

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Wednesday, 23<sup>rd</sup> November, 2022

*The House met at the Senate Chamber,  
Parliament Buildings, at 2.30 p.m.*

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

### PRAYER

#### QUORUM CALL AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum? Kindly ring the Quorum Bell for five minutes.

*(The Quorum Bell was rung)*

*(The Clerk-at-the-Table Consulted the Speaker)*

We still do not have quorum. I order the Quorum Bell to be rung for five more minutes.

*(The Quorum Bell was rung)*

*(Several Senators walked into the Chamber)*

Hon. Senators, let us be seated. We do have quorum.  
First Order.

### COMMUNICATION FROM THE CHAIR

#### VISITING STAFF FROM NAIROBI CITY COUNTY ASSEMBLY

**The Speaker** (Hon. Kingi): Hon. Senators, I would like to acknowledge in the Speaker's Gallery the presence of Mr. Vincent Kipyator, Principal Security Officer from Nairobi City County Assembly who is at the Senate for an attachment. You may stand to be acknowledged in the Senate tradition.

*(Mr. Vincent Kipyator stood at his place)*

There he is.

*(Applause)*

On behalf of the Senate and on my own behalf, I welcome you to the Senate and wish you well for the remainder of your visit. Thank you.

Next Order.

**MESSAGE FROM NYANDARUA  
COUNTY ASSEMBLY**

**CONSTRUCTION OF IHITHE-ABERDARE FOREST-  
KAHURUKO-NDUNYU NJERU ROAD**

Hon. Senators, I wish to report to the Senate that pursuant to Standing Order No. 48(3) and (4), I have received a Message from the Speaker of the Nyandarua County Assembly regarding a resolution by the County Assembly, to petition the Senate to consult with, and initiate approval of, the National Environmental Management Authority (NEMA), the Kenya National Highways Authority (KenHA), the Kenya Forest Service (KFS) and the Kenya Wildlife Service (KWS) on the Ihithe-Aberdare Forest-Kahuruko-Ndunyu Njeru Road construction and tarmacking project.

The Message was received in the Senate by way of a letter communicating a resolution passed by the County Assembly on 2<sup>nd</sup> November, 2022, as follows -

“THAT, aware that Paragraph five of Part II to the Fourth Schedule to the Constitution of Kenya assigns the county governments functions and powers pertaining to county transport, including county roads, county planning and development, storm water management and development and regulation of markets;

Further aware that Paragraph eight of Part I to the Fourth Schedule to the Constitution of Kenya, 2010, provides that the national Government has a duty to construct and maintain national trunk roads and standardize construction and maintenance of roads by counties with the overall aim of providing an efficient road network in Kenya aimed at improving the lives of the citizens and improve service delivery;

*(Several Senators stood at the entrance)*

Hon. Senators, kindly come in.

*(The Senators walked into the Chamber)*

Noting that KeNHA is a State Corporation established under the Kenya Roads Act, 2007, does on behalf of the national Government deal with management, development, rehabilitation and maintenance of National Trunk Roads comprising Classes S, A, and B roads;

Further, noting that KeNHA is the custodian of the national road network, plays a critical role in providing quality national road network for sustainable social and

economic development; and has a responsibility to manage and leverage our resources in a way that promotes a healthy and sustainable environment;

Appreciating that the proposed Ithite-Aberdare Forest-Kahuruko-Ndunyu Njeru Road which was to traverse 25 kilometres of Aberdare National Park and Forest with the alternative being Nyahururu-Nyeri Road which is approximately 180 kilometres, was aimed at reducing travel time and potentially lower cost of farm produce, and improve tourism in the region amongst the counties of Nyandarua, Nyeri, Nakuru and Murang'a, among others;

Concerned that the cancellation of the tender of this road has dampened the hopes of traders in Kiambu, Murang'a and Nyeri counties who were eyeing to establish links with farmers in Nyandarua while noting that for many years, Nyandarua County has been known as Kenya's food basket;

Further, concerned that due to poor infrastructure, farmers cannot adequately take their products to better markets leading to perpetuated suffering of the residents of these counties;

Recognizing that the reason given for the cancellation of the tender on the construction of the road is that it will interfere with the Aberdare Forest eco-system, is not good enough since human beings have always interacted with wildlife and forestry with the following being some of the projects cutting through forests and national reserves: -

- (1) Thika- Flyover (Magumu) Road
- (2) Naivasha-Njabini-Gatura Road (under construction)
- (3) Nairobi-Mombasa Road (cutting through Tsavo National Parks)

Now, therefore, this House does resolve to petition the Senate to -

- (1) Consult with NEMA, KeNHA, KFS and the KWS with an aim of considering the retendering and construction of the tarmacking of Ithite-Aberdare Forest-Kahuruko-Ndunyu Njeru Road and initiate approvals from KFS, NEMA and the KWS for the benefit of the people of the region;
- (2) Request the Hon. Governor, H.E. Dr. Moses Kiarie Badilisha to establish a committee represented by the Nyandarua leadership to spearhead multilateral negotiation amongst Nyeri County Government, the National Treasury, the Ministry of Transport and Energy, KFS, KWS, NEMA and the KeNHA.

Hon. Senators, I direct, pursuant to Standing Order No. 48(7)(c), that the matter be considered jointly by the Standing Committee on Roads, Transportation and Housing and the Standing Committee on Land, Environment and Natural Resources.

I thank you.

Can we hear from Sen. Cherarkey?

**Sen. Cherarkey:** Thank you, Mr. Speaker, Sir. I thank Nyandarua County Assembly and the County Government for this Petition. It is ironical that NEMA is using the Environmental Impact Assessment (EIA) as an excuse not to allow the road to pass through.

Mr. Speaker, Sir, you and I are aware that houses have been built on the river riparian areas in this city. If that road was allowed to pass in other counties, it would not undermine the wildlife ecosystem in any way. This is unfortunate and the people of Nyandarua should not continue to suffer.

Nyandarua County is very strategic. There are many people who would want to access the market in Nairobi City County, Nakuru and other parts of the country. We want to create easy access to markets. So, we must allow infrastructure to co-exist with wildlife.

Mr. Speaker, Sir, NEMA should stop activism at the expense of the livelihoods of the people and the economy of Nyandarua. A farmer suffers the most in this country. They could be potato, maize, cashew nuts, sugarcane or coffee farmers. Farmers continue to be frustrated when we do not allow them to have access to good markets like the ones in Nairobi City County to sell their produce.

It is high time we put in place protection mechanisms. It is a distasteful attitude towards the farmer. Despite the high cost of inputs, farmers in Nyandarua and Nandi buy fertilizers at Kshs7000 per bag and still go to farm because of patriotism. It is unfortunate that NEMA, which prides itself in compliance, can lie to the country that EIA does not allow the road to pass through.

Mr. Speaker, Sir, we know there are roads that pass through national parks in the coast region. What we should be pushing for is peaceful co-existence between the wildlife and people because this road will allow tourism to thrive in that area.

Mr. Speaker, Sir, I want to thank you for the wisdom. Please, I urge all of us, as a Parliament, that we must put in place mechanisms to protect the farmers. If you travel outside this country, you cannot carry even one seedling because you will be arrested and prosecuted. Why is that? It is because they are protecting the interest of their farmers.

Mr. Speaker, Sir, as I conclude, we must protect the farmers because this is an agro-economy nation. Almost 90 per cent of us depend on agriculture. From where Sen. Kathuri comes from, if you touch *Miraa*, he will remove his cap in protest. I can tell you for free. If you touch cashew nuts from coast or bananas from Nyamira, where my brother, Sen. Omogeni, comes from, there will be a protest. It is high time we put in place the necessary policies and mechanisms to protect our farmers. I fully support.

You have directed Sen. Methu, as the chairperson of one of the committees, to provide the necessary inside information, to ensure that the road is constructed. This will ensure that the people of Nyandarua can access the markets and we do not complain about the high cost of food. Now, we are complaining of high cost of food, yet we cannot allow farmers to access the market of Nairobi City County, where Sen. Sifuna has always insisted that there is hunger in some specific areas especially in the slums. We should allow access to this market, so that food becomes affordable.

I thank you for the opportunity.

**The Speaker** (Hon. Kingi): Proceed, Sen. Methu.

**Sen. Methu:** Mr. Speaker, Sir, I thank you for this opportunity. First and foremost, I laud the County Assembly of Nyandarua for the resolutions that they made. I have kept myself abreast with the happenings on the tendering process of the Ndunyu-Njeru-Ihithe Road and now its cancellation.

For those who may not understand how and why that road is very important to the people of Nyandarua and Nyeri, is that as it is now, to move from Kinangop Constituency to Ihithe, you have to travel for 72 Kilometers to Olkalou, 36 kilometers to Nyahururu, 26 Kilometers to Nyeri and lastly 24 Kilometers to Ihithe. The road as it was designed, from Ndunyu Njeru to Ihithe, will reduce all that distance of about 200 kilometers, to just 36 kilometers.

Mr. Speaker, Sir, even as my Committee and the Committee on Roads and Transportation look at the resolutions, we cannot emphasize enough the importance of markets to farmers of Nyandarua. Nyandarua is generally a horticultural county. It is very productive. We are number one in production of potatoes, cowpeas, French beans, carrots and cabbages and also number two in production of milk.

Mr. Speaker, Sir, despite the county being very productive, our problem has always been accessing markets. It is a very sad state of affairs that at some point, cabbages are being sold at Kshs5 and we normally feed milk to our dogs such that when a dog sees you with a jerrican of milk, it runs away. The people of Nyandarua can get an opportunity for their produce to reach markets of Murang'a and Nyeri, if we shorten the distance and increase accessibility to markets.

We are very hopeful that the road will be done because it has happened in many other places, as it was ably prosecuted in the Message that you have read. The Standard Gauge Railway (SGR) goes through Nairobi National Park and Tsavo National Park. We have very many places with fly-overs.

If necessary, we will co-exist with elephants because the National Environment Management Authority (NEMA) has prioritised animals, since we may affect their original way of life. If need be, we will do flyovers so that we do not disrupt the pattern of living of animals and that they also co-exist with us so that we can get the road done.

I look forward for support from my colleagues. The people of Nyandarua really need that road. As the Senator who spoke before me said, the people of Nairobi really depend on the people of Nyandarua for our produce. You are our number one customers and market. When we have such problems, they should be the first ones to come to our support.

I thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Next Order.

### PAPERS LAID

**Sen. (Dr.) Khalwale:** Thank you, Mr. Speaker, Sir. I beg to lay the following Papers on the Table of this Senate, today, 23<sup>rd</sup> November, 2022-

#### SPECIAL AUDIT ON PUBLIC PARTICIPATION IN THE COUNTY BUDGET MAKING PROCESS

Report of the Auditor General on the Special Audit Report on the Public Participation in the county budget making process for the Financial Year 2021/2022.

#### VARIOUS REPORTS FROM THE EAST AFRICAN LEGISLATIVE ASSEMBLY

Report of the East African Legislative Assembly, Committee on Accounts on the audited East African Community (EAC) financial statements for the financial year ended 30th June, 2020.

Report of the East African Legislative Assembly, Committee on Legal, Rules and Privileges on the Assessment of the Status of Ratifications and Implementation of EAC Protocols and EAC Laws by the Partner States.

Report of the East African Legislative Assembly, Committee on General Purpose of the Oversight Activity to assess the progress made by the Inter-University Council of East Africa in the Harmonization of Education Systems in EAC.

Report of the East African Legislative Assembly, Committee on Regional Affairs and Conflict Resolutions on assessing the measures instituted by the Partner States for the Safety and Security of Movement of People and Goods on Lake Victoria and Lake Tanganyika.

The East African Community Supplementary Appropriation (No.3) Bill, 2022.

The East African Community Surveillance, Compliance and Enforcement Commission Bill, 2022.

Resolution of the East African Legislative Assembly to support the ongoing East African Crude Oil Pipeline Project (EACOP).

Thank you, Mr. Speaker, Sir.

*(Sen. (Dr.) Khalwale laid the documents on the Table)*

**Sen. Methu:** On a Point of Order, Mr. Speaker, Sir.

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

**Sen. Methu:** Mr. Speaker, Sir, it is really not a point of order *per se*. I seek for your guidance because every time, Sen. Cheruiyot keeps reminding us that we are young and learning. I have been patient and learning but at this point, I would really seek for your guidance.

I have read the second and third schedule of the Constitution of Kenya on symbols on national unity. I have also observed that all public and government buildings must have a portrait of the President because the presidency is a symbol of national unity and to some extent to show that he is the man who is in charge.

I have been at the entrance of the National Assembly and I have seen the portraits of former Speakers and that of the most recent Speaker is just next to the door.

I have looked at our entrance, and unless I have a problem with my eyesight, I have not seen your portrait. So, I wonder whether someone thinks that you are not in charge. If there is a problem in procurement, I have a good person who can do that portrait so, that we can advance the bottom-up agenda.

*(Laughter)*

There is a person who can do it on behalf of the Senate. I can deliver it in not more than 24 hours if I am given that particular job. We have commissioners here so, that is something that can be done now. The Vice-Chair of the Commission is here too. You can ask me to do it.

Mr. Speaker, Sir, I have noted with concern that it is not there and this is your third month in office. I was your agent in the elections. So, if anybody plays with your election, I feel very bad. That is why I want your guidance.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Methu, I have been really struggling to understand your point of order.

*(Laughter)*

That is a point of concern and the concerned parties have taken note.  
Next Order.

### COMMUNICATION FROM THE CHAIR

#### PROCESSING OF SPECIAL AUDIT REPORT ON PUBLIC PARTICIPATION IN THE COUNTY BUDGET MAKING PROCESS

Hon. Senators, as you have observed the Senate Majority Leader has laid on the Table of the Senate the report of the Auditor-General on the citizen's accountability audit on public participation in the county budget making process for Financial Year 2021/2022.

Article 201(a) of the Constitution requires openness, accountability and public participation in financial management. Article 196(1)(b) requires the county assembly to facilitate public participation and involvement in the legislative and other business of the county assembly and its committees. Further Section, 125(2) of the Public Finance Management Act, 2012 requires the County Executive Committee Member (CECM) for Finance, in each county, to ensure citizens participation in the planning and budgeting processes.

Citizens accountability audit is the proactive approach in auditing where citizens play a key role in public resources management. Citizens participation in Kenya's governance process is integral in all public decision-making processes. Citizens participation in the budget process is anchored in Article 1 of the Constitution, which vest all sovereign power to---

*(Sen. Korir stood in her place)*

Sen. Korir, you are out of order. Kindly take your seat. Even if the Chair gets you standing, you should take the next available space. It could be a bench or the floor but you need to be seated.

*(Laughter)*

Citizen participation in the budget making processes is anchored in Article 1 of the Constitution which vests sovereign power to the people of Kenya and to be exercised only in accordance with the Constitution.

Such power may be exercised either directly or indirectly through the democratically elected representatives. Citizens accountability audit on the county budget making process assess the level of compliance with the relevant legal requirements and determine the effectiveness of the public participation in promoting good governance.

It is against this background that the Office of the Auditor-General undertook a citizen's accountability audit on public participation on county budget making process across 18 counties, namely; Nairobi City, Kiambu, Kisii, Homa Bay, Kisumu, Kakamega, Narok, Bungoma, Elgeyo-Marakwet, Turkana, Isiolo, Meru, Kirinyaga, Nakuru, Garissa, Kilifi, Mombasa and Makueni and submitted a report to the Senate highlighting experiences from the county governments and making recommendations on the same.

Hon. Senators, in my considered opinion, this report is not an ordinary report on financial statements and operations of county governments and in this respect, I therefore refer it to the Standing Committee on Finance and Budget working together with the Standing Committee on Justice, legal Affairs and Human Rights to scrutinize its contents and make observations and recommendations thereon; by way of a report submitted to the Senate for consideration and adoption.

The Committees are required to identify gaps in the public participation processes highlighted by the Auditor-General and to come up with legislative interventions, that will standardize procedures across the 47 county governments.

Appreciating that the budget cycle for the next financial year is already ongoing, I urge the Standing Committees to expeditiously consider the report and submit their recommendation within the next 60 days for consideration by the Senate.

I thank you.

Next Order

## STATEMENTS

**The Speaker** (Hon. Kingi): Is Senator for West Pokot County, Sen. Murgor, and Sen. Mwaruma in the House?

### IMPORTANCE OF ESTABLISHING WOMEN SELF-HELP GROUPS IN CONFLICT PRONE AREAS

### COUNTY BOUNDARY CULTURE BETWEEN TAITA TAVETA COUNTY AND NEIGHBOURING COUNTIES

### ACQUISITION OF LAND BELONGING TO RESIDENTS OF IKANGA AREA BY THE KENYA AIRPORTS AUTHORITY

*(Statements deferred)*

Proceed Sen. Kathuri.

### ESTABLISHMENT AND MANAGEMENT OF SPORTS TRAINING ACADEMIES IN THE COUNTIES

**Sen. Kathuri:** Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Labor and Social Welfare on the establishment and management of sports training academies in counties.

In the Statement, the Committee should -



(1) Provide detailed status report on the measures that the Kenya Academy of Sports has taken to establish and maintain sports training academies in counties following its establishment via Section 33 of the Sports Act and to comply with Article 6(3) of the Constitution that requires our national stage organ to ensure reasonable access to its services in all parts of the country.

(2) Outline the structures that the Kenya Academy of Sports has established to aid in scouting development and promotion of talent in sports in counties.

Mr. Speaker, Sir, can I make comment for one or two minutes?

**The Speaker** (Hon. Kingi): Hon. Senator, you know very well that you can neither explain your Statement or debate it. You read it as you submitted and approved by the Speaker.

Thank you.

Sen. Sifuna, what did say you?

**Sen. Sifuna:** Mr. Speaker, Sir, I am just seeking your guidance. I do not know whether I should proceed? I want to add one word to this.

**The Speaker** (Hon. Kingi): You can do so, Senator.

**Sen. Sifuna:** I am very happy that this particular Statement is being sought. I am personally very passionate about sports and sporting facilities especially here in the city where we have a lot of talents. So, I will be looking forward to this Statement.

It continues to break my heart that we do not take sports seriously. We even have an ongoing problem which I have spoken to on this Floor. There is absolutely no support for the national teams.

Just this morning, I was informed that the women rugby national team is supposed to be going for the Dubai Sevens. However, they are unable to even afford tickets.

There is no support from the Government and no word from the Cabinet Secretary (CS) for Sports, Culture and Heritage and yet we had the Sports Fund that was supposed to sort out some of these issues.

I would encourage this Committee to give this matter the seriousness it deserves. Once we know the status of all these academies; the sports funds and the facilities in the counties and especially in Nairobi, we can then take it from there.

I thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Cherarkey, proceed.

**Sen. Cherarkey:** Mr Speaker, Sir, thank you for this opportunity.

Firstly, I thank Sen. Kathuri for this Statement. Where I come from, Nandi County, is called the 'Source of Champions'. About 99 per cent of the youth there depend on sports. If you kill sports, you kill the youth in my county. We had sports funds. At some point during the last regime, it was diverted to fund Petroleum Development Levy Fund as a subsidy. I saw the Sports Cabinet Secretary (CS) Ababu Namwamba meeting with various Federations. The problem is the Federations which must hold elections have taken ten years to hold elections. Therefore, it means there is nothing innovative that they are bringing to the table.

The World Cup is ongoing in Qatar but we are just spectators. The problem starts with the management and governance of sports in this country. From the look of things if we do not work hard, the only time the Kenyan football team would appear on an

international stage may be during the second coming of Jesus Christ. If we have to get a better future, we must invest in talent, innovation, investment and protection.

Secondly, two weeks ago, I brought up a Statement on the issue of doping affecting athletics and other sectors. This is one of the soft underbellies that will affect the careers of most of the youthful people in talents. The Anti-Doping Agency (ADA) released 22 names and said that it will release 26 more names.

Those are young people who are barely 22 years. Their lives are now in jeopardy because of accusations by ADA of allegedly abusing drugs. As we consider the matter on development of talent, I request that we do the following; one, let us not only ban the athletes or the sportsmen and women. Let us also go for the coaches, the trainers and the training camps.

This is the only country where a tourist using a tourist visa lands at Jomo Kenyatta International Airport (JKIA), goes somewhere at Kaptagat or Nandi Hills and starts training athletes using a tourist visa, and we find it okay, yet there is an Immigration Department. We must stop this. Nairobi City County just like any other county, has so much talent. It is for us to identify and work towards it.

Kenyans should know that we have a Sports Fund. The President has promised that the fund will be ring-fenced. Let that fund be used to identify talents. If we can use it to identify talents, I can assure you, because I saw the joke, in the next 2026 World Cup which will be held in Mombasa and Machakos, Kenya might likely feature in the World Cup that is on coming.

In conclusion, I am happy to join my brothers, Sen. Kathuri and Sen. Sifuna, among other colleagues to ensure that sports work for us. We depend entirely on sports. The economy in Eldoret City County, Kapsabet Town and Iten is sustained by the money that comes from sports. If we protect sports, the entire North Rift including my county will continue to prosper if we continue to invest in sports.

With those many remarks and comments, I hope the Committee on Welfare will handle this matter with the urgency it deserves. Let us allow our young people to thrive.

I thank you, Mr Speaker Sir.

**The Speaker** (Hon. Kingi): Sen. Crystal Asige, you may proceed.

**Sen. Crystal Asige:** Mr. Speaker, Sir, thank you for allowing me to contribute to this Statement. Sports should be seen from the lenses of Persons Living with Disabilities (PLwD) as well. I wish to inform the House and Kenyans that people with disabilities are very talented in many ways including sports. Right now, the sports fund is not supporting PLWDs in different fields and disciplines in the sporting world in Kenya.

On the 3<sup>rd</sup> of December, the Kenya Sports Federation of the visually impaired will run trials in preparation for next year's games in Birmingham which is a prerequisite for the Paris Olympics in Paralympics in 2024. Right now, we do not have any funding at all. We are funding ourselves. We are getting no help from the Government at all. We are the people that are going to hopefully go through these world stages and represent Kenya as a whole. Sports is not just for the non-disabled. It is also for people with disabilities to showcase their talents but also as an escape. I am a swimmer. I used to swim in Mombasa County when I was in high school and I still had my vision.

I continue swimming because when I swim, I forget that I am blind. In the water, when I am just myself, with no noise, and no obstacles in my way, when I swim, I feel free. That is the same sentiment that many people with disabilities go through. It is a way

for us to express ourselves and escape the barriers that we have to face in the built environment. I wish that everyone who is listening to this Statement would consider sports for the disabled as well

I thank you, Mr. Speaker, Sir.

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

**Sen. Lomenen:** Mr. Speaker, Sir, I support the Statement by the Deputy Speaker. I would like to inform the relevant Committee in charge of sports that in the county where I come from, warriors have excellent talents. We have persuaded them to go to church. They have reformed from killing people, raiding livestock and killing women on the highway. Instead of them running fast with cattle and camels, we urge the Government through the Ministry of Sports, Culture and Heritage to include these people in athletics. They will be swift runners in 100 metres. We will thus have many gold medals in this nation instead of them raiding other people's livestock.

Moreover, it is also a concern that most of these marginalized people do not even know what is happening in the nation. They are not aware of sports opportunities. They also do not know people who should promote athletics and sports. They are only busy herding. It is a high time this House took time to educate these people on the right things to do. For example, in Turkana County, they can scheme and plan for sports either quarterly or annually to encourage these people to come and participate in sports and athletics. I am sure that we will have wonderful sportsmen and women while reducing the killing and rape incidents on highways.

Mr. Speaker, Sir, I urge and request the Committee on Labour and Social Welfare to consider the reformed warriors to be people who are supposed to assist this nation in athletics.

Moreover, I would also like to inform Sen. Cherarkey that there are youth in Turkana County that are very good athletes but their names have been changed from Turkana to Nandi names.

*(Laughter)*

An example is Erupe. Instead of being called Erupe, he is called Cheruiyot. How do you indulge in such issues? It is not a point of order but rather a point of information to know that we must have specific talents in specific areas in the talents we are tapping. This is so that we do not commit a fallacy of generalization.

In Kenya, it is said that anybody who knows how to run comes from Nandi County or Elgeiyo Marakwet County. Not everybody who runs comes from Elgeiyo Marakwet County. They could also come from Garissa or Nyandarua counties.

So, that is a point of information.

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, just to echo what the Senator of Nairobi City County said. Sports is a major industry that offers very high paying jobs all over the world.

I request the Committee to take a holistic approach to this problem. For example, you need to speak to the Ministry of Education and see how the education system is going to be tweaked so that children have time for sports. At the moment, children have only time for studying and preparing for exams. If this is addressed, then the centres that

were serving as football academies in this country will be revived. Examples are Musingu High School of the “scorpions”, Kakamega High School of the “Green Commandos”, Iterio Boys in Kisii County, Kisumu High School, Mombasa High School and finally, Upper Hill High School.

We need to address this. In the process of wanting to train for the usual professionals, we are losing out on professionals in sports.

It is important that we alert Sen. Cherarkey that human trafficking is punishable under our penal code. So, if it is true that you have trafficked young people from Turkana County to Nandi County and you are calling them---

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale.

**Sen. (Dr.) Khalwale:** Mr. Speaker Sir, I am sorry to address him. I started feeling as if I was addressing a criminal. He is not a criminal. He could easily hit me from the back that is why I was looking at him.

It is important that we free our children. Talent is got from the youth. We constructed a make shift stadium in Malinya. Thanks to that stadium, children are emerging from that little stadium to join football clubs here in Nairobi City County. It shows what could happen if we put facilities in our regions so that children can get access to these high paying jobs.

**The Speaker** (Hon. Kingi): That Statement is referred to the relevant Committee for consideration.

Sen. Crystal Asige, please proceed.

#### INCLUSION OF PERSONS WITH DISABILITIES IN THE MINISTRY OF HEALTH STRATEGIC PLAN 2018 – 2023

**Sen. Crystal Asige:** Mr. Speaker Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Health regarding the Ministry of Health strategic plan 2018-2023, specifically regarding Persons with Disabilities (PWDs).

In the Statement, the Committee should-

(1) Give a detailed report on the county general hospitals, sub county hospitals, health facilities and dispensaries that have been made fully accessible with universally designed features and infrastructure. Since the adoption of the MoH strategic plan. These features and infrastructure include but are not limited to; accessible hospital beds, disabled toilets, showers and hot baths, adequate handle bars and grab rails, well maintained lifts, slip resistant flooring, step free access and so on.

(2) Give a detailed report on the provision made for mobility aids, assistive devices and sign language interpretation in these health facilities since adopting the MoH strategic plan. These are imperative to delivery of quality healthcare to PWDs when communicating.

(3) State what disability training health workers have been receiving since the adoption of the strategic plan detailing how often these trainings take place.

(4) State what percentage of health workers within the MoH are PWDs as provided for in Article 54 (2) of the Constitution. This is in recognizing that health workers with disabilities are best placed to understand the needs of PWDs and identify gaps in service delivery when they occur.

(5) State how many health facilities have established stand-alone PWD desks that offer inclusive and quality services to PWDs. Where PWD desks have been established, what needs assessments do they carry out that are specific to the diverse types of disabilities, the varying degrees and how to properly handle these conditions. Further, stating how often said assessments are carried out.

I thank you.

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

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Speaker, Sir, I have a comment on this Statement by Sen. Crystal Asige. Sen. Crystal Asige continues to distinguish herself as an indefatigable defender of PWDs or differently gifted persons.

As her colleagues, we must continue to commend, support and join her as partners to see persons gifted differently enjoy their rights as enshrined in Article 54(2) of our Constitution.

The Constitution expects us to enact legislation and to pursue continuously until such a time as when those persons will be at least five per cent of all elective and appointive bodies in the country.

I do not have the statistics right. I may need to check later. I believe that the population of PWDs as a percentage of the entire population is actually higher than that five per cent. Sen. Wamatinga says it is 11 per cent, therefore, even five per cent is just to demand half of what is their rightful share.

The Statement that she has brought this afternoon is something that I will follow with keen interest when the Committee on Health returns a report before this House.

Hospitals and their health care facilities are facilities that are used by all of us. We must continue to push and demand from the Executive, our county Governments, institutions such as Parliament and all public institutions that they continue to be PWD compliant in their trainings, facilities that are available and wholesomely as an institution.

This is, therefore, a very progressive Statement. We must commend and support her. Finally, at the end of last term before this House adjourned *sine die*, I had sponsored a Bill together with Former Senator (Dr.) Isaac Mwaura that was meant to help PWDs enjoy all their constitutional rights.

We had cleaned up the various legislations that exist in the country to ensure that we progressively walk towards achieving this constitutional target. Unfortunately, that Bill lapsed with the lapse of that House of Parliament.

I want to encourage Sen. Crystal Asige to get a copy of the particular Bill together with other legislations that we may be working on already. Many of us, myself included, will be glad to complete that journey for us to secure some of these rights, by way of legislation, in the next few months.

I thank you.

**The Speaker** (Sen. Kingi): Sen. Osotsi, you have the Floor.

**Sen Osotsi**: Thank you, Mr. Speaker, Sir. Allow me to say something on the Statement sought by the Deputy Speaker regarding the sports academies.

**The Speaker** (Sen. Kingi): Sen. Osotsi, kindly yield and take your seat.

Hon. Sen. Wamatinga, you may proceed.

**Sen. Wamatinga**: Thank you, Mr. Speaker, Sir. I rise to support the Statement by Sen. Crystal Asige.

We should not only stop at ensuring that health facilities are accommodative of the People with Disabilities (PWDs) but we should go a step further and start having a candid conversation on mainstreaming PWDs into the main schools.

We know that PWDs are highly stereotyped in the society we live in today. This is because we do not know how to treat them right from the word go. Therefore, it will be important for us to have PWDs in the mainstream schools for our kids to learn how to deal with them. When people learn how handle and live with PWDs, it will help them to feel that they are not different from others.

I, therefore, support the Statement and as it has been said by the Senate Majority Leader, it is a walk that we, as a nation, must walk to ensure that even PWDs feel part and parcel of this nation as enshrined in our Constitution.

I thank you.

**The Speaker** (Sen. Kingi): Sen. Madzayo, please, proceed.

**The Senate Minority Leader** (Sen. Madzayo): Ahsante, Bw. Spika. Kwanza, ninataka kupatia dada yetu, Sen. Crystal Asige, kongole kwa taarifa hii ya walemavu.

Walemavu wako katika aina mbalimbali. Utapata kuwa kuna walemavu wa macho ambao hawawezi kuona, kama dada yetu, Sen Crystal Asige, kuna walemavu hawawezi kutembea, wale ambao hawawezi kusikia na kadhalika.

Ni muhimu sana kuona ya kwamba tumeweka mikakati ya kutosha katika hospitali zetu ili walemavu waweze kuwa na njia ya kupitia. Nimekuwa katika hospitali yetu ya Kilifi na sijaona mikakati mzuri ndani ya hospitali ya kuwezesha walemavu kupita katika zile njia bila kupata taabu.

Ukienda upande wa ngazi, walemavu wanakuwa na shida wakiwa na magari ya kutembeza kwa mkono ilhali ni lazima wapate matibabu. Utapata ya kwamba wanaenda kumuona daktari wakiwa wamebebwa na watu ilhali walikuja na gari. Gari yao huwa inapandishwa ngazi ndiposa wapelekwe kwa daktari.

Kamati ambayo itashughulikia hili jambo lazima izingatie wale watu ambao ni walemavu. Kuna wale watu ambao wanatafsiri; kwa njia ya mikono na wale wanaotafsiri kwa kuongea. Hao pia wapewe nafasi.

Itakuwa vyema iwapo walemavu watashughulikiwa katika michezo pia. *Stadium* ambazo tuko nazo zinafaa zitengenezwe kwa njia ambayo inaangazia mahitaji ya watu walio na ulemavu.

Ahsante.

**The Speaker** (Sen. Kingi): We will now move to the next Statement.

Hon. Sen. (Dr.) Khalwale, please proceed.

#### THE CONSTRUCTION STATUS OF HEALTH FACILITIES IN INFORMAL SETTLEMENTS IN NAIROBI CITY COUNTY

**Sen. (Dr.) Khalwale:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No. 53(1) to seek for a Statement from the Standing Committee on Health on the Construction Status of Health Facilities in informal settlements in Nairobi City County.

In the Statement, the Committee should -

(1) List the health facilities that were being constructed or rehabilitated in informal settlements in Nairobi City County in the last two financial years and;

(2) Provide the status reports on the completion and operationalization of each of those health facilities indicating the respective cost of construction or rehabilitation.

STATUS OF OPERATION OF GREEN PARK TERMINUS AND  
THE UPGRADE OF UHURU PARK AND CENTRAL PARK

Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek for a Statement from the Standing Committee on Roads, Transport and Housing on the status of operation of Green Park Terminus and the upgrade of the Uhuru Park and Central Park areas in Nairobi City County.

In the Statement, I would like that: -

(1) We establish the cause of the delay in the operationalization of the Green Park Terminus that was set to commence in May, 2022, in Nairobi City County;

(2) Explain the reasons for the non-completion of the upgrade of the project for Uhuru Park and Central Park that commenced in September, 2021, and state the budgeted cost of the project and indicate the amount spent on the project so far.

(3) State when the Bus Terminus will be operationalized and the Park Project completed.

STATUS OF PENDING BILLS INCURRED  
BY THE NAIROBI METROPOLITAN SERVICES

Finally, I rise pursuant on Standing Order No. 53(1) to seek for a Statement from the Standing Committee on Finance and Budget on the Status of the Kshs16 billion pending bills that were incurred by the Nairobi Metropolitan Services in the last two years.

In the Statement, the Committee should -

(1) Provide a comprehensive report on the pending bills accumulated in Nairobi City County in the last two years, indicating the amount owed to the respective service providers and the financial year in which the pending bills were incurred.

(2) State whether the Nairobi Metropolitan Services adhered to the procurement laws in procuring the goods and services providing details of whether the projects were tendered for and who won and what the awarded tenders; and finally,

(3) Indicate the plans, if any, put in place by the Nairobi City County Government to ensure that all contractors owed money by the County are paid before the end of the current financial years.

I thank you.

**The Speaker** (Hon. Kingi): Those three Statements are so referred to the relevant Committees.

Sen. Cherarkey, proceed with your Statement.

PLANNED IMPORTATION OF DUTY-FREE MAIZE

**Sen. Cherarkey:** Mr. Speaker, Sir, I would like to request for a Statement on the planned importation of 10 million bags of duty-free maize by the Ministry of Agriculture and Livestock Development.

Mr. Speaker Sir, I rise Pursuant to Standing Order 53 (1), to seek a Statement from the Standing committee on Agriculture, Livestock and Fisheries on the planned importation of 10 million bags of duty-free maize by the Ministry of Agriculture and Livestock Development and also the Ministry of Trade.

In the statement the Committee should -

(1) Explain what informed the decision by the Ministry of Agriculture and Livestock Development to import maize and yet the National Cereals and Produce Board (NCPB) has not opened its stores to take up the crop currently being harvested by local farmers across the country considering the high cost of farm inputs where one bag of fertilizer was Kshs7000 incurred during the planting season among other costs.

(2) Apprise the Senate on the status of the Government subsidized fertilizer in terms of uptake by farmers and the available fertilizer in tonnes currently in stores countrywide and indicate the steps the Government is taking to enhance uptake and ensure local farmers produce sufficient maize and obviate the need for importation from outside the country

(3) Recommend that the Cabinet Secretary for Trade, Investment and Industry does not gazette the notice allowing duty-free maize importation from outside the country until the entire crop being harvested currently is purchased by the NCPB, local millers and the National Strategic Grain Reserve.

Mr. Speaker, Sir, thank you for that indulgence

**Sen. (Prof.) Kamar:** Thank you Mr. Speaker, Sir, for giving me an opportunity to thank Sen. Cherarkey for the Statement on maize importation.

It is sad that we are back to the same problem that we were in three years ago when the current Speaker for the National Assembly and I had to investigate the very same issue of importation of maize when it was being harvested. Luckily, God has blessed us with productivity in the grain growing zones this time and there is bumper harvest in Trans Nzoia, Bungoma, Nandi, Uasin Gishu and the islands of Elgeyo Marakwet.

The harvesting is going on right now. We find a lot of lorries ferrying maize from Uasin Gishu to other places. You ask yourself, what really informed the decision to import maize now? Yes, maize may not be enough because most parts of the country were dry. We did not get as much as we would have gotten under normal circumstances in Meru and other places.

As I support this Statement, the Committee should also relook at the report that we developed after our investigations into the maize issue. What we realized was that some of the approvals were overshoot by more than double. An approval is given by the Cabinet on importation of maize to a certain tune. We discovered they had imported more than double of what was required.

As they question that, they need to look at our earlier report because it was a report of this House so that we make sure that we do not suffer double jeopardy. I can assure you that the harvest in North Rift is very good and we should not be having problems. Yesterday, we spoke to the Cabinet Secretary for Education and we said: "You have enough maize and we should not have children not going to school." Children from Kajiado and Northern Kenya are at home basically because there is no food. As a House we should put our foot down.



The other thing we need to look at is the role of the governors in this. Agriculture is devolved except for policy. What are the governors doing? Why are we not seeing them frantically looking for food in some of these areas? As we question the importation, we also need to start questioning the distribution of food in this country from the growing to the consumption zones because the country will continue that way for a long time with climate change setting in and having problems.

Thank you for the opportunity. I stand with Sen. Cherarkey's Statement. We cannot afford to import maize at a time when harvesting is taking place. They can do importation any other time when we do not have food. Now that we have, I urge the Cabinet Secretary for Trade, Investment and Industry to avoid mixing things and allow the Ministry of Agriculture to open the depots first so that farmers can release their maize before any importation is done.

I thank you.

**Sen. Mandago:** Thank you, Mr. Speaker, Sir, for the opportunity. I rise to support the Statement by Sen. Cherarkey on the issue of importation of maize.

I think the Cabinet Secretary for Trade Investment and Industry has been misled by cartels who have been in existence for a while in this country that farmers in maize producing counties are hoarding maize at the expense of Kenyans suffering from hunger. The farmers are not hoarding maize. In fact, we are in harvesting season. As the maize is being harvested, it is being sold to traders who are distributing across the country.

As we speak there are traders from Kitui, Isiolo, Marsabit and Samburu buying maize to take to the famine-stricken counties. The importation of maize that is sanctioned during the harvest season is meant to impoverish the farmers who have already suffered major losses. The Cabinet Secretary must be reminded that the situation we are facing, of low productivity, is as a result of bad politics in the agriculture sector.

As we may recall, the farmers in this country were not given any subsidized fertilizer to enable them produce food at an affordable cost. It cannot therefore be expected that the farmers are going to sell their produce at a lower price when the cost of production is very high.

It is unfortunate that some Statements from the Cabinet Secretary are likely to incite the farmers against other citizens of this country. That importation must be stopped or deferred until the maize in the country is mopped up. I do not understand the rationale of maize importation. I have checked the prices globally. Even the GMO maize will land in Mombasa at a cost of Kshs5200 for a 90kg bag of maize. If you add the logistical support required to transport that maize and avail it in the areas where it is required, the price will go to Kshs5800.

Our farmers would be very happy if the NCPB opened the stores at a cost of Kshs5500 per bag. I can assure you that farmers will be ready to deliver their maize. In any case, the farm gate price we are selling our maize now is between Kshs4800 to Kshs5300. There is need to support farmers in this country.

Worldwide, farmers are given subsidies to produce because farming in itself cannot be profitable and affordable and the cost of food cannot be affordable without giving subsidies to the farmers. I would also like the Committee to find out what happened to the strategic food reserves that we used to have in this country. Who changed the policy from storing food in the stores to keeping money in the accounts? That is why we find ourselves in this sorry situation.

All the National Cereals and Produce Board (NCPB) stores are empty because a bad policy was put in place, which has messed up the strategic food reserves in this country.

This is why the Government cannot effectively and efficiently respond when we have issues within a number of counties. It should be noted that in more than 36 counties in this country, we have NCPB stores.

If you visit those stores today, they are empty. We are not saying that the strategic food reserves that should be used in this country should only be for maize. What is happening with rice, yet it is supposed to be part of the strategic food reserves? Where is rice and maize being taken to? Where is the sorghum that was being grown in the semi-arid counties being sold?

We need to revert and go back to storing food for emergency situations in this country. We cannot keep money in the account or give it to organizations like the Kenya National Trading Corporation (KNTC) to keep money meant to buy food when we have a situation like this. Supposed we do not find food in the market.

Mr. Speaker, Sir, countries all over the world are now using technology to monitor their food situation and their weather patterns. Supposed the global weather patterns cannot allow food production. The countries we are expecting to import the food from can also keep the food for their own citizens. Therefore, it is in the interest of this country to keep our own strategic food reserves in the stores that have been built and were purposely meant for that.

Mr. Speaker, Sir, I, therefore, rise to support this Statement. The Committee should consider asking the Cabinet Secretary (CS) to defer importation of maize until all the maize produced locally has been mopped up and sold.

They should, as a pledge of this Government, going into the future and beginning in the next production cycle, provide a guaranteed minimum return for the maize farmer. This is so that as farmers, we can determine whether we are going to go back to farms to plant maize or decide to do other commercial productions so that, as farmers, we are also able to meet our subsistence needs.

Food production or maize production should not be taken as a hobby. We do maize production as a business. That is where we get our school fees and money to go to hospitals. We, therefore, do not want to be impoverished by business people who want to take advantage of a bad situation in the country.

Mr. Speaker, Sir, I rise to support this Statement.

I thank you.

**The Speaker** (Hon. Kingi): Proceed, Sen. Madzayo.

**The Senate Minority Leader** (Sen. Madzayo): Asante Bw. Spika. Nataka kumpa kongole ndugu yangu Sen. Chararkey, Seneta mchapa kazi wa Nandi.

Bw. Spika, kama ingekuwa hii nchi haina mahindi sijui watu wangeishi namna gani. Kwa sababu ukiangalia, asilimia tisaini ya Wakenya wanategemea mahindi. Nchini Kenya utaona kwamba hakuna nyumba yoyote ambayo hawatumii mahindi. Kwa hivyo, ni jambo la kusikitisha sana kuona ya kwamba katika hii nchi ambayo tunasema ukulima ndio uti wa mgongo, yako maeneo fulani ambayo yanaweka chakula mpaka tunaita *food basket*, yani mfuko wa chakula cha watu wa Kenya.

Ukienda katika Bonde la Ufa kule kuna wakulima wa mashamba makubwa. Hata ukija maeneo ya pwani kuna wakulima fulani katika maeneo fulani ambao wao pia wanalima mahindi na hilo ndilo tegemeo la Mkenya.

Hivi leo, ikiwa tunaweza kuambiwa au kuona kwa taarifa ya magazeti ya kwamba kuna magunia milioni kumi ya mahindi ambayo yanangoja kushushwa ili Wakenya waweze kutumia mahindi hayo, tunauliza kitu kimoja: Hawa wakulima wetu ambao tunasema ukulima ni uti wa mgongo, je, sisi kama Wakenya tumewaweka wapi? Hilo ndilo swali muhimu sana la kujiuliza.

Hii ni kwa sababu tunaweza kuleta mahindi, yaje hapa na tutakuwa tumeuwa nguvu za mkulima ambaye analima mahindi. Kwa hivyo, ninaona taarifa hii ambayo imeletwa na Sen. Cherarkey hapa ndani, imekuwa ni ya muhimu sana.

Ni jambo la kusisitiza kwamba Kamati kama hii ya Ukulima itakayopewa nafasi ya kuchunguza jambo kama hili iweze kuita Waziri na wale watu ambao wameimport maanake hii imefanywa na mabiashara. Waulizwe walipewa *contract* na nani na ilikuwaje hadi wakaleta milioni kumi za hayo magunia ya mahindi. Waje hapa tuwaulize maswali kama kulikuwa kuna ukosefu, ama *tender* ilitangazwa ama haikutangazwa. Iko namna ngani au ilikuwa vipi ili tuweze kujua na Wakenya wote waweze kujua.

Asante.

**The Speaker** (Hon. Kingi): Hon. Senators, you will notice that the Statement Hour is long spent. Therefore, for those Statements that we have not managed to call out, they stand deferred to tomorrow.

IMPORTANCE OF ESTABLISHING WOMEN SELF-HELP  
GROUPS IN CONFLICT PRONE AREAS

*(Statement deferred)*

COUNTY BOUNDARY CUTLINE BETWEEN TAITA  
TAVETA COUNTY AND NEIGHBOURING COUNTIES

*(Statement deferred)*

ACQUISITION OF LAND BELONGING TO RESIDENTS OF  
IKANGA AREA BY THE KENYA AIRPORTS AUTHORITY

*(Statement deferred)*

**The Speaker** (Hon. Kingi): Next order, Clerk.

**MOTIONS**

## STATE OF FOOD SECURITY IN KENYA

THAT, AWARE THAT Article 43 of the Constitution of Kenya, 2010 stipulates the rights of every person to be free from hunger, to have adequate food of acceptable quality, and to clean and safe water in adequate quantities;

FURTHER AWARE THAT there is a prevailing food shortage in Kenya which is as a result of among other factors, lack of and inadequate rainfall over the last two years, the consistent decline in the number of farmers and lands committed to farming, and the Russia-Ukraine war that has led to an increased cost of fertilizer and fuel products which are critical farm inputs, subjecting 4.1 million Kenyans in the Arid and Semi-Arid Lands (ASALs) to an acute food insecure situation and about 942,500 children under five years and 134,270 pregnant and lactating mothers to acute malnutrition according to the Kenya Food Security Steering Group (KFSSG) Report;

NOTING THAT about 1.5 million deaths of livestock have so far been reported in the Arid and Semi-Arid Lands (ASALs) and that the situation is expected to be dire in light of expert projections that we may miss the normal cycle of rain expected in October, November, and December, 2022 and that this could be the worst drought we have experienced in 40 years;

CONCERNED THAT the country is recording incidences of conflict between crop farmers and pastoralists over the scarce resource of water and pasture which results in the destruction of crops and deaths of livestock further exacerbating the food crisis and that the challenge of food shortage is now spreading to areas previously presumed to be rain-rich such as Mt. Kenya whose residents are now relying on government emergency food supplies;

NOW THEREFORE the Senate urges the Ministry of Agriculture and Livestock Development to develop targeted policy programs aimed at addressing the food insecurity in the country including the following: -

1. Coordinate with county governments to establish strategic grain reserves across the country, with drought-stricken areas receiving priority;
2. Develop livestock feeding programs in ASAL regions, providing water and feeds to the livestock farmers;
3. Coordinate with the National Drought Management Authority to do quarterly reports to the Senate on the drought situation in the country;
4. Subsidize agricultural production;
5. Establish abattoirs in ASAL Counties; and further recommends that the National Treasury and Economic Planning increases funding to the National drought disaster fund.

*(Sen. Gataya Mo Fire on 22.11.22)*

*(Resumption of debate interrupted on 22.11.22)*

**The Speaker** (Hon. Kingi): Hon. Senators, we shall resume debate that was interrupted yesterday. Before the debate was interrupted, hon. Sen. Olekina, was making his contribution.

I do not see the Senator here. I guess he is in Juba. Therefore, any Senator wishing to contribute, kindly you may key in so that we proceed with debate.

Proceed, Sen. Osotsi.

**Sen. Osotsi:** Thank you, Mr. Speaker, Sir, for this opportunity to contribute to this debate on food security by my good friend, Sen. Gataya Mo Fire, the Senator of Tharaka Nithi.

Mr. Speaker, Sir, Sen. Cherarkey has just brought a Statement here regarding the issue of importation of food. As you are aware, importation of food is caused by scarcity of the product that we have in this country.

This Motion is very timely and the recommendations are also very timely in terms of having a well-coordinated strategic grain reserve across the country. This aspect of having a strategic grain reserve is a matter that the Government must give a lot of focus and emphasis.

This is because it appears that the policies and plan around having a strategic grain reserve have, over the years, not been adhered to. We expect that this Government will ensure that we have a well-coordinated and managed strategic grain reserve especially for stable food items like maize, beans and other kinds of foods that Kenyans eat, like rice.

He has also proposed that we need to develop livestock feeding programmes in arid and semi-arid areas. We have seen so many animals dying in those areas because of drought and farmers have had to bear huge losses because of the death of animals in Turkana, North Eastern and the Eastern part of the country.

Those are huge losses to the country which the Government could manage by providing foodstuffs to these livestock so that we have good quality livestock in this country.

Mr. Speaker, Sir, he has also proposed that the National Drought Management Authority should be doing quarterly reports. This authority is not doing its work very well. If they were doing their work very well, they would monitor drought situation in the country, advice the Government in time so that we do not run up and down during drought like in the moment. We should plan well in advance for our people.

I fully support the issue of subsidized agriculture production. We need to subsidize and invest in our agriculture. Our budget for agriculture is very low and yet it is the key economic activity. We need to put more money in agriculture and subsidies so that our farmers produce more food for our people.

The Mover has also talked about establishing abattoirs in Arid and Semi-Arid Lands (ASAL) counties. This is important in managing the issue of marketing and selling of animals. The farmers have to travel and transport the animals over long distances to sell them and make money.

*(The Speaker (Hon. Kingi) left the Chair)*

*(The Deputy Speaker (Sen. Kathuri) in the Chair)*

Mr. Deputy Speaker, Sir, the issue of food security is very critical. It is an issue that the Government needs to put emphasis on. However, as they do so, food security cannot be substituted by interfering with the health conditions of our people.

Yesterday, we had a Motion of Adjournment on the issue of GMOs. This should go on record; the GMOs will not solve the food security problem in this country.

*(Applause)*

It will even worsen food security. It has happened so in other African countries. We should question why Europe has banned the use of GMOs. Why are we going for them? Americans, who are the leading producers of GMOs, do not feed on them because they are meant for animals. Kenyans are not animals to be brought GMOs to feed on.

Mr. Deputy Speaker, Sir, we need the Government to invest in our traditional crops to provide food in this country. We need investment in water supply- dams - as one of the infrastructures to support food security.

This Motion is very timely. I ask Members to support it because if we have the right policies in place, then we will move ahead as a country in terms of providing food for our people. I have complained in the past about Motions in this House. It is high time we look at the way we structure them. We do not want Motions to be an opportunity just to talk and nothing happens. We need a Motion that will give resolutions, which will be acted on by the Government.

For example, this is a very nice Motion, but then it says: "Senate urges the Ministry of Agriculture, Livestock, Fisheries and Irrigation". We need to say: "The Senate resolves" We should make resolutions that are going to be acted on by the Government agencies, not resolutions which will go there, accumulate dust and nothing happens. We cannot legislate in vain.

We want to debate Motions that the Government will take seriously and act on them. If we cannot structure this Motion to say "resolves", because of the Money Bill effect, then we need to work out how we are going to handle the issue of the Money Bills. That should not limit us in the way we do our motions in this House.

I urge the Senate Business Committee and the Leadership of this House to think about the good Motions that are brought here. I remember Sen. Sifuna brought a Motion on parking. That was a very good Motion with very good recommendations, but because it is talking about "urging the Government to do", then nothing much will happen. With those few remarks, I support and I encourage Members to also support this Motion.

Sen. Cherarkey has stood up for the people in North Rift by fighting this maize importation and GMO. The problem is, yesterday, when we were discussing GMOs, he left the Chamber, He ran away.

*(Applause)*

Sen. Cherarkey, please continue standing up for your people. Kenyans and your people in Nandi County love what you are doing. Do not be intimidated.

*(Applause)*

Fight for your people. I come from a maize growing area, I will not support the GMOs because it is going to kill our people. The GMOs are meant for animals. It has been tested to kill rats. The Government of Hon. William Ruto, please spare us the GMOs.

The Opposition will not tire to say the truth about GMOs. It is poison to our people. It is going to affect food security in this country. As leaders, regardless of your political position, whether you are in Kenya Kwanza or Azimio, please, do what is right for your people of Kenya. I congratulate my neighbor Sen. Cherarkey for standing firm against this unfair decision of GMO importation.

Mr. Deputy Speaker, Sir, we cannot have a Cabinet Secretary (CS) who is talking very recklessly like Hon. Moses Kuria. He is saying that GMO is one of the things that kill people. If we were in a serious democratic country, that alone would have sent him home.

With those few remarks, I support and I call upon Members to support this Motion.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, you may have the Floor.

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, thank you for this opportunity. I do not know why my neighbor Sen. Osotsi is on fire. You need to direct the catering and facility services to investigate what Members are eating. This is because the Senator is on fire today which is unusual of him.

I rise to support this Motion. One of the people who suffer the most in this country is a farmer. We have left the farmers at the vagaries of demand and supply without protection mechanisms in place.

The reason the current president of Brazil - who defeated the Trump of South America- Jair Bolsonaro, has been reelected, is because, apart from doing affordable housing, he ensured that he protected farmers and they get value for their crop.

Kenya is an agro-economy country. Therefore, Lula da Silva, who paid a visit to this country a few years ago during President Kibaki administration has been re-elected simply because of standing with farmers and affordable housing. Therefore, we learnt a lot.

If you travel to many of these countries, you will not be allowed to play with a farmer. A farmer is next to God because they are the people who feed a nation.

Mr. Deputy Speaker, Sir, this Motion by the Sen. Gataya Mo Fire of Tharaka Nithi County is timely because this is the time we are discussing about food security. I appreciate that there are four million Kenyans suffering from hunger. We agree that counties are affected by drought and famine. This is a climate change phenomenon but it is our mistake for refusing to plan.

Agriculture was devolved two or three years ago. There was Kshs11 billion that was at the Strategic Grain Reserve. No one knows where that money is or what happened during the time of the previous Cabinet Secretary (CS) of Agriculture. What did he do

with the National Strategic Grain Reserve? Why the Strategic Grain Reserve was destroyed or made non-functional is a story for another day.

Mr. Deputy Speaker, Sir, I have heard a miscommunication from even leaders on the Floor of the House alleging that farmers in North Rift or maize growing areas are hoarding maize. For your information, we are not hoarding maize. It is propaganda to destroy the integrity of farmers. As leaders who represents farmers in this House, we shall not allow people who eat pizza, rice and other things to make propaganda against maize farmers.

We are harvesting maize this season. The Senator of Nairobi City County does not plant maize but consumes a lot. The question he and Kenyans should ask themselves is why the National Cereals and Produce Board (NCPB) is not open. Where should we take our maize? The National Strategic Grain Reserve is not open. Where do you want us to take our maize? Should we take to individual Members of Parliament or to the CS's office? Did the CS for Trade want us to mop up all the maize and take it to his office so that he knows there is maize?

Mr. Deputy Speaker, Sir, that is the question that everybody is asking. We need to be honest and fair to ourselves in order to move forward as a country. We cannot mislead the public that farmers are hoarding maize yet, NCPB and the National Strategic Grain Reserve are not open. The CS should have told us that because those entities are not open, we take to his office. We would have lined up outside his office here in Nairobi.

The gazette notice that allows 10 million bags of duty free maize should not be gazetted any time and should be rescinded or delayed up to April next year so as to allow our farmers to harvest, mop up the maize and then sell.

We are proposing something very simple. We bought fertilizer at Kshs7,000. We want the same amount for a bag of maize. It will be a done deal and a zero-sum game.

We were very patriotic and went to farming in the last planting season when the inputs were very expensive. We appreciate the Government of His Excellency, Dr. William Ruto that at least, the fertilizer subsidy has been reintroduced and we will be buying Kshs3,500 per bag. We hope – God willing - during the next planting season in 2023, it can come down to Kshs2,500.

We hope the cost of fuel will come down. I assure the country that if the cost of production will come down, we can sell our maize at Kshs1,500 or Kshs1,000 per bag as long as inputs are cheaper.

As Sen. Mandago said, for those of us who came from the North Rift, it is maize that has made us who we are. I would not have gone to school if my parents were not farming and doing maize business. Everything from clothes, school fees and livelihoods has been because of maize.

Mr. Deputy Speaker, Sir, I know there are people who want to kill maize but it shall not happen under our watch. Sugarcane was killed. It reached a time where sugarcane in this country was being imported from Brazil and repackaged into packets of Mumias Sugar Company. That is how it was destroyed. Coffee is on its knees. Tea is in Intensive Care Unit (ICU). Miraa is receiving its last song called dirge in literature.

If we do not rise and protect the interest of farming, there will be no food security. Currently, there is Ukraine and Russian war. Imagine what would have happened if we were depending on Ukraine to get food in this country. What would have happened?



We need to be honest in this country and ask our CSs especially the Trade CS to stop making reckless statements that should not be said by anyone deserving leadership in this country. Some of us are ready to teach him leadership etiquette and mannerisms on how he can do good public speaking without antagonizing our people unnecessarily.

Mr. Deputy Speaker, Sir, I agree on the issue of working with counties; that they must be given priority. The role of the Ministry of Agriculture is only on national policies. One of my colleagues has asked where the county Governments are.

I have seen the statement by the Council of Governors (COG). The immediate former Speaker of this House, Hon. Lusaka has issued a statement on behalf of the COG. We are interested to have this conversation as stakeholders. Our interest is on the farmer and the common *mwananchi* and not to antagonize anybody or agency.

I thank the COG for bringing that to the attention of the Nation. We are looking forward to partnering as we move into the future.

We do not want animals from Kajiado and drought-stricken areas to be bought at Kshs1,500 per head. They should also be given value. That is how we protect that farmer. When you go to Kajiado, Marsabit or Turkana, their livelihoods is livestock. Therefore, they should be bought at a good price. Let them get value so that they sustain the farmer under guaranteed minimum returns.

I agree with the Government of President William Ruto because that has said it is important to subsidize production than consumption. We shall support the Government when it comes to putting in place rules, regulations and structures that will ensure we subsidize production going into the future.

I assure the country that if we plan better and famine and drought strike, no Kenyan should die of hunger and no child should cook a chameleon. That happened somewhere in Elburgon, Nakuru simply because there was no food. The aim of sustainable development goals is to have a food sustainable Nation. We shall support the Government in making sure there are policies.

I want to thank the Senate Minority Leader, Justice Retired Sen. Madzayo and a ranking Member of this House for having a conversation about Genetically Modified Organisms (GMO). The Cabined approved GMO products.

When we went for a meeting with the President, he assured us that there would be a conversation from all stakeholders. That will include Parliament, church and the public in order to ensure we have a consensus on the issue of GMO products in the country.

Therefore, I thank the Senate Minority Leader, for having that conversation. I am a very forthright person. I was not part of the conversation because of exigencies of duties. However, I assure you that when that matter comes officially, through the Cabinet Memorandum, the voice of Sen. Cherarkey and that of Sen. Madzayo will be heard.

I come from the land of Koitalel Arap Samoei, who for many years, led the Nandi resistance against the British rule. Therefore, we were not born to be cowards. We will speak or support when there is need to do so.

I assure my colleagues, who were wondering where I was yesterday, that this matter will keep recurring and my voice will be heard at the opportune time. We will push and ensure that the usage of Genetically Modified Organisms (GMOs) in this country, is within the provided health and safety standards.

*(Sen. Sifuna spoke off-record)*

I saw Sen. Sifuna's tweet. However, he should not be tweeting House business. He should come and say it on the Floor of the House. He said he gave me a manifesto but I have never seen it. Maybe, he imagined that he gave me but I hope he can give it to me afterwards because we want a better Kenya.

*(Laughter)*

*(Sen. (Prof.) Tom Ojienda, SC spoke off-record)*

Mr. Deputy Speaker, Sir, my former teacher, Sen. (Prof.) Tom Ojienda, SC, should learn quickly. The light is still amber. There is no problem. I appreciate that Members want to contribute. I will not belabor. This issue is passionate because I come from a maize growing area. I feel that I am at a loss when farmers are at crossroads. That is all.

*(The red light was switched on)*

Since the red light has been switched on, I beg to support. Thank you very much.

**The Deputy Speaker** (Sen. Kingi): Thank you. Proceed, Sen. (Prof.) Tom Ojienda, SC.

**Sen. (Prof.) Tom Ojienda, SC:** Mr. Deputy Speaker, Sir, I also rise to support the Motion on Food Security. I will do it from a multifaceted point.

It is the duty of this generation, to ensure that for the sake of both intra-generational equity and inter-generational equity, we provide a basis that will ensure future generations in this country, are able not only to feed themselves but to have a foundation to feed themselves.

This afternoon, I rise to speak as both the Senator for Kisumu County and a farmer. I am a small-scale maize and sugarcane farmer. I feed various people. I think it is the diversity of agriculture that will feed this country. The North Rift and other regions of the Rift-Valley, have been described as the food basket of this country. That is why Sen. Cherarkey is passionate about maize farming.

Mr. Deputy Speaker, Sir, to achieve sustainable food security, we need to have a number of sectors working properly for the sake of this country. For maize growing to thrive, we need the National Cereals and Produce Board (NCPB) to work, for us to have our strategic grain full with crops, until next year. Farmers who produce maize for commercial value are compensated and are able to buy inputs such as fertilizer and till their land for the next crop with ease. It means that the Government needs to inject sufficient funds into the NCPB. They should ensure that the strategic grain reserve has sufficient maize, so that in the event we do not have favourable weather in the next season, there is enough maize and food, to feed Kenyans.

We appreciate that ugali is a delicacy. It is a basic food for most Kenyans. I think maize or ugali is consumed across all the regions. We should not stop at maize. Production of beans and other crops like rice in Mwea and Ahero will contribute to food security in this country. Government must, therefore, inject enough capital to ensure that we expand areas that are currently under the growth of rice. It should also increase the

acreage for production of rice, both in Ahero and Mwea. If that is done, we will have sufficient grains, such as rice, to feed this country.

Thirdly, we must harness the strength of other regions that practice other agricultural and livestock activities. We must ensure that livestock thrives even during bad weather. That will call for a working scheme such as a well-managed Kenya Meat Commission (KMC) that will provide market for animals. It will then ensure that we do not waste or loose animals to drought like I saw during this season. Livestock were lost in Kajiado and other counties because of bad weather.

We need to also harness and take advantage of our rivers. We should ensure that we have sufficient dams. The Government will have to put money in dams, for the benefit of our farmers.

Mr. Deputy Speaker, Sir, I take this opportunity to thank His Excellency the President, Hon. William Samoei Arap Ruto, for investing Kshs1 billion, towards research in fisheries in Kadibo, Kisumu County. It will go far in ensuring that the fishing sector, and fish production is enhanced. It will also contribute towards food security in this country.

A few weeks ago, Kisumu County lost a lot of fish in cage fish farming, either because of scientific reasons or bad fish feeds. I raised a Question in this House, in that regard. The Government must put money in every region, where we have resources, to ensure that all farmers, be it in fish, maize, livestock and all others including sugarcane are taken care of, so that farmers become liquid enough to invest in other sources. That they are able to cater for themselves and their families. They should have surplus to sell. We should not get to a point where we address crisis after another.

Food security is important in this country. It is important for the Government to focus on the strength of every community. Even among the Meru, let us have enough resource investment, in a sector as vibrant as *Miraa*. That way, then intercropping will lead to some form of sustainability, in a sector that is important to the people of that region. I support. I thank you for bringing up this debate.

We cannot, as a country, be speaking to issues that we spoke about 20 years ago. In 1984, the world was united during famine in Ethiopia. We are facing the same crisis, 25 years later. That is unacceptable.

This country and the Government must stand up and protect its people for the sake of not only today but intra-generational and inter-generational interests so that this country moves forward for the benefit of its people and we truly work as leaders for our people.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Proceed, Sen. Sifuna.

**Sen. Sifuna:** Thank you, Mr. Deputy Speaker, Sir. First, it is public knowledge that my ancestral home is in Bungoma where for a very long time we were sugarcane farmers. It was quite interesting watching my brother Sen. Cherarkey speak because they say if you watch or cheer as a crocodile feeds on the children of your neighbor, when it is done with those children, it will come for your own children.

For a very long time, the cries of the people of western Kenya who are sugarcane farmers have been ignored. We have been saying that we need to curb the problem of importation of sugar because it is killing our industries. However, because we are gracious people, we are not laughing at the farmers in the North Rift about what has

befallen them now. In fact, we are crying with them because as it happens, we also grow maize in western Kenya.

Perhaps, we could start with understanding what food security is. A cursory search in *Google* will tell you that food security means when all people at all times have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs, food preference for an active and healthy life.

If I break down those requirements it is actually possible for you to have physical access to food but you do not the economic access to that food. If you have a bag of maize that is going for Kshs10,000; you are physically near the bag but you cannot afford to buy it then there is no food security.

The second limb, is that it has to be sufficient and most importantly safe. This is where this entire discussion about whether Genetically Modified Organisms (GMOs) is the panacea to food security in this country cropping up. I am happy to hear Sen. Cherarkey, say that the President, in some private meeting with him, has assured the country that there will be a discussion on the move to lift the ban on GMOs before they are imported. I am a bit concerned because in my understanding, and we spoke about this yesterday, the Constitution requires that this discussion must be had prior to the decision to lift the ban.

It does not make any sense. Our greater concern stems from the fact that we are already hearing - even as Sen. Cherarkey tells us there is going to be a discussion on this matter - there are already ships docking in Mombasa carrying products that we do not know whether they are GMO or not.

The last limb is that the food must meet their dietary needs and food preferences. For us from the *mulembe* nation, our preference is *ugali* which is maize. It is actually possible to lock a Luhya man like myself in a store full of cooked rice and *njahi* for instance, enough for a year but you will find me dead from starvation after three days because that is not my preference. I do not consider that to be food.

(Laughter)

All these criteria must be met to ensure there is food security.

The Mover of the Motion has identified why we are in this problem; why Kenya is not a food secure Nation. One, he has talked about inadequate rainfall. Two, decline in the number of farmers and farmland under cultivation.

Incidentally, although he is from the Kenya Kwanza coalition, he has also cited the war in Ukraine. This is curious because when the former President, Uhuru Kenyatta mentioned that the war in Ukraine had a bearing on the prices and availability of food globally, it was the Kenya Kwanza coalition that rubbished him and said it was an excuse.

Lastly, he has cited the high cost of inputs. We would want to have this conversation. In fact, if these are the reasons why we are in this position then we should be discussing solutions to all those problems that have been identified as the causes of food insecurity in this country.

So, what were our proposals in the Azimio coalition? On the question of inadequate rainfall, it has now been acknowledged that because of the phenomena of climate change, it is becoming increasingly difficult for us to rely on rain-fed agriculture because the

weather patterns have changed so drastically that farmers can no longer predict with any certainty when it is going to rain or not and when to plant or not.

We had proposed - as the Azimio coalition - to move away drastically from rain-fed agriculture and invest more in irrigation. We strongly spoke about the need for us to revive the major irrigation schemes including the Galana-Kulalu which we all know collapsed because of one thing only - corruption. This is why when we were campaigning, we came out very strongly on this issue of combating corruption because it rears its ugly head in all spheres of our lives.

When it comes to the decline in the number of farmers and farmlands under cultivation, we should be encouraging people to engage in agriculture. However, what has happened in the past and even currently is that we continue to discourage people from engaging in agriculture as a commercial enterprise. As Sen. Mandago has said, this is not a hobby. There are people whose livelihoods depend on agriculture only.

If you look at what is happening now; I compared what is going on in the country right now to a fight between farmers and traders. It is the traditional fight even within the sugar industry that has always been there between people who believe in honest work. You can spend six or eight months in a farm tending to your crops; an honest living where you earn the sweat of your brows and that at the end of that there is product to take to the market.

However, there are people who sit in air-conditioned rooms here in Nairobi - there is an application that shows you where all the ships in the world are at any particular time including flights. You can tell whether an Ethiopian or Kenyan airline that took off in the morning has reached London. All what these people do is to sit and look at the ship manifest to see whether it is carrying products whether it is sugar or maize. Then they develop a policy to ensure that by the time the Gazette Notice comes out, that ship is in Mombasa. It is ridiculous.

Even now, our farmers are being blackmailed. It is pure blackmail, Sen. Mandago, because your farmers are being told that if they do not sell the maize in their stores or the ones being harvested at the price we want or said irrespective of being lower or higher than the inputs that went into production, they are going to import maize. It is a threat and blackmail. There is nothing else to it.

We were also a bit concerned a few years back when the current President William Ruto was the Deputy President and the farmers in the Rift Valley were complaining about the reduction in profitability in farming maize. He actually encouraged them to move away from maize and start farming avocado. Sen. Gataya, Mo Fire, when you talk about the declining number of farmers we must go back and ask ourselves why these numbers are declining.

There is also the question of high cost of inputs. For us in the Azimio coalition we had proposed that we need a broad analysis of all the costs that go into producing any crop to try and see if we can manufacture some of the inputs locally to make them cheaper and more available to the farmers. We talked about investing in locally made mechanization whether it is tractors or jembes.

It is quite unfortunate that even the most basic farm inputs are imported from elsewhere. The idea was to set up our own fertilizer factory. I was hoping that Sen. Mandago - because he was the Governor of Uasin Gishu County - could give us an idea

as the Senate of what happened to the fertilizer industry that we were supposed to set up in the North Rift to help our farmers.

These were the proposals that we had made. I have always argued that if something makes sense like on this particular issue, it does not matter which political persuasion you fall under.

It does not matter which political persuasion you belong to. It is a fact that we need to protect our farmers. We must do something about the current situation to avert future food crises. I believe that our colleagues on the Majority Side will agree with us that some of the proposals that we made are positive to encourage the production of food.

We both spoke about guaranteed minimum returns when we were campaigning. I heard the current President promise that this is going to be a key pillar of his administration. We also promised the same. We, therefore, do not understand where they have departed from the promises that they made to *Wananchi*.

We also spoke strongly about the need for agro-processing. In fact, when we start infusing value into the products that come from our farms, we will see more profitability from this exercise and our farmers will be more encouraged to produce.

Mr Deputy Speaker, Sir, lastly let me address this question of the attitude that we are seeing from the Government in the face of all these complains and cries by Kenyans that we need a conversation about this food importation before it is done.

If you look at our Constitution, Article 73(1)(a)(iii) and (b), it says that –

“Authority assigned to a State officer-

(a) is a public trust to be exercised in a manner that-

(iii) demonstrates respect for the people.”

Then 73(b), goes on to say that -

‘vests in the State officer the responsibility to serve the people, rather than the power to rule them.’”

In light of all our cries as the representatives of the people. In light of the cries of the church and the farmers, how can a Government continue hard headedly proceed with a program that is being met with resistance and concerns from the people of Kenya?

You can see that this attitude is not only with the Cabinet Secretary (CS) for Trade and Industry because he has his boss. If the President does not share in the attitude of the CS for Trade and Industry, Hon. Moses Kuria, he should not wait for Members of Parliament (MPs) to collect signatures to impeach him. He should just say that this is not the attitude that we came into power with. We came into power on the promise of being the Government for the *Mwananchi*.

The arrogance that is being displayed by this CS, that he has the audacity to talk to the people of Kenya the way he did, saying that, yes, we have 1000 ways to die, why not add one more way to kill Kenyans?

In light of all the complaints, I expect him not dare gazette that importation that he wanted to. He should hold on.

If Sen. Cherarkey is to be believed, let us have that conversation as Kenyans about the safety of food that is imported into this country. In the event that he continues in that attitude that he believes that he is the boss of everyone---

This GMO food that is going to be imported will not only be eaten in the household of CS Moses Kuria. It is for all of us and our children. We are not going to know the distinction.

Senators spoke about the need to label. I, however, argue that, even if you label to a hungry man, and tell him that this *Unga* is GMO and it is Kshs10, and this one is organic and it is Kshs.100, it is a false choice for that person because they do not have much of a choice in that particular matter.

I, therefore, stand to support you. I wish that some of the proposals that we had made during the campaigns are adopted for us to invest more in irrigation, and local manufacturing of inputs for farming.

I urge all of us to ensure that we support and encourage our farmers so that we do not see a decline in the number of farmers.

I thank you, Mr Deputy Speaker Sir.

**The Deputy Speaker** (Sen. Kathuri): Sen. Wakili Sigei, you may proceed.

**Sen. Wakili Sigei:** Thank you, Mr Deputy Speaker, Sir, for granting me this opportunity to support the Motion moved by Sen. Gataya Mo Fire on food security in the country.

Food is national security, energy, economy, employment and everything. When Sen. Gataya Mo Fire brought this Motion, he took the House through the challenges that have led to the situation that we are experiencing. Although he made reference to the economic and social rights under Article 43 of the Constitution, food security in agricultural production for human beings and livestock is a matter of justice.

Last week, we had a debate with Sen. Wambua of Kitui County about the security of the people that had been compromised by the neighbouring counties in search of pastures for their camel. This is a very important Motion that the Government should consider.

I applaud Sen. Osotsi for urging Hon. Senators to ensure that as we conclude on such debates, we do not just urge the Government or relevant Ministries to take a certain action, we should make resolutions that are binding to relevant Government entities and institutions. Otherwise, it will just be a mere debate and a conversation on what we feel as a House.

Schools can only remain as institutions of higher learning when parents are capable of sending their children to school. Without food, nobody can go to school. The same applies to families. Institutions can only run when we they have personnel with the skills and competencies to run them.

The proposals that have been made by the Mover of the Motion touch on matters that have been devolved under the Fourth Schedule of the Constitution. I support the proposition that we should enhance coordination with county governments on the establishment of strategic grain reserves. I urge county governments to set aside strategic food reserves as a requirement. So that even if they are not producers, they can purchase the food produced and store them in their reserves. This will enable them to provide for their people in dry seasons.

Introduction and coordination of livestock feeding programmes should also be prioritised by the county governments where livestock keeping is practised. I am referring to counties like Kajiado or Garissa where livestock is the main source of income for the farmers. Therefore, county governments should ensure that such feeding programmes are an important investment.

As a Member of Kenya Kwanza, I am aware that part of the items in our manifesto was to ensure that there is investment in agriculture and agriculture production.

There is also a commitment on the part of the Government to ensure that there is subsidy in agricultural production. This subsidy involves the release of issuance of fertilizers to farmers to enhance their production and ensure that the cost of production and pricing encourages them to continue with the farming.

If we also push for Government, policies that requires tree planting as a matter of urgency to ensure that we protect the environment and guard against the effect of climate change. I am sure that we will enhance food production and ensure that we meet what is required in this country for purposes of food production and supply of livestock feeds.

Mr. Deputy Speaker, Sir, this Motion is coming at a time when there is a conversation on the same across the world. The just ended The 2022 United Nations Climate Change Conference or Conference of the Parties (COP) 27 that was held in Egypt made certain conversations around climate change. I am aware that this sent a delegation of over 300 people. That sends a message of commitment on the part of the Government to ensure that this is an issue that we can take to be an important factor in the Government agenda.

This Motion is coming at a time when we need to ensure we support environment conservation. I encourage everyone in this House to do whatever is within their means to ensure that whatever recommendations or proposals that are going to be made, are implemented where possible in each and every county where we represent.

Mr. Deputy Speaker, Sir, war against hunger is war on mankind's liberation. It is not hard to fight it out. It depends on the will of those who are in office, the farmer and the person who is expecting to feed the neighbour next door to avail the necessary support.

I support this Motion. I thank Sen. Gataya Mo Fire for timely asking this House to debate on this very important Motion.

**The Deputy Speaker** (Sen. Kathuri): Sen. Lemaltian, please proceed.

**Sen. Lemaltian:** Mr. Deputy Speaker, Sir, I also rise to support this Motion on food security by Sen. Gataya Mo Fire of Tharaka Nithi County. We must call a spade a spade and not a big spoon. It is never the wrong time to do and say the right thing.

It is very disheartening to learn that the country and the administration of His Excellency William Ruto is importing maize while they should be focusing on giving jobs and creating employment for the many jobless youth and women in this country who are very capable of taking part in various and diverse agricultural activities.

Mr. Deputy Speaker, Sir, according to a survey done by the Roots to Food Security Advocacy Group, it Showed that about over 50 per cent of Kenyans are not interested in consumption of Genetically Modified Organisms (GMO) foods. As you know, from Article 43 of our Constitution, our citizens have the right to access secure and adequate food.

I believe that the GMOs are a threat to our food and national security unlike what we are being forced to believe. I believe our nation should shift focus from poverty eradication to wealth creation in the sense that we have a very fertile country in terms of soils and productivity. We have a huge number of unemployed women and youth who are willing to go into agriculture. Case study is what Israel, China and Singapore did in utilizing the human resource within their nations to advance the interest and securing the economic stability of their nations.



Mr. Deputy Speaker, Sir, the leaders of Kenya and Africa at large, must shun the habit of making our countries dumping site of rejected items overseas. For instance, the company that bought the Monsanto Company which manufactures the GMOs is a German company. However, the whole of Europe, apart from Spain has rejected GMOs. Why is the German company going to sell their product to other countries especially targeting Africa yet even Germany itself has banned the GMOs?

We cannot afford to put the fate of Kenya's food security in the hands of these monopoly, self-enriching, multi-national cooperations. It is a very funny coincidence that recently, the billionaire, Mr. Bill Gates who has a very keen interest in such firms and multinationals recently visited Kenya. Suddenly, the debate on GMOs is rising and is the topic of discussion in the whole country.

I believe that the administration of the day can do what they have to do to get---

**The Deputy Speaker** (Sen. Kathuri): Sen. Lemaltian, your time is up. Do not look at the microphone to know whether you have time. Look at the light in front of you.

**Sen. Lemaltian:** Alright. Thank you, Mr. Deputy Speaker, Sir. One minute please.

**The Deputy Speaker** (Sen. Kathuri): There is no indication that you are time banned. Unless you look at these lights at the Clerks' Table.

**Sen. Lemaltian:** Mr. Deputy Speaker, Sir, I am still learning the ropes; it is quite a dense forest.

We know that the GMOs pose a great risk to the bio-diversity of our environment. This is because, through cross pollination, we have super seeds. If there is pollination from GMO products to our natural organic products, it will be a threat to our natural eco system.

Mr. Deputy Speaker, Sir, Africa should not be used as a dummy to practice what is rejected within other countries. The super weeds are resistant to herbicides. What will that lead to? Once our bio diversity is threatened, our wild plants and crops will be affected given that Africa, the mother continent of the world, is the only place now with a potential of having organic foods which are very expensive in continents like the United States of America (USA). Kenya is a very fertile country. We have the potential on a silver platter to produce more of these organic products and export them to the countries where they are very expensive.

GMOs in the USA are consumed by the poor blacks and the Latinos. They consume them because they are cheaper and they cannot be able to produce. This is because the production of organic foods is very expensive. The GMOs are manufactured by very few billionaires. When they come to dump the GMOs in Africa, it means that only a handful of people are going to benefit from the riches of the GMOs.

According to recent surveys and studies, the next billionaires are going to come from agriculture and Information and Communications Technology (ICT) sectors. Why can Kenya and Africa and large not be thinking about diversifying our economic possibilities and agricultural diversity to get into the list of billionaires and contribute to the Gross Domestic Product (GDP) of our country in a positive way?

Mr. Deputy Speaker, Sir, we cannot afford to bury our heads in the sand. We must call a spade a spade and not a big spoon. I am calling on both our coalitions to stand as one because we will always say the right thing since it is never wrong.

I thank you and I support this Motion.

**The Deputy Speaker** (Sen. Kathuri): Sen. Tobiko, please proceed.

**Sen. Tobiko:** Mr. Deputy Speaker, Sir, I rise to support the Motion by Sen. Gataya Mo Fire. It is coming at the right time when the country is facing a very difficult situation of drought and climate change. It is coming at a time when everywhere in this country and maybe even around the globe, everybody is talking about food security and food scarcity.

I congratulate Sen Gataya Mo Fire for bringing a very timely Motion.

This is about food production; food security and Agriculture holistically. It is not just crop farming but also livestock farming which at the moment is threatened. Right now, I believe we have lost around three quarters of our livestock.

This is the right time for Kenyans in this topic. It is not just the leadership, or the Senate, not the Executive but every Kenyan should be engaged on how to make Kenya food secure.

Currently, more that 4 billion Kenyans are facing starvation because of the drought. I agree with Sen. Gataya Mo Fire that our counties should be thinking very seriously and putting policies in place that will make our counties food secure and enhance food production.

The national Government should also be thinking about subsidising production and not consumption. We should be thinking about value addition on all livestock products and farm produce.

I know the Kenya Kwanza Government, before the General Election went around the country engaging all communities and all counties in economic forums. There was a fair participation by *wananchi* on what they wanted to see happening.

Today, what is being proposed by the Kenya Kwanza Government is what the *wananchi* have been engaged on. I remember the economic forum in Kajiado County where people came out and discussed what to do with the livestock and livestock products including hides and skins. Today, we should be carrying leather handbags and having leather shoes coming from our own livestock instead of wasting such valuable products.

In the Arid and Semi-Arid Land (ASL) areas, if we get fair water provision, I am sure, Kajiado County today could feed Nairobi because we have the land, a fair environment and good sunshine. All that we need is water so that production id done and we will be feeding Nairobi and this country.

I have listened to my colleagues and come to love the debate in this House. This is because, when a Senator talks from one corner and another one from the other corner, it shows and reflects the diversity of our country.

Sen. Cherarkey who will be speaking about a lot of surplus of maize at the moment that is being produced. You will find some from a different direction like some of us coming from places that are facing serious food scarcity.

When we blend and bring the discussion here, I am sure we will to get to give direction to this country. We will discuss and agree on what is the best way forward.

I did not want to engage myself in the debate on the Genetically Modified Organisms (GMOs) because at the moment. I am doing serious research on it and will engage myself when I have all facts on my fingertips. When I was listening to my colleagues, I realised that there is a problem.

Here we have an issue of plenty verses scarcity. When you talk to a hungry man who has no food on the table, whether it is GMO or whatever, beggars are not choosers. A hungry person will not choose. I do not know whether the issue is only in farming produce – whether it is only the maize that is GMO. There are a lot of other things that we consume in this country including medication.

You go to a chemist and you are told that a certain medicine is generic and this one is not. One is more expensive than another. It is you to make a choice. On the chicken that we are consuming in hotels in Nairobi we are told one is *kienyeji* and the one is a broiler. It is for you to choose.

The story of GMO or not GMO is neither here nor there. When there is hunger, when you see a child in Turkana and we have seen them in the media being carried because that cannot walk, would you tell that person not to consume this food because it is GMO?

The first thing we owe Kenyans is that there should be food and food production. Yes, we can produce organically. There is a lot of manure from our lands and that will be gold to us. We will sell to these counties that are producing maize instead of fertilizers.

As we sale the manure to them, they produce for us the maize but we should not burry our heads in the sand just because we are full and expect a hungry person to be choosing that one is GMO or not.

I support the development of livestock feeding programmes in ASAL regions. We have seen the livestock dying. Government intervenes to cushion coffee farmers when they have problems and when tea farmers are not having a good market. We expect the same Government of Kenya to cushion the livestock farmers.

I agree that there should be coordination with the National Drought Management Authority (NDMG) to address the drought situation in the county and subsidizing of agricultural products.

We had the Cabinet Secretary (CS) for Education yesterday in the Senate Standing Committee on Education. We were having a serious discussion about the school feeding programme. There are counties that have not yet received food for schools yet they are in serious need.

Madam Speaker--- Sorry, nowadays I am glad that there are several Madam Speakers. I am seeing my Secretary General (SG) here, sometimes she is also the Chairperson.

Mr. Deputy Speaker, Sir, due to the climate change, schools can be used as units and demonstration centres. Several Ministries for example, Ministry of Education, Ministry of Water and Ministry of environment can come into partnership.

The Ministry of water will provide water in the schools and do water storage and harvesting. The Ministry of Environment will bring the seedlings and let the schools plant trees and provide nurseries for distribution of seedlings to the community.

Let schools be demonstration centres of the crops that work in certain areas. I am sure that a lot of things can be done. We can address the issue of climate change using schools as demonstration centres.

We expect these Ministries to work in partnership the to bring synergy so that we address the issues of climate change and food security.

I support.

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, I can see we have three requests. We will start with Sen. Mumma.

**Sen. Mumma:** Thank you, Mr. Deputy Speaker, Sir, for allowing me to contribute to this important Motion and congratulate Sen. Gataya Mo Fire for bringing up the issue.

Food security is the first line of defence for any country. It is the most important activity for any Commander-in-Chief. Hunger kills pretty much in a similar way as a person who invades the country with a bomb or guns. That is why countries that take the security of their citizens seriously ensure they invest adequately in food security.

I have listened to this debate, but it has been there before. If you review the HANSARD reports of both Houses, you will realise that we discuss famine, surplus maize from farmers not being bought and one man taking advantage of the drought situation to make themselves wealthy year in, year out. If you review our HANSARD reports, you will find that this debate happens every year in both Houses.

Even as I support the Motion, we need to introspect, as a House, and ask what we can do differently to resolve this issue. If you are speaking to a Government and complaining about corrupt ways of dealing with a disaster in a country, and you speak over it and the coming year you have the same debate and there is no change, it means we are doing the same thing over and over, knowing very well it is going to fail.

I am requesting that beyond what Sen. Gataya Mo Fire has asked, as a House that exists to defend and protect devolved governance, we need to know that the people of Kenya devolved agriculture, health and water services in order to take charge of matters affecting their livelihood. As a House, we must come up with resolutions that will help make the governments in this country, national and county, take the issue of food security more seriously than they have.

Is it not ironical that people are complaining of surplus food, while children are dying in another place because there is no food and all these is happening in the same country? You hear of farmers in Nyandarua asking the Government to collect potatoes for free and feed people, and in another location, a child is crawling on the ground because they cannot eat.

What other evidence do we need to know that we do not have it right as a country on food security? The investment we put in our army should be secondary only to food security. Of all the resolutions and requests that Sen. Gataya Mo fire has made, I urge the House to go beyond that and ask for even more radical changes that will see this country deal seriously with food security.

Both Houses are currently looking at how we can ensure the Constituency Development Fund (CDF) survives because it has supported development that people are happy with. Why can we not have a county food subsidy fund also being established? This Government promised that it will protect the citizens of this country. These citizens include the two children who were crawling on the ground recently with their bellies because they had not eaten.

We need to put in place a fund that will ensure no fund is lost because of hunger. Among the suggestions put there, I suggest that this House recommends the establishment of a food subsidy fund per county equitably provided in order for the counties to move. I further suggest that the Council of Governors (CoG) be made to understand that agriculture is devolved. Can they come up with an inter-county caucus

that ensures that what is happening in Nyandarua is able to save what is happening in Kajiado, and what is happening in Uasin Gishu and Bungoma can provide support for what is happening in West Pokot?

That is why we have an intergovernmental clause in the Constitution to facilitate cooperation and consultation for the benefit of the citizens of this country. Beyond what is happening, I suggest that an intergovernmental and intercounty mechanism be put in place to ensure we have serious conversation about protecting and ensuring food and nutrition security for this country.

As we continue contributing, I want to bring to our attention one of the things we should be overlooking. We should oversight how well the devolved governance in the Constitution has been achieved. Everybody is complaining about the cereals board not doing what it is supposed to do. The National Cereals and Produce Board (NCPB) should be an intergovernmental entity. One of the things we need to do is to ask for the restructuring of that entity in order to have a conversation on food security that brings both actors at the national and county levels to address the issue of food reserves in this country.

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

*[The Temporary Speaker (Sen. Wakili Sigei) in the Chair]*

The issue of one man - I say one man because it is usually a man - riding on drought to make himself wealthy must also stop. Food security needs to be taken seriously and we cannot leave one Cabinet Secretary to decide when to import what foodstuff. I also suggest that a national food security mechanism be established. We should have coffee, maize, potato and other farmers represented on that entity. When we want to import, we should truly import because there is a need to import.

The issue should be conducted in a transparent manner, so that the decision to import maize is not an individual's decision. The amount of maize we are importing and where it comes from should not be a decision of one individual. If we take this seriously, then the issue of food security will be in the hands of the people of Kenya.

I stand to support.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you so much, Senator, for your contribution.

Proceed, Sen. Veronica Maina.

**Sen. Veronica Maina:** Thank you, Mr. Temporary Speaker, Sir, for this opportunity. I rise to support this Motion brought to the Floor of this House by Sen. Gataya Mo Fire, on food security.

Food security carries a multi-dimension phenomenon that looks into certain aspects of factors that either contribute to support the food security or to bring about food insecurity. One of the underlying pillars that can bring stability to this issue is a food policy that is coherent and developed in a manner that is customized to meet the needs of every county in this country.

We need to ask ourselves very hard questions not just as Government, different actors or stakeholders but also as a Kenyan people. It is true that the Nation of Kenya does have arable land that produces substantial amount of food that can feed this Nation.

We remember with a lot of emotion the days when Nyandarua County produced excess milk and Kenyans watched this excess milk being poured because, for one reason or the other, that bounty harvest from their livestock could not be managed or harnessed in such a manner that it could be used one month later. This is when maybe the pastures were not as good as at the time when those cows were having bountiful production.

This issue has been discussed not just by this Parliament, but by previous Parliaments and one question we must ask ourselves is why it keeps recurring day in, day out, this season, that season following the weather pattern.

Indeed, this discussion goes as good as the weather patterns that we have in our nation. It either means we are managing the food security or the food insecurity or the weather pattern is the one that is in charge of managing our food pattern.

What is our trend from farming right up to production, storage, marketing and sales? How do we handle those sequence of events? I like the proposals that have been brought forth by Sen. Gataya Mo Fire.

In these propositions, we must be able, as a people, to now allow this function to be fully devolved; supported fully by the national Government, but devolved to the county governments. It should not stop at the level of the county, but cascaded down to the ward level, homesteads and households by engaging the citizens to be part of the solution in that food security.

Mr. Temporary Speaker, Sir, as I support this Motion, I would wish to note one big issue that we would spend hours here debating on this Motion. However, if we are not looking keenly at one of the factors that affect food security, being poverty or the amount of money in people's pockets, we might risk wasting our time debating and repeating the same points that are being raised by every Senator.

Food security and rampant poverty cannot be separated. Even if we speak until the chickens come home to roost, and the farmer does not have any finances to be able to manage the factors of production and what is happening in their farms to be able to bring in the farm machinery that is needed, we may not be helping much.

However, if we focus on the proposition by Sen. Gataya Mo Fire about the county governments taking responsibility, then we would ask the county governments to allocate and secure a certain fund, which should not be utilized for any other purpose except to work around the food policy for that specific county.

A certain percentage of the resource, if this food security is as important as everybody agrees from either side of the divide, then it means that it is a point that we are in common agreement about and should not be negotiated. Once that is agreed, it must be reflected in our budgets and allocation of resources to ensure that we can move our farmers from one point to the other.

Nonetheless, I propose that it must move beyond debate to action. It should be action that we can hold counties accountable to and action that we can say county 'X' gave these propositions on the use of their 10 per cent of their budget towards food policy or security.

Mr. Temporary Speaker, Sir, if we are not coming out with such deliverables from the reports or from the action points that are coming from the counties, I can promise you next year we will debate this Motion once again very emotionally and compassionately, look at those pictures that we do not like to see, but we will be back to square one, unless there is an actionable plan that can show where we are moving from as Kenyans.

On the issue of maize and the harvest that farmers are having right now in Trans Nzoia and in the food basket counties, we have the NCPB. Their infrastructure is in place. Is that an issue that anybody should be begged about? In my opinion, nobody needs to be begged for the obvious or reminded on what needs to be done.

Just having a policy would dictate the behavior of even the State officers and public officers towards implementing of some of those policies. The whole House has supported this Motion; I have not heard anybody who opposed this Motion.

It is my view that the issue of NCPB should not be discussed any further, but the responsible State actors and State officers who need to activate those grain storages and return the grain reserves must do so with much speed because the expression that is in this House and the National Assembly becomes the expression of the Kenyan people.

The Kenyan people are begging and praying that even as we do importation of the new maize, our farmers reserve the priority to give their grains and their grains must be purchased, put in the reserve and used to feed the Kenyan people.

Mr. Temporary Speaker, Sir, I, therefore, rise to support this Motion and thank Sen. Gataya Mo Fire for making sure that Kenyan families can now be fed, and that we can secure their nutritional interests within the counties right up to the households.

We must be able, as a nation, to hold families accountable to equally contribute to this aspect of food security. Days are gone when people needed to look up to institutions and continually lay 110 per cent burden on the Government to act by itself.

We call upon the all the stakeholders, including the citizens, to take up responsibility, work together with the national Government and county governments and ensure that food security becomes the responsibility of everybody within the means that they can afford, to make themselves food secure and to make sure our children and our people have the nutritional value of the food that they need.

I thank you, Mr. Temporary Speaker, Sir, for the opportunity.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Veronica Maina.

We can now listen to Sen. Okiya Omtatah.

**Sen. Okiya Omtatah:** Mr. Temporary Speaker, Sir, I thank you for the opportunity to rise and support this Motion by my good friend, Sen. Gataya Mo Fire.

Food security is a matter of choice. You can either choose to be food secure or food insecure. The leadership of this country has chosen that this country should be food insecure.

Right from Independence, we took over a country that had been designed for food security from the colonialists. You realize that we had institutions like the Agricultural Development Corporation (ADC) and the research institutions for food. However, the political elite, including some who are still in power today, were instrumental in dismantling these institutions.

A lot of land for ADC and others that were dedicated to research in agriculture and livestock was stolen. We ended up going back to peasant farming. To rub the salt in, the International Monetary Fund (IMF) came up with the Structural Adjustments Programmes (SAPs) where it forced this country to stop employing agricultural extension and veterinary officers and basically, consigning our agriculture. Sen. Veronica Maina, who spoke before me, said that poverty is a key driver in the complexities that define our food security. Therefore, if people are poor and expected to hire a veterinary officer, and agricultural extension officer, they will not be able to deliver.

In supporting this Motion, I also urge that among the key things that should be done, a conscious effort by the Government must be taken to restore the agricultural extension and veterinary officers. This is so that those farmers who produce can be guided on the scientific ways of production.

After the cartels stole the lands, there is another area where they have dismantled this country. As recently as last year, we had a very successful Strategic Food Reserve Trust Board (SFRTB) led by the Hon. (Dr.) Noah Wekesa. It was able to stabilize the price of food and buy maize from farmers at a very good price, until it was targeted and dismantled. The money it was holding on disappeared and they were then forced to leave office. The cartels then came in and began playing games with us.

It would be prudent that within this Motion, we need to have some input about what happened with the SFRTB.

We also have the perennial sinkhole called the National Cereals and Produce Board (NCPB). These are the organs that have undermined our capacity to be food secure.

A debate of introduction to GMOs has been crafted onto this Motion by various speakers and it has been done in a manner that was very emotional. I urge that matters Science be left to the scientists, and Kenya does not have a shortage of them. We should be led by scientists on the question of GMOs.

Yesterday, I heard very strange statements being made on the Floor of this House; that hybrids and crafted plants equal to GMOs. Basing on very simple literature and the little that I know, a hybrid is gene selection. GMOs as the name says, is gene modification by either editing the genes or by introducing new genes into organisms.

As that goes, one would say it is playing God with organisms. Therefore, it is an area that maybe we are ill equipped to debate and arrive at any findings that have merit. Therefore, I urge that if GMOs are going to be debated as an aspect of food security, then the debate must be informed, not just being emotional. Information must come from scientists whom we do not have a shortage of and not from politicians campaigning for or against a position. It will not help us.

We know there was a taskforce on GMOs that was established. It rendered a report, which has never been published officially, although I have seen some of it circulating online. It was given as a basis for which GMOs were banned in this country.

Therefore, if GMOs are being defined as being equal to food security, then let us give that debate to people who understand it. From where I sit, this country has not exhausted its potential to be food secure.

If you look at the Motion moved by Sen. Gataya Mo Fire, it shows that there is a lot that can be done in this country to improve our capacity to produce food and feed ourselves, and protect our farmers.

There is a reason for protecting our farmers. In this country, farming is a major employer. We could as well just open the floodgates and say that we can get the cheapest maize in Brazil, whether GMO or not, bring it here and consume. What then happens to our farmers in a largely peasant economy? Therefore, protection of the farmer is very important. However, as we protect that farmer, we must enable them to produce efficiently, so that they can compete.

That is why I go back and urge that whatever we do, agricultural extension and veterinary officers must be put back on the Government payroll. Now that agriculture is



devolved, we must enhance the amount of money that goes to the counties to cater for these critical agents of production in the food chain. Even the environment is heavily dependent on them.

The other day, we were told about the crossing over of diseases from animals to human beings. We need veterinary officers as a frontline for an eventuality, such as that with all these mutating genes and other stuff.

It is my submission that over and above what has been ably presented by the Mover of the Motion and the various hon. Members who have supported it, this House, as the custodian of devolution under which agriculture is, must take the question of agriculture seriously.

We must go the scientific way of getting back into the field of agricultural extension officers and veterinary officers. Our people cannot afford to pay for these services and that is why there is a lot of poor production and failure in our agricultural and livestock enterprises.

Mr. Temporary Speaker, Sir, with those few remarks, I support the Motion by the Sen. Gataya Mo Fire, the Senator who represents the area with very many people.

I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Okiya Omtatah.

Sen. Okenyuri, you may proceed.

**Sen. Okenyuri:** Thank you, Mr. Temporary Speaker, Sir. I rise to support the Mover of this Motion, the good Senator for Tharaka Nithi, Gataya Mo Fire.

The issue of food security is a very pressing issue currently. The drought we are witnessing has not just affected the Arid and Semi-Arid Lands (ASAL) areas. In areas like Kisii and Nyamira where I come from, the rivers that initially had water are drying up. Women no longer go to the rivers because there is nothing to carry back home. That is how sad it is.

Women have to regulate their modes of eating, so that they can leave some food to their children. Young people no longer have anything to support themselves with. Looking at this issue, it tells you that women and young people are the most hit. Looking at the United Nations (UN) projections, young people in Kenya will be the largest populations in the coming 10 years, and this is something that should worry us as representatives of ordinary people in this House.

Mr. Temporary Speaker, Sir, secondly, issues of drought and climate change go together. I, therefore, support the Head of State's call of action of tree planting. Apart from legislating, the House should take the initiative to educate the population on the importance of planting trees. I do not know whether I will be jumping ahead of what is to be brought to this House because I saw a Motion that is yet to be introduced by Sen. M. Kajwang' on incorporating climate change education in the school curriculum.

In reference to that upcoming Motion, I would want to mention that in India, school children are brought up planting trees in school and when they go home, they go with seedlings. This is a culture they have been brought up with. People grow up knowing that it is their responsibility to plant trees and in doing so, you protect the environment, people can breathe clean air, remain healthy and illnesses that relate to climate change issues can be alienated.

Mr. Temporary Speaker, Sir, thirdly, food security needs to be addressed. The droughts that we are witnessing have even affected our good friends from the Rift Valley

- our athletes - due to heat related illnesses. They end up performing poorly and that means that they cannot make a living out of running. The country is losing on that end.

We are yet to achieve Sustainable Development Goal No.2 of addressing hunger and making people food secure. This House needs to support initiatives by this Government to fight the issue of drought and support people to become food secure.

Lastly, Mr. Temporary Speaker, Sir, I see a lot of emphasis being put on drought mitigation measures to ASAL counties.

I think it should not just be Arid and Semi-Arid Lands (ASAL) counties. As I had mentioned, areas such as Kisii and Nyamira are witnessing drought.

Farmers who were growing and producing about 15,000 kilogrammes of coffee beans are now producing only 3,000 kilogrammes. It means that they are producing same amounts at the current cost of inputs.

I look forward to the *Kenya Kwanza* plan that we largely campaigned on before elections. It was to subsidize the cost of production, so that women, especially those in rural areas and young people, are able to support themselves.

Finally, this is a good conversation. Apart from just talking about it, we need to legislate, especially in the different counties. For my case, in Kisii, we need to protect water bodies. Apart from ASALs, there are other areas that were affected by people who encroached into waterbodies.

I, therefore, support Sen. Gataya Mo Fire for bringing this Motion to this House. He has reminded us, as a House and Kenyans, that we have an opportunity to change the narrative we keep on talking about, such as effects of climate change by supporting the call for planting trees across the country.

I read somewhere that Dubai is planning to plant two billion trees. That is a big challenge to Kenya. We cannot be compared to that country since we are favoured by mother nature. In as much as it is currently behaving badly, we have a responsibility to protect it.

Mr. Temporary Speaker, Sir, I, therefore, support this Motion. To the Senator for Thara-Nithi, this is a step in the right direction.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Okenyuri.

Proceed, Sen. Seki.

**Sen. Seki:** Thank you, Mr. Temporary Speaker, Sir. I rise to support this Motion by Sen. Gataya Mo Fire. Food security has affected this country, quite a lot. I rise to support by introducing a few issues, that if we look at carefully as the Senate, then we will secure this country. If we are not able to feed ourselves, then we cannot have a country.

If these issues are taken care of and observed carefully, then we will be able to have a country that can feed its people and the citizens will be happy. We will be comfortable being in this country. Most importantly, we now have new county governments. There are new governors and administrations coming in. Most of the things happening in Kenya and counties in particular, is planning and preparation of County Integrated Development Plans (CIDP).

That will make them understand what they are required to do in the next five years. It will give them an opportunity to plan themselves, prepare budgets and introduce their wants.

Governments should introduce Motions such as this one, that will ensure food security.

It is very important. It is the right time for the Motion to be introduced, and for us, as a country and as county governments, to introduce a way of feeding our own people. We know that the drought has really affected so many counties this time around particularly the Arid and Semi-Arid Lands (ASALs).

These counties should learn from the situation that has affected our people. It is important for us to introduce more mechanisms and strategic plans, so as to put some good plans by the end of this Financial Year. If we do that, we will mitigate the issue of food security in the next three or four years.

I know that we have so many issues that are affecting food security. For example, the pollution of environment and subdivision of land in counties like Kajiado where I come from. People are subdividing land leaving no place to cultivate or farm. These are the issues that county governments need to look into, so as to see how they can protect the farmers from the onset.

We support this brilliant idea from *Mhe. Gataya Mo Fire*. Going forward, we hope to see an improvement on this Motion.

I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Seki, for your contribution.

Senators, there are no more Members who are seeking to give further support for the Motion. I now call upon the Mover, Sen. Gataya Mo Fire, to reply.

**Sen. Gataya Mo Fire:** Thank you, Mr. Temporary Speaker, Sir. I am extremely happy because of the rich contributions that have emanated from my fellow Senators. I am too passionate about food security in Kenya, having come from a humble background. I remember, at the age of 10, I was the one looking for food to feed my parents and myself. That is something that has lived with me for long and I find it very painful when I see people dying across the country.

It is 60 years down the line and this country has suffered for lack of proper policies. We have seen people die and children drop out of school because of lack of food. We have seen animals die and people trek long distances in search of water and food. It is high time this country gets serious. We cannot be talking the same language of food security 60 years down the line.

We have had droughts year in, year out. The first drought that I remember happened when I was eight years old; the 1976 drought. People suffered and died *en masse*. There was no mitigation. The other was the 1994 drought where people really suffered across board, especially the ASALs. There is a misconception on some of us who come from Mt. Kenya Region. It is important to note that some parts of Mt. Kenya, especially where I come from, are ASAL areas and we are subjected to a lot of problems.

We have seen these things and it is high time that the Government puts in place some strong policies like the ones I have highlighted.

Therefore, we need serious coordination between the national Government and county governments to get more funding, especially for Arid and Semi-Arid Land (ASAL) areas.

Recently, we have seen livestock die across the country. In Maasai land, you would even buy a cow at Kshs1,000, while in Mandera and Wajir, there is one livestock farmer who confessed that he was selling his goat at Kshs100.

Mr Temporary Speaker Sir, what we lack in this country are serious programs and policies. I have heard some confessions that some people have nowhere to take their maize, whereas others are dying of hunger in the same country. We have people who have a lot of potatoes like in Nyandarua where Sen. Methu comes from, while people are dying of hunger in the neighbouring County of Laikipia.

Therefore, I think that we need to harmonize some of these policies, so that we can have a united country where we have serious strategies, policies and discipline on what we do as a Senate. It would be a waste of time to come here and talk, yet these issues are not implemented.

Mr Temporary Speaker Sir, I want to sincerely thank my fellow Senators for giving this Motion the very best attention and consideration because the contributions that have been made in this House have greatly enriched this Motion. Along the way, we are going to develop a Bill to compel the Government to put in place policies and strategies to address these underlying problems that we have had for quite some time.

I thank the entire membership of this House for seeing it wise to support this Motion. Along the way, we are even supposed to introduce amendments to Standing Orders, so that we can have an Implementation Committee to oversee the implementation of resolutions made in this House, either by the relevant Committee or Government organs.

I thank you, Mr Temporary Speaker Sir.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Gataya Mo Fire.

Hon. Senators, pursuant to Standing Order No.84 (2), I make a determination that this matter, subject to this Motion, does not affect counties. I, therefore, put the question.

*(Question put and agreed to)*

Next Order.

## MOTION

### INTEGRATING CLIMATE EDUCATION INTO NATIONAL EDUCATION CURRICULUM

AWARE THAT climate change is a complex social and scientific issue which is characterized by uncertain and context specific knowledge, demanding that educators engage in inquiry and co-learning with students, while noting the lack of time and curriculum opportunities to address climate change in the classroom;

COGNIZANT OF THE FACT that the Constitution of Kenya in Article 42 provides for the right to a clean and healthy environment for every Kenyan, which includes the right to have the environment protected for the benefit of the present and future generations;

NOTING THAT Climate change is a global nightmare with consequences that are already quite visible and should be a priority for the national education curriculum, in accordance to Article 12 of the Paris

Agreement which espouses the enhancement of climate change education, training, public awareness, public participation and public access to information;

FURTHER NOTING THAT climate change education explores mitigation and adaptation at both local and global level, critical and creative thinking and capacity building that will enable youth to engage with the information, inquire, understand, ask critical questions and take what they determine are appropriate actions to respond to climate change;

ACKNOWLEDGING THAT the Climate Change Act 2016 addresses the integration of climate change into various disciplines and subjects of the national education curriculum at all levels, as well as requiring that the National Climate Council advises public agencies responsible for regulating universities and tertiary institutions curricula on integration of climate change into their curricula;

NOW THEREFORE the Senate calls upon the Ministry of Education in liaison with the Kenya Institute for Curriculum Development to-

- (1) Mainstream climate change education throughout formal education systems through integrating climate education in the school curriculum to creatively prepare children and young people for a rapidly changing, uncertain, risky and possibly dangerous future; and
- (2) Train and equip teachers and school administrators with the necessary information and skills to teach climate education and explore new approaches to learning that can contribute to the transformation of unsustainable climate systems, values and routines.

**The Temporary Speaker** (Sen. Wakili Sigei): Since Sen. M. Kajwang' is not in the House. Let us differ the Motion to the next session.

*(Motion deferred)*

Sen. Veronica Maina, it is your turn to move your Motion.

PLIGHT OF KENYAN DOMESTIC  
WORKERS IN THE MIDDLE EAST

**Sen. Veronica Maina:** Mr. Temporary Speaker, Sir, thank you for this opportunity. I beg to move the following Motion-

THAT, AWARE THAT foreign workers from developing countries make up a large majority of the Gulf's labour, a trend driven in Kenya by the high rate of youth unemployment which stands at 34.21 per cent, forcing young Kenyans to continue to go beyond our borders in pursuit of lucrative employment opportunities;

FURTHER AWARE THAT the *Kafala* or sponsorship system found in the Gulf Cooperation Council (GCC) countries such as Kuwait,

Oman, Qatar, Saudi Arabia, the United Arab Emirates, Jordan and Lebanon, defines the relationship between foreign workers and their local sponsor, under which the state gives local individuals or companies, sponsorship permits to employ foreign labourers, covers travel expenses and provides housing, in the case of domestic workers in the sponsor's home;

APPRECIATING THAT the Kenyan recruitment process of domestic workers for Saudi Arabia involves a number of stakeholders, including the Saudi employers, the Saudi Arabia Employment Agencies, Ministry of Labour (Labour Department), National Employment Authority (NEA), National Industrial Training Authority (NITA), prospective domestic workers, Kenya Private Employment Agencies (KPEA), Saudi Arabian Embassy and the Immigration Department;

NOTING THAT numerous Kenyan migrant domestic workers in Saudi Arabia have documented various forms of abuses, including passport confiscation, physical abuse, sexual abuse, sleep deprivation, food deprivation, labour exploitation, imprisonment prior to deportation, religious intolerance and psychological abuse leading to some of these workers losing their lives;

COGNIZANT THAT Articles 10, 11, and 14 of the International Convention on the Protection of the Rights of all migrant workers and members of their families adopted on 18 December, 1990, espouses that no migrant worker shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment, shall be held in slavery or servitude, or be subjected to arbitrary or unlawful interference with his or her privacy, family, correspondence or other communications, or to unlawful attacks on his or her honour and reputation and the right to the protection of the law against such interference or attacks;

FURTHER APPRECIATING THAT staffing shortages and inadequate funding faced by the labour attaches in Saudi Arabia hinder the effective supervision of migrant workers in distress, lack of safe houses, lack of a comprehensive mechanism to handle labour disputes, and a lack of a legal framework defining the roles of migrant workers in order to adhere to the terms of their contracts, are some of the challenges that need to be overcome;

CONCERNED THAT under the Bilateral Labour Agreement (BLA) between the Government of Kenya (GoK) and the Government of the Kingdom of Saudi Arabia (KSA) on the recruitment of domestic workers that was developed and adopted in January 2016, Kenya was obligated to provide qualified and medically fit workers needed by Saudi Arabia according to the job specifications, and in turn Saudi Arabia was obligated to ensure that the welfare and rights of employers and domestic workers employed in the Kingdom are promoted and protected in accordance with the applicable rules and regulations which has not been the case, including the enforcement of rest hours and the identity and work permits remaining in the possession of the migrant worker;

NOW THEREFORE, the Senate resolves that the Ministries of Interior and National Administration, Labor and Social Protection, Foreign Affairs & Diaspora Affairs, Immigration Department, the National Employment the Kenya Private Employment Agencies (KPEA) cease all travel by Kenyan migrant workers to the Gulf states with immediate effect until-

- (1) The Ministry of Labour and Social Protection amends the national labour migration regulatory framework policy to address labour exportation management;
- (2) The Ministry of Labour and Social Protection, and the Ministry of Foreign Affairs and Diaspora Affairs adopt/ratify the multilateral declarations relating to the protection of workers such as the International Labour Organisation (ILO) Domestic Workers Convention, 2011 (No. 189) and the Private Employment Agencies Convention, 1997 (No. 181);
- (3) The establishment of functional overseas labour offices for the administration and enforcement of the Ministry of Labour and Social Protection policies for migrant workers;
- (4) A review of the Bilateral Agreement between the Government of Kenya, and the Kingdom of Saudi Arabia by the Ministry of Foreign Affairs and Diaspora Affairs to adequately address identified gaps and emerging issues;
- (5) There are established safe houses to serve as central huts of welfare and assistance to migrant workers and temporary shelters for overseas Kenyans in distress; and,
- (6) Any Kenyan in distress, and in particular, Hellen Kemunto, is rescued and brought back to Kenya from Riyadh, Saudi Arabia.

Mr. Temporary Speaker, Sir, that covers the content of the Motion that I present before the House today. One of the key things to note is that in Kenya, the problem of youth unemployment has steadily worsened over the years just like in many parts of the world. The crisis has assumed very high proportions in wake of the current global economic recession.

Our population has a youth bulge. Over 60 per cent of the youth remain unemployed. This youth bulge must and should become a driver of economic growth. Economic growth can only be sustained by policy predictability that enable long term commitments. When I talk about predictability, then it means that if any employee is to enter into any contractual obligation with an employer, there has to be predictability.

We are not blind to the fact that the Ministry on Labour and Social Protection has reported that over 400,000 Kenyans migrant workers have been positioned in the Gulf Region with approximately 210,000 of those workers being in Saudi Arabia.

We are also not blind to the fact that Saudi Arabia is the third highest source of remittance inflows. This follows the United States of America (USA) and the United Kingdom (UK).

Nobody should even doubt or question why this is an important source of earning income for the nation. Employment outside Kenya is important for our nation as an income earner and the need for the youth to seek employment beyond our borders. In

fact, the youth are sometimes so desperate that they seek for these opportunities at whatever expense.

Mr. Temporary Speaker, Sir, at the point when these youths are seeking for employment outside Kenya, more often than not, they do not care what is going to happen to them until they are in a destination such as Saudi Arabia and the contract turns into the worst form of human rights violations, egregious violations that cannot be spoken about.

I have in mind a lady by the name Faith Murunga who left Saudi Arabia with permanent scars and burns that will remind her of her days working there. She has very prominent scars because her employer threw a whole kettle of boiling water at her in the course of, supposedly, giving her instructions for that work.

While it may be important for the youth to seek this form of employment outside Kenya and in jurisdictions such as Saudi Arabia, I am certain that these workers never signed up to go and face the forms of abuses that they face within Saudi Arabia.

The moment is now ripe for those negotiations that may or may not have not been done between the Government of Kenya and Saudi Arabia be done. As the bilateral talks that will foment the relationship between the two nations are being initiated, it behoves on the actors to and the Cabinet Secretaries concerned, to cease movement until the migrant workers from Kenya are no longer facing the abuse they have been exposed to from the time they were sent to Saudi Arabia.

I note that in 2021, Philippines suspended deployment of workers to Saudi Arabia because of the nature of environment their workers were facing there. That was suspended until October this year. What does that say? Tangible action can be taken by Kenya in terms of defining the terms of the relationship that must be had between the employer and the employee before the employee leaves Kenya.

The violation of the workers' rights has drastically worsened with time with increased death and distress cases warranting firm and decisive action to curb any further suffering of the Kenyan domestic workers in Saudi Arabia. I am alive to the fact that if you look at the earnings that Kenya had from Saudi Arabia last year, it could be in excess of US\$184 million. The question one must ask him or herself is: who are these agencies running these businesses so blindly and not interested in the rights and the welfare of the people they are trading over their heads?

Mr. Temporary Speaker, Sir, the National Employment Authority is mandated to license the agencies that have been appropriating these workers and shipping them to Saudi Arabia.

We need to know who these agencies are, what is the register of the agencies, who are proprietors of these agencies and the reason as to why this issue has arisen now and again and does not have a solution. Who is being protected here and what is the quality of the workforce that is being sent to Saudi Arabia?

Mr. Temporary Speaker, Sir, I have listened to some of the justification that have been given to Kenyans as an explanation which I deem as very flimsy. In some of those explanations, they said that the girls who were sent to Saudi Arabia were not schooled enough and they did not understand how the operations of a modern home works.

Additionally, they said that when they went there, they were not polite enough or bending enough to please their employers. Nothing could be as insulting or as abusive to the Kenyan community. The Kenyan community is made up of people who are



respectful, friendly and it is not possible that the reasons they are giving can be used to justify a grievous abuse of human rights.

As I present this Motion before this House, tangible actions need to be taken. I have made proposals in this Motion and I now want to invite Sen. Joe Methu to second it for debate in this House.

I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Proceed, Sen. Joe Methu.

**Sen. Methu:** Thank you, Mr. Temporary Speaker, Sir. I rise to second the Motion by the distinguished Sen. Veronica Maina, the Secretary General of the ruling party, on the plight of the Kenyan domestic workers in the Middle East.

There was some small typo in the printing of the Motion and I know we shall get advice from the office. Nevertheless, this is a well thought out Motion and we would not want to belabour the plight of domestic workers in the Gulf countries. Every day, you will get a family that is crying.

As she has rightly put it, we are not saying that there are no benefits we, as country, are getting out of exporting labour to the Gulf countries. The rate of unemployment in our country is very high and we encourage our people to seek greener pastures elsewhere. According to the Central Bank of Kenya (CBK), the Gulf countries are the third largest remittance of foreign currency to our country. This means that they are a major source of employment to our people.

Mr. Temporary Speaker, Sir, as that maybe, we cannot also close our eyes to major challenges facing our young people in Gulf countries. I am now seized of a case of a young girl by the name Peris Mogure from a small village called Gitamaiyu in Nyandarua. She left Kenya for Saudi in 2019 for a two-year contract. She used to remit her dues until May 2022 when she lost her sister's contact. She became very worried because she was unable to communicate with her sister.

Thanks to the era of social media, they raised a Facebook post. It is at that point that they knew that their daughter Peris Mugure was in the deportation unit in Riyadh, Saudi Arabia and in very bad shape. They were almost not able to recognize her. To this minute, they have not been able to have her back home.

That is one case amongst very many cases that we get every day. You see them in the news and social media. Just the other day, the CS was receiving a case that was in the social media. Those are just few examples out of the very many cases we get involved in every day. Therefore, this Motion is very timely.

According to the Amnesty International records, majority of the workers in the gulf countries complain majorly on issues of forced labour, physical abuse, rape and dangerous working conditions. The Mover has just given a case of a person who suffered serious burns and has permanent scars that remind her of her days working there.

If we do not address these issues and celebrate the fact that the Gulf countries are the third biggest contributors of employment, then our young people will continue to suffer in those countries.

The current sponsorship system that is being used by the Government of Saudi Arabia of giving some individuals permits to secure cheap labour for their country being abused by agents. Therefore, we must address that problem so that we assure our youth a better future in foreign countries.

Philippines used to be one of the countries that exported a lot of labour to Saudi Arabia. However, they suspended deployment of their workers to Saudi Arabia in 2019 and I believe for a good reason. It cannot be that they just woke up one day and decided to stop exportation of labour to Saudi Arabia.

Mr. Temporary Speaker, Sir, this Motion is seeking many resolutions as to how we can address myriad of challenges faced by our people working in Gulf countries. One of them is immediate establishment of a functional overseas labour office so that people working there have an access to office where they can report their problems.

This office will handle dispute resolution so that if you are in Saudi Arabia and your contract has not expired and you are involved in a major dispute with your employer, it will ensure you are not mistreated. You will get a labour office that deals with the matters of Kenya. The matter will be sorted out so that you are able to complete your contract amicably and you come back home.

Mr. Temporary Speaker, Sir, the fact is that once you sign a contract, however harsh the working conditions are, you have to work until it expires. I am told that there are those who eat one meal in two days. If you find yourself working for a family that gives you one meal in two days, and you have signed a two-year contract, it will be unbearable for you to work. This injustice must be sorted out if will continue to export cheap labour to them. ,

The Ministry of Labour and Social Protection should move with speed so that we create employment.

Mr. Temporary Speaker, Sir, as it has been proposed, we also need to amend the National Labour Migratory Regulatory Framework. This is because we need to manage how we export our labour so that a person does not wake up one day and have an underhand deal with a person in Qatar or Saudi Arabia and then export our children to those countries and when they get there, it is not as rosy as they had been promised.

We need to hasten and bolster our relationship with the kingdom of Saudi Arabia and our Ministry of Foreign Affairs. We do not intend to break away. That is why I had a small issue with the word “immediate effect”, so that this matter will be smooth. We do not intend to sever our working relationship with the Government of the Kingdom of Saudi Arabia.

Mr. Temporary Speaker, Sir, I will not take more time than that. I wish to second the Motion.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Methu.

*(Question proposed)*

## ADJOURNMENT

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, we shall resume debate on this Motion tomorrow. It is now 6.30. p.m., time to adjourn the House. The Senate, therefore, stands adjourned to tomorrow, Thursday, 24<sup>th</sup> November, 2022 at 2.30. p.m.

The Senate rose at 6.30 p.m.