THIRTEENTH PARLIAMENT

THE SENATE

OFFICIAL REPORT



Fifth Session

Wednesday, 11th November, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 11th November, 2026

The House met at the Senate Chamber,
Parliament Buildings 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 with the Speaker)

Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Hon. Senators, we now have quorum. Let us settle down.
Clerk, you may proceed to call the first Order.
Sen. Oketch Gicheru and Sen. Munyi Mundigi, kindly take your seats.

(Sen. Oketch-Gicheru and Sen. Munyi Mundigi sat in their places)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION OF TEACHERS AND STUDENTS
FROM KIPSITET PRIMARY SCHOOL, KERICHO COUNTY

The Speaker (Hon. Kingi): Honourable Senators, I would like to acknowledge the presence of a visiting delegation of 11 teachers and 32 students from Kipsitet Primary School in Kericho County, who are seated in the public gallery this afternoon. The delegation is visiting the Senate for an academic exposition.

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On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit. I call upon the Senator for Nandi County to pass a word of welcome in under one minute.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. The Deputy Majority Leader was using another name.

Let me take this opportunity to welcome the students from Kipsitet Primary School, in Kericho County, which neighbours Nandi County. We are proud to have them here.

On behalf of the Senate Majority Leader, who is the Senator for Kericho County, Sen. Aaron Cheruiyot, on his behalf and on behalf of the Senate, we warmly welcome them. I know the Senate Majority Leader is on the way and he will know how best to welcome them. We extend a warm welcome and encourage them to learn what they can. I know they are on holiday. As they assist their parents, they should be disciplined and focused. They should also continue to revise as they proceed to another grade next year. Hopefully, in many years to come, we will see some of them here as part of the leadership of this country.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Hon. Kingi): We will have Statements pursuant to Standing Order No.52(1).

Senator for Nandi County, the Hon. Samson Cherarkey, proceed.

KENYA'S HISTORIC GOLD MEDAL VICTORY IN WOMEN'S RUGBY SEVENS AT THE DAKAR, 2026 YOUTH OLYMPIC GAMES

Sen. Cherarkey: Mr. Speaker, Sir, I rise pursuant to Standing Order No.52(1) to make a Statement on a matter of general topical concern on the historic gold medal won by Kenya's rising lionesses in the Women's Rugby Sevens Competition at Dakar, 2026 Youth Olympic Games in Senegal.

On 3rd November, 2026, the team defeated Australia by 17-12 in a thrilling final with Michelle Chemutai scoring the decisive try in an extra time. This victory marks a significant milestone for Kenya's sport and African rugby.

The rising lionesses delivered a remarkable performance against formidable Australian side that had defeated them earlier in the competition. After trailing 12-5, the Kenyan team fought back to level the score and forced extra time where Chemutai's decisive try secured the gold medal. Their resilience, discipline, teamwork and determination were instrumental in achieving this historic result.

This victory is Kenya's first Olympic gold medal in a team sport and the first time an African nation has won rugby sevens gold at either the Olympic Games or the Youth

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Olympic Games. It also affirms the talent and potential of young Kenyan women and demonstrates that, with appropriate preparation and support from all stakeholders, they can compete successfully at the highest international level.

I commend the players, the technical bench led by the head coach, Mr. Knight Otuoma and all those who supported the team, preparation and participation. The rising lionesses have inspired young people across the country, particularly girls and shown what can be achieved through hard work. They have also shown what can be achieved through commitment and opportunity.

Mr. Speaker, Sir, this achievement should be matched with a sustained investment in women sports. The Government and relevant stakeholders should strengthen grassroots sports programmes, improve access to quality facilities and coaching, and establish clear development pathways for facilities and coaching for young athletes or sports men and women. Particular attention should be given to women's rugby and other disciplines where Kenyan women continue to demonstrate exceptional promise.

In conclusion, the rising lionesses have brought honour to our country and elevated the profile of Africa in the rugby sport. I urge that their achievement be recognised and rewarded accordingly and that the team receive continued support for its welfare, training and future competitions. Let us build on this success by creating more opportunities for young Kenyan sports men and women to excel on the international stage.

I thank you. Mr. Speaker, Sir.

The Speaker (Kingi): Now, we move to request for Statements pursuant to Standing Order No.53(1). We will hear from Sen. Hamida Kibwana.

TRANSFER OF MARIAKANI ESTATE, LR NO. 209/6612 TO LOCAL AUTHORITIES PROVIDENT FUND

Sen. Kibwana: Thank you, Mr. Speaker, Sir. My Statement is on the Transfer of Mariakani Estate, LR No.209/6612 to the Local Authorities Provident Fund (LAPFUND) and the welfare of its residents.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Lands, Environment and Natural Resources on a matter of county-wide concern regarding the transfer of Mariakani Estate, LR No. 209/6612 to the LAPFUND and the concerns raised by the residents.

Mariakani Estate was developed with support from the Government of India as a social housing project in 1963 and subsequently transferred from the Nairobi City Council to LAPFUND on 18th March, 2013, through a debt swap arrangement involving Kshs2.1 billion despite property valuation of Kshs1.5 billion in 2013 and Kshs1.95 billion in 2016. Although residents challenged the transfer in court in 2015, the matter was concluded through a consent recorded in 2018 while a subsequent challenge was dismissed in August, 2019.

Further, concerns arose in July, 2021, following an increase in monthly rent from Kshs10,000 to Kshs30,000 as well as attempts by auctioneers to recover disputed arrears from tenants and the alleged non-implementation of an August, 2021, Senate directive

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requiring the Nairobi City County Government to remit Kshs64.8 million in rent collections to the LAPFUND.

These grievances compounded by deteriorating housing conditions and infrastructure have prompted residents to seek affordable rental terms, protection against recovery of rent already paid and the opportunity to purchase the houses.

In the Statement, the Committee should address the following-

(1) The ownership history legal basis from the transfer of Mariakani Estate to LAPFUND, including the terms of its original development, compliance with the applicable moratorium on the transfer of local authority properties and the public participation requirements.

(2) Details of debt swap arrangements, including outstanding statutory debt, property valuations, requisite approvals, amount of debt offset and reconciliation of differences between the reported debt and property valuation.

(3) The status of Kshs64.8 million in rent reportedly collected by the Nairobi City County Government at the implementation of the August, 2021 Senate directive, including measures to prevent residents from being required to pay rent already remitted to the County Government.

(4) The legal and contractual basis for increasing monthly rent from Kshs10,000 to Kshs30,000, including the consultations undertaken and measures to address disputed arrears, the use of auctioneers and claims for the return of seized property or compensation.

(5) Finally, the measures being undertaken to rehabilitate and maintain the estate's housing and infrastructure and address residents' requests for rental terms, waiver on disputed rental arrears and an opportunity to purchase their houses.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator, for Elgeyo Marakwet County, the Hon. William Kisang'. That Statement is dropped.

GOVERNMENT'S RESPONSE TO DEATHS OF KENYAN NATIONALS ABROAD AND THE STATUS OF INVESTIGATIONS

(Statement dropped)

The Speaker (Hon. Kingi): Senator for Kirinyaga County, Hon. (Dr.) James Murango.

Sen. Cherarkey: Mr. Speaker, Sir, I know that you are aware that he had nominated me to read the two Statements on his behalf.

The Speaker (Hon. Kingi): Well, I am not aware. I have not been made aware.

Sen. Cherarkey: Okay, Mr. Speaker.

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

The Speaker (Hon. Kingi): Honourable Senator, you may proceed.

Sen. Cherarkey: Thank you Mr. Speaker, Sir for that indulgence.

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On behalf of the Senator for Kirinyaga County, I would like to read two Statements on his behalf. Allow me to read them concurrently.

DECLINING STUDENT ENROLMENT IN DAY SECONDARY SCHOOLS ACROSS KIRINYAGA COUNTY

Mr. Speaker, Sir, this is a request for Statement on the declining enrolment in day secondary schools in Kirinyaga County.

I rise under Standing Order No.53(1) to seek a Statement from the Standing Committee on Education on a matter of county-wide concern regarding the declining student population in day secondary schools across Kirinyaga County.

The expansion of day secondary schools through the National Government Constituencies Development Fund (NG-CDF), support and introduction of free day secondary schools significantly increased access to secondary schooling and boosted enrolment in many institutions across the country. However, a growing number of day secondary schools in Kirinyaga County are now experiencing a steady decline in learner numbers with some facing severe financial strain and in certain cases closure, a case in point being Ichangi Day Secondary School.

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

(1) The factors contributing to the declining enrolment in day secondary schools across Kirinyaga County.

(2) The current enrolment rates and status of affected schools, including institutions that are at risk of closure.

(3) The impact of declining learner numbers on school funding, staffing, infrastructure utilisation and overall sustainability of day secondary schools in Kenya.

(4) Finally, the interventions by the Ministry of Education and other relevant agencies to stabilise enrolment and support affected schools countrywide.

ESCALATING INCIDENTS OF INSECURITY IN KIRINYAGA COUNTY

Mr. Speaker, Sir, with your indulgence I will read the second Statement on the escalating incidents of insecurity in Kirinyaga County.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations on a matter of county-wide concern regarding the escalating incidents of insecurity in Kirinyaga County, particularly in Ndia Constituency and Mwea West sub-county areas.

Residents of Kirinyaga County have expressed growing concerns over rising incidents of burglary, livestock theft, abductions, muggings, sexual assault, motor cycle theft, business break-ins and murder, particularly in Ndia Constituency and Mwea West sub-county. These incidents have heightened fear among residents threatening lives and livelihoods and raising concerns over the adequacy of security measures and law enforcement responses in the affected areas.

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

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(1) Provide a breakdown of criminal incidents in Kirinyaga County over the past three years, 2023 to 2026, disaggregated by the sub-county and type of offence, particularly in Ndia Constituency and Mwea sub-county and explain the factors contributing to the reported increase in insecurity.

(2) The measures by security agencies to investigate the reported incidents, apprehend and prosecute suspects and restore security in the affected areas, including the number of arrests made and cases fully prosecuted.

(3) Finally, the immediate and long-term measures being implemented to curb criminal activities in Kirinyaga County, including enhanced police patrols, intelligence gathering, community policing and security preparedness ahead of the 2027 General Election.

Mr. Speaker, Sir, I thank you

The Speaker (Hon. Kingi)**:** Senator for Baringo County, proceed.

HUMAN-WILDLIFE CONFLICT IN BARINGO COUNTY

Sen. Kiprono Chemitei: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Lands, Environment and Natural Resources on matters of county-wide concern regarding the recurrent incident of human-wildlife conflict involving elephants in Baringo County.

Mr. Speaker, Sir, local communities in Baringo County continue to face recurring elephant attacks that have resulted to loss of life, injuries and extensive destruction of crops and property across the county. In 2026, elephant attacks in Mochongoi Ward alone claimed the lives of Simon Silonge, Nicholas Chebii Kiloo and William Kipchumba Kipyegon, who were killed in separate incidents on 17th October 2026, 17th September 2026 and 31st July 2026, respectively. Numerous injuries have also been reported, including those sustained by Esther Kerich and Shimiti Leshukutano Tukoi, who were attacked and injured by an elephant on 19th September 2026.

In the Statement, the Committee should address the following-

(1) The measures put in place by the Kenya Wildlife Service (KWS) to prevent wildlife from encroaching into residential areas, posing serious threat to life and causing widespread destruction of property.

(2) Reasons for the recurring incidents of human-wildlife conflict involving elephants in Mochongoi Ward and other parts of Baringo County, despite preventive measures, as well as the action being taken to conclusively address the issue.

(3) The status of compensation of persons and families affected by the human-wildlife conflicts in Mochongoi Ward and other parts of Baringo County in the last 12 years, specifying in respect of each case, the date of the incident, nature of the loss or injury suffered, assessed compensation amount, date of payment of the compensation where applicable and the timelines for settling all outstanding claims.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi)**:** Now, honourable Senators, I will allow comments on the Statements that have been sought for not more than 15 minutes. Therefore, if you get a chance to speak, kindly do so for not more than three minutes.

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Sen. Wakoli. You are still gathering your thoughts?

(Sen. Wafula nodded in agreement)

Sen. Eddy Gicheru.

Sen. Oketch Gicheru: Mr. Speaker, Sir, I want to thank you for this opportunity. I just wanted to add my voice to a very important issue that we need to look at as the Senate. Although this Statement by Sen. Hamida is looking at the issue of Mariakani Estate in Nairobi, it is affecting a number of other counties as well. This is the stalemate between LAPFUND and our county governments.

For every single pension that was not remitted by either the defunct county councils or existing county governments, LAPFUND has actually started to get these debt swaps and this is one of those things that is affecting Mariakani. Look at the history of Mariakani Estate. It would be fair if the Senate intervened on this investigation because there were a lot of things that happened between 2013 and 2015 that were completely irregular in this transaction.

I remember the case of a former clerk who had left work at that time. He was called Roba Duba. He sanctioned his transaction at a time when he was going to vie for elections, undervalued the property and wrote papers that could have given the Local Authorities Provident Fund (LAPFUND) the right to collect rent from the property when it was supposed to be collected by the Nairobi City County Government.

If we do not solve this issue, we will get to a situation whereby this kind of debt--- First, properties get undervalued and we lose value for those properties as county governments. Secondly, we do not know whether money that is going to be given to LAPFUND will take care of 240 units in Mariakani. I urge the committee to not only look at this as an issue that only affects Nairobi, but also deal with it globally because it affects all other debts that we have had across counties with this kind of magnitude in the estates that have added problems.

Mr. Speaker, Sir, there is a report we were working on in the County Public Investments and Special Funds Committee (CPI&SFC). There are debts amounting to almost Kshs100 billion in Nairobi. There was a proposal for debt swaps. It is time this committee combined these two and made it an inquiry of the Senate, so that there is justice for county governments and residents of Mariakani.

I thank you.

The Speaker (Hon. Kingi): Proceed, Sen. Veronica Maina.

Sen. Veronica Maina: Thank you, Mr. Speaker, Sir, for giving me a chance to add my voice, comments and views to a Statement that was sought by Sen. Cherarkey on behalf of Sen. James Kamau Murango regarding the declining number of learners joining secondary schools in Kirinyaga County.

Let me say that this is not a problem in Kirinyaga County only because it is rampant across the central part of this country, including Murang'a County. We have had a decline of learners joining school both in junior and senior schools. It is a problem which needs to be worked around.

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I remember earlier days when we were in primary and high school. We had social workers who used to follow up on families to see how they were doing. Social workers would work together with the administration such as chiefs to report even on the kind of a diet a family was having in any locality. Chiefs and social workers knew who did not have enough food for the day. There is need to return to that kind of network and structure that reports on the welfare of families in the Republic of Kenya because if a chief in any region does not follow up on the number of learners like in Kirinyaga or Murang'a counties, you will find schools having under one-third of the number of learners they should be housing. As the committee sits to consider this matter, let it be taken seriously.

In the Statement, there is an opinion that it is capitation that has caused schools not to be fully operational. That may not be the correct or accurate position. If you look at the capitation by the Government during the last term, Kshs18.5 billion was disbursed to schools where Kshs10.96 billion was for free day secondary education. Therefore, as the committee looks into this issue, always look at the accuracy of the Statement that has come before this House, so that you do not direct your minds, thinking or focus on wrong issues just because of the way the Statement is phrased.

Mr. Speaker, Sir, I urge the committee to look into this issue deliberately, come up with proposals and go beyond the parameters that have been created by this Statement, so that we look at a structure that helps us to populate our schools once again because learners are there. It is just that they have not been accessing and factors that are holding learners from joining school---

The speaker (Hon. Kingi): Next is Sen. Beth Syengo.

Sen. Beth Syengo: Thank you, Mr. Speaker Sir, for giving me this opportunity. I would like to comment on the Statement by the Senator for Baringo on human-wildlife conflict. This Statement is timely I would say. It is not only an issue affecting Baringo County but also other counties, specifically Kitui where I come from, where we have similar instances of human-wildlife conflict.

An elephant was roaming in Mwingi North for about three weeks. On 23rd October this year, it killed a 70-year-old man at his home in Kamaindi Area, Tharaka Ward, Mwingi North Constituency. Two days later, it killed a young man in Mumoni Ward. He was taken to hospital after the attack but the bill became so huge that the family could not afford it. As I speak, the boy has not been buried.

It is unfortunate that the Kenya Wildlife Service (KWS) is not taking appropriate steps to address the issue of human-wildlife conflict. When the committee deals with this Statement, they should ensure that the KWS takes appropriate steps, so that whenever a report is made of wildlife escaping from national parks or wherever they come from and enter into homes or communities, the issue is addressed appropriately and quickly. It is unfortunate that human beings are suffering in their homes because wildlife has crossed over into their space, yet we have a Ministry responsible for that and it should take appropriate steps.

Mr. Speaker, Sir, allow me also to comment on the Statement by the Senator for Nandi concerning talented young women who have been participating in rugby. They are referred to as "The lionesses." I would say it is important that we support the talented---

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The Speaker (Hon. Kingi): Honourable Syengo, that Statement was made pursuant to Standing Order No.52(1).

You may proceed, Sen. Cherarkey.

Sen Cherarkey: Mr. Speaker, Sir, I will make quick observations. The first one is the issue of declining enrolment in secondary schools which are being closed because of low population.

The Deputy Majority Leader has alluded to the fact that there is enough capitation. However, according to the Kenya National Bureau of Statistics (KNBS), there is a general decline in population because there are estimated two children per household for every family in central Kenya. In northern Kenya, we have six children and four in Rift Valley and western. The advice to the people of Mt. Kenya region is to give birth to more children because most Early Childhood Development and Education (ECDE) centres have been closed. They should stop taking *uji* and concentrate on siring more children, so that we have enough population for our schools.

Mr. Speaker, Sir, in quick succession, I want to support the distinguished Senator for Baringo. We have to appreciate that Kenya is the fourth largest in terms of elephant population with over 42,072 elephants. While we appreciate that there is a huge number of elephants, we do not want to encourage human-wildlife conflict. Therefore, the killings of Simon Silonge, Nicolas Chebii and William Kipchumba Kipyegon within that period are unfortunate.

I want to call out KWS officers in Mochongoi. When Simon Silonge was walking along Kimoriot-Laikipia Road, which is a public road, he was killed by an elephant. However, KWS officers went and wrote a wrong statement that said that he was not killed by elephants. That will affect compensation to his family. I appeal to KWS, led by their leadership, to rectify that on record, so that the families of Simon Silonge, Nicholas Chebii and William Kipchumba Kipyegon can get compensation. We do not want human-wildlife conflict.

Mr. Speaker, Sir, if KWS does not rewrite this injustice and travesty, the people of Mochongoi Division in Baringo County may be left with no option but to kill some of these elephants in self defence, which we do not want as a country. We want to promote wildlife conservancy and harmonious relations between the public and the animals, so that we get value because tourism is very critical.

I support this Statement and I hope the people of Baringo County, Mochongoi Division, will receive justice and be compensated as per the law.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator (Prof.) Margaret Kamar.

Sen. (Prof.) Kamar: Thank you, Mr. Speaker, Sir, for the opportunity to comment on the Statement by the Senator for Kirinyaga County, as read by Sen. Cherarkey, regarding the declining number of students. It is not only affecting central region and not Kirinyaga alone, it is a national issue that needs to be thoroughly investigated and understood.

In my neighbourhood in Uasin Gishu, we have a school that has only five children in Grade 10 and we need to ask ourselves what really happened because it is not the only one. Most schools have numbers below 10 and we need to investigate the fact that

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national schools are flooded with students. There is overcrowding in most of our national schools as we are talking and we need to get a policy statement on that, on whether there was a shift or what really happened.

Mr. Speaker, Sir, I am a Member of the Standing Committee on Education where you will direct this Statement. I want the House to know that we have had a very difficult time trying to get the Ministry of Education to face the committee. This question demands that we not only get a detailed report from the Ministry but also an address. If we get stuck, we will need to escalate and get the Cabinet Secretary to come to the House, so that we address it.

The school in Nakuru that had a fire incident experienced a stampede because the number of students in Grade 10 were double the expected number. Some of them came out and died. We know that most of the national schools have been overcrowded this year, 2026. So, we need to really look at this properly, so that we are able to resolve it properly.

Finally, I would like to touch on the Statement from the Senator of Baringo County. As we talk about compensation, we need a more long-lasting approach to human-wildlife conflict. It is possible for wildlife to be confined. I do not know where, in this age, that solar has been used for electric fencing and why the KWS cannot use electric fences to make sure that animals do not leave the park. We are known for animal parks and we do not want to reduce them. However, we need to protect the animals within and to make sure that they do not come out and destroy human beings or plants.

Mr. Speaker, Sir, with those remarks, I support the Statements.

The Speaker (Hon. Kingi): Senator Chemitei.

Sen. Kiprono Chemitei: Thank you, Mr. Speaker, Sir. I appreciate the Honourable Members who have made an immense contribution towards the Statement that I have recently read on human-wildlife conflict. I sympathise with the families who have lost their people in Mochongoi---

The Speaker (Hon. Kingi): Senator Chemitei, you cannot comment on your own Statement.

Sen. Kiprono Chemitei: But, Mr. Speaker, there are things I would wish to emphasise.

The Speaker (Hon. Kingi): You cannot.

Sen. Kiprono Chemitei: Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator Wafula.

Sen. Wafula: Thank you, Hon. Speaker, for this opportunity to add flesh onto the structure that Members have ably articulated. Honourable Cherarkey has taken us through a Statement where we had the dwindling numbers of students in schools in Senator Murango's jurisdiction.

Honourable Speaker, the Bible says; “go ye and multiply.” In our culture, children are named after family members; prosperous and successful ones. I encourage my good friends from those regions, who are naturally capacitated, that this is talent. It is a passion for them to multiply. They do not need additives or pills. They should go several rounds and experience lapses of joy. We encourage you to come and consult my elder brother, Boni and myself. You will see the numbers rise and soar.

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(Laughter)

These young people should be able to survive anywhere in this earth. So, please come behind the tents, we will give you the capacity.

Honourable Speaker, on the matter of wild animals, it is very easy. We see this country marketing the wildlife sector passionately. In fact, next week we will have people coming from across the world. I am party to journals which will be put in the bags to tell people how good Kenya is in conserving wild animals. However, it is quite a saddening experience to hear an honourable Member saying that Kenyans are dying. However, the people protecting wild animals do not care about human life. We have choices in life, either to defend ourselves or to defend wild animals. We can protect animals like buffalos because we can milk them. However, we will deal with the ones that are killing our people. We will deal with them if Government agencies who are supposed to do their work are not willing to do it.

Honourable Boni, I know of good milk and I can take you where it is found.

Thank you, Honourable Speaker. Finally ---

The Speaker (Hon. Kingi): One second, I mean 30 seconds Honourable Senator to conclude your thoughts. Your thoughts have disappeared unfortunately.

Sen. Wafula: Yes, thank you.

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

Sen. Mumma: Thank you, Honourable Speaker. I would like to make a comment on a Statement by Senator Murango.

This Statement raises a very serious matter. As Senator (Prof.) Margaret Kamar puts it, this is not a matter affecting only Kirinyaga. I am requesting that the Committee goes further to actually bring back to this House a tally between the student enrolment *vis-à-vis* the student completion rates and try and find out what is happening.

Honourable Speaker, it is not true to say that every student has received capitation. So, I do not want us to purport to be correcting something in the Statement by Senator Murango. I would want us to investigate and get those numbers.

It would be good to get the Cabinet Secretary for Education to come to this House and tell us. I am also aware of a national school that was forced to take more than 600 learners. However, last time, they only received Kshs141,000 as capitation. What can that help you to do? That school has had to dig pit latrines because its sanitation system could not take on the numbers that were added on them. The Government did not add any infrastructure. They did not give the capitation for the number of students in time and the learners nearly went on strike.

So, the issues raised in this Statement are very serious. It is just that the Senator has raised them in respect of Kirinyaga. As a Senate, we need to find out from every county schools where similar problems are being experienced. We should call upon the Cabinet Secretary for Education to guide the Government correctly because capitation funding for learners is a priority expenditure. We cannot afford not to pay capitation and yet we have money to dish out to people every day in terms of campaigns. That is wrong and immoral. We must get it right. I am requesting that we cascade the issues in this

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Statement to every place in the country and resolve the problem. That is what Usawa is all about.

Sen. Murgor: Thank you, Mr. Speaker, Sir, for giving me the opportunity to make comments on a Statement made by Sen. Cherarkey about Nandi County regarding talents of young people, especially basing it on the rising Lionesses Rugby team that played in West Africa and won.

If young people of this country were guided and given the opportunity to practice and nurture their talents, as young as primary school children, we would excel in many fields. We would develop professions that can be depended on by the young people and eventually rise to be professions that can bring pride and glory to this nation.

There is a lot that needs to be done in identifying talented young people, so that they are nurtured, coached and made professional. Talk of maybe athletics, football and many other games. Now that we have stadia in many of our counties, we could professionalise many of these fields, so that our young people get an earning from their talents. Needless to say, our nation would also excel globally.

Secondly, I would like to make comments on the Statement on human-animal conflict made by the Senator for Baringo, Hon. Kiprono Chemitei regarding carelessness and recklessness practiced by people that are supposed to be managing the animals. Thank you very much.

T**he Speaker** (Hon. Kingi): Senator Abass.

Sen. Abass: Thank you, Hon. Speaker. I want to also contribute to the Statement made by the Senator for Baringo. I wish to tell my friend, the Majority Whip, that wildlife is our pride and heritage in this country. Killing wildlife is a crime. In that case, I think this country is only well known for wildlife and sports.

What is happening here is that the livestock population is increasing by day and Kenyans are now settling on the corridors and migration routes of wildlife. That is why we experience conflict most of the time. We need to manage the wildlife population and the people settling haphazardly, everywhere, and at least map out the wildlife corridors. The elephants migrate very long distances during breeding times and calving. They, therefore, stop at nothing and maybe we should reduce their population or manage the population of the people that have settled along the wildlife corridor. We need to define the wildlife migration corridors, so as to minimise the conflict.

One other thing is that we get a lot of resources from our wildlife. I think it is high time that the KWS compensated for the damage caused by the wildlife. As it is, Kenyans are becoming impatient with wildlife because of the people being killed and the destruction of crops. I think we can marry the two issues together and address them.

One other thing is on student population in schools. This is a very sad story. As stated by the honourable Senator for Kirinyaga, it is alleged that teachers exaggerate the number of students in their schools just because of capitation. It is high time that we worked with teachers and the Ministry of Education to carry out physical counting in each school, so that we get the right number of students for the purpose of planning and capitation. Otherwise, as it is, I have been told that teachers exaggerate the numbers to get more money.

I support.

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Sen. Korir: Thank you, Hon. Speaker for giving me this chance. I want to comment on the Statement that was raised by the Senator for Baringo County, Sen. Chemitei, on the issue of human-animal conflict, which led to the loss of life of one Simon Silongei. The Ministry should give compensation to these families because this is not the only family that has lost a life.

A number of Statements have been raised on this Floor and I have never seen the said Ministry give compensation to the affected families. They have made allegations that the person was killed inside the forest and yet the evidence is clear among members of that particular community. They should move with speed and give this House a clear solution to this.

The other week, I also saw an attack at Seguton Kuresoi North, in Nakuru County, where a number of sheep and goats were lost through wildlife attack. A number of farmers have been facing this challenge and they have never been compensated. So, this should not be just a Statement that we mention on the Floor of the House. We need to act to see action being taken by relevant ministries.

When I come to the Statement by Senator Murango, a number of schools are headed for closure because of the laxity that is within the Ministry. I support Sen. Mumma's proposal that the Committee on Education should move with speed and give us the statistics of the schools that we have across this country, together with the infrastructure and the personnel. This is because a number of them are headed for closure especially by next year.

We are using a lot of resources to build white elephant structures across the country, yet they are not concerned in terms of how these schools and their population is maintained. This is to the extent where most of the national schools have a higher population and yet we have day schools that are constructed but have no single child. This has to be addressed because it also affects the capitation to those various schools since population is used to determine the capitation. They give the---

(The microphone was switched off)

The Speaker (Hon. Kingi): 30 seconds.

Sen. Korir: Mr. Speaker Sir, despite the fact that schools give the number of pupils or students they have, the Ministry gives them less capitation. Therefore, these are some of the issues that the committee has to address and inform this House.

Thank you.

The Speaker (Hon. Kingi): Hon. Senators, pursuant to Standing Order No.45(2), allow me to rearrange today's Order Paper. We will move to Order No. 21.

Clerk, kindly call that order.

Proceed, Chairperson Standing Committee on Roads, Transportation and Housing.

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MOTION

ADOPTION OF REPORT ON PETITION ON
PUBLIC TRANSPORT IN LAKE VICTORIA

Sen. Kibwana: Thank you, Mr. Speaker, Sir. I beg to move the following Motion-

THAT, the Senate adopts the Report of the Standing Committee on Roads, Transportation and Housing on a Petition by Mr. Daniel Rakoro and others concerning public transport in Lake Victoria between Mfangano Island in Suba Central Sub-County and Mbita, laid on the Table of the Senate on Wednesday, 16th September, 2026.

At the sitting of the Senate held on Tuesday 18th October, 2022, a Petition by Mr. Daniel Rakoro and other residents of Mfangano Island regarding public transport in Lake Victoria between Mfangano and Mbita Islands in Homa Bay County was reported to the House by the Speaker of the Senate pursuant to Standing Order No.236 of the Senate Standing Orders.

Subsequently, the Petition was committed to the Standing Committee on Roads, Transportation and Housing pursuant to Standing Order No.238(1) of the Senate Standing Orders.

Mr. Speaker Sir, the Petition raises concerns about the absence of a public ferry service connecting Mfangano, Takawiri, Remba, Atego, Risi and Ringiti Islands with each other and the mainland. Consequently, over 30,000 residents who depend entirely on water transport are compelled to use expensive and unsafe private boats, increasing the cost of living and business while exposing passengers to serious safety risks following the suspension of the only private ferry in December, 2021.

Further, the Petition highlights the disruption of access to essential services, including healthcare, education and trade, delays in the implementation of Government deployment projects due to transport constraints and the lack of lasting response despite previous appeals to the Ministry of Roads and Transport and the Kenya Ports Authority (KPA).

Mr. Speaker, Sir, the committee considered the Petition extensively through submissions received from the petitioners, the Ministry of National Treasury and Economic Planning, the Ministry of Roads and Transport, the Kenya Rural Roads Authority (KeRRA) and the Kenya Maritime Authority (KMA).

Arising from its deliberations, committee observed that-

(1) Ferry transport remains the sole and critical link between Mbita, Mfangano and the mainland. The absence of a public ferry after the suspension of ferry operators disrupted access to essential services and forced residents to rely on costly, unsafe and private transport.

(2) Although the Government initiated procurement of a public ferry, implementation has been significantly delayed with delivery projected for July, 2026, more than three years after the initial budgetary allocation in Financial Year 2022/2023.

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(3) The project cost increased substantially following its takeover by the KPA from an initial allocation of Kshs300 million to an estimated cost of Kshs1 billion with the eventual contract signed at Kshs766 million exclusive of Value Added Tax (VAT) and finally,

(4) The proposed second ferry for which Kshs300 million had been provided in Financial Year 2023/2024 and procurement planned for the second quarter was not procured due to budgetary constraints.

Further, the ferry under construction is intended to serve multiple Lake Victoria routes rather than being dedicated to the Mbita-Mfangano routes. Therefore, it may not adequately address the residents need for reliable connectivity.

Mr. Speaker Sir, therefore, the Committee recommends that-

(1) The Ministry of Roads and Transport in collaboration with the KPA and the KMA, within six months of tabling of this report, operationalise the new public ferry currently under construction at the Kisumu Shipyard Limited and deploy the same to improve transport services between Mbita and Mfangano routes.

(2) The National Treasury and Economic Planning ring-fence the Financial Year 2026/2027 budget to ensure completion of the Mbita and Sena piers as well as the rehabilitation of the associated ramps and jetties at Mbita and Mfangano and KPA to ensure implementation works are completed and submit progress report to the Senate within six months.

(3) Finally, the County Government of Homa Bay in collaboration with the Ministry of Roads and Transport and the National Treasury and Economic Planning provide adequate budgetary allocation and initiates the procurement of a second ferry in the Financial Year 2027/2028 to secure a reliable and substantial mode of public transport between Mbita and Mfangano Islands.

Mr. Speaker Sir, before I conclude, I wish to commend the Members of the Committee for their dedication and commitment through the consideration of the Petition.

My sincere appreciation to the Office of the Speaker and the Clerk of the Senate for the support accorded to the committee in the discharge of its mandate. The committee also extend its gratitude to the petitioners and stakeholders who participated and made valuable submissions that facilitated the expeditious consideration of this Petition.

Mr. Speaker, Sir, I thank you and I beg to move. I kindly request my colleague Sen. Eddy Gicheru to second.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Eddy, you may proceed.

Sen. Oketch Gicheru: Mr. Speaker. Sir, thank you once again for giving me the opportunity to second this report.

With a lot of humility, I wish to indicate that I was the substantive Chairperson when this Petition was laid before this Committee. I had the honour and privilege to lead the team together with the Senator for Homa Bay, who accorded us a lot of hearing. I wish he was in the House to see this report being presented here.

I also had a chance to visit Mbita, although it was at a very difficult time when we had just lost our leader, Hon. Raila Amolo Odinga. The Committee was brave enough to actually go and visit Mbita just after the burial of Hon. Raila Amolo Odinga.

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The dream for having this kind of facility in this area was also shared very closely by Hon. Raila Amolo Odinga. The biggest issue that the petitioners sought to get from this Petition is on human rights. If you look at what is happening between Mfangano Island and Mbita, you will find that ordinarily, there should be a road there. What happens is that a number of services that have been developed in that area have happened in the mainland. That is Homa Bay County in general starting from Homa Bay Town all the way to Waondo, Kaugege and lastly in Mbita where most of the facilities that you can talk about have been developed.

If you think about great schools and healthcare facilities, they are found in the mainland areas. If you think about trade routes, so that things that are produced in places like Mfangano, Remba and Takawiri Islands can have economic value, they must all be transported to the mainland. In a country that has made strides like Kenya, it should have been an automatic thing that then, the people who live in Remba, Mfangano, Sena as well as Takawiri actually have a road linking them to the mainland. The quest by the petitioners was that where there is lack of capacity to build a main road between Mfangano and Mbita, then we have a dedicated ferry.

There is a ferry being built in Kisumu shipyard right now that will be offering services across the lake. It will be doing what I can call a *matatu* service. It will be leaving Kisumu to go to Mbita, Mfangano, Sena and Remba. Sometimes, it will going all the way to Busia and even go to where I come from, Mihuru Bay, Sori and Kachola in Migori. It even has the potential to go to Migingo Islands. However, that "*matatu*" does not give the people of Mfangano their right to a road between Mfangano and Mbita.

That is why we agreed with the petitioners that it will only be just for us to fight for them to get a dedicated ferry which is equal to having a road. That dedicated ferry should leave Mbita to Mfangano and Mfangano to Mbita at any time of the day since Mfangano Island is one of the biggest islands in the lake and some of the best fish actually come from Mfangano Island.

Mr. Speaker, Sir, the worst thing that I have seen in that area is the people who provide alternative transport such as water buses and Mbita Ferry Services to schools, for example, overcharging the people of Mfangano. Can you imagine that a simple fisherman pays Kshs250 in the morning and again Kshs250 in the evening for their child to go to Mbita to access education? In a country where education is free, you are paying Kshs500 a day for your children to access education on this other side and again paying Kshs500 a day for your goods and services to access the market in Mbita.

While we appreciate the fact that the President has done a very good job of having this omnibus ferry that will be doing a matatu service in the entire lake region, as a Committee, we still insist that the best justice for the biggest island in that lake, which is Mfangano, is having a dedicated ferry. That is why we have recommended that if it is possible, the Ministry of National Treasury and Economic should dedicate some resources to the Ferry in this financial year. In conjunction with the County Government of Homabay, the resources should complement the work the President has done to establish that ferry service between Mfangano and Mbita that is going to be launched sometime in December. This will not only help the people of Mfangano island, but also many people who are doing lake tourism in Victoria.

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I remember recently when my friend, Sen. Sifuna, who is not in the House now, spent a lot of his time in Homabay County; somewhere called Rusinga Island. You may go to Rusinga Island but you have another option of going to Takawiri Island which is just on your way to Mfangano. Even when you get to Mfangano, the other side of Remba has very nice waters that you can enjoy and have some good time there.

Having a dedicated ferry in that area will not only be an issue of helping our day-to-day routine work for the people in Mfangano, Mbita and those islands adjacent to Mfangano, but it will also be a very big boost to the tourism sector of this country in the lake region. Therefore, I urge the House to support this report. We have done well in making sure that the omnibus ferry is built. However, I think that it will be very important that this House champions for a dedicated ferry from Mfangano Island.

Mr. Speaker, Sir, since I want to hear the thoughts of my colleagues in this House, I will end it there by appreciating the Members of this Committee that really worked hard to ensure that there is integration of the Island's and mainland's infrastructure and dealing with the economic stagnation that we have seen in the area of Mfangano and Takawiri Islands due to lack of a ferry. I hope that the House will endorse this report, so that the Ministry can take the necessary action to ensure that the ferry eventually gets to Mfangano alongside the omnibus ferry being built in Kisumu.

Thank you.

The Speaker (Hon. Kingi): Hon. Senators, before I propose the question, I call upon the Chairperson of the Standing Committee on Finance and Budget to lay a paper and thereafter give notice.

(Interruption of debate on Motion)

PAPER

REPORT OF THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION CASH DISBURSEMENT SCHEDULE FOR FINANCIAL YEAR (FY)2026/2027

Sen. (Dr.) (Capt.) Ali Roba: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today, 11th November, 2026-

Report of the County Governments Additional Allocation Cash Disbursement Schedule for Financial Year (FY)2026/2027.

(Sen. (Dr.) (Capt.) Ali Roba laid the document on the Table)

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NOTICE OF MOTION

ADOPTION OF REPORT ON THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION CASH DISBURSEMENT SCHEDULE FOR FINANCIAL YEAR 2026/2027

Mr. Speaker, Sir, I beg to give notice of the following Motion-

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments Additional Allocation Cash Disbursement Schedule for the Financial Year 2026/2027, laid on the Table of the Senate on Wednesday, 11th November, 2026, and that pursuant to Section 17(7) of the Public Finance Management (PFM) Act and Standing Orders No. 189(3), the Senate approves the County Government Additional Allocation Cash Disbursement Schedule for Financial Year 2026/2027.

Thank you.

The Speaker (Hon. Kingi): Chairperson Standing Committee on Justice, Legal and Human Rights, you may proceed to lay your paper.

PAPER

REPORT ON CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE ELECTIONS (AMENDMENT NO.2) BILL (SENATE BILLS NO. 29 OF 2024)

Sen. Veronica Maina: Thank you, Mr. Speaker, Sir. I beg to lay the following Paper on the Table of Senate today, 11th November, 2026-

Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the Consideration of the National Assembly Amendments to the Elections (Amendment No.2) Bill (Senate Bills No.29 of 2024).

(Sen. Veronica Maina laid the document on the Table)

(Resumption of debate on Motion)

The Speaker (Hon. Kingi): Hon. Senators, I will now propose the question.

(Sen. Mandago and Sen. Korir walked into the Chamber)

Sen. Mandago and Sen. Joyce Korir, take your seats.

(Sen. Mandago and Sen. Korir sat in their places)

I will propose the question.

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(Question proposed)

Hon. Senators, the Floor is now open for debate. Senator for Nandi County, Hon. Cherarkey, you may proceed.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir, for the opportunity. I commend the former and the current Chairpersons of the Standing Committee on Roads and Transport for the wonderful report. I think you have made the people of Mfangano Island and Homa Bay proud.

Mr. Speaker, Sir, looking at this report, Sen. Eddy alluded that there were some political busybodies who visited Homa Bay a couple of months ago and called it Yemen. They should have consulted the Committee on Roads, Transportation and Housing chaired then by Sen. Eddy because Homa Bay is no longer Yemen. It is transforming under His Excellency Dr. William Ruto. I wish they were here to see what has been done. Even one of the roads, the old Ring Road of 19 kilometres, to bitumen standards, has been commissioned by President William Ruto at Kshs1.3 billion.

On the issue of the public ferry, I am disappointed because why privatise a public ferry where Kenyans are paying Kshs300 per person and Kshs3,000 per small car? I know Sen. Eddy is not used to saloon cars. There are Toyota 100 saloon cars and Premios. I know he is used to LC 300 and LX 600. However, that was an example and it is unfortunate because where you come from, it is the Kenya Ports Authority (KPA) who run ferry services. Kenyans are suffering and we must change. We cannot privatise public transport.

There are many fish landing sites the Government is doing for Kenyans at Mfangano Island, the Ring Road for Homa Bay people, almost 10, including Homa Bay town piers. That will assist. The harbours will continue to give the public landing sites because Homa Bay is one of the critical areas.

My only concern because I have read the recommendations is that the Chairperson of the Committee, Sen. Hamida did not tell us that the initial budget for this project before KPA took over was Kshs300 million. I do not know the magic that had KPA increase this to almost a billion shillings and they settled at around Kshs700 million exclusive of VAT. I challenge the Committee to tell us why there was a sudden increase in budgetary allocation from Kshs300 million to almost a billion, including VAT because we do not want to budget for corruption.

If they are going to acquire one ferry and the second one to allow efficiency within the Mfangano Island Ring Road and that area, then it will also be important for the Rusinga Island Ring Road. This is so that, as we discuss the 56 kilometres of the Mbita Ring Road that has been linked, they must tell us why this increment from Kshs300 million to almost Kshs766 million exclusive of VAT.

Mr. Speaker, Sir, that is why we are saying *usawa ni sawa*, because the people of Homa Bay will see value. I will only make three comments. Today I saw the former President of this Republic who says he has been consuming a lot of porridge and taking *nyama*. I do not know whether he is aware that there are a number of Kenyans who cannot afford to buy *nyama* or buy meat. They are depending on *githeri.* We must be told

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what he never did when he was the president. He cannot be lecturing us on how to run this country while he is suffering from hung over.

Mr. Speaker, Sir, the former President must be told off because it is during that time that the Standard Gauge Railway (SGR) did not reach Nyamira. It is under President William Ruto that we have Mawawa and Ikonge Stations. We now have Homa Bay Ferry Services. We have affordable houses in Homa Bay and even in Migori and Soi.

The Speaker (Hon. Kingi): Senator for Nandi, would you wish to be informed by Sen. Omogeni?

Sen. Cherarkey: No, no, until Jesus Christ comes back, he can never inform me.

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

Sen. Omogeni: Mr. Speaker, Sir, this is a House of records and if I allow Sen. Cherarkey to mislead the people of Nyamira, it is me they will question tomorrow on why I did not correct the record.

You heard Sen. Cherarkey say that the SGR is being extended to Nyamira with two stops. He has mentioned one at Mawawa and another one at Ikonge. I want to be on record and tell him that the design that we had before by the retired President was for the SGR to have a stop at Ikonge and another stop at Mawawa but as we speak today, the stop at Ikonge market has been removed. The only stop that we have is at Mawawa market. So, because this is a House of record, he should not mislead the House that we have two stops of SGR. I am saying the stop is only one. It is not the same thing. In fact, the people of Nyamira---

The Speaker (Hon. Kingi): Senator, you have made your point.

Sen. Omogeni: In fact, the people of Nyamira have a strong issue with that removal. We wanted that SGR to stop at Ikonge, so that we promote trade. That is a big centre and so, we have grievances.

The Speaker (Hon. Kingi): Senator for Nandi, you may proceed to conclude your thoughts.

Sen. Cherarkey: Mr. Speaker, Sir, from the facts I have, Ikonge is shared by Nyamira and Kisii and there will be a stop. The major inland depot will be Mawawa. I am willing to provide evidence and the President commissioned. If you are doing politics and are opposing Government policies, there are things that are stubborn, the truth and the facts. I would request my brother to accept because if my memory serves me right with the HANSARD, he is the one who had indicated that there was no plan to ensure that there are two stops in Nyamira County and we have done that, Mr. Speaker. Even if he is campaigning to get re-elected, look for other better things that you can use.

What I am saying on the ferry services is that we must create balanced development.

(Sen. Omogeni spoke off record)

The Speaker (Hon. Kingi): Sen. Omogeni, we have two hon. Senators giving us two different versions.

Senator for Nandi, you have been challenged, that you are giving inaccurate information, bordering to falsehoods, that there is only one stop along that line. That is

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what Sen. Omogeni has just stated. If you still insist that there are two stops, then you may have to either substantiate now or seek to substantiate at the next sitting, to the fact that indeed, there are two stops as opposed to what Sen. Omogeni is alleging.

Sen. Cherarkey: Mr. Speaker, Sir, I am willing and ready to table tomorrow at 2.30 p.m. those two facts, that Ikonge and Mawawa are designated stops of SGR that the former President left somewhere in nowhere and now we are doing it up to Uganda.

In conclusion, in the interest of time, on this issue of the second ferry, the County Government of Homa Bay must also budget with the Ministry of Roads and Transport and the Ministry of National Treasury and Economic Planning. Sen. Eddy, who is a close ally of the Cabinet Secretary for the National Treasury and Economic Planning, Hon. John Mbadi Ngongo, to ensure that they get adequate funding because the money sleeps in Homa Bay.

What we are saying is that we need development across the country and that has been the clarion call, even in Kilifi, where Mr. Speaker comes from; Nyamira, Migori and where the other day we were headed to Mwanza for some wedding, we must develop all those areas.

So, when I hear somebody like a former President trying to lecture us, even Kenyans today are asking where the former President put the money because in four years, President William Ruto is doing the Rironi-Mau Summit road. I also challenge the Committee on Roads, Transportation and Housing to visit that road because somebody we impeached in this House is telling the country there is not even a wheelbarrow and yet, the first level of tarmac has been put on the Rironi-Mau Summit Road. Even from Wajir, Modogashe to Isiolo to Nairobi, the road is being done. The Standard Gauge Railway (SGR) is being extended. The very same services are being done from Mombasa to Homa Bay.

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

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

Madam Temporary Speaker, the former President must tell us: He borrowed from Kshs1 trillion to Kshs10 trillion - what did he do with the Kenyan money? Even the World Bank reports found - and it is good the Senator for Narok is here - that the SGR was inflated out of corruption under the watch of the former President. He is trying to lecture us recovering from hangovers.

We must be told us what he did when he was in government. If he had fixed the issue of ferry services in Homa Bay and at that time, there was a handshake, we must ensure that we fix it once and for all. We cannot be lectured. We can never allow this country to leave any part of this country out.

Madam Temporary Speaker, I have heard you saying *usawa ni sawa*. We must ensure there is equity and equality of development across the country. Whether you come from Busia, Kisumu or Western, you must get equality in terms of services. Therefore, as we push for ferry services in the Coast, we must ensure the people of Homa Bay are able to get that.

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The Ministry of Roads and Transport should also ensure public safety. We remember when there was an accident involving ferry services in Mombasa. I know the Chairperson of Roads, Transportation and Housing is aware because he has links in that region. It was bad. So, he must ensure there are public safety standards within those ferry services that we see in that region.

Finally, on the issue of ferry landing sites, I have indicated earlier that this 54-kilometre Mfangano Island Ring Road must ensure--- I want to confirm to the House, and the Senator for Migori knows this, that this has been budgeted for. There is budgetary allocation for this and many people are not aware.

In conclusion, as the House readies for other business, there are more than 30,000 residents who depend on these ferry services. Those are residents of Mfangano, Takawiri, Remba, Nyateko, Rusinga and Ringiti Islands. If we are able to fix the issue of Kenya Shipyards in Kisumu, we will ensure that there are many routes across Lake Victoria, such as Kisumu, Kendu Bay, Homa Bay, Muhuru Bay, Mbita and Mfangano, and they will also be dedicated, instead of just being dedicated to Mbita and Mfangano routes.

I commend the Committee on Roads, Transportation and Housing, led by our sister, the broad-based child of the House, Sen. Hamida Kibwana. I am happy, I just saw the Majority Leader and the Minority Leader today in Kisii, and the turnout in Kisii has confirmed that the re-election of President William Ruto is more than confirmed.

I heard what Senator Ledama said, that he wants to be President in 2032, but he has not talked to some of us, so that we can know what happens. But the message in Kisii is to ensure *usawa ni sawa* in terms of development. I thank the people of Kisii for the warm welcome to the President for the three days.

I know there are people going on Sunday to do firefighting, but now that there is the broad-based government, the Kisii region, Gusii land, both Nyamira and Kisii, will vote overwhelmingly for President William Ruto. Of course, the former Interior Cabinet Secretary will be taken to the World Bank or the United Nations, so that he can continue serving at that level.

With those remarks, I commend and congratulate the Committee. Thank you, I support the report.

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

Sen. Omogeni: Madam Temporary Speaker, thank you for giving me an opportunity to also contribute to the committee's report on this petition by Mr. Daniel Rakoro and other residents of Homa Bay County. I want to first go on record that I fully empathise and sympathise with the people.

(Hon. Senators held loud consultations)

The Temporary Speaker (Sen. Mumma): Order Senators. Majority Leader, can we hear the Senator in silence, please?

Sen. Omogeni: Madam Temporary Speaker, I fully agree that is a very unique area. I have travelled to Mfangano Island and I know how difficult communication from the island to the mainland is and how at times, to catch that ferry, you must have your timing right, so that you know when to cross to the other side and when to cross back. So,

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I support the Committee's recommendation that the people of Mfangano deserve a second ferry.

Madam Temporary Speaker, these things are done incrementally. You know, when you are a wise leader, when you take over power, you appreciate what your predecessor has done. I always tell people that we did not start doing tarmac roads yesterday or this year. We saw roads being built when President Moi was there. In fact, I never saw, even one day, President Moi come to Nyamira or Kisii to launch or open a road. But I know the Government was working. Roads were being built. President Kibaki was in office. We never saw him. I do not think he even visited Nyamira at one time. But we knew that the President was there and he was working.

So, it is not a must that for you to demonstrate that you are working, you go to a region and stay for four days. In fact, the money you are spending in staying in that region for four days is enough to build many roads and many schools, as I speak. So, let us not blow our own trumpet. You know, the Swahili say kizuri chajiuza kibaya chajitembeza.

On the issues of politics---

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

Sen. (Dr.) (Capt.) Ali Roba, EGH, DBA: Madam Temporary Speaker, I rise on a point of order under Standing Order No.105. All I was asking is, can the hon. Senator understand that the people in this Chamber, all politicians, align differently? I know that he can trivialise the---

The Temporary Speaker (Sen. Mumma): Which Standing Order?

Sen. (Dr.) (Capt.) Ali Roba, EGH, DBA: Standing Order No.105.

The Temporary Speaker (Sen. Mumma): What is the issue? Please focus on what the Standing Order says.

Sen. (Dr.) (Capt.) Ali Roba, EGH, DBA: The issue is non-factual presentation of information by the hon. Senator and trivialising the presence of the Head of State in a region, just merely because he has a different political view. Can he substantiate the fact that the presence never meant anything? If it is political, I would like to remind the hon. Senator that we are all politicians in this House.

The Temporary Speaker (Sen. Mumma): No. You want a substantiation of a particular issue?

Sen. (Dr.) (Capt.) Ali Roba, EGH, DBA: Correct.

The Temporary Speaker (Sen. Mumma): What issue is that?

Sen. (Dr.) (Capt.) Ali Roba, EGH, DBA: A statement of fact.

The Temporary Speaker (Sen. Mumma): On what?

Sen. (Dr.) (Capt.) Ali Roba, EGH, DBA: Madam Temporary Speaker, I will say it again. The hon. Senator for Nyamira alluded to the fact that the presence of the Head of State in his region translated to nothing in terms of development opportunities. Can he substantiate that statement without misleading the public?

The Temporary Speaker (Sen. Mumma): Sen. Omogeni, can you substantiate to the extent that you said the Head of State's presence amounted to nothing?

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Sen. Omogeni: No, we can print the HANSARD. I have not said that the visit by the President has translated to nothing. I have not said it at all.

The Temporary Speaker (Sen. Mumma): Sen. Roba, I overrule the point of order. Let him proceed.

Sen. Omogeni: Yes, I have not said so. So, let us not be oversensitive. This is a House of debate. We have a right to debate in this House and have a right to hold an opinion.

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

Sen. Mandago: Thank you very much, Madam Temporary Speaker. I rise on Standing Order No.105. The Hon. Senator for Nyamira County says that the President has spent money equivalent to constructing many kilometres of roads. Can the Senator for Nyamira County provide evidence of the amounts that have been spent and the roads that have been constructed in Nyamira County to support the assertion that the money spent on that trip is equivalent? If the hon. Senator is not sure, I will inform him of the cost of the roads that have been constructed in Nyamira County.

The Temporary Speaker (Sen. Mumma): Hon. Sen. Mandago, was there any issue in contention about the cost of roads? I do not recall him---

(Loud consultations)

Sen. Mandago, please take your seat. In my understanding, I did not hear any comparison about costs of any roads and the HANSARD can confirm. You can come and confirm on the HANSARD. Once you confirm, I will actually give you the Floor.

Sen. Omogeni: Madam Temporary Speaker, can I continue?

(Sen. Mandago spoke off record)

The Temporary Speaker (Sen. Mumma): No, I am just becoming an advocate of--- Sen. Mandago, you will have your chance. You are lined up to debate. You will have your chance to speak. However, I was in the Chair and I do not recall any comparison of costs.

(Sen. Korir spoke off record)

Order, Sen. Korir. Can you go to the HANSARD and confirm that there was such a comparison? If you do, I will give you a chance.

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

Sen. Omogeni: Madam Temporary Speaker, let me make my point. All these points of orders are meant to distract me. Allow me to speak as the Senator for Nyamira County. You have spoken as Senator for Nandi County. I did not disrupt you. So, allow me to make---

(Sen. Cherarkey spoke off record)

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The Temporary Speaker (Sen. Mumma): Order, Senator for Nandi, please. No. Please, let him speak and then I will give you, Sen. Mandago and the rest a chance. We can stay here all day and speak.

Sen. Omogeni: Madam Temporary Speaker, I wish---

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

Sen. Omogeni: He cannot rise twice on a point of order.

The Temporary Speaker (Sen. Mumma): I have asked that the HANSARD clarifies and I will get back to you on that issue.

Sen. Omogeni: Yes. Madam Temporary Speaker, how I wish---

(Sen. Cherarkey spoke off record)

Sen. Cherarkey: Sen. Cherarkey, I have not given you a chance to speak. Please be orderly.

Sen. Omogeni: Madam Temporary Speaker, how I wish that my colleagues can spend time---

Sen. Cherarkey: On a point of order.

The Temporary Speaker (Sen. Mumma): Senator, just proceed with your contribution.

Sen. Omogeni: It is good you spend time and benchmark even on how debates happen in the House of Commons. You do not need to agree with what I am saying. That is why I am here as the Senator for Nyamira County and you are on the other side as the Senator for Nandi or Kericho County. We have divergent opinions. Yes, so you---

(Sen. Cherarkey spoke off record)

The Temporary Speaker (Sen. Mumma): Sen. Omogeni, please proceed with your contribution.

Sen. Omogeni: Madam Temporary Speaker, I understand my people. Sen. Cherarkey, you cannot speak for the people of Nyamira County. I understand them better than you.

Sen. Cherarkey: On a point of order. I am a Senator of the Republic of Kenya.

Sen. Omogeni: No, you can speak on behalf of the people of Nandi County and I speak---

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, I am giving you the last warning. You will not have an exchange without speaking through the Chair. The same warning comes to you, Sen. Korir.

(Sen. Korir spoke off record)

Sen. Korir, I am warning you, please speak through the Chair, if you must. He is on the Floor. Let him contribute and if you have an issue, use the Standing Orders. Sen. Korir, this is the last---

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Sen. Omogeni: Hey leader, can you guide your flock? That is how we exist in this House. You do not need to agree.

Madam Temporary Speaker, protect me. We do not need to reduce this to a shouting match. We are a House of honourable Senators.

The Temporary Speaker (Sen. Mumma): I have already ruled. Sen. Omogeni, please proceed with your contribution.

Sen. Omogeni: Madam Temporary Speaker, the point I was making is that I fully agree with the recommendation on the issue of providing a second ferry to the people of Migori. There is a problem that we are trying to solve. We know that the people of Mfangano, and I am happy that the Senator for Homa Bay County is here, are currently being served by one ferry. Therefore, if we add another ferry, it will enhance the movement of residents in those areas. However, there is a point on which I do not seem to agree with the Committee. This is why I have had issues with the way we are governing our country.

The Committee is recommending that the County Government of Homa Bay, in collaboration with the Ministry of Roads and Transport, the National Treasury and Economic Planning, provide adequate budgetary allocation.

Madam Temporary Speaker, we need to agree that under the Constitution of Kenya, 2010, we have two levels of government. There are services reserved for the national Government and those reserved for county governments. I do not know what we shall do in this country with issues of budgeting. For example, health is a devolved function. A governor in office should ensure that his or her people have enough hospitals and adequate drugs in those hospitals, so that services are provided to the people.

Yesterday, I saw my friend, the Governor of Kisii County. We have sent money to counties through the Senate to discharge functions assigned to county governments yet, when the President visits your county, instead of taking the opportunity to tell your people what you have done to ensure that the functions assigned to the county government are helping them, you turn around and start saying, "Your Excellency, I am begging you to give me ABC."

I have sat in this House, and I want to thank Senators here who, at every cycle, work very hard to ensure that resources reach our counties. All of us have never gone anywhere else to beg for resources for our counties. At times, however, I see Members of the National Assembly, who have enormous powers in the budget-making process--- In fact, in the budget-making cycle, proposals come from the national Government to the National Assembly.

Article 114 is very clear that before proceeding, the matter must be referred to the committee in charge of budget and appropriations. Thereafter, money should go to counties or ministries that can serve our constituencies. However, what is unfortunate is that Members of the National Assembly wait for the President to visit their constituencies. Then they stand up and say, "Your Excellency, mimi nakuomba unipe pesa nitengeneze hii barabara." Then what is your work as a Member of Parliament?

We sat here and even allocated additional monies to some counties that were disadvantaged in allocation. We did the work here. I expect my Member of Parliament to

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work hard in the National Assembly and ensure that my constituency has enough money for the roads to be constructed. That is their work.

If we have a Member of Parliament for Mbita Constituency who has seen this recommendation about the need for a second ferry, the right forum to address that problem is the National Assembly, not a political rally. We are also devaluing the prestige and relevance of this House. We must do the work we were appointed to do. We want to leave the President to fight corruption and ensure that we have institutions capable of fighting corruption, so that when we send money to counties, it does the work it is intended to do. We want to ensure there is fair taxation in the country, so that Kenyans are not overtaxed. That is what we want to see as a country. The late Hon. Kibaki told us that we do not need to go out there making declarations. We can sit down as a country and plan how we want to move forward.

Madam Temporary Speaker, I urge the country to address the serious problems we are facing. Issues surrounding the cost of living are very sensitive. You saw what happened to Trump in the United States of America (USA). The debate there was not about how many roads he had constructed. It was about the pain in the pockets of Americans and how it is impossible to live comfortably because fuel costs had skyrocketed. Those were the debates.

Many Americans were saying they cannot make ends meet and that is what I am challenging my colleagues here. What we need to do for people is to address the issues around the cost of living and health care. We should make governors to take responsibility on the health of our people, so that when we go to hospitals, we are treated and there is medicine in hospitals. We should deal with the issue of corruption. I agree with the Senator for Nandi County. It cannot be business as usual when the World Bank is telling us that we have lost Kshs114 billion because of pricing of the construction of the Standard Guage Railway (SGR). I mean that should be of concern to us. The money we are looking for here, it means it was stolen and if there was that of pricing, that money went to somebody's pocket somewhere. We need to know who that person is and that is why we should come in as Members of Parliament. We seek for accountability.

When it comes to issues of elections, Kenyans will decide in 2027. If Sen. Cherarkey thinks President William Ruto will win in 2027, it is good. It is a nice wish, but let the elections come. You will see the thinking of Omugusii nation in August next year.

(Sen. Cherarkey spoke of record)

Yes, but we will speak through the ballot. We will not speak through you as we will speak through the ballot.

I commend the people of Kisii. We have not seen any instances of violence and I want the whole country to be like that. When you come, we retreat, we listen to you and when we go back on Sunday to tell our people the truth; we also do not want to see violence. The way we have been gentlemen, the President has gone round for the last four days, when we go back, we want the same from your side. That is the country that I wish to see myself as the Senator of Nyamira.

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We do not need to fight anybody who is coming to sell his agenda. You come and sell your agenda and go. Another one comes, sells his agenda and he goes. That is how it should be. It is a democracy. Then when elections come, we speak and do so loudly. My good friend, Sen. Cherarkey, you will see how we shall speak in August. It is not what you are telling us. We will tell you how we shall speak. So, over this weekend, we are also going back to tell the President the problems that our people are facing and what we expected him to address and which he has not addressed.

Madam Temporary Speaker, I support this report by this committee and I hope that the good people of Homa Bay will get an opportunity to get a second ferry, so that they can enjoy doing their trade. They are my neighbours and I wish them to lead a comfortable life. Tomorrow, my good friend Sen. Cherarkey, I will be in this House at 2.30 p.m. as you substantiate on these allegations of two stops for SGR in Nyamira. I am telling you as the Senator for Nyamira that does not exist.

I thank you Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Sen. (Dr.) Khalwale, you have the Floor.

Sen. (Dr.) Khalwale: Madam Temporary Speaker, I thank you. Allow me to strongly support this report of the committee. It is amazing that we are spending parliamentary time to lament about purchasing a second ferry when actually, we should be spending time debating bigger things like the issue raised by the Senator for Nyamira on wastage and corruption by the Government.

I want to plead with colleague Senators, let us think. You see, in 2023, the budget of State House was Kshs6 billion. That was the first budget for the President. The second budget, the President shot it to Kshs9 billion. In 2025, that is when a drama, real drama started. We would long have bought this ferry and many more because in that year, the budget for State House was Kshs9 billion, however, the President then went on and revised it with the blessings of this National Assembly here in this presence of Parliament. It was revised to first to Kshs17 billion and eventually Kshs18 billion.

When the Controller of Budget (CoB) analysed it further, she found that Kshs6.93 billion had been spent on what State House called secret budget. Colleagues, if oversight has the same meaning as we find in the dictionary, then we are failing in our work. We should not be asking for this ferry. We should be asking on what Kshs18.5 billion was spent on in State House.

For lack of clear understanding and disclosure, members of the public and especially us from the opposition side to the Government, we would be forgiven for thinking this is the money that is spent at State House during the parties that they have there on a weekly basis. They call teachers who they bribe for votes. They call security people who they bribe for votes. They call assistant chiefs and the chiefs who they do the same and what is more, for the first time since 1963, village elders were invited to State House and they were being given smartphones and cash.

As Parliament, we should not fear the Executive. The Executive should tell us what is this secret account and this secret budget at State House. The Controller of Budget, Ms. Margaret Nyakang'o has done her work, she must be wondering what kind of parliamentarians we are. We do not make use of her reports. Instead, we come here

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congratulating the President through the Senator for Nandi for abusing management of public funds.

Madam Temporary Speaker, let me tell colleagues who have been able to go to Finland, Sweden and Switzerland, to see how waterways are used. Waterways are a major source of cheap transport. Waterways are a major source of income through tourist attractions. I challenge the Governor of Busia County, my kid brother, Hon. Otuoma, and the Governor of Homa Bay County, my distant cousin, Hon. Gladys Wanga, to think twice.

It is possible for us to introduce transport in the waterways, so that people doing business and traveling from Sikulu Island to Sio Port in Busia, to Port Bunyala to Usenge, to Dunga Beach, to Kendu Bay, to Homa Bay, to Mbita, to Sindo, to Njandiwa and Muhuru Bay, and eventually into Tanzania, would be making use of our waterways, so that we do not just look at Lake Victoria as a place for fishing.

I am glad that the Senator of Homa Bay is here; a mind I respect because I follow your pronouncements. This is the discourse we need in this in this House. In fact, it should not be this Parliament struggling to make recommendations for purchasing of a second ferry. It should be the governor of Busia and the governor of Homa Bay creating the budget to do what I have spoken to. If you keep on waiting on this mongrel called Broad-Based Government, which is unconstitutional, you will not go anywhere because the mongrel depends on mismanagement of budget.

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

Sen. Cherarkey: Madam Temporary Speaker, I rise under Standing Order No.105 on statement of facts. Is the Senator for Kakamega County in order to call the Broad-Based Government a mongrel yet, you and I were at the Kenyatta International Convention Center (KICC) for the post-coalition agreement signing which put in place the Broad-Based Government? Can he withdraw and apologise?

The Temporary Speaker (Sen. Mumma): Sen. (Dr.) Khalwale, explain your mongrel reference or withdraw.

Sen. (Dr.) Khalwale: Madam Temporary Speaker, I am glad that I am being challenged by the holder of a degree in law. If indeed you are qualified in law, you should be understanding the structure of the Constitution of Kenya, which provides that in this House, there shall be a majority sitting on the right side of the Speaker and a minority sitting on the left side of the Speaker.

(Loud consultations)

Lawyers can you relax; a doctor of medicine cannot possibly want to teach you constitutional issues. Let me make my reading; Kenya is watching us. Sen. Cherarkey, your colleagues in the profession are watching you and listening to you. Sen. Veronica, relax.

What happened to the minority in this House? What became of the majority? Today, the people who were in the minority are in the majority and the ones who were in the majority are in the minority; that is what I call mongrel.

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(Loud consultations)

The Temporary Speaker (Sen. Mumma): He is explaining.

Sen. (Dr.) Khalwale: I am explaining, then you can challenge me. You must have the capacity to listen.

(Sen. Cherarkey spoke off record)

The Temporary Speaker (Sen. Mumma): Senator, can you explain?

Sen. (Dr.) Khalwale: Yes, let me explain this moment as well. Having explained about the structure of the Constitution that provides a minority on that side and a majority on this side; today, the minority of that side is in the majority of this side and the majority of this side is the minority of that side. That is what I call mongrel. There is no other way you can define why Sen. Oketch Gicheru and Sen. Hamida are now chairpersons of departmental committees. You are running the Government unconstitutionally; allow us to show you how you are a mongrel Government through our many years of experience. The only person I respect in this House---

(Sen. Oketch Gicheru held loud consultations)

Sen. (Dr.) Khalwale: Can you can you help me, so that I make my point.

Sen. Oketch Gicheru: Madam Temporary Speaker, point of order.

(Loud consultations)

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

The Temporary Speaker (Sen. Mumma): Hon. Senators, Sen. Khalwale was explaining the point of order around the mongrel. In the process of explaining, he mentioned Sen. Eddy Oketch.

Sen. Eddy Oketch, I was going to tell you that he needs to finalise the explanation first, then I will give you an opportunity to actually speak to that.

Sen. Khalwale, in only one minute, can you explain what this mongrel is to the satisfaction of the Member.

(Sen. Korir spoke off record)

You are giving a point of order on a point of order that is being explained.

Sen. (Dr.) Khalwale: Thank you, Madam Temporary Speaker. I have made reference to the constitutional meaning of mongrel in my understanding. I have explained that those who are supposed to be in the minority are today in majority and the ones who were in the majority are today in the minority.

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So that Sen. Oketch Gicheru can understand clearly, let me now speak to the meaning of mongrel in English. In English, a mongrel is an animal that is a bred from uncertain indeterminate species. If it is a dog, you do not know whether it is a dog or not. In other words, it is scientifically called mutt.

In 2022, we went to Kenyans to vote for us and they gave us an opportunity to lead this country. They did not give us an opportunity to come to Nairobi and start eating. It is out of the eating that the Government is not delivering; university students are not in school because they cannot afford the so-called new funding model.

Sen. Oketch Gicheru: On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Sen. Khalwale, please do not use language that is unclear. What do you mean by eating and by who? Just finalise and withdraw the word eating.

Sen. (Dr.) Khalwale: Madam Temporary Speaker, as I withdraw the word eating, allow me to be clear to the people of Kakamega, so that they do not think I am using unparliamentary language. The people of Kakamega, I mean, "*khulia vya khano"*

(Laughter)

The Temporary Speaker (Sen. Mumma): Order, Sen. Khalwale, can you withdraw that please? Stop using alien language in this House.

Sen. (Dr.) Khalwale: Madam Temporary Speaker, I have withdrawn.

The Temporary Speaker (Sen. Mumma): He has withdrawn. Now, hon. Senators, Sen. Khalwale has explained a mongrel as a mixture of the Minority and the Majority. Let me finish what I am saying. A mongrel in English is actually a dog that comes out of two breeds. So, he is doing an analogy of what is happening in this House.

(Several Senators spoke off record)

Sen. Khalwale, what you have not explained is your allegation of this being unconstitutional.

Sen. (Dr.) Khalwale: Yes, Madam Temporary Speaker. It is unconstitutional because it is strange to the Constitution of Kenya that any Member of the Minority side can be a chair of a departmental committee. It is totally not provided for. It is unconstitutional.

The Temporary Speaker (Sen. Mumma): There is a point of order, Sen. Khalwale. You may want to sit first.

First, let us begin with the point of order by Sen. Eddy in respect to what was mentioned.

(Technical hitch)

Hon. Senators, allow me to direct the office of the Clerk to address the system problem but in the meantime, it has gone off but I am aware that Sen. M. Kajwang', Sen. Cheruiyot, Sen. Roba and Sen. Ledama are scheduled to speak.

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Sen. Eddy, you can explain. Senators, please log in afresh.

Sen. Oketch Gicheru: Now it is better, Madam Temporary Speaker. I rise under Standing Orders No.101 on imputing improper motive on a Member of this House. When Sen. Khalwale was explaining the issue of mongrel, which he also got wrongly because he did medicine, he did not do English. The English word mongrel is not limited to only animals. It goes to plants and other objects.

The Temporary Speaker (Sen. Mumma): Sen. Eddy, please focus. No, I have not given you time.

Sen. Oketch Gicheru: Madam Temporary Speaker, your problem is you did not let me finish.

The Temporary Speaker (Sen. Mumma): Order, Sen. Eddy. I have given you time to raise your point of order in respect of your name being raised.

Sen. Oketch Gicheru: Yes, but I am giving the context the same way Sen. Khalwale used 10 minutes to use that context.

The Temporary Speaker (Sen. Mumma): No, I have refused that context. Please proceed.

Sen. Oketch Gicheru: Madam Temporary Speaker, I am trying to debate the way I understand best. A mongrel, first of all, is not what Khalwale has told us in this House. If you go to the English word, mongrel, then Khalwale is the biggest mongrel in this country. Since he started politics---

The Temporary Speaker (Sen. Mumma): Sen. Eddy, I will order that you sit if you do not do what you are supposed to do. I will not argue with you. I am sorry.

Sen. Oketch Gicheru: Madam Temporary Speaker, just be fair.

The Temporary Speaker (Sen. Mumma): Yes, I am being extremely fair.

Sen. Oketch Gicheru: When Khalwale was speaking, he was not being harassed by the Chair. I am now speaking. My name has been mentioned as a mongrel. I am being harassed by the Chair.

Madam Temporary Speaker, I will not be gagged in this House. You know me very well. You do not want part of this. So, I must clear my name on what a mongrel is.

(Sen. Eddy Oketch's microphone went off)

The Temporary Speaker (Sen. Mumma): I have given you the opportunity to clear your name but you are speaking to other things. No, there is no relation.

(Sen. Eddy Oketch spoke off record)

He did not call you a mongrel at all.

(Loud consultations)

Hon. Senators, you can all speak.

Order, Sen. Korir, can you substantiate about my being paid or I will rule you out of order. Kindly go on record and withdraw what you have said.

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Sen. (Dr.) Khalwale: Thank you, Madam Temporary Speaker. You had actually given me that opportunity.

The Temporary Speaker (Sen. Mumma): Sen. Khalwale, sit down first.

Hon. Senators, I would want us to conduct ourselves with decorum. Sen. Korir, can you stand up? I heard what you said. I heard what you said about me being paid.

Sen. Korir: Madam Temporary Speaker, I have not been given the microphone. I have not been on the Floor of the House. We were just discussing an issue with the Senator for Baringo County. I have not even heard what is being debated in the House. I have not uttered any word.

The Temporary Speaker (Sen. Mumma): Sen. Korir, I will cite you for gross misconduct. Whether she is on record, I can hear what you are saying.

(Sen. Korir spoke off record)

Order, Senators. The reason I call you on order is because I am hearing what you are saying without being called. You must respect the Chair and allow the Chair to move. So, if you are not willing to withdraw, I will call you for gross misconduct and I would want you to leave the House.

Sen. Korir: Madam Temporary Speaker, I know this is the House of rules and procedures and unless I am given an opportunity to contribute, that is the only time that I can substantiate whatever I am supposed to substantiate. For this matter, I have just been discussing an issue with the Senator who is sitting next to me. Thank you.

The Temporary Speaker (Sen. Mumma): Sen. Khalwale, you may proceed.

(Several Senators spoke off record)

Majority Leader?

The Senate Majority Leader (Sen. Cheruiyot): Madam Temporary Speaker, where we lost the House is when Sen. Khalwale, instead of discussing the substance of the report and the Motion that is before us, wants to do cheap politics on the Floor of the House and Members have indulged him to the best of their limit. There are many half-truths that he has mentioned in his contribution, but I thought Members said; being a beautiful afternoon, let it slide. Then Sen. Cherarkey challenged him on account of utterances that he has made about the Government being a mongrel. Up to this point, he has not substantiated. He has gone on a long winding speech about mongrels, most of which is not accurate.

Madam Temporary Speaker, to the best of my knowledge, because I listened to the explanation by Sen. Khalwale, instead of referring first to the Government which he had earlier done, he now switched his defence to Parliament. Even that he got extremely wrong, because Standing Order No. 203 determines only the membership of committees. The Majority side shall have five, Minority shall have four.

The decision on leadership of committees is a decision of the committee. It has nothing to do with the Government and that is what Sen. Khalwale is being challenged to do. Therefore, to be fair to the House, because Sen. Khalwale cannot substantiate his

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claims and instead of indulging him, you have given him more than 10 minutes and he is just dancing, he has taken us to I do not know, which land, speaking strange languages. If he cannot substantiate the allegation that he made on the Floor of the House that the Government is a mongrel, you know what he needs to do. I think that is what is making Members unhappy.

The Temporary Speaker (Sen. Mumma): Sen. Khalwale, as you finalise the remainder of the minutes that you have, please withdraw the use of the word mongrel to the extent that you have not effectively explained it.

Sen. (Dr.) Khalwale: Thank you, Madam Temporary Speaker. Most obliged. If you go to Mfangano Island and Rusinga Island; they are scenic to the extent that if properly connected with waterways, the ferry, boats, and so on, they are major tourist attractions. I speak here remembering that a great son of this country called Tom Joseph Mboya was buried in Rusinga.

The Temporary Speaker (Sen. Mumma): Sen. Khalwale, I have guided you. Please withdraw the use of that, please.

Sen. (Dr.) Khalwale: Madam Temporary Speaker, I thought---

The Temporary Speaker (Sen. Mumma): You said most obliged. Just withdraw.

Sen. (Dr.) Khalwale: Yes, that I had obliged to your order; that I had apologised and withdrawn.

The Temporary Speaker (Sen. Mumma): Thank you.

Sen. (Dr.) Khalwale: Yes. Madam Temporary Speaker, you know, because you are a lawyer---

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

Sen. M. Kajwang': Madam Temporary Speaker, allow me to bring a bit of sobriety to this debate, because if you do recall, this was the first petition when this House sat way back on 18th October, 2022.

Even though we are reporting back four years later, where the Standing Orders require to report in 90 days, I am not disappointed. I am a happy Senator. I was in touch with the petitioners, the Mfangano Development Forum. I guided them. We worked together and consulted.

When this petition was brought to this House, on 18th October, 2022, the people of Mfangano, the people of Suba had just come from a bruising election. Our people had hopes that the electoral choices we made in the elections of August, 2022 were the choices that will guarantee a ferry, infrastructure, inclusivity for the fisher folk, the island dwellers and generally the people coming from Suba.

Madam Temporary Speaker, when the elections turned out the way they did, because my region in an overwhelming manner voted for the late, Rt. Hon. Raila Odinga to be President, we felt that we will be excluded. We felt that we would have a situation where decades of historical marginalisation and historical injustices against the people of the islands will be perpetuated. We felt that the only way of securing funding and securing Government's commitment to providing a ferry for residents of Mfangano was to come to the Senate.

The residents of Mfangano believed and trusted in the Senate and at that point, at the lowest point in their political existence, they knew that if they brought a petition to

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the Senate, the matter would be pursued and the people of Mfangano would finally get a ferry. I am so happy to report that as we speak, as we discuss this Petition, the ferry exists and it has been called Nyar Suba, meaning the daughter of Suba. If you go to the shipyards in Kisumu, it is a large majestic ferry that will carry vehicles, people, goods, hopes and aspirations of the fisher folk.

I thank the Committee involved because this Committee of the Senate visited Mfangano Island twice. Recently, the Committee went to Mfangano and I think earlier on when the Petition was still fresh, the Committee went to Mfangano and met the petitioners and stakeholders. Today, we will confirm to the people of Mfangano that when you bring a Petition to the Senate, things happen. Action is taken because this ferry, were it not for the steadfast oversight, the day-to-day enquiries, questioning that the Senate has been putting, perhaps it would not have been delivered in the time in which it has been delivered.

Madam Temporary Speaker, as I thank the Senate, the relevant committees, the petitioners, the Mfangano Development Forum, I want to say that this ferry is not the end. For us, this ferry is a means. It is a means to integration. It is a means to being part of this country called Kenya. The people of Mfangano for a long time also spoke the way the people of Northern Kenya speak, that when they come to Nairobi, they have come to Kenya.

It was easier for them to go to Uganda because if you are in Ringiti or Remba Island, the Ugandan border is just--- you know, you can swim to Uganda. They related with Uganda more than they related with Kenya. The FM radio stations in these islands are Ugandan radio stations. The mobile cell phone networks are Ugandan cell phone networks. Today, we are confirming to the people of these islands that they belong to a nation called Kenya. It is not just the ferry that we have been able to get.

The piers and ports that are required for the ferry to land have been constructed. If you come to Homa Bay town, the Homa Bay pier is shiny. I know some people do not like shiny things, but it is shiny. It is very nice. It has warehouses, offices and has modernised that place where previously women used to wade in the mud to rush to the oncoming boats, so that they can get fish.

Today, it is a distinguished, properly organised, decent place where the lights are on at night, where it shines at night, and the women who used to ply their trade, they are selling fish, have been moved to a state-of-the-art fish market. They are now selling their fish and their ware, in dignity.

Madam Temporary Speaker, the pier in Mbita, at the last budget proclamation, the Cabinet Secretary for National Treasury and Economic Planning made commitments of financial allocation to ensure that the pier in Mbita is also upgraded, so that this ferry can be able to dock there. The pier in Sena, in Mfangano Island, has also received budgetary allocation.

We are confident that it is not just another allocation on paper. We have seen that in the past three years when we joined the broad-based Government, we have had a partner, we have had a Government that when it says it will do something, it does it. I am not speaking out of political rhetoric, I am speaking out of real-life, lived experience. When we brought this Petition on 18th October, 2022, as I have said earlier, we had given

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up. We had said that as a region, perhaps one day we will even try to secede and go back to Uganda where we came from.

It took the Government of William Ruto to reassure us, to make us feel like we are part of this Republic. In Mfangano Island, we never imagined that we would ever have a ring road running around it. Today, the Mfangano Ring Road is complete, we have a budgetary allocation to start tarmacking a section around Sena Market. Some of us never imagined that the beautiful Rusinga Island would have tarmac. Today, the Rusinga Ring Road has nice, good tarmac, well-marked roads. I congratulate the contractors, because the roads and drainage are done well. The President was with us to open it.

Madam Temporary Speaker, it is not just the ring roads on the islands. If you go to a part of Homa Bay County called Ndhiwa, we are now working on what you are calling the Gor Mahia Ring Roads. Since the President launched that road one year ago, construction has commenced. It is not theory. It is not something hypothetical. I was in Ndhiwa last week on Saturday and Friday. I witnessed the Gor Mahia Ring Road and the progress being made around Magina Market. You can see the workers on site.

Madam Temporary Speaker, this is just one county, Homa Bay. If you move away from the Gor Mahia Ring Road, you will find another project called the Ojijo Oteko Ring Road. Ojijo Oteko was a freedom fighter in this country. He founded the Kavirondo Taxpayers Welfare Association. Ojijo Oteko started fighting the colonialists around 1910, before some people got onto the train of fighting colonialism. The President came and we launched the Ojijo Oteko Ring Road. Contractors are already on site. If you go to a centre called Njeri in Homa Bay, the tarmac is already there and you can drive on it.

Madam Temporary Speaker, if you come to what were called the Yemen roads, because we recently had visitors in Homa Bay County who said that Homa Bay looked like Afghanistan, that Homa Bay looked like Yemen. As a leader from Homa Bay, I did not feel offended. It exposed the injustices that have been meted upon our people over the years.

Those who laugh at us are people who have roads in their backyards. They step out of their houses onto tarmac roads. They do not imagine the kind of injustice that exists in this country, where an entire constituency can remain without a tarmac road since independence. That Yemen road, the road that was ridiculed, is today being tarmacked, thanks to the Broad-Based Government.

Madam Temporary Speaker, Suba South Constituency did not have a single inch of tarmac road. Today, there is tarmac crisscrossing the constituency like spaghetti. There is tarmac coming from Luanda to Kanyakiamo. There is tarmac coming from Sindo all the way to Sori. There are roads crisscrossing the constituency. We have more than 200 kilometres of tarmac road projects that are ongoing, not on paper and not under procurement, but being implementation.

Madam Temporary Speaker, maybe people from other counties may have our own perceptions. However, since this Motion is about Mfangano and the people of Homa Bay, I want to tell you that the depression we had in August, 2022 we, the people of

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Homa Bay, needed to go to therapy. We even needed psychiatrists because we had suffered for a long time.

Our therapist came in the form of William Ruto. Our psychiatrist came in the form of William Ruto, who did what no other President had done. He set foot in Homa Bay. The first time he came to Homa Bay, we resisted. We stayed away because we were suspicious of his intentions. We were still smarting from the electoral defeat. He did not give up. He came again and again and again. Today, when you drive around Homa Bay Town, you will see that the urban roads have been expanded. Homa Bay looks like a town that can become a city. The past Presidents did not care. We had Presidents who never set foot in Homa Bay. The only time they came was during campaigns. They never came for a working tour.

Today, we have a State Lodge in Homa Bay, the seat and residence of the Presidency in Homa Bay Town. Today we have Raila Amollo Odinga Stadium in Homa Bay. Today, Homa Bay has the capacity to host a Devolution Conference, which many of us attended. Today, Homa Bay has the capacity to host Madaraka Day and other national celebrations. It is not just Homa Bay. No one ever imagined that Wajir could have a proper stadium or host national celebrations.

Madam Temporary Speaker, therefore, I subscribe to the inclusivity agenda. That is why I support the current Presidency because this administration is giving us the means to optimise our potential as a region. Just yesterday, the tender notice for the Lake Victoria Ring Road was put out. You do not know how this project is going to transform our lives. Not just the lives of the people of Suba, Homa Bay or the Western region, but the lives of all Kenyans. It is going to open up a gold mine. It is going to open up the potential for the benefit of all Kenyans. We are talking about more than 700 kilometres of tarmac road, more than 700 kilometres of fibre infrastructure and numerous ancillary facilities, including schools, markets and utilities. The loan has already been secured and we are sure that the project will be implemented.

The Standard Gauge Railway (SGR) is also making its way to Kisumu. Again, this is not a favour to the people of Homa Bay. All of us are repaying the debt Kenya took to construct the SGR. Therefore, when the SGR becomes economically viable, it will not only benefit members of a particular political party or the Broad-Based Coalition. It will benefit every Kenyan. Yes, we are repaying and bearing the cost, but let the SGR be financially viable.

Madam Temporary Speaker, finally, I want to thank the Senate and the relevant committee. I also want to thank the national Government and its cooperation arrangement with the Orange Democratic Movement (ODM) party for making sure that every part of Kenya is considered a legitimate part of this nation and for ensuring that the people of Mfangano, the fisherfolk, finally have a ferry.

To us, a ferry is not a luxury cruise ship. A ferry is a road. To us, a ferry is not just another shiny project. A ferry means that I can build my house at a lower cost. On the mainland, a bag of cement may cost Kshs1,000, but by the time it reaches the island, it costs Kshs1,800. It is difficult to build schools, hospitals and residential homes. The President and the national Government are enabling us to be at the same level as everybody else in the Republic of Kenya.

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Madam Temporary Speaker, I pray that we get a second ferry. There are concerns from island residents about the pricing of ferry services. Those are things we will deal with. There are also concerns about whether the ferry will be franchised to a private operator. That is a small issue to deal with. However, that ferry called Nyar Suba, that shimmering ferry at the shipyard in Kisumu, we wait for the President and the entire nation to converge on the beautiful islands of Suba to launch it and finally say that, at last, the people of Suba and the people of Mfangano feel that they are part of Kenya. That is why we say, "*Usawa ni sawa".*

Thank you.

The Temporary Speaker (Sen. Mumma): Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Madam Temporary Speaker, for this opportunity. I also wish to comment on this very important report. In fact, Sen. Kajwang' has given better context because, when we began discussing this ferry, I only had a vague recollection that we had dealt with this matter before. However, that was a long time ago. It is good that he has reminded the House that this Petition was brought before Parliament in 2022. It has taken an inordinately long time for the committee to return its verdict.

Nonetheless, we are grateful that it has finally returned a positive outcome for the people of Homa Bay and the petitioners, albeit after such a long time. This is a very important conversation. This is happening, Sen. Kajwang', against the backdrop of a national conversation on equity.

Madam Temporary Speaker, I returned this afternoon from a three-day visit to Gusii Land. I wish Sen. Okong'o Omogeni and Sen. Onyonka were here because there are many things I heard from residents of Kisii and Nyamira counties during our three-day visit with the President on the meet the people tour, regarding what "*Usawa ni sawa*" actually means to ordinary people in the villages.

We can engage in banter online and exchange remarks from the comfort of well-air-conditioned rooms, but real transformation is happening deep in the villages. Those whose lives are being impacted cannot simply look away. They have refused to do so and I see it every day.

Whenever we undertake these visits, I do not only focus on getting to the podium to speak. I also spend a considerable amount of time listening to and interacting with ordinary people, asking them what a road means to them, what a power connection or a market means to them as traders. For example, at Ogembo Market in Kisii, where we were on Monday, the women told us about a very dangerous connecting road that branches into three directions downhill. Many of them conduct their trade right in the middle of that road. They were excited by the simple prospect of having a modern market where they can safely ply their trade. This is what is at the heart of this Petition; delivering economic justice to the forgotten corners of this country. That is why I agree with the recommendations of this Committee that we must push until the day residents of Homa Bay board *Nya Suba Aziz* Ferry is famously crested.

Madam Temporary Speaker, I am proud because I had Sen. M. Kajwang' speak about the Lake Victoria Ring Road project. If you read Government books from 1963,

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that project has been a proposal from one administration to the next. It is under this administration that eventually that will become a reality.

On the 19th December, Sen. M. Kajwang', and it is good that Sen. Eddy has walked away because I wanted you to hear this. It will be an extremely special day for you. Put on your best, I do not want to say the things I know that you put on very well, but it will be an extremely important day. I know I have been following keenly this Lake Victoria Ring Road project because it is twinned together with another road, actually, that also serves us between the people of Kericho and the Northern Rift where it reduces our travel time by more than one hour, separate to that particular project. I have followed through the process of what has been going through from here in Nairobi, through the board approvals at the World Bank and now all looks set. By the grace of God, on the 19th December, contractors will be reporting to site to begin that extremely important road.

Sen. M Kajwang' mentioned it, but recently, when *Linda Mwananchi* visited Homa Bay, the slay queens that accompanied some of the leaders on that trail, because they come from well-built locations, laughed at the people of Homa Bay, as if there is a crime that the people of Homa Bay had committed to warrant the marginalisation. People could not believe that there are sections and parts of this country where people actually travel and use those kinds of roads.

These are the historical injustices that we must continue to address. I have said that this Petition has come at the right time. When you are speaking about equity, economic justice and ensuring that there is prosperity in the 47 counties, I do not know why some people get unsettled by the phrase *"Usawa ni sawa."*

I have seen failed attempts to distort this particular interpretation and say, oh, you know, this means it is an incitement against certain people and certain regions. Nothing could be further from the truth. All we are saying is that the same Government that constructed the Mau Mau roads should ensure that Mau Summit-Rironi Road goes all the way to Malaba and when it gets to Mau Summit, it diverts through Kericho to Sotik, Kaplong' and gets to Kisii because on that particular road, we are tired of losing people.

We are about to get to December, where roads become busy. Look at the shame that Kenyans have to put through. Many of them sleep on this Nakuru Highway over the years when it comes to Christmas time because of how narrow and underdeveloped that piece of public infrastructure is.

Madam Temporary Speaker, there is no shame in trying to bring equity to the country and it is not incitement against any other region. To the best of our knowledge, the same way other Kenyans cheered when certain regions benefited, albeit unfairly so. I call it unfair because if you are continuing to build more roads, including even access roads sometimes, water projects, last mile connectivity, and these metrics are there to be checked. We have reports from the Kenya National Bureau of Statistics (KNNBS) on very basic things.

You remember, in the year 2020, when we debated on the Floor of this House, Sen. M. Kajwang', when poverty as an index was being used as one of the fiscal determinants of what should eventually go to a county, the pointers were on the Floor of this House. How much distance certain residents of this country have to travel just to get

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to a dispensary *vis-à-vis* other regions, where for every one or two kilometers there is a dispensary, while others have to travel hundreds of kilometers, yet we live in the same country, we are all taxpayers.

I do not think that is a constitutional edict that this Constitution of ours speaks to. It speaks to a country where we all prosper and enjoy the fruits of our labour. We all enjoy what God has blessed us with. Therefore, it is on the background of this particular report that I appreciate all the agencies from the Kenya Maritime Authority (KMA) and the Kenya Shipyard Limited (KSL). This fair is extremely beautiful.

I have had the opportunity to overlook it because I am a frequent visitor to Kisumu, and I have visited the Kenya Shipyard Limited (KSL), where it is being put together. That company has done an extremely good job. In fact, I want to believe that from the experience that they have gotten putting together *Nya Suba*, they will actually do more ferries, which will include increasing transport between Kenya and the rest of the East African Community (EAC).

We were in Mwanza the other day for a wedding, and many of us were wondering why we had to take such long flights as opposed to enjoying just a simple cruise around the Lake Victoria, but these services are unavailable. That is why Kenya Shipyard Limited, from the experience that they have gotten, I want to believe that we can support them to put more ferries on sea, so that Kenyans can enjoy the use of waterways and you do not have to get into buses to get to the rest of the region. We should visit each other and ensure that trade is more viable. This is what this petitioner is saying.

Sen. M. Kajwang,' I hope that on the day of the launch of *Nya Suba,* you will find it in you that time and the place to make sure the residents and members of these petitioners actually are on board that maiden voyage to Suba land. You will have failed spectacularly if you do not allow them and we have to make sure that Mr. Daniel Rakoro, together with other members, residents of Homa Bay County, together with his friends, they must be on board that particular day.

This is what Parliament is about. That is why they sent us to represent them here; they speak to us on issues that affect their lives and we respond by doing what this committee has done, but I must continue to point out that it has taken unnecessarily long. I do not know what are the exact dates that have been given for the launch, but it must be in the next few days, so that residents of Homa Bay can enjoy.

Madam Temporary Speaker, you know, we live in a country where sometimes people suffer from selective amnesia. We want to pretend as if certain parts of this country are left behind because of the laziness of its people or the kind of leaders that they elect without the full realisation that without access to power here at the capital, you cannot influence policy, you cannot influence budget.

It is not a miracle that the regions that have produced presidents, for example, are more developed than regions that have not. It is plain truth because successive regimes, one after the other, from Kenyatta one, to President Moi, President Kibaki and President Uhuru Kenyatta, they have continued with this policy, where, as a president, you ensure that you first deliver development to certain regions that either give you political support to the exclusion of others.

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It took a bold decision in the formation of the Broad-Based administration to take up Government policy and say any Government project or programme that is implemented, you must implement it in all the 47 counties.

We were here in this Parliament, Sen. M. Kajwang', you will remember, when President Uhuru Kenyatta tried to launch Universal Health Coverage (UHC), it was only piloted in five counties, it never took off. Compare that to the rollout of the Social Health Authority (SHA) with all its challenges. It is implemented in all the 47 counties. Counties that support the president and those that do not support him, are equally benefiting their public health facilities. The report was tabled for us here in Parliament to see the billions that have been sent back to counties from SHA contribution of all the 33 million Kenyans that are paying together.

When you speak about affordable housing, it is being implemented in Makueni, the same way it is being implemented in Kericho. Previous successive regimes, when we had Government programmes like this, would only be done in a few select counties. That is what we call *Usawa Ni Sawa*; ensuring that there is equal distribution of our national resources. That is why, today, I was shocked when I saw the former President speaking somewhere, I think it was at a funeral service, trying to say that when he moves around the drinking dens of his village---

First of all, I find it rather embarrassing for a retired President. Other retired presidents spend their time giving public lectures and influencing public thought in the coveted halls of this world. After we have given you the privilege to serve as president of Kenya for 10 years, the only report you can give us is the report that you are picking from *chang'aa* dens? Surely, President Uhuru Kenyatta can do better than that.

What was more troubling was the fact that he was saying that he can see the way Kenyans are talking and that the country is united. Once you have exited power when you have had the opportunity to do what you could do, sometimes there is better decency in just keeping quiet because every time you speak, you remind people of certain things.

As a coffee farmer, you remind me that the coffee economy had collapsed, that we were being paid nearly Kshs30 per kilo of cherry. Today, we are receiving Kshs150 plus. For those of us that come from the sugar belt, all our factories had collapsed; from Chemilil to Nzoia, Sony Sugar in Awendo and Nzoia in Bungoma. Today, they have roared back to life; they have workers that now receive their salaries on a monthly basis. When farmers deliver their cane to those factories, they get their payment every seven days.

These are things that people from those regions had given up on. Many of them had actually uprooted their trees. If you travel, particularly by air, you will notice the coming back to life of the agriculture economy of that particular region, including Kisumu, your home, where people are trying to come back to BT cotton farming. Things are getting better because of the investment in agriculture.

We have roads that Sen. Kajwang' is mentioning and the markets that are being put out for women. You can speak about education and remember the challenges that we had during the 2022 general election from both sides of the political divide. There was a near unanimity on the failure of the Competency Based Curriculum (CBC) education, yet

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the people who oversaw it are the very ones that today are lecturing us with reports from *chang'aa* dens about how things are bad.

Never minding the fact that today as we speak, we have increased the teacher to student ratio to near recognisable academy standards. By adding 120,000 teachers to our public education system, we are ensuring that our children who go to public schools are getting better education by having a recognisable teacher to pupil ratio unlike what was there previously.

There is investment in education by putting up nearly 24,000 laboratories in public institutions. There are institutions where children would see a test tube for the first time during the exam. That and all the things that have been mentioned are now nearly being made a thing of the past. It was unanimous that almost every public university was sinking in debt and at the verge of economic collapse by 2022 when President Uhuru Kenyatta left office. As it is today, thanks to the new funding model, our universities sit on better economic front than what was observed previously.

I could go on and on about every sector of the economy and what this administration has done, picking it up from the pit where President Uhuru Kenyatta left it. Then, he is coming back to us today saying that he has a report from the *chang'aa* dens; that was rather shameful. In any case, I believe the people of Kenya will have an opportunity to reflect and speak just like Sen. Omogeni said. He has said we will be shocked; I want to tell him that the shock will be on him. He imagines that two and three people gather, taking selfies after drowning their stomachs in meat chops and lamb chops in fancy hotels in this town and speaking to each other in ignorant pride. One is saying that they have 5,000 from this community, while the other one says he has from this other community. It is as if people are potatoes who are just waiting to be directed where to vote by their tribal chiefs. That is politics that is long, long behind us. Kenyans make informed decisions. One thing I know because I am a practitioner of politics in this country and I have gone to the ballot three times. This will be my fourth attempt and, therefore, I know a thing or two about what informs or what goes on in the mind of a Kenyan when they go to vote.

Madam Temporary Speaker, Kenyans can never risk their future. Kenyans are not reckless with the ballot paper. When they get the ballot paper, they make very informed decisions. There will be tremendous shock to those who think that people will queue to vote just because a tribal chief somewhere has eaten *samosa* and *mandazi* and signed a deal on their behalf, thinking that this will be enough for the benefit of the community.

I thank this committee for this wonderful Report. I thank you.

The Temporary Speaker (Sen. Mumma): Hon. Senators, I do not see any other person wanting to contribute. I, therefore, call upon the Mover to reply.

Sen. Kibwana: Thank you, Madam Temporary Speaker. I really appreciate my colleagues for their contributions. My special thanks go to Sen. Eddy Oketch, the former Chairperson, for his support on leading this Motion while he was the chairperson. I also thank Sen. Kajwang, with his deep history of the Mfangano Island in Suba and his support concerning public transport in Lake Victoria between Mfangano Island and Suba and Mbita. I thank the Majority Leader, Sen. Alan Cheruiyot for confirming that *Usawa ni Sawa*.

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Did I say Aaron? Why am I thinking of Allan?

(Laughter)

I thank the Majority Leader, Sen. Aaron Cheruiyot for confirming that *Usawa ni Sawa;* that we should ensure that all sections of the country have equity, with better economic front. I also appreciate all the other colleagues who contributed to this Motion. I beg to reply.

Madam Temporary Speaker, pursuant to Standing Orders No.66(3), I request that putting the question be deferred to a later date.

I thank you.

The Temporary Speaker (Sen. Mumma): It is so deferred.

(Putting of the question on the Motion deferred)

Honourable Senators, I wish to reorganise the Order Paper to move on to Order No.30. Sen. Eddy Oketch, proceed.

BILL

Second Reading

THE SPORTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2026)

Sen. Oketch Gicheru: Madam Temporary Speaker, I thank you for this opportunity and as a lover of sport, this is a Bill close to your heart. I read somewhere that you are one of the biggest sport supporters in Western Kenya, that encompasses the *Ingo* and the Luo Nyanza, where sports is built. It is, therefore, my privilege to move this Bill that is co-sponsored by Nominated Member of Parliament (MP) Irene Mayaka and I.

This is a very straightforward Bill. It is about correcting the rot in the area of sports manipulation in our country.

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

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

You may realise that we have never had a stand-alone law that can deal with sports manipulation, commonly known within our borders as match-fixing. I want to broaden it because the essence of this Bill to all the issues of sports manipulation that also encompass sometimes what we see in the athletic sports in this country. Wherever we have seen corruption happening in the sports industry---

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The Temporary Speaker (Sen. Veronica Maina): Sen. Eddy Oketch, I will give some directions. You have still not moved the Bill. Can you go back to the start and move the Bill and then proceed into your submissions to support the moving of that Bill?

Thank you.

Sen. Oketch Gicheru: Madam Temporary Speaker, I think I was a little bit excited because the previous Temporary Speaker, who was in the Chair, is a big sports lady.

I beg to move that The Sports (Amendment) Bill, (National Assembly Bills No.5 of 2026), be now read a Second Time.

As I was saying, this Bill seeks to amend the Sports Act for purposes of being able to have some clarity around how, as a country, we can deal with the issues of sports manipulation. If you look at the way we have been dealing with the issue of sports manipulation in this country, we have never had a specific law that governs this.

I know there has been an overarching concentration on what I would call match-fixing, and there has been a desire to have a statute around this, but more broadly, match-fixing tends to happen mostly in football and sometimes not so much in field sports such as athletics. This Bill will help us to not only rely on general bribery laws that we have in this country, and sometimes a bit of gaming regulations here and there that we keep on seeing.

I have also seen an over-reliance on respective federation laws, in terms of dealing with manipulation of sports. If people can manipulate sports outside these federations, you cannot just rely on regulations that are within the Football Kenya Federation (FKF) or athletics organisations. Those federations are also limited in terms of how much they can punish wrongdoing.

The reason I am very excited about this Bill is because next year will be very important. You have seen the President doing a very good job on achieving what the naysayers used to say that perhaps we will not have infrastructure and stadia that will be good enough to hold continental and even international games in our country. I am very proud to say that we know that Talanta Stadium, which will be Raila Odinga International Stadium, is now complete. In January, we will be welcoming Bayern Munich in this country as well as FC Ajax.

Since we are going global, and next year we are also holding the biggest game in this continent, the Africa Cup of Nations, it is extremely critical that the country must start cleaning its image. Other countries have made adventurous strides in dealing with betting-related match-fixing problems and misuse of insider information. You will find that in some clubs in the country, people will be leaking information about injuries here and there, so they can give people a new advantage in playing.

Dealing with some of these issues that we have had about biological and doping manipulations in the athletics sector is critical. When you look at the laws that we have right now, there are so many gaps that can deal with the specific offences. Those gaps make it almost impossible to build our reputation as a country with proper and sober laws that can deal with offences of this magnitude.

Madam Temporary Speaker, it is important that I also indicate that part of this law will segregate what has been happening in the country. If you have problems in sports on

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doping or match-fixing, then the Directorate of Criminal Investigations (DCI) will deal with such issues as global matters, where the federations may seek to interfere.

If you read Clause 2 of the Bill, it first clearly defines what manipulation looks like. If you do not define manipulation in sports, then you have a big problem. Manipulation of a sports competition, if this Bill is passed, will mean an intentional arrangement, act or omission aimed at improperly altering the result or the course of a sports competition in order to remove all or part of the unpredictable nature, with a view to obtaining an undue advantage for oneself or for others.

This is extremely critical because, once we define manipulation, we can then specifically determine how to deal with offenders who demonstrate any of these manipulative acts. That is why, if you read Clause 3 of the Bill, we are amending Section 54(a) of the mother Act. Under this Clause, we are saying that where there are reasonable grounds---

(Sen. Onyonka walked into the Chamber without bowing to the Chair)

The Temporary Speaker (Sen. Veronica Maina): Senator, just hold on.

Sen. Onyonka, could you please go back and accord the Speaker the courtesy of bowing and following the rules and procedures of this House in line with the Standing Orders? You cannot walk in as though this is a supermarket.

(Sen. Onyonka walked to the Bar and bowed to the Chair)

Proceed, Sen. Eddy.

Sen. Oketch Gicheru Thank you, Madam Temporary Speaker, for helping the delegation from Kisii--- I will reserve my comments, but I hope he has come from the President's meeting in Kisii because it was good for him. It is going to bring a lot of development to the people of Kisii. Sometimes one must strike a balance. Maybe that is where the confusion lies.

Madam Temporary Speaker, under Clause 3 of this Bill, we are amending Section 54(a) of the mother Act. Where there are reasonable grounds to believe that a person has committed an offence of manipulation as defined under Clause 2, then the sports organisation under the Act will take the following steps, which are set out in the Bill. For instance, we have provided that the federation responsible for the particular sporting activity will undertake its own independent investigation. However, while that investigation is ongoing, it is also important for the DCI to do an independent investigation. The two investigations should proceed independently, so that where the federation fails us, as has happened in a number of cases, we still have an independent body such as the DCI, dealing with the issues and addressing it for the purpose of safeguarding the entire sports sector in the country. That is one of the reasons it is critical that we support this Bill. First, we have seen time without number, for many people who are not privileged unlike those who have other formal jobs, sport has become the basic source of livelihood.

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You will find that the talent that we have in the grassroots, for instance, if you look at the athletics that we keep on importing, there are a lot of young girls and boys who have now defaulted into the idea of not competing anymore in the grassroots. They think that when you compete to the level that is needed in this country, then somehow you might be required to bribe your way to make it to the Olympics or to any global or continental competitions.

So many young people I have interacted with get discouraged where they could find a livelihood. For a sports person in this country who goes to these global, regional or even internal competitions that do give them money, this is their livelihood, yet they get to be met by things like manipulation. You may not have done some doping, but you get eliminated and it becomes a problem.

We need to know that for a sports person in this country, this is an end in itself. Participating and competing is an end in itself. If we do not deal with this issue of manipulation, we will not encourage this grassroots participation of young people in sports at all. Even the worst part of it, we will not be able to protect the most vulnerable among us, if you do not deal with the issue of manipulation, hence the importance of passing this Bill as soon as yesterday.

Apart from that, we need to start thinking about sports, especially where we are going as a country. We need to start seeing sports as an industry where we can encourage industrial growth. There are people who actually do financial investments in sports and there are people who also look at it as a place for growth in terms of their industries. For instance, think about corporate sponsors who are sponsoring our local teams. I have supported Gor Mahia FC for such a long time, but now, I am moving to support Migori Youth because it has now made it to the Premier League, and I used to play for Migori Youth in my younger days. I actually want to appreciate a young man called Abdi Aziz Osman. He is one of those people who I call investors in sports. This is a young man who was just running an M-Pesa shop. When I was in high school, Abdi Aziz Osman would use money from his M-Pesa shop to support the talent within Migori Youth.

At that time, it was not even an academy, and then at some moment, he reached out to me when I was still studying in South Africa. We put our heads together and started this small club called *Maita* to be able to develop talent slowly and see how we could grow with it. He rose from supporting this organisation to actually navigating his way all the way to the leadership of FKF. Through that, he learned a lot of things that then encouraged so many people to come in and invest in Migori Youth.

Today, Migori Youth is playing in the Premier League in Kenya and it has demonstrated that it can even beat Gor Mahia. It has demonstrated that it can even beat people who have been in the league for such a long time by showing very good performance since they got into the league. You can imagine if the young people in Migori Youth could have been discouraged with an element of manipulation that they cannot make it unless they bribe people or leaders bribe people. We could not have built those talents.

Madam Temporary Speaker, I want to tell you that I have proudly left being a fan of Gor Mahia to now being a fan of a club that I saw grow. I invested in it. Now, many people have come into it. Politicians have come supporting it. I want to have a few of the

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leaders in Migori, who have come to support Migori Youth. Now, we have got so many sponsors. Bansi is now supporting Migori Youth, but when we were starting this Migori Youth with Abdi Aziz Osman, we never thought that we would reach where it has reached today.

That is why it is extremely critical that we protect even as little investors as Abdi Aziz Osman, the same way we protect corporate investors who perhaps invest in this. Some of them are even broadcasters who have spent a lot of media houses' wealth in investing money in making these clubs to grow.

A big part of supporting in this country, and we have seen time without number, is the fan base in this country. When we have got athletics competition in this country or even our athletes go outside this country to compete, you have seen the entire nation rallying behind them. Why is this so? It is because it is the fan-base and fan engagement that actually builds sports.

You have seen how the many Gor Mahia Football Club fans get crazy when Gor Mahia wins or loses, which is the same for the fans of AFC Leopards and my friends from Kisii with Shabana Football Club coming up very strongly. The engagement of fans is what makes sports. However, fans cannot be engaged if they have doubt in the officiating of the sports or they feel there is manipulation in the way the federation is running sports. It is important that we give fans the confidence that the sport that they are supporting is not being manipulated in any way.

Madam Temporary Speaker, we recently passed the Gambling Control Bill in this country. The betting companies also have a way of affecting our sports. In some cases, they even contribute to our economic growth by the taxes that they pay. However, you cannot secure the legal betting ecosystem if you do not deal with the issue of sports manipulation. This is where a lot of manipulation that ends up affecting sports also happens. There should be transparency in the sector by protecting legitimate sport books in the gaming industry and the information shared on these platforms to ensure that there is no manipulation to the benefit of the betting ecosystem, which then can affect real competition.

The reason we are doing all this is to ultimately be able to build a stronger international reputation in terms of sports governance in this country. It is not just in vain; where we do not have strong international reputation in terms of sport manipulation, we can face serious sanctions as a country at a global level. We have a number of times seen our athletes in particular, facing serious problems with the International Olympic Committee (IOC). We have also sometimes faced a lot of challenges with Fédération Internationale de Football Association (FIFA). Even now, we see that there are problems between the two leaders of the Football Kenya Federation (FKF) predominantly. That will end up affecting all the other leaders such as the chairmen of different branches, who are dealing with football in this country.

I call out my brothers; Hussein and Mariga through this platform, that when they were vying, they were a very good pair. I think there is a chance to look at the bigger picture; that the wrangles in FKF could easily affect our country. It could easily bring down the gains that we have made as a country.

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Madam Temporary Speaker, hosting an international game such as the African Cup of Nations (AFCON) next year is not an easy one. For the President to work so hard to bring the two global teams; FC Bayern and FC Ajax to play here in January, is not a small thing. The investment that the country has made of over Kshs45 billion to build the Talanta Stadium to build the talents of our young people is not a small thing.

The egos within FKF must call themselves back to order. I do not want to say who is good or who is bad; I just believe that as young people who love sport, they can sit down and see the investment the Government and we, the legislators, are making to build confidence in sports. They can sit down and even work with mediators; they do not even need to go to court over these small issues they are fighting over. They are fighting over a position here and who is controlling which section of the sporting industry within their docket there.

Let them sit and talk as men and sportsmen and then bring confidence in our country, so that we do not face problems with FIFA. The way FIFA works, it does not like third party interferences. FIFA does not want to see us, as Parliament, interfering with FKF. FIFA does not want to see the President going to interfere with FKF. Even courts are seen as third parties in this case. Even police who I saw tear-gassing a voting process when we have a big event coming up next year with bigger responsibility as well.

Madam Temporary Speaker, this is one of those laws that will help us to sometimes deal with these wrangles, such that, if there are specific complaints about specific misgivings in a federation, then this law can help us. Before we get to that point, we need to strengthen legal accountability by the federations and by having governance infrastructure that can appreciate the element of clean sporting and clean competition.

It will be important to know that if you read Clause 4 of this Bill, which goes to amend Section 64(a) of the mother Act, it says that a person who participates directly or indirectly or aids or enables or assists in the manipulation of a sports competition, commits the offences that we have said here and, therefore, that person who commits an offence under this Section shall, on conviction, be liable to a fine not exceeding three times the value that was the subject of manipulation of a sports competition or Kshs10 million, whichever is higher according to the court.

Madam Temporary Speaker, we are going further to say that they can also face imprisonment of a term not exceeding five years and we are giving the courts the power to sanction that individual with both of those penalties, where need be. Why am I saying this is critical? There has to be explicit criminalisation of manipulation, explicit.

Right now, it is insinuated in the federation that exists but it is critical that we make strict investigations within timelines that are there, within those explicit explanations of those violations and make individuals take individual responsibility. You will not hide behind a federation if you are in FKF or if you are in Athletics Kenya. You will not hide beyond those federations to protect you where you have explicitly committed a criminal offense of manipulation. We must end it.

Madam Temporary Speaker, even if you are running a betting company and you have gone ahead and committed a crime, we will not take it on that company, that the company has committed an offense. It is the person, the individual, who must take responsibility, so that the manipulation can be trickled down to giving power to our

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courts and power to our laws to deal with the individuals who severely cause these criminal activities, including the issues of improprieties and embezzlement of funds.

You saw what sports did to us last year. Last year, when the country was in chaos, it is CHAN that brought us together. Remember the way our coach for Harambee Stars worked hard to encourage the boys, put them together and to bring the zeal to sports. All of a sudden, everybody, even people I have never seen playing football anywhere, like my brother Cherarkey, were so psyched up. I saw him going to Kasarani to support the boys despite the fact that he only runs in the gym all the time. Although, he is a very good person in the gym, he does a lot of aerobics in the gym, but he does not know how to kick a ball. You could see my brother, Sen. Cherarkey was the number one fan.

(Sen. Cherarkey spoke off record)

Madam Temporary Speaker, protect me from Sen. Cherarkey. I am protecting him.

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey, you can only speak to Sen. Eddy through the Chair.

Would you wish to be informed by Sen. Cherarkey?

Sen. Oketch Gicheru: Madam Temporary Speaker, I do not want him to. My brother, Sen. Cherarkey, got the courage to play in Homa Bay during the Devolution Conference after seeing how football was nice because of what McCarthy did with our boys in CHAN. He tried like Ronaldo although he could not kick the ball well.

On a more serious note, you could see how the African Nations Championships (CHAN) all of a sudden, made us one Kenya, when our boys did very well in sports yet, right now, Harambee Stars is struggling. Where money has been put, the coach has not been paid. Where money has been put, sometimes, for Harambee Stars to go and play, even in international matches, they do not get the friendlies.

We have got top talents of our kids in Europe, who sometimes we call to come and help us. They are being asked to pay for their own flights, yet the Federation asks for money. I know that even in some instances, the Federation sometimes goes and takes cheaper flights that end up routing our players through 18 hours of travel within the continent, yet they are playing the game the next day. They get to the field exhausted.

We have seen a number of times where, because of these corrupt cases, you end up seeing our teams sleeping during a layover at an airport. They are just sleeping on the benches. This is not how we dignify our players. The people who are carrying the flag of this nation, who put us on the map, are not the politicians. The people who put us on the map are not even the presidents. The first people who put us on the map in this country are our athletes, our patriots, who go to fight for us without expecting anything from us Kenyans. They just go and represent the country well.

These sportsmen must be treated with decorum, dignity, and all the support that they need to be able to perform. Therefore, anybody who will manipulate resources, information, the game that they are playing, we will hold them to account personally through this law. That is why if you read Clause 4, that is amending Section 64, we are now putting this liability to individuals, so that we can reprimand them; we can warn

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them, give them fines, suspensions and temporary or permanent bans from handling our sports in this country, or from being in any business of sports in this country.

We will even deregister them, according to this law, where necessary, or cancel their registration and licenses completely. This law is proposing that where possible, if they want to re-register, there are conditions that we have put in this law that can make it possible to re-register if they have gone through all the disciplinary measures.

Madam Temporary Speaker, this is a law that this House should be able to support and make it possible to make very strict sporting sanctions, where people have violated our laws and manipulation has happened. It is very important that we, as a country, must be the trailblazers to make sure that in this region, where probably a team in football has never made it to the World Cup, we can put an infrastructure of good laws and regulations that can bring about cross-border cooperation, that can make it possible to have trust between us and other countries around us.

Uganda plays very good football and sometimes also tries to compete with us in athletics, although we beat them. Tanzania plays very good football and sometimes tries to compete with us in athletics, although we beat them, but we want them now to understand that we can also beat them in terms of putting good laws and good moral fibre in sporting, so that the cross-border cooperation in sport development can happen within the nexus of proper laws and regulations. This is what this Bill aims to bring about.

That is why I urge Senators to support this Bill, let us pass it as fast as possible. Support the President's dream and the Broad-Based Government's dream of having sporting competition in this country being at the highest level and being a world-class country that can have a world-class sporting mechanism and sporting environment. This is especially going into next year when the world will know that Kenya indeed is not only a place of Kipchoge Keino's fast feet, but is also a place of the right-footed and left-footed men and women, who can also kick the ball to the World Cup level.

Thank you. I beg to move and request my brother, Sen. Kajwang', to second this Bill.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Eddy, for the moving notes and comments while moving The Sports (Amendment) Bill (National Assembly Bills No.31 of 2024). I wish you had invited those teams, AFC Leopards and Gor Mahia, to sit in the Gallery as you moved these amendments. However, they may still have a chance to come before we conclude debate on the Bill because it is going to impact them.

Sen. Kajwang', proceed to second the Bill.

Sen. M. Kajwang': Thank you, Madam Temporary Speaker. It is my pleasure to second that The Sports (Amendment) Bill (National Assembly Bills No.31 of 2024) be approved by this House.

Section 54 of the Sports Act, which Sen. Eddy Oketch wishes to insert a new section, is a provision that gives the Cabinet Secretary intervention and supervisory powers over sports federations in this country. That Section has invoked a lot of wrath in the past. We have our local Sports Act, our local laws and Constitution. However, many times when the Cabinet Secretary intervenes when there are problems with federations, we find ourselves at odds with international federations. For example, in the recent past,

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Kenya has been banned about three times by the Fédération Internationale de Football Association (FIFA) because the Cabinet Secretary intervened and took certain measures to instill discipline within sporting federations. Therefore, I support this amendment because it defines further offences and puts in place processes through which investigations of those offences can be carried out.

Sen. Oketch Gicheru proposes that manipulation of a sports competition be defined as an offence under the Act and goes ahead to provide procedures for investigation of manipulation of sports. This is something that may have been happening in local competitions. However, if it is not clearly defined as an offence, sometimes offenders or those culpable just get a slap on the wrist because, under our legal system, if it is not defined as an offence, you cannot go to court to have someone convicted.

It is important that we are broadening the offences by defining further offences. I know that this Sports Act will keep being amended because as sports grows and goes beyond the traditional sports, e-sports is becoming big and our children no longer want to kick balls in parks and fields. They want to be e-sportsmen or e-sportswomen. There is a lot of money and sponsorship in that sector. Therefore, we must keep an eye on our Sports Act to ensure that it remains fit for purpose.

Madam Temporary Speaker, again if you look at the intention of Parliament when we came up with the Sports Act, it did a thorough job because this statute established some institutions, which I would call sleeping giants. If you look at the definition of Sports Kenya, you may find yourself asking why we even need a Cabinet Secretary for Sports because everything the Cabinet Secretary is expected to do has been assigned to Sports Kenya.

Perhaps the only thing that the Cabinet Secretary will be concerned about are policy, alignment, ensuring that the two levels of government are able to work together and handling the international relations aspect of sports. The primary operational coordination, management of infrastructure and other related functions have been assigned to Sports Kenya. We must then ensure that we have the most competent and qualified people running these institutions.

Madam Temporary Speaker, there has been a history in this country of making appointees to critical institutions like Sports Kenya to be people who are only politically-correct or correct by virtue of their regions. However, if you look at the powers and functions assigned to Sports Kenya, and if we are serious about promoting sports and creating opportunities for young people to earn livelihoods through sports and not merely participate for leisure, we must professionalise the management, leadership and administration of Sports Kenya.

Madam Temporary Speaker, we must make sure that it is the finest Kenyans, not just with experience in sports, but also those with experience in attracting partners to ensure that we are able to do some sourcing of capital to optimise the sports potential of Kenya.

Just this afternoon, Sen. Cherarkey gave the report of how our valiant girls in Senegal lifted the Olympic rugby trophy and as someone who attended a school where we played rugby and we were the national champions then, it is extremely, for lack of a better word, delicious for Kenya to lick Australia in a rugby game.

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The men have rarely licked Australia in a straight rugby game, perhaps with the exception of a few Rugby Sevens, matches but, Australia, New Zealand, South Africa are the global giants when it comes to rugby. So, when our girls are able to turn the tables against the most preferred giants at an Olympic competition, that tells you that there is serious potential that we have not been able to exploit.

If you look at rugby, for many years it was a sport domiciled in former colonial schools, schools that bore names like Duke of York. I do not remember what the Nairobi School used to be called, but at least, Lenana School was Duke of York. Those are the kind of schools where rugby was played. Then we realized that we needed to get rugby out of Nairobi and out of Nairobi School, Lenana, and St Mary's.

When rugby hit Western Kenya, all of a sudden Kakamega and Musingu became the national champions, and our rugby team, then was comprised of a very good mix, not just of Nairobians, but tough boys who had grown up in the Western valleys. That is what we need to do with the women rugby now that our girls have shown that it is possible for them to shine on the pitch.

All this, if you look at the statute, Sports Kenya has a responsibility in ensuring that they give effect to the talents of our young people. Our athletes are now a global brand for Kenya. If you ask what Kenya is known for out there, it will be about our prowess, particularly in long distance.

Perhaps Madam Temporary Speaker, you have come across this situation where you are in Dubai and you are in a taxi being driven by someone from Pakistan, Bangladesh or India. Once you mention that you are from Kenya, they remember some years back when Kenya beat India, Pakistan, *et cetera*, in some cricket matches. This generation today has no recollection that at some point Kenya was playing at World Cup level when it comes to cricket. What happened to cricket, yet some of those facilities are still there around City Park? Sports Kenya must wake up from its slumber.

Many of the Senators here, when they reported to school, particularly secondary school, one standard requirement was to come with a hockey stick. I believe that many of us or almost all of us went to school with a hockey stick. After four years of interaction with a hockey stick, why can Kenya not produce world record or global champions when it comes to hockey? Was it just another procurement for principals and teachers; that you have to go and buy a hockey stick from their shops? That cannot be the intention of policy.

If you are subjecting every child to go to school with a hockey stick, tracksuit or PE kit - in some schools, they were even told to go with a football - why can we not see the results? Can we see the outcome of that? Again, Sports Kenya has been given in statute a responsibility for coordination and promotion. This Act, and that is why I am saying Parliament played its part very well, establishes a sports fund. It indicates how the sports fund will be financed.

The sports fund is supposed to benefit from lotteries. For the those of us who are slightly older than Sen. Gicheru Eddy and Sen. Cherarkey will remember the days of Kenya Charity Sweepstakes. There used to be a national lottery, and there used to be booths, and there used to be something on TV rolling a drum, where there would be

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winners announced and that national sweepstake was a government operation which was raising money for charitable causes.

Today, we have liberalised the betting sector, and we have liberalised it to great effect. Today, it is said that Kshs330 billion is the value of the gambling sector in Kenya, and that number is not even accurate because nobody seems to want to get the accurate numbers. This is because if you get the accurate numbers, it will blow your mind away.

Just see our betting firms sponsoring teams in the English Premier League. Some of them are supporting racing cars in Formula 1. You ask yourself how much money are these firms making. This House must carry out an investigation on the real, accurate figures generated from betting firms in this country because betting casinos is a function of county governments. The proceeds from betting firms must find their way into county governments.

According to the Fourth Schedule of this Constitution, betting, casinos and liquor licencing is a function of county governments yet, we have these brands going global, doing great things and making a lot of money. In fact, it is said that at Kshs330 billion a year, they are making Kshs900 million every day from Kenyans, yet none comes back to county governments and very little of that comes back to the sports fund. Can we not just revolutionise things the same way President William Ruto looked at this sports fund and said, we have had this fund from time immemorial, why can we not tap into it and build a world-class stadium? The evidence is there for all to see. In fact, even if you hate President William Ruto, even if his development has not reached your village, you cannot miss to see the Talanta Stadium.

We thought that a stadium of that size and magnitude would take 20 years to construct because we are used to mediocrity. We thought it was going to take so long that maybe some of us would be old by the time we are seeing it. I am so surprised, pleasantly surprised, that in just about two years, we have a world-class stadium of that stature. In just about two years, the Bomas of Kenya, which was associated with the electoral shenanigans, is going to be a world-class facility. When we go to Addis who have their own convention centre, at least now we can also brag of our own shiny convention centre. Yes, it is shiny; it is very beautiful, but it is going to bring people to this country. Today, the world is going through the 31st Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) (COP 31) in Antalya, Turkey, while COP 32 will be held in Ethiopia. It could have been held in Kenya perhaps were it not for an election year. The other handicap was that we did not seem to have a facility that could accommodate the thousands of delegates.

The President is doing all these things and thinking out of the box. Let us make sure that we give effect to this Sports Act, strengthen Sports Kenya, strengthen the sports fund and call the betting firms to order and greater accountability tying it to the Fourth Schedule of the Constitution. If none of our committees is going to make that move, then perhaps, the County Public Accounts Committee (CPAC) *suo moto,* will be demanding an accountability and link the proceeds from sports betting to what county governments are getting. I believe that they can provide some money that can be used to improve infrastructure in our counties.

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As I conclude, on sports, we have been heavy on infrastructure and building stadia. Unfortunately, most of them are football stadia. I want our governors and any Senator who wants to be a governor in future to ensure that we open our minds. Who said that the only thing we can play is football? There is Javelin, tennis, swimming and even polo. If you told the cattle rustlers of Northern Kenya to play polo on the back of a horse, they might not fail to do it. Let us go beyond the football infrastructure and ensure that we have a holistic approach to it.

Finally, let us ensure that there is an alignment between local laws, our Constitution and international law. Let us give leeway for the Cabinet Secretary or the Government to ensure that where there is disorder in federations, like we are seeing right now in FKF, an intervention can be made by the Government. If Kenya fails to produce a winning team, the person being blamed is the President and the government of the day and so the hands cannot be tied.

Finally, let us ensure that betting, in as much as we dislike it - other countries have embraced it and they are using it more progressively - it does not corrupt our children. Let us make sure that it is redirected back to the fund to build a country where sports talent is perfectly optimised.

Madam Temporary Speaker, I second.

The Temporary Speaker (Sen. Veronica Maina): Thank you very much, Sen. Kajwang' for that.

(Question proposed)

Sen. Cherarkey, you may proceed to make your contribution to this Bill.

Sen. Cherarkey: Thank you, Madam Temporary Speaker. From the onset, I would like to congratulate Sen. Eddy Oketch Gicheru. He once told us where Gicheru came from. The distinguished Senator for Migori County and the Deputy Minority Whip was a close confidant of the late Baba Raila Amolo Odinga, and a more close confidant of Dr. Oburu Oginga, the current ODM party leader and broad-based supremo. I also congratulate him for ably moving the Bill.

The sports economy is what is driving Western Kenya and Rift Valley. Everywhere you go in Western Kenya and Luo Nyanza, where our two brothers come from, my Chairperson, Sen. Moses Otieno Kajwang' and Sen. Eddy Gicheru, in Migori and Homa Bay, when you glance as you drive, you will rarely miss to see young people playing football. In Nandi, every day at 5.00 a.m., you will rarely miss seeing athletes running on hills through tea farms. As you drive, you see young men and women playing volleyball.

So, in our region, predominantly the Rift Valley, Western Kenya, both Kisii and Luo Nyanza, you will see that. Sen. Eddy and Sen. Kajwang will tell you that if you call for any tournament, be it football or athletics, the competition is so fierce and ferocious that if international coaches could come and watch some of our sports tournaments for athletics, football or rugby, the women and men are the top. Therefore, sports economy is very critical. I know many young people who have built livelihoods out of sports. In Eldoret, almost 70 per cent to 80 per cent of its economy is driven by sports economy.

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Most of the winners, like Eliud Kipchoge, Amos Kipruto, Conseslus Kipruto, Peris Chepchirchir, and the greatest of all time, the likes of Mercy Cherono, and there is this famous lady whose name is escaping my mind, Tecla Lorupe--- Those are a bit older, she was in the era of the Speaker. There is a younger one.

The Temporary Speaker (Sen. Veronica Maina): I hope, hon. Senator, you are not suggesting that the Speaker is very old. The Speaker is not. The Speaker is young and vibrant.

Sen. Cherarkey: Tecla Lorupe is young. She is young, around 45 or 40 years old. You are still young, Madam Speaker. You women, you do not grow beyond 16 years, so you are still 16.

Faith Kipyegon is the name I was looking for. There is also the late - may his soul rest in peace - a young man who got an accident in Eldoret. He was one of the best marathoners of our time. He ran under two hours. We have people who have played rugby, like Humphrey Kayange and the rest.

There are people who have played football, like Victor Wanyama and Dennis Oliech. However, a number of them are suffering. Sen. Eddy and Sen. Kajwang, if you come to Kapsabet or Eldoret Town, all those cities are held by the sports economy. Even as Sen. Eddy indicated that he is moving this Sports (Amendment) Bill, my voters, a majority whom are sports people, told me to go back and say one or two things to what Sen. Eddy is trying to achieve for better streamlining and efficiency of sports in the country.

Madam Temporary Speaker, I know Sen. Eddy is a Christian and he made some comments alluding that those currently wrangling in the Football Kenya Federation (FKF) should sit and agree. He is behaving like a Christian. You know in issues of governance and a fight against corruption, effectiveness in our sports federations must be held accountable. I do not know whether Sen. Eddy knows the Chairperson Hussein or the Vice-Chairperson, McDonald Mariga, and the members but my own opinion is that these two officials and the entire Football Kenya Federation must go home.

We cannot risk to derail what the President has worked for to bring continental championship like the Africa Cup of Nations. Sen. Eddy has put it very well. How do we look before the world when the Federation that is supposed to guide us on the issue of football is wrangling? You saw the special general meeting that was done in Meru; it ended in premium tears, where tear gas was being thrown.

There are many serious issues in Football Kenya Federation. Sen. Eddy have alluded to the fact that some of the players are not paid in time. Their allowances, where they sleep, even the technical--- You remember even Benni McCarthy, the coach, almost left because of the issue of immigration and the issue of payment to technical staff was a problem.

Those are issues that the federation should be concentrating on, not a power struggle. The President of FKF impeached his deputy Mariga. Is he learning from the Senate on how to impeach people? How can you impeach your deputy? Sen. Eddy, I know these are your friends.

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Sen. Kajwang', my Chairperson, as I allude to the Speaker, you know the problem with FIFA. If we try to strengthen some of these issues, they might burn the country but to protect the dignity, let them just resign and allow Kenyans who are better to run the issue of federation. I will say two things. Even you, Sen. Eddy, have alluded to a bigger problem.

Madam Temporary Speaker, Sir, are you aware that most of these sports federations are Mugabe style? The officials have stayed longer than Mugabe in power. Look at Athletics Kenya. When did they last have elections to elect officials? Look at Kenya Rugby Union. The Directorate of Criminal Investigations (DCI) is investigating corruption allegations, match-fixing and non-payment, and even the Shujaa contract of late 2026.

What are we saying? The federations of sports in this country are threatening the growth of sports because they do not hold regular elections to ensure governance and transparency. They are staying more than Mugabe. The only problem in this country is that everybody focuses on politicians. We are more accountable because after every five years, we go for an election and we accept the outcome. Athletics Kenya, Kenya Rugby Union, FKF ---

Sen. Kajwang', as you have put it very well, these federations are taking advantage of the international confederations that they are under. They are perpetuating corruption, bad governance and killing sports because they know that if question them on accountability, transparency and governance issues, they run to FIFA. When they run to FIFA, they are now being threatened that we will be banned. We must call out these federations and they must know that they are run by taxpayers' money. That is why the Government, through the Cabinet Secretary for Sports, must question the operations of FKF, the issue of Athletics Kenya, Kenya Rugby Union and even basketball. For example, on Kenya Rugby Union, the Director of Public Prosecutions (DPP) has been sitting on the file where some of the organisations have been linked to insider trading and procurement flaws. So, I agree with colleagues that sports federations in this country should allow the growth of sports and avoid what Sen. Eddy is trying to fix in Clause 2, on the manipulation of a sports competition. We must begin by fixing the federations.

Sen. Eddy, when you fix the federations to be run properly, it will be easy to avoid such match-fixing and manipulation of sports competitions, as you have proposed in the amendment before the House.

Madam Temporary Speaker, we have to appreciate and thank President William Ruto. I am happy with my brother, Sen. Kajwang', whom I equate to the current Solomon. He gives Solomonic wisdom. Have you of late listened to his Solomonic advice, even in the village? He said if we have to work with President Ruto, we will do so in good faith because he showed us good faith before demanding conditions. He even went ahead to indicate that President William Ruto gave four Cabinet Secretaries to the Orange Democratic Party (ODM) without any agreement. That is brilliant, my brother. We are proud. Nowadays, he is becoming more Solomonic and focused.

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In the past, maybe because we were not in the Broad-based Government, we had not noticed. He has been consistent in accountability in our committee and other issues. If there is one person that governors do not like in this country, it is the Senator for Homa Bay County, Sen. Kajwang', and the Senator for Nandi County. Even his own governor does not like him because he is very thorough, objective and independent-minded. Sen. Eddy, you must listen where he said we can negotiate with President William Ruto without conditions because he has shown good faith in the future, notwithstanding the ongoing negotiations.

To paraphrase what our brother said on the issue of sports facilities, the President is really trying. Today, the name of Baba, Raila Amolo Odinga - and we still condole with people like Sen. Eddy because I know how close you were with Baba--- Sometime you were in the United States of America (USA) looking at issues of elections and coordinating with him and I know what you are going through since we lost Baba. He was not only a political figure to you, but also your mentor.

Today, courtesy of President William Ruto and all Kenyans, we have the Raila Odinga Talanta Stadium. On the 6th of January, 2027 the Bayern Munich versus Ajax match will happen at the Raila Amolo Odinga Talanta Stadium. I do not know whether you have bought tickets. If you have not, you should look for Sen. Eddy to get you a number of VIP tickets. That is how we honour him because Raila also loved football. If you loved Raila Odinga, you should do what Sen. Kajwang' and Sen. Eddy are doing. This is what Raila would have anticipated, that we fix the sports issues, because Raila Odinga was passionate about sports. You cannot claim to love Raila, yet you are wrecking his own political party, insulting him and celebrating.

Madam Temporary Speaker, I saw the person from your region whom we impeached, the former Deputy President. One of his associates said they were happy that Raila died, yet today, he is pretending that he wants to be like Raila. How can you pretend? It is a shame. If you love Raila, you should speak truth to power like Sen. Kajwang' and Sen. Eddy. It is not about activism. The 10-point agenda, the National Dialogue Committee (NADCO) report and what Sen. Eddy is doing through the Speaker is to guide the country.

If we fix sports, Sen. Eddy, we will not have young people protesting. They will be playing football, basketball, rugby and doing athletics. They will be playing Ajua and earning money. They will be doing what my chairperson called e-sports. Although I am told that in this city, there are people the age of your sons, 40-year old, who are still playing PlayStation and they have a blue Subaru. I do not know whether that counts as e-sports. However, I know Sen. Kajwang' is better placed to explain because he deals with climate and issues of technology. When we say focus, we want to ensure that we put in place the right mechanisms.

Therefore, Sen. Eddy, I want to inform you, and Sen. Kajwang' knows this, that the Raila Odinga Homa Bay Stadium is now operational. Even in Nandi, the Kipchoge Keino Stadium is being opened by December. Eldoret Stadium is being opened. Kamariny Stadium, the historic stadium where Her Majesty the Queen visited, is being---

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The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Cherarkey. You will have a balance of five minutes when the House resumes debate on this very important Bill, The Sports (Amendment) Bill (National Assembly Bills No.5 of 2026).

I hope the Cabinet Secretary and the Principal Secretary for Youth Affairs, Creative Economy and Sports are watching because of the upcoming influx of visitors and sportsmen into Kenya in a few days. This is very crucial.

ADJOURNMENT

Hon. Senators, it is now 6.30 p.m., time to adjourn the Senate. The Senate, therefore, stands adjourned until tomorrow, Thursday, 12th November, 2026, at 2.30 p.m.

The Senate rose at 6.30 p.m.

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