would have failed.

I have good news for you, colleagues. It is in this current 13th Parliament that we have done something about the sugar sector with the Sugar Bill of 2024 and for coffee, the Coffee Bill of 2023. We have done something about the tea sector with the Tea (Amendment) Bill, though it is yet to be concluded. I do not know if Sen. Wakili Sigei is in the House but his amendment is still stuck in the National Assembly and we must dutifully follow it until we conclude.

Mr. Deputy Speaker, Sir, folks, this is for you who represent the inland, maritime or the aquaculture ecosystem across the republic and the people who benefit from it. This is because there is a growing trend of inland fish farming which accounts for 19 per cent based on the report of our fishing output in the country. I have just referred Members to the study. This is a sector that we can grow and employ many young people, to ensure that we have sustainable food and reduce our import bill, the way we have tried to do with many other sectors.

Perhaps, we can get to a point where we can join the exporting leagues because with all the blessings and all the good rivers, lakes and proximity to the Indian Ocean, firstly, why can we not develop this sector to the point of first feeding ourselves? Secondly and most importantly, we can join exporting nations in the fish ecosystem across the globe. Therefore, I urge colleagues to take their time, speak to this matter and ensure that the people of Kilifi, the coastal region, the lakeside, up north in Turkana - I do not see Sen. Lomenen, I do not know if he is in the House - but it is important that their voice is heard.

Colleague Senators, when we come for Senate Mashinani, there are certain things that we do which leave a mark in the lives of the people across the republic. I look back to our days in Kitui where our Committee on Justice, Legal Affairs and Human Rights made a significant visit to Kitui Main Prison and their pronouncements led to the release

of thousands of people who had been detained on petty charges and could not raise fines as low as Kshs1,000 or Kshs2,000. On their orders, many of them, through the engagement with the Prison's Department, were let go.

There were interventions that our Committee on Health did in Uasin Gishu at Moi Teaching and Referral Hospital (MTRH) during our first Senate Mashinani programme. However, we must also be alive to the criticism that sometimes we get. For example, Sen. Catherine usually loves follow-up and she reminds us to follow-through on our actions. I saw someone remind us that when we were in Busia, we made a lot of noise about the stagnation and the challenges at the Busia Border Post. She wish to remind the committee of the Senate that this challenge still exists and as a House, we must continue to find solutions.

Mr. Deputy Speaker, Sir, it means people follow the things that we say and do and they want to hold us to account and say; when you, guys, came, you appreciated the problem. Did you go to Nairobi and forget? I am sure there are many things we will interact with here in Kilifi, which we will look at and say; we need to have this sorted. For example, I saw Sen. Shakila and I cannot remember who else because I do not know which Committee visited the Shakahola massacre site. There are certain pronouncements that were made that may help bring closure to that very sad episode that happened here in Kilifi.

It is my hope and prayer that the committee will have a proper follow-through, long after we leave Kilifi to ensure that the matter is given a decent closure. A decent closure is not about removing the temporary reminders of bodies still stuck in body bags. It is about seeking eternal justice for the people who lost their lives as well as ensuring that for sins of commission or omission, anyone found culpable, this House speaks until justice is found for those people.

Mr. Deputy Speaker, Sir, Sen. Wambua is a seasoned journalist and he knows about the Kevin Carter story. Maybe for those who are not properly appreciative of journalism, Kevin Carter was a renowned South African photographer. In 1993 during the Sudan crisis, he went to a place called Ayod in Sudan and photographed a young boy by the name Kong Nyong who was on the verge of collapsing due to hunger. There was a vulture standing next by, hanging around, awaiting to feast on the young boy if he died. Of course, he photographed him and shared the picture with the New York Times and it was an award-winning photo. It won him the Pulitzer Prize, one of the most celebrated journalism awards. However, after that, people criticised and asked very difficult questions. It tugged the conscience of Kevin Carter until he ended up committing suicide.

We must avoid that kind of scenario each time the Senate visits upcountry and listens to the suffering of the people of the Republic. We must go beyond reporting. Today, my colleagues in the Committee on Education came with a difficult report of a primary school they had visited. I listened to their story and I said; it is good you are saying that certain things need to be done but I hope you did not just leave. This is because, part of the things they are asking for, in the African culture, if you see someone in need of something that you can easily afford, like a chair in a primary school, with paltry donations or the little resources that are there, you can remove those children from sitting on gunny bags to sitting on seats. I challenge Prof. Kamar, who is a Member of

that Committee and the others, to do something beyond just highlighting. Not to say that what they did was unfair. It is good to highlight but it is even better to highlight and solve, beginning with yourself as leaders.

Therefore, Mr. Deputy Speaker, Sir, with those remarks, I beg to move the Fisheries Management and Development Bill (National Assembly Bills No.29 of 2023) and request the Senator for Kilifi, the Leader of Minority to second.

(Interruption of debate on the Fisheries Management and Development Bill)

The Deputy Speaker (Sen. Kathuri): Before the Minority Leader seconds the Bill, let me, first, make this Communication.

COMMUNICATION FROM THE CHAIR

One, is to acknowledge that when other dignitaries were acknowledged by the Chair, Hon. Osman Galole, the Speaker of Tana River County Assembly was not acknowledged.

VISITING DELEGATION FROM THE NATIONAL SYNDEMIC DISEASES CONTROL COUNCIL

Hon. Senators, I also would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of a visiting delegation of officers from the National Syndemic Diseases Control Council (NSDCC). The organisation has been in the forefront in support of the Kenya Women Senators Association (KEWOSA's) core mandate of promoting gender-responsive legislation, fostering inclusive governance and supporting vulnerable communities.

The delegation is in the Senate on the invitation of KEWOSA to support its comprehensive three-day outreach programme being held alongside the Fifth Edition of Senate sittings in the county.

I request each member of the delegation to stand when called out, so that you may be acknowledged in the Senate tradition-

- (1) Ms. Jenny Gakii - Acting Director Regional Offices Coordination
- (2) Ms. Ruth Dero - Deputy Director of Corporate Communications

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

I thank you.

(Applause)

Sen. Catherine Mumma, please, welcome the delegation in not more than one minute.

Sen. Mumma: Thank you, Mr. Deputy Speaker, Sir. On behalf of KEWOSA and the Senate at large, I wish to welcome you to the Senate and thank your Chairman, Mr.

Abass Ibrahim and your Chief Executive Officer (CEO), Mr. Douglas Bosire, and yourselves for making time to join us for the Senate Mashinani in Kilifi.

Mr. Deputy Speaker, Sir, NSDCC and partners supported us to give enough sanitary towels for six months to girls in Gede Comprehensive School. We also visited Gede Special School. In the spirit of what the Senate Majority Leader has said, the Committee on Education will pick up key issues that emerge out of the visit. We managed to raise our voice around teenage pregnancies to 7,600 girls in Kilifi in 2025. Therefore, we thank these partners because without them, we would not have organised a comprehensive visit.

We encourage you to continue partnering with the Senate at large, KEWOSA, the Kenya Women Parliamentary Association (KEWOPA) and other women leaders in Kenya in order for us to make it clear that our children must be protected.

Thank you so much.

The Deputy Speaker (Sen. Kathuri): Now let us proceed. Senate Minority Leader, Sen. Justice Madzayo, you have the Floor.

(Resumption of debate on the Bill)

The Senate Minority Leader (Senate Madzayo): Asante, Bw. Naibu Spika, kwa kunipa nafasi hii. Pengine pia ungenipa dakika moja tu kushukuru KEWOSA kwa kushirikiana na wadau wengine kuangalia maslahi ya watoto wa kike. Tulishukuru sana kwa msaada wenu. Mwenyezi Mungu atawajazia zaidi.

Bw. Naibu Spika, kwanza, naunga mkono Mswada huu ulioletwa hapa na Seneta wa Kericho ambaye vilevile ni Kiongozi wa Wengi katika Seneti. Huu ni Mswada kutoka Bunge la Kitaifa. Nauunga mkono kwa dhati kwa sababu Mswada huu utasaidia sana kisheria katika upanuzi wa mambo ya uvuvi na pia kuangalia jinsi biashara inaweza kuendelea katika bahari. Kwenye bahari, kuna mambo mengi yanayoendelea ambayo hatuwezi kuyaona kwa macho. Chini ya bahari ndio kuna rasilmali nyingi ambazo Mswada huu unaangazia. Mswada huu utasaidia sana hususan watu wa pwani.

Urefu mkubwa zaidi wa ufuo wa bahari uko Kilifi. Hata hivyo, si tu watu wa Kilifi wanaoweza kutekeleza wajibu wao ili kupata faida kutoka kwa bahari bali Wakenya wote kwa ujumla. Ufuo huo mrefu unaanzia Lamu kuelekea Kilifi, Mombasa na kuishia Kwale. Hilo ni jambo la sisi kujivunia.

Kwa mara ya kwanza kabisa, sheria mwafaka inawekwa ambayo itasaidia katika kulinda mambo ya wavuvi. Hii itasaidia sana katika uvuvi wa samaki na rasilmali nyinginezo zilizoko kwenye ukanda huo wa bahari. Kwa mfano, kuna mawe yanayotumiwa kujenga nyumba. Mambo mengi hutendeka kwenye ukanda wa bahari. Kwa mfano, kuna meli zinazopita kule. Kisheria, Mswada huu utaweka mikakati mwafaka ya jinsi bahari inaweza kutumika.

Kwa kuunga mkono Mswada huu, ningependa kusema hivi. Kuna mambo yanayoendelea katika bahari. Kwa mfano, uvuvi wa samaki na viumbe wengine wa majini. Kuna samaki ambao hawaliwi lakini wanapendeza macho ukiwaweka katika nyumba yako ama ukiwaona katika hoteli. Hao ni viumbe wa baharini. Masuala ya viumbe hao vilevile yamezingatiwa katika Mswada huu. Viumbe hao hupatikana katika

bahari iliyoko pwani ya Kenya. Ni lazima kuwe na sheria ambayo itasaidia kutunza viumbe hao. Nimeangalia katika kamusi na kugundua kuwa tafsiri yake ni ukuzaji wa viumbe wa majini. Kwa hivyo, kule baharini pia kuna viumbe wa majini.

Naendelea kisisitiza hivi. Hatukuwa na sheria lakini sasa hivi tunao Mswada huu. Sheria hii ikipitishwa itasaidia wavuvi wetu kujua mipaka yao. Mara nyingi, kuna wavuvi kutoka sehemu mbalimbali, ikiwemo kutoka nje ya nchi, wanaofanya biashara ya uvuvi ndani ya bahari ya nchi ya Kenya bila leseni. Utaona meli tofauti tofauti katika bahari yetu. Mara nyingi, kuna meli kutoka Uchina, Japani, Unguja na sehemu nyinginezo. Kwa hivyo, tunahitaji sheria kama hii ambayo itaweka mikakati mwafaka kuona kwamba lazima meli inayoingia katika mipaka ya bahari ya Kenya inachunguzwa na tunajua mapato tutakayopata. Hakuna sheria nyingine bali hii iliyoko hapa. Mara nyingi, meli au wavuvi wanaposhikwa baharini kwa bahati mbaya, wanapatikana na neti kubwa ambazo zinavua mpaka wale samaki ambao wakati wao wa kuvuliwa haujafika. Hii inapelekea kuwa na upungufu wa samaki.

Mswada huu pia una sheria ya baharini. Kuna mikondo ya maji ambayo samaki fulani hupita. Wale wenye meli zile wanaegeza neti zao na kukusanya samaki wengi ambao ni rasilmali ya Serikali ya Kenya na wavuvi wetu ili wao wapate faida na wajikimu kiuchumi. Sheria hii tunayoitazama saa hii itasaidia na ina faida kwa watu wetu.

Bwana Naibu Spika, pia, tumegundua kuna piracy au uharamia. Maharamia ni wengi sana katika bahari yetu. Ndio sababau sheria kama hii inaweka mipaka ili ukipatikana umeingia katika nchi ya Kenya na meli yako bila taarifa yoyote, uchukuliwe hatua.

Nawasihi Maseneta kuwa Mswada huu ni muhimu na utastawisha utumiaji wa bahari. Mswada huu pia unaongelea kuhusu leseni. Leseni ni muhimu kwa meli yeyote inayopita katika sehemu za maji. Naunga mkono Mswada huu ambao umetueleza kuwa Director General ndiye mkubwa wa sheria na kupeana taarifa kwa Serikali iwapo kutakuwa na uvunjaji wa sheria.

Asante.

(Question proposed)

(The Clerks-at-the-Table consulted with the Deputy Speaker)

(Interruption of debate on the Bill)

Sen. Munyi Mundigi: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): What is your point of order, Sen. Mundigi?

HOJA YA KIUTARATIBU

KUFUPISHWA KWA MUDA WA KUCHANGIA MSWADA

Sen. Munyi Mundigi: Asante, Naibu Spika. Kwa sababu mambo ya uvuvi ni muhimu sana na Maseneta wengi wangependa kuchangia, naomba kwa mujibu wa Kanuni za Kudumu za Seneti, Nambari 111, tudhibiti mjadala na kupunguza muda wa kuchangia ili kila mmoja wetu aweze kuchangia.

The Deputy Speaker (Sen. Kathuri): Unaomba kupunguza kwa dakika ngapi?

Sen. Munyi Mundigi: Iwe dakika kumi. Naomba Sen. Miraj aniunge mkono.

The Deputy Speaker (Sen. Kathuri): What is the mood of the House? Is it five or 10 minutes?

Hon. Members: 10 minutes.

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

Sen. Miraj: Asante Naibu Spika. Nasimama kuunga mkono Hoja iliyoletwa na Seneta Mundigi ya mapendekezo ya kufupishwa kwa muda wa kuchangia ili kila mtu aweze kuchangia Mswada huu muhimu.

Asante.

The Deputy Speaker (Sen. Kathuri): Kwa ujumla, Seneti imekubaliana muda ufupishwe mpaka dakika 10. Kwa hivyo, tutaendelea na utaratibu huo.

(Resumption of debate on Bill)

Sen. Mohamed Faki, mvuvi mkuu wa pwani.

Sen. Faki: Asante, Mheshimiwa Naibu Spika, kwa kunipa fursa hii. Ni faida kuu kupata fursa ya kuchangia Mswada huu wa uvuvi hususan hapa Malindi ambapo vikao vya Seneti vinakaa kwa wiki hii. Kwanza natoa kongole kwa Kiongozi wa Walio Wengi katika Serikali kwa sababu Mswada huu umeletwa wakati mwafaka ambapo Serikali inajitahidi kuhakikisha Wakenya wanaweza kutumia rasilmali ya bahari na samaki kwa manufaa yai na kujenga nchi.

Mswada huu una mambo mengi mazuri. Kwanza, utasaidia kuimarisha masuala ya uvuvi na mambo ya bahari na maziwa kwa kiwango kikubwa. Kwa kiingereza tunasema, “Sustainable exploitation of the vast marine resources.” Mswada huu pia unatoa fursa ya kutoa leseni kwa watu wanaotumia bahari kwa uvuvi na vyombo vikubwa vya uvuvi. Pia, wageni wanaruhusiwa kujiunga na uvuvi. Kwa sasa, mara nyingi kuna vyombo vinavyoingia Kenya na kufanya uvuvi haramu na kuuza samaki wale kwa masoko ya ulimwengu.

Mswada huu pia unatoa fursa ya kusaidia biashara ya samaki katika nchi yetu ya Kenya. Kwa sasa, biashara ile imo mikononi mwa mwabwenyenye ama “middlemen” ambao mara nyingi wananunua samaki kwa bei ya chini na kumtweza nguvu mvuvi, ilhali wao wanauza samaki wale kwa bei ya juu. Hali hii inawaacha wavuvi wetu kuwa maskini.

Hivi majuzi Serikali ilitoa takwimu ya samaki katika nchi yetu. Hilo lilikuwa jambo nzuri kwa sababu litasaidia kupunguza kuvua samaki mpaka kuwamaliza. Hii itasaidia kupanga ile mikakati ya kusaidia kukuza samaki wengi katika nchi yetu.

Sheria hii inatambua uwezo wa Beach Management Units (BMU) ambazo ndizo vigezo vya chini katika kusaidia kulinda bahari zetu na maziwa katika sehemu nyingi. Maeneo mengi katika nchi yetu yamenyakuliwa. Hata asubuhii hii tumepata habari kwamba maeneo ya Mnarani katika Central Beach Management Unit ya Kilifi tuliyoyatembelea asubuhi, baadhi ya ardhi yake ilikuwa imenyakuliwa na mabwenyenye. Hata barabara iliyokuwa inatumika zamani kutoka feri ya zamani kuingia Kilifi mjini pia imenyakuliwa na mabwenyenye.

Kwa hivyo, ipo hatari kwa sababu fish landing ambayo imejengwa, itakosa barabara yakuifikia siku za usoni. Pia, itatoa uwezo wa pembejeo gani zitatumika. Kwa mfano, Kifungu cha 67 kinasema aina vya vifaa ambavyo vinaweza kutumika baharini. Kuna vifaa vingine ambavyo vikitumika vinaharibu mazingira ambayo samaki wanaweza kukaa. Hizi ni kama zile neti ambazo zinakokota na kuvuruta mayai ya samaki. Kwa hivyo, katika siku za usoni, samaki watakosekana.

Tunaunga mkono Mswada huu kwa sababu utasaidia pakubwa kuhakikisha kwamba samaki wanavuliwa kwa wingi. Hivi sasa, shida ni kwamba katika sehemu nyingi ambazo tunakwenda, wakati wa mavuno samaki wanaharibika. Kwa mfano, hapa maeneo ya Pwani, kuanzia mwezi wa Oktoba hadi mwezi wa nne, ni msimu wa kuvua samaki kwa wingi. Lakini, vile vile, utapata sehemu nyingi hazina vifaa vya kuweka samaki, kama vile *cold storage*, na mashini za barafu za kusaidia samaki waweze kuwekwa na kuuzwa kwa siku za usoni wakati hakuna samaki.

Sheria hii itasaidia pakubwa kuhakikisha samaki hawa watahifadhiwa na kuuzwa wakati kuna uhaba wa samaki. Vile vile, vyombo vya nje ambavyo vinaiba samaki wetu na kuuza katika masoko ya nje zitadhibitiwa. Vile vile, kuna vyombo ambavyo vina andikishwa na kupewa leseni ya Kenya. Lakini, mara nyingi, wakivua samaki, wanawauza nje na wanaleta kidogo hapa nchini ili waepuke kulipa kodi katika nchi yetu ya Kenya. Kwa hivyo, Mswada huu utasaidia pakubwa kuhakikisha kwamba mambo haya yanazingatiwa.

Nimeangalia nikasema kwamba kuna baadhi ya vitu ambavyo vitarekebisha katika Mswada huu. Kwa mfano, lazima tuwekeze njia za kisayansi za kujua samaki wetu ni wangapi na ni vipi tutahakikisha kwamba vyombo ambavyo vitapewa leseni, havitatumia rasilimali hii na kuizimaliza. Zitumike kulingana na vile ambavyo Serikali itatoa mikakati kuhakikisha kwamba kila mwaka, rasilimali ya samaki inatumika.

Vilevile, kuwe na mwelekeo kuhusiana na kutolewa kwa leseni za uvuvi. Kenya Fisheries Service (KFS) lazima ichapishe orodha ya leseni ambazo wametoa katika muhula Fulani, kama vile agreement fees ambazo zimelipwa au sanctions ambazo zimetolewa kuhusiana na wale ambao wamegeuka mipaka ya sheria katika uvuvi.

Katika mambo ambayo lazima tuyarekebisha katika sheria hii ni lazima wale ambao watapelele nafasi ya kuvua kutoka nchi wawe na mapato ambayo yanarejea katika nchi yetu ya Kenya. Sio samaki wetu wavuliwe, wakauzwe nje na baadaye tusipate rasilimali au faida yeyote. Pia, kuwe na integrated vessel tracking system. Kwa mfano, kuwe na vifaa ambavyo, vyombo vya uvuvi vikiwekwa, itajulikana kwamba ule mvuvi

anavua katika bahari ya Kenya au yakimataifa. Hivyo basi, tutajua mapato yatakayopatikana yatatumika katika nchi ya Kenya au la.

Bw. Naibu Spika, boti nyingi ambazo Wizara imetoa kwa sasa hazina vifaa maalum, yaani tracking system. Ikiwa tracker inaweza kuwekwa kwa pikipiki, sioni kama itakuwa gharama kubwa kuweka kwa vyombo vya bahari. Hii ni kwa sababu usalama kule nje ambako wavuvi wanavua haujulikani. Bahari inaweza kuchafuka wakati wowote na kupoteza wavuvi.

Pia, priority ipewe wavuvi wadogo wadogo wakujitegemea. Hii ni kwa sababu wale asili yao kabisa ni mambo ya uvuvi na wanasaidia kuthibiti uvuvi katika maeneo yao. Lazima kuwe na minimum standards za vyombo vya uvuvi. Hii ni kwa sababu mvuvi akienda baharini, mara nyingi huwa hana msaada isipokuwa wavuvi wenzake. Kwa hivyo, vyombo vinavyoenda baharini kuvua lazima viwe vinakubalika na viwe na vitu vya msingi vya kujisaidia wakati kumetokea dharura yeyote katika sehemu za kuvua. Pia, lazima leseni za uvuvi ziimarishwe ili ijulikane kwamba mvuvi anatakikana awe na leseni ya kaunti au serikali Kuu, ili kuhakikisha hawalipishwi leseni mara mbili.

Vile vile, lazima sehemu ya fish levy irejee katika kaunti zetu. Hii ni kwa sababu ndio zinatoa mwongozo---

The Deputy Speaker (Sen. Kathuri): Asante sana, Sen. Faki. Umechangia mambo mengi sana.

(Sen. Faki spoke off record)

Ninakupa sekunde 30.

Sen. Faki: Bw. Naibu Spika, statutory levy ya samaki lazima irejee katika kaunti zetu kwa sababu ndizo zinatoa *basic infrastructure* ya mambo ya uvuvi. Kwa hivyo, mapato yanayopatikana kutokana na ushuru wa samaki lazima urudi katika kaunti zetu na BMUs ambapo ndipo uzalishaji wa samaki unafanyika. Hivyo basi, itasaidia pakubwa kuinua mapato ya wavuvi na jamii.

Tulikuwa Kilifi leo asubuhi na tukapata malalamiko mengi kuhusu wavuvi na akina mama wanaouza samaki. Mara nyingi, kama hakuna wavuvi kama vile wakati wa upepo mkali wa kusi inakuwa shida kwa familia kupata mapato na kusomesha watoto wao kwa njia inayokubalika.

Ninaunga mkono Mswada huu na ninaomba Maseneta wenzangu, kama zawadi kwa watu wa Kilifi na Pwani, tuipitishie na marekebisho ambayo tutayafanya.

The Deputy Speaker (Sen. Kathuri): Sasa twende Tana River. Sijui kama Mswada huu unahusisha mamba au samaki pekee.

Sen. Mungatana: Mr. Deputy Speaker, Sir, I thank you for giving me the opportunity to speak to this Bill for a few minutes.

I rise to support the Fisheries Management and Development Bill (National Assembly Bills No.29 of 2023). The people of Tana River, particularly the Pokomo, have had a long association with fishing, apart from being in agriculture. In fact, there used to be allocated time for young men to go out hunting in far of oxbow lakes.

This whole period, people would say they are going to Malatheni, where you go and fish and you stay away from home and family. This is where we would catch

crocodiles, hippos and all these big fish and come back home as heroes with food. We had serious traditional preservation methods. You would come back with all these fish and celebrations in the villages would start.

Mr. Speaker, as I speak to this, I speak to a tradition that has been there amongst our people in Tana River. Tana River has many oxbow lakes. It has the river, of course, and it has the sea. We have a huge area that connects the sea to the land. So, we have all these types of fishing, both riverine around the oxbow lakes and also at the ocean.

This Bill is relevant to our people. However, before I even go into it, I want to take the opportunity to give credit where it is due. I have had the pleasure and the opportunity to serve in 2002 as Member of Parliament for Garsen and I served for 10 years in the administration of the late President, Hon. Mwai Kibaki. The previous administrations of the late Presidents Moi and Kenyatta; that is, Kenyatta I, Moi, Kibaki, Kenyatta II, did not pay attention at all to the richness of maritime wealth. For a very long time, the government never invested in the blue economy. In fact, this word became famous when President William Ruto took over. So, we must give credit to the President of the Republic of Kenya for what we have seen.

In Tana River County, one of the biggest buildings you will see now in Garsen belongs to the fisheries department. The biggest development of landing sites in Kipini was constructed for Kshs151 million during the time of His Excellency Dr. William Samoei Ruto.

Across the entire coast, many fishing boats have been created, and from the grant from the World Bank of Kshs321 million, people in Tana River also benefited with fishing boats and fishing gear. We were given a lot of training, including some of our children being taken off to other counties to be trained as coxswains and given proper training and certificates so as to attack the sea or move into the sea and the rivers with proper knowledge.

I really want to say thank you for what has happened up to where we are now. The reason we must legislate, the reason we must we must pass this law, is so that we can concretise the things that have been achieved. This Bill supports artisanal fishing. Our people, for many years, as I have said, have been fishermen, and they have been going out into the sea, out into the rivers, out into the oxbow lakes. However, the harassment came when the sea patrols started.

There is a unit that was formed. It was celebrated when it was formed for patrolling the seas. This unit was supposed to be fighting piracy in the sea. However, when they started enforcing, they started going against the artisanal fishermen. They started arresting our young men and the old people who go out into the sea. They started demanding certificates. They started asking people whether they had certificates and licenses for fishing.

This Bill has created a mechanism that is called a fish tribunal. They used to come, pick up the fishermen and ask for money. If you do not have money, they would throw you into an ordinary court. However, this Bill has created a tribunal where all disputes, all issues that deal with matters of fishing, can be taken to the fisheries tribunal. This is a specialised body that has been created so that our young men, our people, are not harassed by the Kenya Coast Guard Services (KCGS) security personnel. The KCGS

was supposed to be fighting pirates, but it has ended up being the source of grief to our people.

It is a good thing that Part 15 of this Bill talks specifically about this tribunal. I am talking about this because we have had to spend money trying to get these people out. We have had to spend a lot of time and energy because of this. So, one of the reasons why I stand to support this Bill is that it helps us to resolve the problems that our people have had.

The other issue is the unregulated fishing by international vessels. You will find that our people do not have the kind of powerful vessels that these people have. These people go into the deep sea and they get the best and yet they do not pay anything to the Kenyan Government.

Right here in Kipini, if you go just a bit inland, you will find international waters there. You will find Chinese vessels. They do not have certificates, they are not licensed and they have such powerful equipment that our people are not able to get anything, even when we spend the entire night there. The law we are passing says it is now going to regulate international vessels that are coming to fish within our waters. This is a very good move. It says that they must give, at least 10 per cent, of whatever it is that they gain from the sea.

We need to also invest in our own local capacities, bring in vessels and license them. Today, when we went to the fish landing site here in Kilifi, we were told there are only two local vessels. Those local vessels are not licensed but the international vessels are licensed. How can it be that a Kenyan vessel is not licensed to operate, is denied the license by the fisheries department, and yet they have not faced a tribunal to seek recourse. There is nothing they can do. We just sit there but the international vessels belonging to foreigners are given fishing licenses.

I was standing on those two points. I am saying we need to give our local vessels strength, power, and capacity. We need to allow them to work in the sea, not the way it is being handled at this time. The Director General of fisheries has so much discretion, and you cannot challenge it.

I am glad that in this particular Bill, the law we are passing gives a clear procedure on how to challenge the decisions that are made. In fact, it is creating a whole new corporate body that deals with how we shall manage our resources.

Mr. Deputy Speaker, Sir, I see my time is gone. With those few remarks, I beg to support this Bill.

Thank you, Mr. Speaker.

The Deputy Speaker (Sen. Kathuri): Sen. Enoch Wambua, you may proceed.

Sen. Wambua: Thank you, Mr. Deputy Speaker, Sir. I take the Floor to add my voice to the debate on The Fisheries Management and Development Bill (National Assembly Bills No.29 of 2023).

I want to correct the impression that this Bill is just about communities and businesses established in near proximity to large water bodies such as oceans, lakes and big rivers. There are provisions of this Bill also that touch on communities that do not live in close proximity to those big water bodies but are also involved in fish farming. I

remind us that this Bill is not just about the blue economy. It is also about hinterland-fishing and fisheries.

The former President of the Republic, His Excellency the late Mwai Kibaki, proved to all of us that fishing can take place in places as dry as Turkana and Kitui counties through the Economic Stimulus Programme, which involved the establishment of fish ponds. How I wish that at some point, we will get back there and do the good thing that the former President was doing.

On the face of it, this is a good Bill. However, the danger is in the detail. I want to be on record that this is a Bill with huge implications. I urge my colleagues to take time to study, analyse and understand it before we pass or reject it. The Bill is good to the extent that it helps in the creation of jobs, boosting revenues from exports, improving the national nutrition and health and supporting relevant industries including those factories that are involved in manufacturing of nets and fish feeds.

This could be a good one, but I have a few things that I will mention about this Bill. One, is the fact that it is a Bill from the National Assembly. I am not saying that the National Assembly should not touch on Bills for items that are devolved, but agriculture and fishing are devolved functions. We are always in a hurry to process Bills from the National Assembly; I wish the same could happen for Bills coming from the Senate.

I say this because as a Senator from Kitui County, an Arid and Semi-Arid Land (ASAL), where we do not grow coffee, tea, sugarcane and do not do any serious fishing, even in fishponds, I have supported Bills and laws for farmers in other counties that are endowed with resources and good environment and rates to produce industrial crops such as coffee, tea, pyrethrum, sugarcane and bananas.

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

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

I thank my colleagues because they all supported and processed the Mung Beans Bill - the Dengu Bill - in record time when I brought it to the Floor of the Senate. It was because they understood that Dengu or Mung Beans, are as important to the farmers in ASAL as tea, coffee and sugarcane are important to farmers in other areas. However, when that Bill went to the National Assembly - I do not want to use that word - but the bottom line is that it died.

Madam Temporary Speaker, as a leader in the Senate, I have realised that the conspiracy against certain counties in this country is real. I trust God that one day, not long from today, I will be the Governor of Kitui County. I have taken a commitment that one of the most serious executive Bills that I will push through the County Assembly of Kitui, is the Mung Beans Bill. The County Assembly of Kitui will benefit its own people. I wish other counties in ASAL will have governors who will push the same for their farmers.

Mung Beans is not just grown in Kitui. It is grown in 37 counties in this country. However, since it was moved by Sen. Wambua from Kitui County, whatever happened, happened. Let that rest there.

Secondly; I have taken time to study this Bill, but not very deeply. Majority Leader, there is something I have realised about this Bill that will need serious scrutiny. There are issues in this Bill that we need to agree on. One, we need to properly establish the functional relationship between the proposed Kenya Marine Service and the Kenya Marine and Fisheries Research Institute, which is already a body corporate established by an Act of Parliament. I do not know whether we are repealing the Kenya Marine and Fisheries Research Institute or we are just restating it in the Bill because I have seen it included in the Bill even though the functional relationship between the two bodies is not clear.

One amazing thing about this is that the Director General (DG) of the Kenya Fisheries Service, the new body that is being created, is allowed a sit in the Board of the Kenya Marine and Research Institute, yet the DG of the Kenya Marine and Fisheries Research Institute does not sit in the Board of the Kenya Fisheries Service. It makes you wonder what the problem is.

According to the Bill, both of them are appointed by the President. So, you have one DG appointed by the President sitting in a board on fisheries while the other DG, also appointed by the same President, does not sit in the other board. We need to clarify that and ask ourselves whether that is really tied.

I appeal to the Senate Majority Leader and I have told him this many times that since he is our leader in this House, he must articulate issues of devolution with all the strength that he can muster. The Board of the Kenya Fisheries Service is for two governments but it is the Permanent Secretaries, the Attorney General (AG)---

Madam Temporary Speaker, my time has elapsed, I request for a minute to just finish my thoughts.

The only presence of counties is one representative nominated by the Council of Governors (CoG) but appointed by the Cabinet Secretary. Fisheries is a devolved function. Yes, I do understand that this Board is supposed to provide policy direction to activities around fisheries, but let it us have real proper presence and representation from the counties. I wonder what value these Permanent Secretaries really add in these boards.

The Temporary Speaker (Sen. Mumma): Please, add him one minute.

Sen. Wambua: Thank you. Madam Temporary Speaker, when you look at the boards, for example, the Board of the Kenya Marine and Fisheries Research Institute and the Board of the Kenya Fisheries Service, you will find that it is the same Principal Secretaries who are sitting on those boards. That is why I personally propose that we should first receive the committee reports before we debate this Bill. By the time committees table their reports, they have already conducted public participation. We can then benefit from those views and add our own views, so that at the Committee of the Whole Stage, all views can be accommodated through amendments.

Madam Temporary Speaker, I will retain my views until I have read the Committee's report.

Thank you.

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

Sen. Munyi Mundigi: Bi Spika wa Muda, asante kwa kunipa nafasi hii ili nichangie mjadala kuhusu mambo ya uvuvi wa samaki uliyoletwa na Kiongozi wa Walio Wengi, Seneta wa Kericho, Sen. Cheruiyot.

Ninaunga mkono Mswada huu wa uvuvi kwa sababu niko katika kamati husika ambapo mimi ni Naibu Mwenyekiti. Mambo ya uvuvi ni kama kilimo kingine. Hakuna tofauti kati ya wakulima wa Mlima Kenya wanaolima kahawa na majani chai na wale wa Kisumu na sehemu zingine wanaolima miwa.

Katika miaka minne iliyopita, sekta zingine za kilimo zimefaidika, lakini wale wanaojihusisha na kilimo cha samaki na uvuvi wameteseka kwa muda mrefu. Kama tunavyojua, wakati mmoja tulienda Busia, katika eneo linaloitwa Budalangi. Watu huko wameteseka sana. Hali hiyo inawakumba wavuvi wa Mombasa, Kisumu na maeneo mengine.

Tulisikia kilio kutoka kwa watu wa Budalangi wakisema wanapokwenda kuvua samaki wanakamatwa na mamlaka ya Uganda. Wengi wanazidi kuteseka. Pia, kuna utata kati ya serikali ya kaunti na serikali ya kitaifa kuhusu gharama za umeme.

Lakini tukitunga sheria hii, watu kama hao hawataumia tena. Tunasikia sehemu zingine kuna uhaba wa samaki na wakati huo huo, samaki wanaagiziwa kutoka China, jambo ambalo linaleta shida kubwa.

Kwa hivyo, kilimo cha samaki kimekuwa na changamoto nyingi. Ninaunga mkono Mswada huu. Ni lazima tuhakikishe ushirikishaji wa umma unafanyika kila kona ili tupate suluhisho la kudumu na wavuvi wetu wasiuwawe. Wameteseka na wengine wameuawa.

Bi. Spika wa Muda, katika miaka minne iliyopita, bei ya kahawa, majani chai na sukari ilipopanda, wakulima wake walipata faida lakini wavuvi hawajapata faida yoyote. Ninaunga mkono sheria hii kwa sababu italeta watu pamoja. Kama leo tumetoka Kilifi ambako kuna mradi mkubwa wa Serikali unaofadhiliwa na Benki ya Dunia wa takriban Shilingi Milioni 250. Lakini tulipokuwa pale, watu wa eneo hilo walitoa malalamiko mengi. Wameteseka kwa kukosa chakula. Wakati sheria hii itatungwa, wavuvi wadogo watafaidika na pia serikali za kaunti na Serikali ya kitaifa zitanufaika.

Walisema mradi huo ukianzishwa, watu watatu wamejitokeza kusema hakuna njia, mradi utafungwa na zile pesa zitapotea kama *white elephant*. Kwa hivyo, sheria hii itawasaidia sana watu wa pwani, Kisumu, Budalangi na maeneo mengine.

Nakumbuka tulipoenda Budalangi, kulikuwa na shida ya umeme. Mradi haukuendelea vizuri kwa sababu kulikuwa na deni la umeme la Shilingi milioni 100. Sheria hii italeta faida kwa serikali za kaunti, kwa wavuvi na kwa Serikali ya kitaifa, na pesa za umma hazitapotea bure.

Siku hizi, bei ya nyama iko juu na watu wengi wamejifunza kula samaki, jambo ambalo ni nzuri kwa uchumi wa samawati. Sheria hii ikitekelezwa, watu wetu watapata bei nzuri na taifa letu la Kenya litapata mapato mengi.

Ninaunga mkono. Asante.

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

Sen. Miraj: Bi Spika wa Muda, asante sana kwa kunipa nafasi hii ili niunge mkono Mswada huu wa kitaifa kwa kutoa maoni yangu katika pendekezo la sheria hii linalotoka katika Bunge la Kitaifa. Kama mtoto wa pwani, mkoa ambao una ukanda

mrefu wa bahari ya Hindi, na pia kama taifa lenye Ziwa Victoria, Ziwa Turkana na mito mingi ya uvuvi, ni ishara kuwa tunapaswa kuwekeza zaidi ili kukuza uchumi na lishe bora ya taifa letu.

Kwa hivyo, ninaunga mkono Mswada huu. Tunapozungumzia uvuvi, tunapaswa kutambua kuwa uchumi wa samawati sasa una umuhimu mkubwa duniani, kama ulimi ndani ya mdomo katikati ya meno katika kutafuta faida kutokana na maji yetu. Ninataka kusisitiza kuwa tunapopitisha Mswada huu, wavuvi wadogo wawe katikati ya utekelezaji wake.

Kuhusu wavuvi wadogo, ningependa kuishukuru Serikali ya Rais William Samoei Ruto kwa ujenzi wa vituo vya kisasa vya kupokelea samaki (*landing sites*). Kuna moja pale Kichwa cha Kati, Old Ferry mjini Kilifi na vingine vingi ambavyo vimejengwa upya na serikali hii.

Cha kufurahisha ni kwamba katika vituo hivyo, kuna maghala ya baridi (*cold storage*) ambayo wavuvi wanapovua samaki wanaweza kuhifadhi samaki wao. Hivyo wakikosa soko la papo hapo, samaki wao hawaharibiki.

Tunapozungumzia Mswada huu, hatupaswi kuusahau kwa sababu hapa pwani tumewekewa Eneo Maalum la Kiuchumi (*Special Economic Zone*). Hili linaweza kuongeza thamani ya bidhaa zetu. Badala ya kuuza samaki moja kwa moja, pwani na maeneo mengine ya uvuvi yanaweza kuongeza thamani ya samaki ili wavuvi wapate mapato zaidi kuliko walivyozea.

Na kwa kuwa mimi ni kiongozi kijana katika Bunge hili, ningependa kupendekeza kuwa wanawake na vijana wapewe kipaumbele wakati Mswada huu utakapotekelezwa. Tuweze kuhakikisha kuwa mama ambaye si mvuvi moja kwa moja lakini anategemea biashara ya samaki, hapati bidhaa hiyo kwa taabu na dhoruba. Kama tulivyosikia miaka ya nyuma, wavuvi wa kike walikuwa wakidaiwa rushwa ya ngono katika eneo la Kilifi ndiposa waweze kupata bidhaa hii.

Nimeona pendekezo katika sheria hii ambayo inaonyesha vile itafanywa. Wakati biashara hii inafanywa, ile bodi ambayo itakuwa imewekwa ni lazima ione ya kwamba wanawake hawatadhalilishwa wakati wanataka bidhaa hii kwa ajili ya kuuza.

Kama viongozi, tunapendekeza ya kwamba tuweke akina mama katika *Saccos* ili waweze kupata msaada kutoka Serikali na kupata afueni wakati wa kuvua. Ni muhimu tujue ya kwamba bahari na ziwa hayapo tu kwa masuala ya uvuvi. Yapo pia kama vitega uchumi vya utalii pamoja na *aquaculture*. Tuko na samaki tofauti na wengine hawavuliwi. Hizo samaki ziko kama vivutio vya utalii kwa jamii ambayo yanaishi nje ya nchi.

Hapa Malindi, kuna aina 42 ya samaki ambao hawapatikani katika bahari yoyote ulimwenguni. Kwa hivyo, ni muhimu tuweze kuwekeza katika masuala ya *research* ili hizi *species* tofauti, tuzihifadhi na tujivunie yale ambayo Mwenyezi Mungu ametujalia katika nchi yetu.

Huwa tunakaribisha watalii kuja kuvua katika bahari yetu ya Hindi. Jambo la kusikitisha ni kwamba miaka 50 baada ya Kenya kutoka katika mkono ya mbeberu, bado hatujapata shule ya mafunzo ili wavuvi wetu waweze kuwa na ujuzi ambao unahitajika kimataifa. Hivi sasa, wavuvi wa Kenya, na sio wa bahari Hindi pekee, wanatumia mfumo

ambao ulirithishwa na mababu wao. Tunapozungumzia sheria hii, ipo haja ya shule ya uvuvi kuanzishwa katika taifa letu la Kenya.

Vijana wetu hawana vyombo ya kwenda kuvua katikati ya bahari ya Hindi ama kule kwingine. Watoto wetu wanapoingia katika vile vyombo vya kigeni kwenda kuvua katikati ya bahari, huwa wanakuwa *exploited* kwa sababu hawalipwi kulingana na viwango vya ulimwengu. Kwa hivyo, ipo haja kuangazia elimu tunapozungumzia uchumi huu na tunapoangazia kutaka kuweka lishe ya kutosha na kupata 100 *per cent* ya vile ambavyo vinapatikana katika bahari zetu kupitia uvuvi. Lazima Kenya iangazie elimu ya watoto wetu. Tukifanya hivyo, tutapata mapato ya juu.

Sisi kama viongozi, hususan wale wa kutoka pwani, ni muhimu tuweze kushirikiana katika jumuiya zetu za gatuza za pwani ili tuone ya kwamba Mswada huu umefaulu. Huu mswada ukifaulu, utawawezesha wavuvi, ambao wamekuwa wakitarajia jambo hili kwa muda mrefu, wapate afueni na mapato mpito mpito katika vitegeo uchumi vyao.

Asante sana.

Sen. Kisang: Thank you, Madam Temporary Speaker. I rise to support The Fisheries Management and Development Bill (National Assembly Bills No.29 of 2023).

This Bill was drafted in 2023 and we are discussing it in 2026. If we are not careful, this Bill may not be assented to because this House might come up with several amendments and the Bill will go back to the National Assembly. When it goes back there, they might agree with our amendments or we will have to go for mediation. If we are not careful, the House might go *Sine Die* in June next year before it becomes law, yet it is a very important Bill.

This Bill is important because it is the first time we have looked at the fishing industry seriously and tried to regulate it. In the past, our fishermen and women have just been exploited. We have never regulated the industry. This business does not just happen in the coastal counties or around the big lakes like Lake Turkana, Lake Victoria, Lake Baringo and Lake Naivasha.

Some counties like Elgeyo-Marakwet also practice fishing in small rivers like River Aror and River Kerio Valley. We used to fish from the ages of five or six using the fishing lines and nets and we had a good living. We got some very nice delicacies from the fish. We got this Bill this afternoon and we will go through it before submissions are done by the 5th of next month. We will then come up with amendments to take care of the smaller communities that also practice fish farming.

In this Bill, you will realise there is a lot of collaboration between the county governments and the Director General for Kenya Fishing Services. However, from what Sen. Wambua has said, there is only one board member nominated by the Council of Governors and appointed by the Cabinet Secretary. I believe there are some representations from the national Government that should not be in some of these boards.

Why do you need somebody from Attorney General's Office yet these entities still write to the Attorney General for a legal opinion? This means that somebody from the Office of the Attorney General should not sit on the board because these boards still write to that office for legal opinion. Additionally, these entities have company secretaries who are advocates of the High Court. These secretaries should sit in the board as company

secretaries to assist the board. So, we propose that we increase the number of representations from Council of Governors from one to three for them to have adequate representation in this particular entity.

This Bill has proposed to do a lot of things especially on sensitization and training of our local business community for them to know how to do the business right. This morning, we were in Kilifi at the fishing landing site. That fishing landing site was started 26 months ago and they have not completed it. The contractor is way behind in terms of completion, yet that site would have benefited the people of Kilifi.

There are other landing sites in Lamu, Lake Victoria, Busia and some in Mombasa. We thank the President because it is his Government that has seen the need to promote our women and young men as they engage in the fishing industry. What came out was that out of all the vessels that are in this particular region, only two are owned by Kenyans and they have not been licensed, yet the others that are owned by foreigners have been licensed. One then asks themselves why that is the case. Why are we not licensing our own and favouring foreigners when it comes to fishing?

It is also important to note that in the licensing regime, we have to ensure our local fishermen and women are not double taxed. If the authority is issuing a license, then the fishermen should pay once a year. It should be an annual license like the business permit by the counties. This should be treated like any other business. They should not be asked to pay for fishing permit and business permit. If we do so, we will discourage our local business community because that will be double taxation. There are many things that we have seen in this particular Bill.

As I have said, it is important that we go through it, look at it and ensure all parts of the country, where there is inland fishing, sea fish, land fish, and the rivers, because we also have river fish, are considered. Sen. Mungatana had said earlier that they used to fish, including the crocodiles, which I believe is illegal. The Kenya Wildlife Service (KWS) does not allow you to do that.

Madam Temporary Speaker, I beg to support this Bill. Let us go through it thoroughly and come up with amendments to ensure this Bill sees the light of the day. It will help our people to do some good business, and help us grow more fish. If there is a serious shortage of fish in the country, then there is an opportunity for business people to grow fish in the country instead of importing fish. Sometimes we are told that there is a plastic fish from China.

Thank you, Madam Temporary Speaker, I support.

The Temporary Speaker (Sen. Mumma): Sen. Omtatah, please proceed.

Sen. Okiya Omtatah: Madam Temporary Speaker, thank you for the opportunity to address this august House from the great County of Kilifi.

The Bill before this House is a very important in terms of fisheries. The cursory look I have had at the Bill masks the problem. We are still addressing ourselves to fishing within the Economic Zone of the Indian Ocean. We are not addressing the exclusive economic zone, which is both a military issue. We need to have the capacity to patrol the exclusive economic zone of the Republic of Kenya, which is a vast area. The KCGS is a security agency which can be compared to sending Boy Scouts after soldiers in a war. It has no capacity.

Secondly, our fishermen are concentrated in the inner economic zone. We have no capacity to head out into the open ocean, into Kenya's exclusive economic zone, which is a gold mine of tuna fish. So, there is a major problem with the entire ecosystem of tapping the readily available resource in the Indian Ocean.

The fish are there, but we do not have capacity to catch them. A definition of poverty that I like sometimes repeating is that poverty is not extreme deprivation but the inability to make use of your resources. This is a classic example of where we have an absented resource that other people are benefiting from. So, we must look at this thing in a comprehensive manner. We must create the military capacity to protect that region. Our Navy must be equipped to patrol and police Kenya's exclusive economic zone.

We need them to also have the equipment to go into that zone and fish. Right now, we have performatory licences that are given out. Some are riddled with corruption, where for all these years, we have not been able to set up a proper landing site. If you look at the landing sites that have been put up, for instance, Liwatoni Fish Landing Site, which I have engaged with, you will find that they seem to be targeting the inner economic zone, not the exclusive economic zone. So, there is an urgent need for us, as a people and republic, to look at this institution and all the idle labour or people we have. They can be catching fish, and doing a good job about it. It is a huge area. It is bigger than the land mass of Kenya.

When you come to the internal waters, there are major problems. When the Senate was in Busia County, I requested a statement on setting up a dry fish exchange in Busia for fish that come from Lake Turkana, that is Marsabit and Turkana counties, which go to the Congo. If you look at the market there, the people are trading in dollars, but they do not have the infrastructure to put in value addition.

To make matters worse, we are now allowing nationals from other countries to go and fish right in Lake Turkana and take the fish out, and yet our people are being excluded from that market. While in Busia County, I must go to the market in Uganda. I cannot go to the Ugandan waters to catch fish as a Kenyan. I must go to the market and buy fish from the market.

Here, people are going all the way in Turkana County to catch fish, in our waters and there is no infrastructure. So, that statement has never been attended to, a year later. We have been waiting. The Senators from Turkana, Marsabit and myself have been waiting to see that statement come up so that we push it to create a corridor where that fish can be handled and value addition done and yet, they are taking a lot of money involved in this fish. The fish crossing Uganda gets into problems. Ugandans have been arresting Kenyan trucks, off loading the fish and claiming it was theirs. We have even gone up to the East African Court of Justice (EACJ) to try and pursue some of these cases.

Therefore, this area really needs very extensive engagement by the national Government for internal voters with the neighbouring countries to ensure that we secure the interests of our fisherfolk. In Lake Victoria, we had cases where the Ugandan security forces came into the Kenyan waters, harassed Kenyan fishermen, snatched their gear, beaten them up, with no consequences from the Republic of Kenya.

We have islands that were in Kenya when people like Peter Okondo were pursuing that region. Some of these islands are flying Ugandan flags. This is not acceptable. We need to look critically at our water resources and demand that they serve this country, and we build the capacity to police them and bring them under the control of the sovereign domain, the control of the Republic of Kenya. So, as long as we have no capacity to protect what is ours, others will take it. There is no vacuum in the world. As we are told, nature abhors a vacuum.

I would like the Bill to be amended to look at how we can secure our waters, how to empower our security forces, the navy, the police, and all these people, to be able to patrol Kenya's free economic zone. In this one area, I would support getting a proper military decision to deploy our people there to secure those waters so that we equip and deploy our fishfolk to go and fish in those areas. Otherwise, the Chinese, Japanese, Singaporeans, Indians, and many other people have turned our waters into a playground where they make gazillions of dollars, and we are just there, looking lost.

Madam Temporary Speaker, I support the Bill. However, when we come to engage more, I hope to make some amendments, to ensure that the security component of this Bill is given the attention it deserves.

Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Sen. Korir, please proceed.

Sen. Korir: Thank you, Madam Temporary Speaker, for also giving me this chance to contribute to this Bill.

Before I contribute to this Bill, I would like to thank the Senate for finding time to come to Kilifi County. We also thank the people of Kilifi County for the hospitality they have given to the Senate. I know a number of issues that have been running through the minds of the people of Kilifi will be addressed.

Madam Temporary Speaker, I would like to contribute to this Bill, that is, the Fisheries Management and Development Bill, 2023, which seeks to address a number of issues and challenges. This Bill is trying to amend the Act, Cap.378, which has a number of issues such as inadequate public participation and a number of challenges we are facing.

I wish to speak to some of the challenges that fishing folk have been facing, which I believe, if this Bill will be passed, will be addressed. One of them is the Board that is going to be mandated in terms of the conservation, management and development of the fishery resources. The Board will deal with a number of challenges ranging from overfishing and illegal fishing, which are being addressed in Part Three of the Bill. It is also going to tell us on how the funds are going to be prudently used.

We have the challenge of climate change. We believe once we have the Board, we will guide the fisheries on how the different climate changes will be addressed and assist our fishermen in addressing those challenges.

There is also poor fishing equipment. Once the Board is established, it will be in a position to train our fishermen on how best they can do the fishing, reserve their fishing and the whole thing that entails fishing.

One of the challenges, which I believe, by the time this Senate will be moving here on Thursday, will be addressed is the pending bills that we are experiencing in the

counties. Kilifi is one of the counties that has a huge pending bill to a tune of Kshs10 billion.

Agriculture being part of the devolved functions, one of the activities that is carried out in this county is fishing. The Bill is going to address these challenges where the county will get the resources to address the number of challenges that they are facing.

The Senate fights to ensure resources go to the counties. I must thank the Senator of this county because he is one of the active Senators and a leader in the House. I believe that the people of this county had the right choice. He has been fighting for the resources to come to the county government.

I thank the MCAs because of the itemised budget they have done. When you go to the research and see what is happening in this county, I am very sorry to say that despite the fact that we are talking about the hospitality, what has sent us here is representation and legislation. We are here to tell the people of this country and of this county what exactly is happening,

There are a number of white elephant projects that are within the various wards in this county, the reason being the huge pending bills. Despite the fact that sometimes we believe that there are no resources, if we could utilise the little resources that we have to address issues affecting the fishermen and the agriculture sector and through these Bills, we would move this county forward. People would see the sense on why the Senate goes to *mashinani*. We are encouraging them to move on and we have the answers to a number of questions running through their minds.

One of the issues that I have seen is that a number of businessmen are closing their businesses. The reason is that most contractors or suppliers have supplied a number of things to the county government but they have not been paid.

This Bill is going to address all these issues that honourable Members have raised. They include high operating costs and inadequate coldrooms. I thank the national Government for some of the storage facilities that they have established in a number of counties.

The county governments and the national Government need to hold hands to address these challenges that our farmers and businessmen face in this country. I also want to speak to the issue of Intergovernmental Act that has given us the working relations between the county governments and the national Government.

Where are we as a county government in making things work? The Public Finance and Management (PFM) Act stipulates correctly that the resources we send to the county government must be used prudently. If the funds are being spent prudently based on the procurement that has been done by the County Assembly, where are these challenges coming from? When are we going to address these?

We also applaud the leaders that have been there, including our own Speaker, who has been the governor of this county and even the current governor. I also applaud a number of developments that I have seen, including the wonderful County Assembly Chamber that we have in Kilifi. You cannot compare it with the number of other counties, some of which are still sitting in churches, despite the fact that we have had devolution for some time.

If this Bill is going to address the issues affecting our fisheries, we will be able to get the resources from the county and national Government and move our counties forward.

I support.

Sen. Ogola: Madam Temporary Speaker, you and I come from a fishing community. This Bill should really speak to our community.

Fishing is so key to a number of communities in this region. Let me speak to the region that I come from; that is, around the Lake Victoria, the largest freshwater lake water body that we have in this country. Traditionally, our community had a lot of stakes in the fishing industry. That is why we are keen on this Bill. It is so key because it is about managing a resource and developing that resource.

As we deliberate and debate and as the Senate takes a stand on this Bill, we should never forget that the Senate is primarily here to support the interests of counties. Although this Bill should be supported, there are a number of clauses we must look at here.

In this Bill, there is a lot of reference to the national Government and specifically the Cabinet Secretary doing a number of things. One of them is that the Cabinet Secretary shall in every five-year period review, update the National Blue Economy Strategy.

We have one country but with 47 governments. These 47 county governments are the implementing points of fisheries and we know the Fourth Schedule stipulates that fishing is a devolved function. Therefore, as the Senate, what are we going to do when a Cabinet Secretary has an express expression of undertaking certain important activities in fishing?

Madam Temporary Speaker, for example, reviewing and updating, why not have a situation where this is done in consultation with county governments? We need to be constitutional because that is the spirit of the Constitution. When we go further, it also says that the Cabinet Secretary may establish such directorates as may be necessary for the performance of these functions under this Act. These functions refer to fishing and yet, we are saying fishing is a devolved function. My prayers would be, finally, when we sit to finalise this Bill, we will find a way of bringing in the county governments their participation in some of those expressions.

Fishing is key and that is why I am supporting this Bill. It talks about creating a coordination of fisheries. It also talks about the preservation, management, protection and the conservation. I will give an example of my Lake Victoria region. Historically, a lot of fishing was done there, but the products that were fished from there would be processed far away from the lake region. That beats logic for which every region has a natural resource.

If in Lake Victoria we have harvested fish, we should have a way in which this fish is processed there because we are talking not only about the provision of food security but employment as well. If this product was to be carried hundreds of kilometers away to build other areas, that would not right because each and every place has its natural resources that give obvious advantages to them.

Madam Temporary Speaker, the reason I would support the enhancement of management and the development of the fisheries sector is because when we reflect back

to the sustainable goals, we have Goal 1 that talks about poverty and talks directly about fisheries. Even in this region where we are, we know fishing is a main economic activity. If it is managed well, if the oceans are preserved and conserved, if the fisheries department or the service that is referred here consolidates some of its functions, then our people at the lakefronts and the seafronts will see value for which the natural resource they have is to them.

For the SDG goals, other than SDG 1, we also have SDG 2, which talks about zero hunger. Most importantly, SDG 8 talks about decent work and economic growth. That reflects on the management that this Bill talks about. However, we must go ahead to fish out areas where the national Government has unilateral functions and where those functions should be handled by county governments. As a House, because of our interests and mandate, we have a duty to ensure that county governments get their space in this Bill.

Madam Temporary Speaker, we are talking about a consultative manner in which the national Government, as mentioned here, will be introducing phrases where county governments must be consulted. I have said I come from Homa Bay, and you should see the kind of development we have had in the recent past along the lakefront. Our piers are being organized by the national Government in consultation with the county governments, not only in Homa Bay County, but in Kisumu and Migori. We have a lot of pier developments that are going on. That is only enhancing the fishing sector.

Therefore, let us support this Bill. As a House, we must ensure that we pick out those functions that should primarily be for the county governments. We should reorganise this Bill so that the Senate does justice to the county governments and to the fishing sector.

Madam Temporary Speaker, as I wind up because fishing is in the agriculture sector, currently, we have a big problem in the constituency where I come from with a company called Sukari Industry. Where the lake people are fishing, by the mainland, we are growing sugarcane. As we speak, Sukari Industry is closed. Farmers have their sugarcane that was cut and is lying in the farms and yet, that is the only way my community can get some income and can pay school fees for their children.

Our people are crying and I am bringing the issue here because just as fishing, that is a main source of income to our community. I support this Bill but insist that we must bring in the county governments where they are relevant, so that we ensure consultation, coordination and that counties remain with their space in the fishing sector.

The Temporary Speaker (Sen. Mumma): Sen. Mariam Omar.

Sen. Mariam Omar: Thank you, Madam Temporary Speaker, for giving me this opportunity. I stand to add my voice to this Bill. I come from ASALs where there is no fish. However, I stand here to support this Bill. The Bill is big with 210 pages. However, I specifically went to the parts talking about small-scale artisans, which currently the people are exploiting small fisheries.

I am impressed that the Bill takes care of artisans because when it comes to labour rights, at Clause 109, it says artisan fishermen engaged by boat owners or the fishery enterprises are entitled to fair remuneration, spacious working conditions and equitable

sharing of fishing proceeds. This shows that if implemented, the remuneration will be fair. Also, there must be standard payment on their salaries.

Madam Temporary Speaker, I am not happy because fishing is also a devolved function of counties. They are supposed to be given a part because they have not been recognised. They include county departments and boards. Counties should also be in the picture. If there is a misunderstanding, counties should be involved because sometimes, there is cross-border fishing which might lead to misunderstandings between a county and a neighbouring one. If you omit counties, it might not be easy to solve disputes such as what happened between Uganda and Kenya concerning Migingo Island. Therefore, we need to incorporate that.

Another issue is licensing. If we allow foreigners to lead us in everything, how will we find ourselves in Singapore? Let us give opportunities to our people who own vessels so that, at least, we have a say in the fishing sector. That way, we will not have external exploitation in our lake region.

I would like to take you back to the issue of small-scale fishing. There is also the matter of children not going to school because of fishing and poverty. We should not allow children to be involved in the fishing sector. I know we have labour laws on children but when it comes to implementation, child labour is still being practised. We need to be strict on that so that there is no case of child labour in the fishing sector.

Another issue is value addition. Fishermen go to fish but after that there is no place for value addition so that they sell fish at high prices. Counties must come in so that they assist fishermen in terms of storage purposes.

Today, the Committee on Land, Environment and Natural Resources and Committee on Agriculture, Livestock and Fisheries visited a cold room. However, that is not enough. We need, at least, one in each coastal county such as Kwale, Mombasa, Lamu and Kilifi. Perhaps, we should have two in each county so that people can easily access them because some coldrooms are not accessible by small-scale farmers.

Madam Temporary Speaker, with that, I support the Bill but it needs some amendments. The role of the Senate is to protect interests of the counties. We need amendments on what is supposed to be done so that counties are also involved. We should also look at the issue of personnel by bringing amendments to this Bill.

I thank you.

The Temporary Speaker (Sen. Mumma): Proceed, Sen. Karen Nyamu.

Sen. Nyamu: Asante sana, Bi. Spika wa Muda. Nasimama kuunga mkono Mswada huu kuhusu uvuvi hapa nchini.

Kwanza, natoa shukrani kwa Kaunti ya Kilifi kwa kutupokea na kutushughulikia vizuri. Serikali ya Kaunti ya Kilifi wakiwemo Wawakilishi wa Wadi wa Kaunti, tunawashukuru nyote.

Kenya ina utajiri mkubwa sana katika sekta ya uvuvi. Kwa muda mrefu, tumekuwa tukichukua uvuvi kama biashara ndogo. Tunafaa kuichukua kama sekta kubwa ya uchumi jinsi ilivyo.

Kwa familia ambazo zinaishi karibu na ufuo wa maji kama vile mito, maziwa na bahari, kwao uvuvi sio tu *hobby*. Hapo ndipo wanapata *school fees*---

The Temporary Speaker (Sen. Mumma): Sen. Karen Nyamu, do you want to determine which language you want to use please?

Sen. Nyamu: I want to use Kiswahili because we are in the coastal region.

The Temporary Speaker (Sen. Mumma): Okay, you know the rule. Please, keep it in Kiswahili.

Sen. Nyamu: Sawa, Bi. Spika wa Muda.

Nilikuwa nasema kuwa kwa familia ambazo zinaishi karibu na maeneo ya maji, uvuvi ni biashara na vilevile njia wanayotumia kujikimu. Hapa ndipo wanapata karo ya shule, ni kazi yao na ndio kila kitu.

Takwimu zinaonyesha kuwa sekta hii si ndogo. Mwaka uliopita, pesa zilizotokana na uvuvi wa samaki hapa nchini zilikuwa shilingi bilioni 55. Mwaka wa 2024, zilikuwa shilingi bilioni 39. Tunaona jinsi ilivyokuwa. Tuliweza kupata shilingi bilioni 55 mwaka uliopita. Je, itakuwaje tukiwa na wawekezaji zaidi jinsi inavyofaa?

Hii ndio maana naunga mkono Mswada huu kwa sababu utaleta ulainishaji katika mnyororo wote ama *value chain* kwa Kimombo. Utahakisha kuwa kuna *sustainability* na suala la *aquaculture*. Si tu wale wanaoishi karibu na ufuo wa Bahari au ziwa ambao wanaweza kufanya uvuvi bali pia kaunti zingine ambazo hakuna ufuo wa bahari, ziwa au mito. Watu hao wanaweza kujikimu kimaisha kupitia uvuvi.

Vilevile unaangazia suala la *value addition* kwa Kimombo ili kuleta mapato kwa watu wengi---

The Temporary Speaker (Sen. Mumma): Sen. Karen Nyamu, you will have a balance of five minutes when we resume debate on this Bill.

ADJOURNMENT

The Temporary Speaker (Sen. Mumma): Hon. Senators, it is now 6.30 p.m., time to adjourn the House. The Senate, therefore, stands adjourned until tomorrow, Wednesday, 23rd September, 2026, at 9.30 a.m.

The Senate rose at 6.30 p.m.