

**PARLIAMENT OF KENYA****THE SENATE****THE HANSARD****Tuesday, 14<sup>th</sup> November, 2023**

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

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

**PRAYER****DETERMINATION OF QUORUM AT  
COMMENCEMENT OF SITTING**

**The Temporary Speaker** (Sen. Veronica Maina): Clerk, do we have quorum?

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

Serjeant-at-Arms, ring the Quorum Bell.

*(The Quorum Bell was rung)*

Serjeant-at-Arms, you may stop the Quorum Bell. I believe we now have quorum.  
Clerk, call out the first Order.

*(Sen. Murango and Sen. Abass stood up in their places)*

Sen. Murango and Sen. Abass, can you resume your seats?

**COMMUNICATION FROM THE CHAIR****DEMISE OF HON. GODLIVER NANJIRA OMONDI**

Hon. Senators, it is with deep sorrow that I notify you of the untimely demise of the former nominated Senator, Hon. Godliver Omondi. She passed away in the evening of Monday, 13<sup>th</sup> November, 2023 after succumbing to a short illness.

The late Hon. Godliver Omondi was born on 15<sup>th</sup> December, 1971 in Kakamega County. She held a degree in Community Development and a diploma in Community Development both from Maasai Mara University.

In 2010, she became the County Coordinator for the Walemavu na Raila Movement until 2014, when she became the Secretary for the Orange Democratic

Movement (ODM) office, Matungu sub-branch. Until her demise, the late Hon. Omondi was serving as a nominated Member of the County Assembly (MCA) of Kakamega County Assembly.

Previously, she had been elected the MCA for Kholera Ward in Kakamega County in 2017 where she served as the Deputy Minority Leader. Hon. Omondi also served as a nominated Senator representing Persons with Disabilities (PwDs) in the Senate from 2013 to 2017.

The late Hon. Member will be remembered as a dedicated legislator who served in the Departmental Committee on Health, the Committee on Library and Broadcasting and the Committee on National Cohesion, Equal Opportunity and Regional Integration.

On behalf of Senators, staff of the Senate and my own behalf, I wish to take this opportunity to condole with the family of Hon. Godliver Omondi, the people of Kakamega County and all her friends in this most difficult time.

The Parliament of Kenya and the nation at large has, indeed, lost a diligent and a selfless leader who always championed for the interests of the people of Kakamega County, more so women, youth and PwDs.

Hon. Senators, in honour of our departed colleague, I request that in the usual tradition, we all stand and observe a moment of silence.

*(Hon. Senators stood up in their places and observed  
a moment of silence)*

May the soul of the late Hon. Godliver Omondi rest in eternal peace.

You may resume your seats.

Thank you.

Hon. Senators, before we go to the next Order, I wish to allow the Senator for Kakamega County to offer his message of condolence.

**Sen. (Dr.) Khalwale:** Thank you, Madam Temporary Speaker. In fact, it was just for that reason that you had points of order shoot up because it is our tradition in Parliament, that we allow a few minutes for people to say *pole*.

I take this opportunity to tell the people of Kakamega County, the Wanga Community and Kholera Village in Mumias, Matungu Constituency, my deepest heartfelt condolences for the loss of *Mheshimiwa*.

I remember how she came into this House. It was in keeping with her fighting spirit. She had been short-changed in making the list for affirmative action for PwDs. I remember we started with Senator Harold Kipchumba, but she fought in court, won and joined us. We worked here together successfully for five years.

When I heard about her passing on yesterday, I was touched. I thank the Temporary Speaker for allowing us to celebrate her life. *Pole* to her children, husband and family. May the Lord rest her soul in eternal peace.

**The Temporary Speaker** (Sen. Veronica Maina): I will also allow a few more Senators; two from each side. I want to allow Sen. Sifuna, the Secretary General of ODM party, to offer his condolences.

**Sen. Sifuna:** Thank you, Madam Temporary Speaker. I join the House and the Senator for Kakamega County to pass my condolences to the family and friends of Hon. Godliver Omondi.

As you have rightly put it, Hon. Omondi was nominated to this House by ODM. It gave her the platform to demonstrate her leadership skills. Many were surprised. After nomination to the Senate, she chose to go and contest as an MCA for Kholera Ward in the Kakamega County.

For those who do not know, the people of Matungu Constituency are all my in-laws. That is where my wife comes from. During the by-election of 2021, after the death of the then Member of Parliament (MP), I spent a lot of time in the constituency campaigning for our candidate then. You can imagine Hon. Omondi, being an elected MCA on Amani National Congress (ANC), decided to support the ODM candidate, much to her detriment.

In fact, it put her in very serious crosshairs with her own party. I remember she took me to every single village within Kholera Ward and campaigned with me and the ODM candidate. The results were there for everyone to see. She then ended up again as a nominated MCA in Kakamega County Assembly where she served until her untimely demise.

I considered her a friend because I have worked with her, seen her passion in representation of PwDs and her representation of the people of Kholera Ward. On my behalf and that of the party that I serve as the Secretary General, I take this opportunity to send my sincere and heartfelt condolences to the people of Kakamega County. In particular, I send my condolences to the people of Kholera Ward and the larger Matungu Constituency fraternity.

May the Lord rest her soul in eternal peace.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Mungatana, you may have the Floor.

**Sen. Mungatana, MGH:** Madam Temporary Speaker, I also join Sen. Khalwale in registering my condolences for our departed colleague.

From the description, this is a Member who despite her disability, won her seat. This goes to prove that disability is not inability. I send my condolences to the family members and friends. We wish her well in her journey to the next world.

May I also take this opportunity to send my condolences to an icon of Mombasa politics, Hon. Mohammed Jahazi, who also left us and was buried on Sunday. For those who know Mombasa County politics and those of us who grew up there, we remember this *mzee* as a very active politician. We also say *pole* to his family and friends.

May God rest his soul in eternal peace. Thank you.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Mumma, proceed.

**Sen. Mumma:** Thank you, Madam Temporary Speaker, for this opportunity to eulogise a “shero” in this country.

Allow me to send condolences to the family of Hon. Omondi. I knew her when I was a Commissioner at the Commission for the Implementation of the Constitution (CIC). We had a workshop at the Lilian Towers when she raised the issue of being on the party list ahead of the Senator who had been nominated. I remember telling her that she must go to court and fight it because the party list requirement is that they cannot nominate a person below and leave you. She asked me if I was sure they will do anything about it. I pleaded with her to go to court. She went to court and won the case and was nominated to this House.

When she vied in Kholera Ward and won, I was so impressed. As you know, the politics of this country is violent and very competitive, but Hon. Omondi competed and did well.

As Sen. Sifuna puts it, we campaigned with her in Matungu and she was fearless. All I am saying is she is a great example that disability is not inability. I hope that in memory of Hon. Omondi, we will have more PwDs, particularly women, coming out to participate in the political arena and represent the way she did.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Okenyuri, proceed.

**Sen. Okenyuri:** Thank you, Madam Temporary Speaker. I also wish to join Sen. (Dr.) Khalware in sending my deepest condolences to the family, friends and people of Kakamega County for the loss of Hon. Omondi.

I might not know very much about her, but from the descriptions given, she is a good example of someone who has used their affirmative position constructively to impact on the society. After the affirmative position, she was elected. Having been in the Senate, an elected MCA and now as a nominated MCA, we have a taste of all those ends. I am inspired by how, despite being abled differently, she went beyond what ordinary people think. I do not believe once you are nominated, your contribution is less and you become a flower girl.

May her soul rest in eternal peace.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Osotsi, kindly proceed.

**Sen. Osotsi:** Madam Temporary Speaker, let me also join my colleagues to send my sincere condolences to the family, friends, relatives and the people of Kakamega County for the loss of Hon. Omondi. She Omondi was a personal friend and a political associate.

Madam Temporary Speaker, when I was the Secretary General of ANC party, I was very active in poaching members from other parties. One of the people I poached from ODM then, was the late Hon. Godliver Omondi who was a Senator. She came to me and said that she did not want to be a Member of the National Assembly or a Senator, but wanted to be a Member of the County Assembly (MCA).

At that point, in our party we had a controversy on how to choose one candidate among several aspirants who were competing. They were around 15 of them led by former MP Hon. Murunga. I tried to convince her to contest for Matungu parliamentary seat, but she refused and said that she wanted to be a MCA. Many people never understood why she wanted to be a MCA.

Madam Temporary Speaker, I want to confess that she made a huge contribution in the County Assembly of Kakamega. She put in more energy and tranquillity. Kakamega County Assembly was one of the most mature assemblies in this country courtesy of her contribution.

I have lost a friend and a political associate. Even when I was facing tribulations as a nominated MP from the ANC party, Hon. Godliver was one of the people who stood with me strongly and openly, despite her disability, to say that we need democracy in this party.

When we were not offered that democracy, we all left and joined ODM openly in day time. We went to campaign for an ODM candidate in Matungu with her even though we were members of ANC. Therefore, I have lost a political friend and associate.

I want to join the family to say that we will stand together at this very difficult moment that we have lost our good friend, the Hon. Godliver Omondi.

May the Lord rest her soul in eternal peace.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Wafula, proceed. We will then wind that session with Sen. Crystal Asige.

**Sen. Wafula:** Asante, Bi. Spika wa Muda kwa kunipa nafasi hii kuwapa pole familia na watu wa Kholera Ward na eneo Bunge la Matungu kwa kumpoteza mheshimiwa shupavu.

Bi. Spika wa Muda, nimewahi kukaa katika vikao mbalimbali na Mhe. Marehemu, ambaye licha ya ulemavu wake wa kimaumbile, alikuwa mkamilifu wa fikira na mweupe wa moyo. Yale yote aliyoweza kufanya katika eneo lake la uwakilishi, mashinani walimuenzi na kumpenda.

Kukata kwake kamba ni pigo kwa demokrasia na uwakilishi wa wanawake katika uongozi wa nchi hii. Kando na viongozi wanawake ambao hawaaajibiki kimaadili na tabia zao, Mhe. Godliver alikuwa na familia. Aliwapenda watoto wake, mume wake na alipenda kanisa.

Yeye ni kielelezo cha wanawake ambao wamedhihirisha ya kwamba ukimpa mwanamke nafasi, familia itakuwa imara, mwelekeo utapeanwa na matokeo yataonekana.

Kule anapoenda, mkononi mwa Maulana, amwambie Mwana wa Mungu Yesu, kwamba sisi tulio hai tutaendelea na msalaba huu wa shida na mahangaiko duniani, lakini tunaamini lisilowezekana na binadamu kwa Mungu linawezekana.

Godliver safari salama, tutakutana baadaye.

Asante, Mhe. Spika.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Crystal Asige, proceed.

**Sen. Crystal Asige:** Thank you, Madam Temporary Speaker. I wish to also send my condolences to the friends, family and loved ones of the late Hon. Godliver Omondi, disabled MCA and we have a lot in common.

As the only female with a disability in this House, I followed her example. In fact, I stood on the shoulders of giants like herself who went before me and paved the way for women like me to be given a fighting chance to represent their people in the best way possible.

Madam Temporary Speaker, Hon. Omondi is not just somebody who paved the way and helped to pioneer the space of disability inclusion in Parliament and in the political space, but she also fought hard as a woman in general.

As you all know and as everyone in this House has seen, especially during last week's Impeachment Motion, women go through a lot in politics and it is tenfold, dare I say when you are a female with a disability in politics. However, she took on the challenge with a lot of grace, strength and poise in all of the positions that she was able to hold until her demise recently.

I just want to appreciate her even in her memory, though we were not able to speak all of these good things that we are saying here when she was alive. As people say, give flowers to people while they are still here.

Nevertheless, we wish to condole with the family and the friends and pray that she continues to rest in peace. I would say to rest in power because she has left a lot of power in the spaces that she has traversed, created more inclusion and diversity and has

been able to have people with disabilities seen, heard and understood just by way of her being in the position that she was in and to fight to stay in that space until this moment when we lost her.

Madam Temporary Speaker, I also just want to reiterate how important it is to be more inclusive of, especially women with disabilities in the political space. In the last election, there were about 6,000 candidates. Out of those, only six people with disabilities managed to get into seats that they vied for.

That is a very low number and that needs to be improved. I hope that the spirit that she leaves behind, as a woman with a disability fighting in this space, Members in this House and in the National Assembly will honour her spirit and continue the work that she so diligently did for all the time that she served all of us as Kenyans.

I thank you.

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, I note there are many requests, but allow me to only allow Sen. Madzayo, as the Senate Minority Leader, to give his condolences in one minute then we close.

**The Senate Minority Leader** (Sen. Madzayo): Asante, Bi. Spika wa Muda, kwa kunipa nafasi hii ili niweze kupeana ombolezi langu. Kwanza, nataka kutoa pole kwa familia ya Mhe. Godliver Omondi ambaye alikuwa Seneta katika Bunge la Kwanza la Seneti na nilikuwa ninafanya kazi na yeye kwa ukaribu sana kama rafiki.

Sen. Godliver alikuwa mtu mkakamavu na mchangamfu sana. Hali yake ya afya ilikuwa sawa kabisa. Alikuwa akichangia sana mambo ya akina mama. Ninavyomuelewa Godliver hakuwepo katika ile Bunge ya Pili lakini katika Bunge ya kwanza alikuwa mkakamavu sana na aliweka mbele mambo ya akina mama na hususan mambo ya walemavu, kama alivyokuwa yeye mwenyewe.

Mwenyezi Mungu amechukuwa roho yake. Kiumbe chake amekwenda nacho mwenyewe. Alimleta hapa akiwa na sababu na amemchukuwa akiwa na sababu. Sisi wote tunafaa kukubali alichopitisha Mwenyezi Mungu.

Tutakachofanya ni kuwaomba waliobaki nyuma, familia yake na marafiki zake, wawe na moyo wa faraja ili waweze kupita mihani huu kwa hivi sasa.

Kilichobaki kwetu kama Bunge la Seneti, sisi ambao tunamfahamu, ni kumuomba Mwenyezi Mungu ailaze roho ya marehemu mahali pema walipolala wema.

Asante, Bi. Spika wa Muda.

**The Temporary Speaker** (Sen. Veronica Maina): May her rich legacy live on. May her soul rest in peace.

Clerk, let us have the next Order.

## PETITIONS

I now call upon the Chairperson, Standing Committee on Land, Environment and Natural Resources to present their Report. Is it Sen. Methu? Is he not in the Chamber?

Where is the Vice-Chairperson?

I now call upon the Chairperson, Standing Committee on Labour and Social Welfare to, please, come forward and present their Report.

REPORT ON PETITION: DISCRIMINATION AGAINST OTHER  
HEALTH WORKERS IN THE MINISTRY OF HEALTH

**Sen. Murgor:** Madam Temporary Speaker, I beg to lay the following Petition Report on the Table of the Senate, today, 14<sup>th</sup> November, 2023-

Report on the Standing Committee on Labour and Social Welfare on Petition to the Senate by Mr. Elijah Muthungi, on behalf of Supply Chain Management Assistants (SCMAs), concerning the discrimination against other health workers in the Ministry of Health.

*(Hon. Murgor laid the document on the Table)*

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Murgor, you can speak to that.

**Sen. Murgor:** Madam Temporary Speaker, the Petition concerning alleged discrimination against other health workers in the Ministry of Health was tabled in the Senate on 20<sup>th</sup> July, 2023. About 43 Supply Chain Management Assistants from Kitui County countersigned the Petition on behalf of other Supply Chain Management Assistants from the 47 counties, with the lead Petitioner being Mr. Elijah Muthungi.

The Petitioners were concerned that the Supply Chain Management Assistants deployed across all the county governments, including health facilities, where they offer essential services such as receiving, storing and issuing pharmaceutical and non-pharmaceutical items, among other duties, being on call all weekends and holidays and during emergencies, are not considered for allowances despite the compendium of remuneration and benefits for the Public Service of December, 2022, requiring that all health workers receive health service allowances and extraneous allowances.

The petitioners then prayed that the Senate addresses the grievances and ensures that the Supply Chain Management Assistants deployed in health facilities in the counties benefit from health services allowances and extraneous allowances and that no health worker is discriminated against.

The Petitioners also wanted the Senate to compel the Ministry of Health to develop policy guidelines geared towards the recognition of the Supply Chain Management Assistants attached to the health departments across the country.

Madam Temporary Speaker, the Committee made the following observations during the interventions with the Petitioners and other stakeholders who include the Ministry of Health, the Council of Governors (COG), Kenya Institute of Supply Chain Management, Salaries and Remuneration Commission (SRC) and the Union of Kenya Civil Servants-

(1) The Petitioners used the term 'Ministry of Health' to mean the 'County Departments of Health' since they are employees of the County Governments.

(2) The Kenya Health Policy 2014-2030, by extension, the Health Act 2017, does not classify Supply Chain Management Assistants serving in hospitals and health facilities as healthcare workers. Currently, they are not workers per Health Profession Standards as prescribed in the World Health Organization (WHO) guidelines on health professionals.

(3) Supply Chain Management Assistants offered essential services during the COVID-19 pandemic as suppliers and practitioners alongside other health professionals like doctors, nurses, among others, but SCMAs did not receive any extraneous allowances.

(4) Supply Chain Management Assistants do not receive allowances from the Ministry of Health or the county governments, like other health workers in hospitals and healthcare facilities, as they are not considered health workers, unlike drivers and other support staff performing administrative duties like clerks, accountants, financial officials and human resource, and are not entitled to any extraneous allowances.

The Committee made the following recommendations in response to the Petitioner's prayers-

(i) The County Government may consider allowances to the Supply Chain Management Assistants alongside other County Government employees.

(ii) The Ministry of Health should operationalise the Kenya Health Services Inter-Governmental Consultative Forum, Kenya Health Human Resources Advisory Council and the Kenya Health Professional Oversight Authority should establish the Health Act, 2027 with immediate effect and submit a report to the House within three months upon tabling of this Report.

(iii) The Ministry of Health and SRC should streamline allowances of all workers in the health sector.

Madam Temporary Speaker, pursuant to Standing Order No.238, I table this Report on the Petition concerning alleged discrimination against the health workers or Supply Chain Management Association.

*(Sen. Murgor laid the document on the Table)*

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

Sen. Wamatinga, can you step in for the Chairperson of the Standing Committee on the Land, Environment, and Natural Resources and present the reports?

REPORT ON PETITION: ILLEGAL DEMOLITION OF  
HOUSES BY KENYA POWER IN CHOKAA

**Sen. Wamatinga:** Thank you very much, Madam Temporary Speaker. I beg to table the following Reports on Petitions on the Table of the Senate, today, Tuesday, 14<sup>th</sup> November, 2023-

Report of the Standing Committee on the Land, Environment, and Natural Resources on the Petition to the Senate by the residents of Chokaa, Mihang'o in Nairobi County regarding illegal demolition at Mihang'o, Njiru, Chokaa.

REPORT ON PETITION: DELAYED DEGAZETEMENT  
OF LAND IN LUGARI, TURBO FOREST

Report on the Standing Committee on Land, Environment and Natural Resources on a petition to the Senate by three petitioners from the Lugari East African Tanning Extract Company on behalf of the residents of the Mautuma Settlement Scheme



concerning the degazettement of 1577.868 hectares of Lugari-Turbo Forest in Kakamega County.

REPORT ON PETITION: DEGAZETTEMENT OF LAND  
REFERENCE NO.12493 IN LAIKIPIA COUNTY

Report on the Standing Committee on Land, Environment and National Resources on a Petition to the Senate by Mr. Charles Waikwa on behalf of the residents of Laikipia West Constituency regarding the degazettement of the LR No.12493, situated West of Rumuruti Township in Laikipia.

*(Sen. Wamatinga laid the Documents on the Table)*

Madam Temporary Speaker, the Senate Standing Committee on Land, Environment and Natural Resources at its sitting held on 28<sup>th</sup> October, 2023 adopted the following three Committee Reports as follows -

(a) Report of the Standing Committee on Land, Environment and Natural Resources on the Petition Concerning Delayed Degazettement of L.R. No.12493 located in West of Rumuruti Township, Laikipia County.

The Members of the Committee sifted through the issues raised by the Petitioner and analyzed the issues to be determined from the prayers of the Petitioners-

Prayer One: On the prayer to direct the Chief Conservator of Forests to degazette parcel of Land L.R. No.12493 situated West of Rumuruti Township in Laikipia County. The Committee observed that-

(i) The process for alteration of Forest Boundary/degazettement is described in detail in Section 34 of the Forest Conservation and Management Act (FCMA), 2016, which provides that a Petitioner, or any person, may petition Parliament to institute the process that leads to degazettement.

Therefore, the Committee notes that there is need for the MECCF to take responsibility and ensure that the relevant processes towards ensuring a solution to the current impasse commences.

(ii) In accordance with Section 34 of the FCMA, a petition may be presented to Parliament for the boundary variation or revocation of public forests. However, no evidence was submitted indicating that this process was initiated. Further, an Environmental Impact Assessment Report and evidence of public participation was not submitted before the Committee.

The land in Lariak un-gazetted as Forest Land, therefore, the processes to ensure its gazettement should be fastened together with the degazettement of LR No.12493.

Prayer Two: Recommended that the relevant agencies of the national and county governments urgently move to put in place the infrastructure, roads, bridges, drainage works, electricity, water, schools, dispensaries, administrative offices, police post and other amenities in the area.

The Committee urges the County Government of Laikipia to provide services equally to all residents of Laikipia County as per Article 43 of the Constitution of Kenya, 2010.

Prayer Three: Recommends that the County Government of Laikipia includes the plan in preparation of the County Integrated and Annual Development Plans and in allocating budgets for construction, grading and maintenance of infrastructure projects and other amenities thereon.

The Committee observed that, similarly, as in the second prayer, the Committee observes that the county government should ensure services are offered. All budgets and plans are aligned to cater to the persons residing in the said land parcel.

On the Committee recommendations, Madam Temporary Speaker, from the foregoing, the Committee recommends that in accordance with Section 36 of the FCMA, KFS should immediately initiate and commence the process of degazettment of Land Parcel Rumuruti LR No.12493, being an excision of 149.1 hectares from Rumuruti Forest.

Gazettment of Lariak Forest Block LR No.2467/1 is set to now benefit the Kenya Forest Service with 127.3 hectares, being an addition to Lariak Forest.

The County Government of Laikipia should embark on ensuring services are offered to the residents residing in this as per Article 43 of the Constitution of Kenya 2010, including aligning the County Integrated and Annual Development Plans to ensure the area is also developed.

The Committee recommends that a report on the progress be tabled before the Committee within three (3) months of tabling of this Report.

(b) Report of the Standing Committee On Land, Environment, and Natural Resources on the petition concerning the illegal demolition at Mihang'o Njiru, Chokaa.

Madam Temporary Speaker, the Members of the Committee sifted through the issues raised by the petitioner and analyzed the issues to be determined from the prayers of the petitioners-

Prayer One: That this Petition be dealt with immediately given the urgency of this matter and the seriousness of the issues raised.

The Committee observed that the subject matter of the Petition pertained to matters that were actively in court. As such, and under Standing Order No.103(2), the Petition was deemed *sub judice*. Consequently, the Committee resolved to suspend its deliberation on the Petition.

Prayer Two: That the NLC be compelled to issue the Chokaa Residents with title deeds.

In accordance with the Supreme Court Advisory Opinion, Reference No.2 of 2014, the responsibility to issue title deeds lies with the relevant State Department responsible for the registration of titles and not the National Land Commission. Further, there would be need to ascertain whether the houses were constructed along power line way leaves.

Prayer Three: That the Speaker of the House and/or relevant committee of the House invoke their mandate and duty to summon the Cabinet Secretary for Energy and Petroleum.

Vide Letters REF:SEN/DSEC/LENR/3/2023(114) and REF dated 16<sup>th</sup> August, 2023, the Committee invited the Cabinet Secretary, Ministry of Energy and Petroleum to a physical meeting with the Committee, to respond to matters raised in the Petition.

On Committee recommendations, Madam Temporary Speaker, from the foregoing, the Committee recommends that in view of fact of the issues in respect of

which the petition is made are before a court of law, the matter is considered *sub judice* pursuant to the Senate Standing Orders No.103(2), and as such, the consideration of the petition is deferred pending the determination of the court.

(c) Report of the Standing Committee on Land, Environment and Natural Resources on the Petition concerning Delayed Degazettement of 1577.86 of Land in Lugari/Turbo.

Madam Temporary Speaker, the Members of the Committee sifted through the issues raised by the petitioner and analyzed the issues to be determined from the prayers of the petitioners-

Prayer One: That this Petition be dealt with immediately in view of the urgency of this matter and the seriousness of the issues raised.

The Committee acknowledges the gravity and urgency of the issues raised in the Petition. It particularly observed that the process of degazetting the Lugari/Turbo Forest land had been initiated, but was not seen through to completion, further exacerbating the uncertainties faced by the residents.

The immediate attention and resolution of this matter, therefore, is paramount both in the best interest of justice and the welfare of the affected residents.

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

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

Prayer Two: That the Speaker of the House invokes his mandate and duty to call for the recommendation of the Ministry of Environment and Natural Resources, through the Kenya Forest Service, to enable resolution by Parliament of the de-gazettement of 1,577.86 hectares of Lugari Constituency, Kakamega County.

The Committee recognizes the MECCF's commitment to play a lead role in addressing the ongoing issue, particularly in their undertaking to facilitate the formation and activities of a multi-stakeholder team.

The establishment and facilitation of the multi-stakeholder team, as proposed by the Ministry, should serve as a critical step in ensuring the rights and interests of the petitioners are realized.

While the approval for de-gazettement had been previously recommended, the Committee urges immediate action of the Ministry following the provisions of Section 34 of the Forest Conservation and Management Act.

Prayer Three: That the Speaker of the House and/or relevant committee of the House invoke their mandate and duty to summon the Cabinet Secretary for Environment and Natural Resources to explain the reasons for the delay.

Vide Letters REF: SEN/DSEC/LENR/3/2023(84) and REF: SEN/DSEC/LENR/3/2023(93) dated 23<sup>rd</sup> June, 2023 and 4<sup>th</sup> July, 2023 respectively, the Ministry of Environment, Climate Change and Forestry (MECCF) requested for a rescheduling of the meetings and via Letter REF:SEN/DSEC/LENR/3/2023(101), dated 25<sup>th</sup> July, 2023, the Cabinet Secretary was represented by the Principal Secretary, Mr. Gitonga Mugambi, who appeared before the Committee on Thursday, 3<sup>rd</sup> August, 2023, with apologies from the Cabinet Secretary. The Committee admitted written responses on this particular matter.

The Committee acknowledges that while certain steps towards *de-gazettement*, such as the processing of the Environmental Impact Assessment (EIA) report and public participation were initiated, the complete due process as required by the Forest Conservation and Management Act (FCMA), 2016 was not completed. This has subsequently caused delays in the issuance of titles, leaving the residents of the settlement scheme in a state of vulnerability.

In light of this, the Committee underscores the importance of upholding the economic and social rights of these residents as enshrined in Article 43 of the Constitution. It is of utmost importance that the relevant Government agencies address and rectify these gaps promptly to ensure the residents' rights are safeguarded, while awaiting the resolution of the Petition.

Madam Temporary Speaker---

*(Laughter)*

Sorry, I apologize.

**The Speaker** (Hon. Kingi): Sen. Wamatinga, I will let you get away with that because when I was walking in, your eyes were fixed on the paper you are reading.

Please, proceed.

**Sen. Wamatinga:** Mr. Speaker, Sir, from the foregoing, the Committee recommends that the proposed *de-gazettement* of 1,557.36 hectares of Turbo Forest Reserve comprising the Matuma Settlement Scheme in Lugari, Kakamega County be processed in accordance with Section 34 of the Forest Conservation Management Act. Noting that the process had been initiated, the Committee further recommends that the Ministry of Environment, Climate Change and Forestry fast-tracks this process and reports progress within three months following the adoption of this Report.

I beg to table.

*(Sen. Wamatinga laid the documents on the Table)*

**The Speaker** (Hon. Kingi): Clerk, next Order.

### PAPERS LAID

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, 14<sup>th</sup> November, 2023-

#### THE 10<sup>TH</sup> STATE OF THE NATION ADDRESS BY H.E THE PRESIDENT

The 10<sup>th</sup> State of the Nation Address by His Excellency the President, delivered at a Joint Sitting of Parliament on Thursday, 9<sup>th</sup> November, 2023.

#### THE 10<sup>TH</sup> ANNUAL REPORT ON MEASURES TAKEN AND PROGRESS ACHIEVED IN THE REALISATION OF NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE

The Tenth (10th) Annual Report (2022/2023), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance.

ANNUAL REPORT TO PARLIAMENT ON THE  
STATE OF NATIONAL SECURITY

The Annual Report to Parliament on the State of National Security, November 2023.

THE 2023 BUDGET REVIEW AND OUTLOOK PAPER FOR THE  
FY 2024/2025 AND MEDIUM-TERM BUDGET

The 2023 Budget Review and Outlook Paper for the Financial Year 2024/2025 and Medium-Term Budget.

REPORTS ON THE FINANCIAL STATEMENTS  
OF VARIOUS ENTITIES

Report of the Auditor-General on the financial statements of the Ikanga Level 4 Hospital, County Government of Kitui for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Kauwi Level 4 Hospital, County Government of Kitui for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Migwani Level 4 Hospital, County Government of Kitui for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Lumumba Sub-County Hospital, County Government of Kisumu for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Kisumu County Referral Hospital, County Government of Kisumu for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Kericho County Referral Hospital, County Government of Kericho for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Londiani Sub-County Level 4 Hospital, County Government of Kericho for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Kwale Sub-County Level 4 Hospital, County Government of Kwale for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Lungalunga Sub-County Hospital, County Government of Kwale for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on the financial statements of the Msambweni County Referral Hospital, County Government of Kwale for the year ended 30<sup>th</sup> June, 2022.

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

**The Speaker** (Hon. Kingi): Clerk, next Order.

**NOTICE OF MOTION**

## THANKS FOR THE PRESIDENTIAL ADDRESS

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, thank you again for the opportunity to give Notice of the following Motion-

THAT, pursuant to Standing Order No. 25(1), the thanks of the Senate be recorded on the exposition of public policy contained in the address of His Excellency the President, delivered on Thursday, 9<sup>th</sup> November, 2023, and further that the Senate notes the following Reports submitted by His Excellency the President in fulfilment of Articles 132 (1) (c) and 240 (7) of the Constitution which are being laid on the Table of the Senate today on Tuesday, 14<sup>th</sup> November, 2023-

(1) The 10<sup>th</sup> State of the Nation address by His Excellency the President delivered at a Joint Sitting of Parliament on Thursday, 9<sup>th</sup> November, 2023;

(2) The 10<sup>th</sup> Annual Report (2022/2023), on the Measures taken and progress achieved in the Realization of National Values and Principles of Governance; and,

(3) The Annual Report to Parliament on the State of National Security, November 2023.

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

**QUESTIONS AND STATEMENTS****STATEMENTS**

**The Speaker** (Hon. Kingi): Sen. Kibwana has requested that her Statement be deferred. So, that is deferred.

## LAUNCH OF THE TIME USE SURVEY REPORT

*(Statement deferred)*

Sen. Okenyuri, please, proceed.

**THEFT AND SNATCHING OF MOBILE PHONES AND  
OTHER ELECTRONIC GADGETS**

**Sen. Okenyuri:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the theft, snatching of mobile phones and other electronic gadgets from Kenyans, with indications that these stolen items are being sold in the neighbouring countries.

In the Statement, the Committee should-

(1) Provide a report on the trend in street muggings and home burglaries from 2022 to date, specifically focusing on incidents involving the snatching of mobile phones and theft of household electronics.

(2) State reasons for the increase in the number of street muggings and violent robberies involving the theft of electronic gadgets, highlighting the hotspots within the four cities in the country as well as the monthly incident rates and the recovery rates of stolen items.

(3) Investigate and report on the economic impact of these criminal activities identifying the primary markets for the stolen items both within our borders and internationally, detailing the networks and syndicates involved in these illicit trade.

(4) State any measures in place to deter these crimes and evaluate their effectiveness, making recommendations on modern tactics and legal or policy interventions to dismantle the criminal syndicates.

(5) Appraise the Senate on actions and strategies being employed by the security forces to protect Kenyans from such criminal activities and ensure the safety and security of all the citizenry and their goods.

**The Speaker** (Hon. Kingi): Sen. Faki.

HALI YA UPOKEAJI WA SHIRIKA LA  
KENYA NATIONAL ASSURANCE

**Sen. Faki:** Asante Bw. Spika kwa kunipa fursa hii. Nimesimama kwa mujibu wa Kanuni ya Kudumu ya No.53(1) kuomba Taarifa kutoka kwa Kamati ya Kudumu ya Fedha na Bajeti kuhusu Shirika la Kenya National Assurance (KNAC) ambalo liko katika hali ya upokeaji.

Katika Taarifa hiyo, Kamati iangazie yafuatayo-

(i) Iarifu Seneti kuhusu hali halisi ya upokeaji huo ulipofikia wakati huu, katika Shirika hilo ikieleza iwapo kumekuwa na maendeleo katika hali yao ya kifedha na shughuli zao kwa jumla.

(ii) Ieleze kwa nini maskwota wanaoishi katika ardhi iliyoko Mombasa kwa Bulu Kaunti ndogo ya Nyali inayomilikiwa na Shirika hilo wameshindwa kuuziwa ardhi hiyo ilhali mwekezaji mmoja wa kibinafsi anayedai kulipa asilimia ishirini ya bei hiyo ya ununuzi alishindwa kuinunua.

Asante.

**The Speaker** (Hon. Kingi): Sen. Oketch Gicheru.

KDF RECRUITMENT EXERCISE FOR 2022 AND 2023

**Sen. Oketch Gicheru:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the Kenya Defence Forces (KDF) recruitment of General Service Officers (GSOs), cadets (regular and graduate degree holders), specialist officers, general duty recruits, tradesmen and women and defense forces constables in 2022 and 2023.

In the Statement, the Committee should-

(1) Table a comprehensive report on the recruitment exercises conducted by the KDF in 2022 and 2023, indicating the respective dates and venues.

(2) Explain any disparity between the vacancies open as at the time of the respective recruitment exercises *vis-a-vis* the actual number of candidates enlisted.

(3) Provide per county and per ethnicity breakdowns of the candidates enlisted from the recruitment exercises.

(4) Outline measures put in place to ensure that the national values of inclusivity and diversity, as enshrined in the Constitution, are upheld by the KDF in the recruitment process.

**The Speaker** (Hon. Kingi): Sen. Wafula.

DELAYED PAYMENT OF AGRIPRENUERS ENGAGED IN  
DATA COLLECTION FOR FARMER REGISTRATION  
IN BUNGOMA COUNTY

**Sen. Wafula:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare concerning the delayed payment to over 700 enumerators/agriprenuers who were engaged in the exercise of data collection and registration of farmers in Bungoma County.

In the Statement, the Committee should-

(1) State the persons responsible for numerating the agriprenuers who were engaged as enumerators in the data collection and registration exercise for farmers in Bungoma County between 13<sup>th</sup> and 19<sup>th</sup> October, 2023.

(2) Provide a breakdown of the payment rates, per enumerator, for services rendered including any additional allowance they were entitled to during the period of engagement.

(3) Explain whether the funds earmarked for the exercise were released by the National Treasury and any reasons for the delay in payment to the entrepreneurs or enumerators clearly stating when they should expect to be paid, and outline any plans in place to prevent such delays in future.

POLICIES GOVERNING APPOINTMENT OF PERSONS IN  
ACTING CAPACITY IN THE PUBLIC SERVICE

I rise pursuant to Standing Order No.(53)(1) to seek a Statement from the Standing Committee on Labour and Social Welfare on policies governing the appointment of persons in acting capacity in the Public Service sector.

In the Statement, the Committee should-

(1) Elucidate the specific conditions that allow for the termination of an acting appointment before a permanent appointment is done.

(2) State the duration of serving in an acting capacity and outline the circumstances that would warrant an extension of the acting appointment.

(3) Spell out the guidelines in place for public servants in acting roles, highlighting both acceptable practices and potential violations that may result in disciplinary actions.



(4) Investigate and provide a comprehensive report on the issue at the National Health Insurance Fund (NHIF) where an officer who served as the Acting Head of the Supply Chain Department from December 2022 to June 2023 was removed from the position despite a court conservatory order suspending the withdrawal of his appointment.

(5) Recommend measures to be put in place by Government institutions to prevent legal disputes between civil servants and the Government concerning acting appointments.

**The Speaker** (Hon. Kingi): Sen. Orwoba.

MYSTERIOUS DISAPPEARANCE OF A CHILD IN KAYOLE  
LEVEL 4 SUB COUNTY HOSPITAL

*(Statement dropped)*

**The Speaker** (Hon. Kingi): Sen. Mwaruma.

**Sen. Mwaruma:** Thank you, Mr. Speaker, Sir. I have four Statements. Allow me to go through all of them. The first one is on the implementation of the Presidential directive on lowering the entry requirements for diploma teacher training programmes.

PRESIDENTIAL DIRECTIVE ON LOWERING OF ENTRY REQUIREMENTS  
FOR DIPLOMA TEACHER TRAINING PROGRAMMES

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education on the implementation of the Presidential directive on lowering entry requirements for diploma teacher training colleges.

In the Statement, the Committee should-

(1) Confirm whether the Ministry of Education has implemented the Presidential directive on lowering entry requirements to Diploma Teacher Training Programmes to a mean grade of C (plain) and C+ (plus) in the two teaching subjects.

(2) Confirm whether the Ministry is aware that colleges are unable to implement the Presidential directive owing to the absence of a circular to enforce it.

(3) Indicate whether the circular will be issued and subsequently communicated to colleges.

(4) Provide a list of colleges that will offer diploma courses in secondary education while indicating their areas of specialization for both arts and science subjects following this directive.

STATUS OF PENDING BILLS IN  
TAITA TAVETA COUNTY

Mr. Speaker, Sir, I rise, pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee on Finance and Budget on the status of pending bills in Taita/Taveta County.

In the Statement, the Committee should-

(1) Provide a list of all suppliers, the cost of goods supplied and services rendered, amounts paid and outstanding payments from Financial Year 2017/2018 to date stating reasons for the non-payment of any outstanding bill.

(2) Outline the county governments' plan to settle the pending bills while indicating the proposed allocation per financial year for the pending bills.

(3) Confirm whether the presidential directive in 2019 on settlement of pending bills was implemented by the county governments while presenting a record of the suppliers, amounts already disbursed and the amounts outstanding.

(4) Explain how the Kshs424,110,000 released to the county governments *vide* a National Treasury circular dated 11<sup>th</sup> December, 2019 designated for pending bill payment and settlements was utilised; providing a comprehensive list of suppliers, the respective amounts paid and the validated bill settlement plan that prompted the release of these funds.

#### COMPLETION STATUS OF VOI GIRLS SCHOOL IN TAITA TAVETA COUNTY

Mr. Speaker, Sir, I rise, pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education, concerning the status of completion of construction of Voi Girls School in Voi Sub-county of Taita Taveta County.

In the Statement, the Committee should-

(1) Disclose the funds allocated to the County by the Kenya Railway Corporation (KRC) for the relocation of Voi Girls School to pave way for the construction of the Standard Gauge Railway (SGR), detailing any financial transactions and agreements made in the process.

(2) Provide the bill of quantities for the project clearly stating the project cost of each aspect of the construction and any other relating expenses.

(3) State the project completion rate and the amount of money paid to date, including a breakdown of payments made and the respective stages of the project they covered since the project initiation.

(4) Explain whether there is any pending payment stating reasons for the delay in making such payments and detail any outstanding constructions and landscaping works along with the expected duration of time required for the project completion.

#### ALLOTMENT OF MSAMBWENI COMMUNITY LAND TO BATA SHOE COMPANY LIMITED

Mr. Speaker, Sir, I rise, pursuant to Standing Order No.53 (1), to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the disregard of the conditions of allotment of Msambweni community land in Voi sub-county, Taita Taveta County, to Bata Shoe Company Limited.

In the Statement, the Committee should-

(1) Explain why Bata Shoe Company Limited did not build a factory on the Msambweni community land situated in Voi sub-county, Taita Taveta County, which was allotted to it but instead transferred the lease grant to Sparkle Properties Limited in contravention of the conditions of allotment.

(2) Provide a status update on investigations by the Directorate of Criminal Investigations (DCI) into the transfer of the lease grant for the land.

(3) Outline any measures put in place to ensure that residents of Msambweni who occupy the land are not evicted by Sparkle Properties Limited.

I thank you.

**The Speaker** (Hon. Kingi): The Statement by Sen. Kibwana is deferred. That is pursuant to the request by the said Senator.

ESTABLISHMENT OF MENTAL HEALTH UNIT DESKS  
IN ALL INSTITUTIONS IN KENYA

*(Statement deferred)*

Proceed, Sen. Crystal Asige.

PREVALENCE OF CORPORAL PUNISHMENT IN  
EDUCATION INSTITUTIONS IN THE COUNTRY

**Sen. Crystal Asige:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No. 53 (1) to seek a Statement from the Standing Committee on Education regarding the prevalence of corporal punishment in our education institutions.

In the Statement, the Committee should-

(1) Explain the justification for the continued use of the corporal punishment though it contradicts the principles outlined in the Constitution of Kenya, specifically the provisions of Article 29 of our Constitution as well as Section 4(p) of the Basic Education Act, No. 14 of 2013.

(2) Outline the mechanisms in place for students to report incidences of corporal punishment within education institutions without fear of retaliation or reprisal and state the safeguards in place to protect witnesses in such cases.

(3) Elaborate on the reasons behind the lack of a public decisive action or stand against corporal punishment by the Ministry, even though there has been a recent surge in cases that resemble torture resulting in tragic deaths. These fatalities include young children including Mike Wanjala, Kevin Kiptanui, Abby Samuels and alarmingly reports suggesting the actual number of student deaths could be much higher with at least 20 cases reported only in the last few years.

(4) Explain the absence of punitive measures taken against individuals responsible for these corporal punishments and investigate the factors contributing to this gross lack of accountability.

I thank you.

**The Speaker** (Hon. Kingi): Proceed, Sen. Chute. You have five requests to make. Take them without a break.

STATUS OF COURT CONSTRUCTION  
PROJECTS IN KENYA

**Sen. Chute:** Thank you, Mr. Speaker, Sir. I will go through it very fast.

Mr. Speaker, Sir, I rise, pursuant to Standing Order No. 53 (1), to seek a Statement from the Standing Committee on Justice, Legal Affairs and Human Rights, regarding the status of court construction projects in Kenya.

In the Statement, the Committee should-

(1) Provide an update on the status of court construction projects across the country, particularly in Marsabit County, highlighting the projects that have stalled or delayed and the reason behind these delays.

(2) Inform the Senate of the process used in tendering for the projects, providing details of the bids received, the contractors who were awarded and the bid amounts.

(3) Provide a breakdown of the budget allocation and expenditure for the projects in the last five years, stating any financial administrative or logistical challenges that may have been encountered in the execution of the projects.

(4) Explain any disparities between the contractual and actual commencement and completion dates of the projects, outlining plans by the Government to expedite the completion of the project to ensure efficient and timely dispensation of justice.

#### FINANCIAL STATUS OF THE KENYA RAILWAYS CORPORATION

Mr. Speaker, Sir, I rise, pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee on Roads, Transportation and Housing on the financial status of the Kenya Railway Corporation.

In the Statement, the Committee should-

(1) Provide a detailed report on the current financial status of Kenya Railways Corporation including its revenue expenses and any outstanding debts or financial challenges it may be facing.

(2) Clarify whether the Government has provided any financial support or bailout to the institution in recent years, and if so, provide information on the amount, terms and conditions of such support.

(3) Confirm if investigations or audits into the financial affairs of the Institution have been conducted stating the key findings and recommendations of such investigations.

(4) Provide details on the Institution's revenue diversification strategies and efforts to address these financial challenges indicating plans in place to ensure that its long-term financial sustainability.

#### FINANCIAL STATUS OF KICC

Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Trade, Industrialization and Tourism on the financial status of the Kenya International Convention Centre (KICC).

In the Statement, the Committee should -

(1) Provide a detailed report on the current financial status of the KICC, including its revenue, expenses and any outstanding debts or financial challenges it may be facing.

(2) Clarify whether the Government has provided any financial support or bailout to the Institution in recent years, and if so, provide information on the amount, terms and conditions of such support.

(3) Confirm if investigations on audits into financial affairs of the Institution have been conducted, stating the key findings and recommendations of such investigations.

(4) Provide details on the institution's revenue, diversification strategies and efforts to address its financial challenges, indicating plans in place to ensure its long-term financial sustainability.

#### FINANCIAL STATUS OF EAST AFRICAN PORTLAND CEMENT COMPANY

Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the financial status of the East African Portland Cement Company (EAPCC).

In the Statement, the Committee should -

(1) Provide a detailed report on the current financial status of EAPCC, disclosing its total assets and liabilities.

(2) Outline the categories of assets held by EAPCC, stating their respective values.

(3) Specify the nature of outstanding liabilities and debts of EAPCC, explaining any safeguards put in place to ensure the company can meet these obligations.

(4) Explain measures put in place to enhance EAPCC's operational efficiency to ensure it maintains a strong financial position.

#### UNAUTHORIZED OCCUPATION AND ENCROACHMENT OF LAND BELONGING TO THE KENYA NATIONAL TRADING CORPORATION

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the unauthorized occupation and encroachment of land belonging to the Kenya National Trading Corporation (KNTC).

In the Statement, the Committee should-

(1) Provide the total acreage of land belonging to KNTC, specifying the location and size of each parcel of land.

(2) Investigate the unauthorized occupation, encroachment and land grabbing of KNTC's land, particularly the parcel of land known as L. R. 209/10343 situated in Loita Street in Nairobi City County, disclosing the individuals or entities responsible and any legal actions taken against them.

(3) Outline any long-term strategies and policies in place to safeguard public land from illegal encroachment and land grabbing.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Orwoba. Proceed.

MYSTERIOUS DISAPPEARANCE OF A CHILD IN KAYOLE  
LEVEL 4 SUB COUNTY HOSPITAL

**Sen. Orwoba:** Mr. Speaker, Sir, I have two Statements.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health regarding the mysterious disappearance of one twin at Kayole II Level Four Sub-County Hospital.

In the Statement, the Committee should-

(1) Explain the apparent discrepancy in the incident that happened on 18<sup>th</sup> October, 2023 in Kayole II Level 4 Sub County Hospital in Nairobi, where a mother's ultrasound report had indicated the expectation of twins while the hospital staff reported the presence of only one child after birth.

(2) Outline the Hospital's standard procedures and verification protocols in place for confirming the identity of new-borns and ensuring accurate matching with their biological parents.

(3) Provide an overview of the communication protocols in place to inform parents about their number and health status of their new-borns, detailing how this information is conveyed to prevent misunderstanding or misinformation.

(4) State measures implemented by Kayole II Level 4 Sub County Hospital to provide on-going support and assistance to the affected family during the course of investigation including any necessary counselling or emotional support services needed.

DECONGESTION OF SCHOOLS

Mr. Speaker, Sir, on my second Statement. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education regarding the decongestion of schools.

In the Statement, the Committee should-

(1) Furnish the Senate with a comprehensive report detailing the composition---

**The Speaker** (Hon. Kingi): Sen. Orwoba, is the second Statement approved?

**Sen. Orwoba:** Yes, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): All right, proceed.

**Sen. Orwoba:** In the Statement, the Committee should-

(1) Furnish the Senate with a comprehensive report detailing the composition of all public schools in Nairobi with specific focus on the number of students per class in each school, the student-to-teacher ratio, the availability of desks and other amenities, and the transportation methods employed by students as they commute to school.

(2) Provide specific timelines within which the Ministry of Education allocates resources to schools that have high student enrolment with a view to ensuring a conducive learning environment to address factors like teacher-to-student ratios, classroom space and the provision of adequate educational material.

(3) State any plans by the Ministry to address the incessant infrastructure and capacity challenges faced by schools in Dagoretti North and South, Mathare and Starehe Constituencies considering the current levels of congestions in primary schools such as Kawangware, Ndururu, North Highridge, Kiboro and Mathari.

(4) Outline any measures the Ministry is undertaking to engage local communities including parents and school boards to gather insights into the challenges faced by schools and to foster collaborative solutions for the long-term improvement of the education system.

I thank you.

**The Speaker** (Hon. Kingi): Statements pursuant to Standing Order No. 56(1)(aa), Chairperson, Standing Committee on Roads, Transportation and Housing.  
Next Order.

*(Sen. Faki stood up in his place)*

Sen. Faki, you know when to exactly rise on a point of order.  
Next Order, Clerk.

## BILLS

### *First Reading*

#### THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO.39 OF 2023)

*(Order for First Reading read – Read the First Time and ordered to be referred to the Committee on Finance and Budget)*

### *First Reading*

#### THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)

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

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

## MOTION

### THANKS FOR THE PRESIDENTIAL ADDRESS

**The Speaker** (Hon. Kingi): Proceed, Senate Majority Leader.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, it is an honor and privilege for me to Move the 10<sup>th</sup> Address of the President of the Joint Sitting of the two Houses of Parliament in line with Article 132(1)(c) of the Constitution of Kenya.

I wish to thank Members of the National Assembly and this House for turning up almost full house in their numbers to listen to the President. I wish to request this House, that as much as possible that spirit should be kept in ensuring that we debate on the Address. The President's Address was in audio, video and also in draft form and all

Members followed it. I do not want to make the mistake of taking a lot of time in moving this Motion and walking through the same Address which Members are familiar with.

Allow me to highlight a few things. The first one is that the country was impressed by the President's commitment to the need for us to transform this country in keeping with our bottom-up economic plan.

Mr. Speaker, Sir---

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale, you need to first start with moving the Motion.

**Sen. (Dr.) Khalwale:** I needed to first move the Motion. Mr. Speaker, Sir, I am extremely sorry. If you allow me Clerk, I would like to read the Motion before I move it. Mr. Speaker, Sir, this is the danger of being assigned a job you are excited to finish. If it were me coming from my seat, then I would have started by what I did.

Mr. Speaker, Sir, I beg to move -

THAT, pursuant to Standing Order No.25 (1), the thanks of this Senate be recorded for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 9<sup>th</sup> November, 2023 and further that the Senate notes the following Reports submitted by His Excellency the President in fulfilment of Articles 132 (1) (c) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 14<sup>th</sup> November, 2023 -

i) The 10<sup>th</sup> State of the Nation Address by His Excellency the President delivered at a Joint Sitting of Parliament on Thursday, 9<sup>th</sup> November, 2023;

ii.) The 10<sup>th</sup> Annual Report (2022/2023), on the measures taken and progress achieved in the realisation of national values and principles of governance; and

iii) The Annual Report to Parliament on the State of National Security, November 2023.

Mr. Speaker, Sir, with the advice of the Clerk and because we want to allow as many people as possible to contribute, allow me not to be repetitive. What I said three minutes earlier should apply during the record of the HANSARD so that I can move to the next point.

Secondly, I want to congratulate the President for admitting before the Joint Sitting of the House that we have existing conditions of extreme difficulty in Kenya today. Things are extremely difficult in the country. Some members of the public, who mean well, know that leadership must look for solutions. However, other members of the public who want to score points want to use this opportunity of difficult circumstances that our people are going through to either make fun of leaders or confirm that they have failed. It is difficult.

I have been in politics for over 20 years. In my life, I have never been heckled in the Luhya nation. All the way from Kitale, Bungoma, Kakamega, Vihiga, Busia and the Luyha land in the diaspora.

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

*(Loud Consultations)*

**Sen. Sifuna:** On a point of order, Mr. Speaker, Sir. Sen. (Dr.) Khalwale, the Senator for Kakamega County, is misleading this House. In fact, a few weeks ago, he



was heckled in his own village when he tried to convince people to replace the existing *boda boda* motorcycles with electric ones.

*(Laughter)*

This is a matter of public record to which the Hon. Senator should not lie to this House.

**The Speaker** (Hon. Kingi): Sen. Sifuna, I thought the good Senator is admitting that for the first time, he is going through a rough patch.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, I was saying that things are so difficult, my kid brother, that for a man who has never been heckled across the Luyha nation all the way from Kitale, Kakamega, Bungoma, Busia, Vihiga and the diaspora, for the first time, I was not only heckled but I was heckled at Malinya Stadium. Malinya Stadium is my home and polling station. That stadium is the product of my hands. It is where the youth sleep on the eve of polling waiting for the polling officers to open so that they can vote for me. I have always gotten 41 opposition votes out of 3800 plus votes I get. I know the owners of those votes. As I am speaking now, I can see the vote of Mr. Benard Siola, who is one of those Orange Democratic Movement (ODM) votes; small small things.

I reflected hard and long on this. Shortly after that, I saw Kenya's most popular politician today, His Excellency William Ruto, having a similar experience somewhere in the coast. I thought further and called the President, but could not access him. I wanted to tell him that these people like us so much. It is not that they are heckling; they want us to hear from them directly that things are bad. It doubles our calling that we must work hard and serve Kenyans a solution.

I urge colleagues; Members of Parliament (MP), whether you are in the opposition or not--- We have been there and now I am in the Government. Let us work together even if we are going to oppose each other in the forthcoming elections. Members of the Opposition kindly push us hard enough so that we can deliver.

We want to make sure that we come out of this confusion that as we all know, was occasioned by two years of total lockdown on the global market including Chwele Market in the backyard of the Senator for Nairobi City County. Lubao Market was locked together with Khayega Market. Mtwapa Market was also locked for two years. There was no business. Things will take a while before we recover.

I was talking to an economist. If this is factually wrong, I ask for forgiveness from the Americans. The economist told me – it was not the economist in the House, the Senator for Migori County – the Americans are the only ones who enjoy the monopoly of printing money. During the COVID-19 Pandemic, they printed Dollars and were putting in the accounts of Americans to cushion them from the difficulties of the pandemic. He could be wrong. However, I am sharing with you a good story of two adults who are seated in the usual place. He said, what is happening is that Americans are mopping out the Dollars from the market. Therefore, the exercise of mopping out has made it difficult for you to get Dollars. When in the market a commodity is hard to get and is in high demand – it is called the law of supply and demand – it becomes expensive. This is why we are spending more money to get the Dollar. The moment we get it right---

**Sen. Kinyua:** On a point of order, Mr. Speaker, Sir.

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

**Sen. (Dr.) Khalwale:** You will have your time to debate.

**Sen. Kinyua:** Mr. Speaker, Sir, I like listening to the good doctor and Senator for Kakamega County. However, sometimes, he confuses us. He has talked about “the usual place” but I do not know which it is. It could be a bullfighting field or a bar. For me “the usual place” is the church. I did not know what he meant.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, that is frivolous. All the same, I would like to advise the young Senator that when you come of age, you will discover that people of an adult age tend to sit in certain places in the evening to compare the greatness of their minds.

It is because of this principle of supply and demand that we are finding it difficult and finding the Dollar expensive. I am hoping he was right. Soon the depreciation of our Shilling will slow down. I follow it every day. It used to be appreciated from the time we took over the Government, sometimes by Kshs20 or Kshs5. However, now it has gone down. In the last three weeks, it has been depreciating by cents. Today, it was at 0.6. Before we went for the long weekend, it was at 0.5 and earlier on it, was 0.3 depreciation. We are doing well and would like to encourage Kenyans to allow the things the President spoke to, that we will put in place to ensure our country recovers.

Colleagues and able friends from the Opposition, we gave you a chance to tell Kenyans how you would fix it. You told us that we were not doing it well. When we were giving cheaper fertilizer, down from Kshs7,000 to Kshs2,500, you told us that this could not be the magic bullet. You called big rallies – I thank you for standing down your rallies. Your idea of lowering the food prices was putting cooking pots and *sufuria* on your heads. This kind of science as a scientific mind, I can only relate to mental illness. How on earth? It is not possible. If this is how we are going to teach our children at home, we might as well outlaw education in this country. The President, therefore, deserves our kudos for his commitment to our citizens.

This was not only limited to that. He also spoke about his commitment to the citizens' freedoms, fundamental rights and democracy. Nothing is more important. Those of us who exercise fierce independence of mind do it because this has been our life and we have decided it is our life.

Young Senator from Migori County, at the age of 22 at the University of Nairobi before I was discontinued, we poured into the streets of Nairobi because Mr. Khaminwa had been detained. We poured into the streets at the time because Hon. Jaramogi Oginga Odinga had been put under house arrest somewhere in Bondo or his Kisumu house. The youth leader is here, the Senator of Siaya County will confirm. We poured into the streets because Mr. George Kithi, the Editor-General of the *Standard Newspaper* had been detained. For this reason, I and others were discontinued from the University of Nairobi. These were our beliefs then and I do not see how I can lose sight of the fact that people paid, including Kenneth Matiba, Hon. Martin Shikuku, and Jean-Marie Seroney who were detained because of defending the freedom of speech. Nobody should deny a politician or any other Kenyan the freedom to speak.

Therefore, I would like to use this platform to condemn the violence that was visited on the Orange Democratic Movement (ODM) Member of Parliament of Mumias East Constituency by the Governor of Kakamega County because he was not comfortable with the speech of that Member of Parliament.

*(Sen. Sifuna spoke off record)*

I apologise, the Member of Parliament is from the Democratic Action Party (DAP). Sen. Sifuna, this is what you wanted to correct me. The Governor with bad manners belongs to the Orange Democratic Movement (ODM) party. We must condemn this. People must speak. How can you stop people from speaking? The issue of freedom of speech is so fundamental that I had been arraigned in court—

**Sen. Oketch Gicheru:** On a point of order, Mr. Speaker, Sir.

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

**Sen. (Dr.) Khalwale:** You will debate. Relax.

**Sen. Oketch Gicheru:** My point of order is on relevance. The Majority Whip is on the Floor moving a Motion on the State of National Address by His Excellency William Ruto, the President and Commander in Chief of the Kenya Defense Forces. Is Sen. (Dr.) Khalwale in order to use this precious time in this wonderful House to discuss village politics and bullfighting? Focus on what the President said. If you do not have the confidence to defend it, sit down. The Members of this House will help you. You are confusing the entire nation.

**The Speaker** (Hon. Kingi): Sen. Oketch Gicheru, what is your point of order? You are not supposed to give a speech.

**Sen. Oketch Gicheru:** Sen. (Dr.) Khalwale is out of order for bringing irrelevant issues and village politics into the Presidential Address. Let him Move the Motion and defend it as the Majority Whip.

**The Speaker** (Hon. Kingi): Sen. Oketch Gicheru, one of the aspects contained in the speech by the President is the freedoms we enjoy; including the freedom of speech. This is why Sen. (Dr.) Khalwale gave an example. He is quite in order to do that.

Sen. (Dr.) Khalwale, proceed.

**Sen. (Dr.) Khalwale:** Thank you. Mr. Speaker, Sir, I wish to be humble. My son, it is always good for--

**The Speaker** (Hon. Kingi): Refer to your colleague as the hon. Senator.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, I am sorry to call him my son because he has the handsome, youngish face of Tigana. I thought he was Tigana my son. I wish to withdraw.

My agemate, Sen. (Dr.) Oburu, is here. He will confirm to you that it pays to spend some little time to learn in your first time in Parliament. On the exposition of the speech of the President, he normally makes bullets.

If you go to bullet 10, it will call your point of order to shame. This is because in bullet 10, the President speaks to citizens' freedoms and fundamental rights. He says, they lie at the heart of the enterprise and democracy.

We need to laud it so that the children at the University of Nairobi, who will be soon taking over from us as our Senators and the Members of County Assembly (MCAs), can know how you debate this kind of Motion. You do not debate it in the same manner that we debate the others.

Mr. Speaker, Sir, the President said - and I laud him - that immediately he came into office, he quickly did certain things that were touching the will of running the nation. Sen. Sifuna, Sen. Mumma, our Clerk, Mr. Jeremiah and our Speaker is sitted there.

On my left, I can see Sen. Cherarkey and Sen. Mungatana, eminent lawyers of the Republic of Kenya. They know the meaning of giving the Judiciary a budget. The President gave the Judiciary Kshs3 billion immediately. As if it was not enough, he instantly appointed six judges, including my own cousin, Justice Aggrey Muchelule.

*(Loud consultations)*

These Members are now confusing me. This is the way to govern a nation. You cannot see the evidence of these big things that he is doing today. It is going to take a bit of time when now, you unlock the jam of cases that are not being dealt with in the Judiciary since.

This is because the Judiciary will be having its own budget and enough judges in the Court of Appeal and so on. This is the way we go so that Kenyans can access justice.

It is important that we laud the President for speaking to the attempt to reverse the cost of high living. I will not go into details. He talked about fertiliser cost and housing. In housing, we all know how it is going to help in making sure that the cost of living goes down.

Mr. Speaker, Sir, I am a farmer. I do sugarcane, dairy and maize farming. For a long time, I have been getting 18 bags of maize per acre. I used to avoid buying fertiliser because I was making a net loss. However, since fertiliser was cheaper, only Kshs2,500, I was encouraged.

Senator of Siaya, I am glad that for the first time, I harvested 27 bags per acre. That is a huge difference. I can imagine if I had a big farm, I would have actually paid the school fees for my sons and daughters who are at the university. This is what we want to do for our economy.

Speaking on the same maize, if you go to Kitale, Bungoma, Lugari, Trans Nzoia and Uasin Gishu, it is a bitter sweet. Do you know what has happened? Since we have produced more, again, the law of supply and demand has set in.

A bag of maize, 90 kilograms which we were buying for Kshs8,000, now, has dropped down to Kshs3,600. It is bitter sweet. You are the people we feed; we are from the food basket. You are happy you are getting cheap food but for us, we are not making money.

On the principle of guaranteed minimum returns, we urge the President and his Cabinet to ensure that for every crop in this country, be it maize, sugar cane and coffee, farmers must have a guaranteed minimum return that ensures they make a profit for every crop.

Mr. Speaker, Sir, the President spoke on the issue of finance. Elaborately, he told us about the efforts he has taken to stabilize the situation. Out of the 10 or so points he raised on matters finance, there was only one point that touched me.

He said that the infamous Eurobond that was borrowed by the “Handshake Government”, which has brought us many bproblems - I can see Sen. Sifuna is starting to look as if he has swallowed a live bee. It is a pity that you were not here at that time.

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale, that is unwarranted. Please, proceed to withdraw that particular statement.

**Sen. (Dr.) Khalwale:** I wish to withdraw my remarks that Sen. Sifuna is looking like he has swallowed a live bee. It is not true. You know when you have a live bee in the

stomach, you cannot look happy in the face. I withdraw and apologise to Sen. Sifuna. However, he is my joking friend whom we always joke together.

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale, if you are done, kindly take your seat.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, let me complete moving the Motion on the President's Address. I will be failing in my duties if I did not say---

**Sen. Tabitha Keroche:** On a point of order,

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

**Sen. Tabitha Keroche:** My good friend, Sen. (Dr.) Khalwale, if I did not know you better, I would have said you have taken that *chang'aa* from Kakamega.

*(Laughter)*

However, I am on the other side saying ---

**The Speaker** (Hon. Kingi): Senator for Nakuru, on what Standing Order are you anchoring your point of order?

**Sen. Tabitha Keroche:** Can you take this matter very seriously because I think what we are talking about is very serious?

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

**Sen. Sifuna:** Mr. Speaker, Sir, correct me if I am wrong but there has been a previous ruling by the Chair, that in fact, there has never existed in the history of our Republic, a government known as the "handshake government". In fact, we had a government formed by a party called Jubilee in which, the President was Uhuru Kenyatta and the Deputy President was William Ruto.

The HANSARD will bear me witness that, we have had this previous engagement and the Chair has directed that, in fact, there is no entity in the history of this country called the "handshake government". I would object strongly to those references to such government by Sen. (Dr.) Khalwale in his submissions.

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale, indeed, the previous Government was formed by a political party called Jubilee, which did two terms. I do understand that in the second term, the Jubilee Government had a "handshake" with the party leader of Orange Democratic Movement (ODM). However, that does not qualify that Government to be called a "handshake government". The responsibility of whatever happened lay squarely with the Jubilee Government.

*(Applause)*

**Sen. (Dr.) Khalwale:** Thank you, Mr. Speaker, Sir. I stand guided. Sen. Sifuna is right. Sometimes the mind can play games on you when you see an imagery of the then Deputy President running away from the Jubilee Government. As he goes out, you see another man running in. The one who was running does not come out, but he stays there for so long. He ended up being burnt and his ambitions of becoming the President went up in ashes.

Mr. Speaker, Sir, I apologize to the Senator of Nairobi City County. My sister, Senator of Nakuru County, you mean well; your point of order was under Standing Order

No.105. It is true that I am associated with *chang'aa* and you are associated with Keroche stuff. It is also true---

*(Laughter)*

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale, you have taken so much time. Any person seated listening to you as you move this Motion is wondering what exactly you are doing. Can you get down to it?

**Sen. (Dr.) Khalwale:** Thank you, Mr. Speaker, Sir. I am being weighed down by points of order. If there were no points of order, I would be articulating issues, but now I have to deal these points of order.

I was making my final submission on the issue of the most important statement that the President made about Eurobond and two billion Dollars.

This country has been living with the sword of Damocles over our heads because we were going to be declared uncredited worthy. However, thanks to the hard work by the President, he has confirmed that next month, we will pay off in advance 300 million Dollars. We are not going to default until the entire Kshs2 billion is settled.

With those remarks, I laud the President.

I wish to invite the distinguished Senator for Tana River County to come and second me. Senator, as you second me, today there was a report of a hero teenage girl in Tana River who crossed the river to deliver a pregnant woman.

*(Sen. Mungatana consulted loudly)*

Mr. Speaker, Sir, please protect me from Sen. Mungatana.

I have here Kshs20,000 for shopping if you get to know her.

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

**Sen. Mungatana, MGH:** Asante, Bw. Spika. Ningependa kuchukua nafasi hii kukushukuru kwa kunipa muda huu kutoa maoni yangu na kuunga mkono Hoja ambayo iko mbele yetu kuhusu Hotuba ya Rais ambayo aliitoa kwa Mabunge yote mawili.

Mimi ningependa kusema mambo machache ninapoiunga mkono Hoja hii. Jambo la kwanza, Mhe. Rais aliongea kuhusu hali ngumu ya maisha ya wananchi hapa Kenya. Katika hotuba yake alikiri kuwa gharama ya maisha imepanda. Hata hivyo, yuko na mipangilio maalum ya kuimarisha hali ya maisha nchini. Baadhi ya mpangilio aliouelezea wananchi ni kuwa Serikali yake inang'ang'ana na kupunguza gharama ya chakula.

Kama alivyosema Sen. (Dr.) Khalwale, Serikali ilipunguza gharama ya pembejeo kutoka shilingi elfu saba kwa begi moja hadi ikafika shilingi elfu mbili na mia tano. Wananchi wanajua ya kwamba tukipunguza bei ya pembejeo tutakuza chakula kwa wingi na gharama ya maisha itapungua.

Ukweli ni kwamba Mwenyezi Mungu alikuwa pamoja nasi wakati bei ya pembejeo iliposhuka, mvua ilinyesha na chakula kimepatikana kwa wingi. Hata sasa, wale ambao wanajua mambo ya ukulima, wakati wa mvua hii nyingi bado watu wanapanda. Tunategemea kuvuna tena chakula kingi. Kwa hivyo, tunamshukuru Mhe. Rais kwa mipangilio yake ya kusaidia mkulima wa kawaida ili chakula kiwe kingi na bei ishuke chini.

Kule kwetu Tana River, hatusemi yale ambayo yameahidiwa bali tunasema yale ambayo tumeyaona sisi. Mhe. Rais katika kampeni zake wakati alipokuwa anatafuta kiti, tulipokuwa tunatembea kule, alisema, “Mimi nikiingia, nitahakikisha miradi yenu kubwa kubwa ambayo yanahusika na uzalishaji wa chakula nitayafufua ili isaidie Wakenya wote.”

Alisema kuwa anataka kugeuza Kaunti ya Tana River kuwa mahali pa kutoa chakula kwa wingi na kutegemewa zaidi hapa Kenya. Sisi kule kwetu hatusemi ya kwamba ni ahadi tu bali tumeziona jitahada zake. Hii ni kwa sababu miradi katika ile Tana and Athi Rivers Development Authority (TARDA) na Tana Delta Irrigation Project (TDIP) ambayo tuko nayo Mhe. Rais amekamilisha ahadi zake. Alianza kwa kupatiana shilingi milioni mia nne na hamsini na tukaanza *pilot project*.

Hiyo *pilot project* ya ekari mia tano zimepandwa mchele. Wakati huu ukipita pale sehemu za Gamba, Sera ukielekea Hewani unaona mchele. Mahali ambapo palikuwa ni kavu bila chochote, sasa hivi unaona wananchi wanalima. Hizo ekari mia tano peke yake zimeanza kutembeza pesa sehemu hiyo kwa wingi na wananchi wanashukuru. Hii sio ahadi tu, bali sisi tumeyaona matunda ya mipangilio yake.

Tena Mhe. Waziri na Katibu wa Kudumu wake wanakuja kuiangalia mradi huo mara kwa mara ili wananchi waone kwamba Serikali imejitolea kuufanikisha.

Sababu ya kufufua ukuzaji wa mchele ni kwamba Kenya, kwa sasa, inatumia shilingi bilioni mia tano na arobaini kuleta chakula hapa nchini. Na ukweli ni kwamba pesa nyingi ambazo zinatumiwa hapo ni kuleta mafuta ya kupikia inayoitwa kwa kiingereza *edible oil* halafu inafuatiziwa na mchele.

Wakenya huwa tunalipa shilingi bilioni sitini kuleta mchele kutoka Pakistan na nchi zingine kwa sababu hatukuzi mchele wa kutosha. Kwa hivyo, mipangilio ya Mhe. Rais katika jimbo gatuzi la Tana River imesaidia kupunguza shilingi bilioni sitini ambazo Kenya hutumia kununua mchele kutoka Pakistan. Mchele huu ukuzwe katika jimbo gatuzi la Tana River.

Katika mipangilio hiyo, Mhe. Rais alienda tena kuweka pesa katika Bura Irrigation Scheme ambayo iko hapo kwetu. Bura Irrigation Scheme iko na ekari elfu tano ambazo zinalimwa kwa chakula kwa minajili ya kuzalisha chakula.

Bw. Spika, tuko na shida kwa sababu maji hayatoshi. Hii ni kwa sababu wakulima wanatumia diseli kupiga maji yaingie mashambani Gharama ya hayo maji pekee inakuwa ni shilingi milioni kumi kila mwezi. Hesabu hiyo inafika shilingi milioni mia moja na ishirini kila mwaka kuhakikisha kwamba maji yanafika katika mashamba yao. Wakati wa kampeini, Mhe. Rais wetu aliahidi kwamba ataufufua ule mradi wa kutumia *gravity* ili maji yawe yakiteremka kwa nguvu za kawaida. Alikuwa Bura akafungua yale maji. Sasa, yanateremka bila kutumia nguvu za diseli.

Ekari ambazo zimetengenezwa na kupandwa mchele nikuanzia elfu tano hadi elfu kumi na tano. Lengo letu nikufikisha ekari elfu ishirini za mchele. Kule chini tunataka kufikisha ekari thelathini. Kwa hivyo, gharama ya kuleta mchele kutoka nje ya shilingi bilioni sitini itapunguzwa na Kaunti ya Tana River itakuwa kaunti ya kutegemea kukuza mchele kwa wingi nchini Kenya.

Tayari tunaona mabadiliko. Vijana wameanza kukuza mchele. Tumeona watu wengine kutoka sehemu zingine ambao wanajua faida ya ukulima wa mchele wameanza kuingia katika jimbo letu gatuzi na tunawakaribisha wote. Kuna nafasi karibu elfu thelathini za kazi ambazo zinatokea na zinaendelea kuongezeka katika sehemu yetu.

Kwa hivyo, tuliposikia Mhe. Rais anaongea mipango hii ya kupunguza hali ya maisha na bei ya chakula, sisi tunajua ya kwamba ni ukweli mtupu. Watu wetu wanajua kwamba wakati lile tingatinga la TARDA linapita, wanavuna halafu wanaacha chakula wanasema wananchi ambao wanaweza waende kuchukua maanake wanachukua raundi ya kwanza na ya pili. Lakini bado kuna chakula kina baki. Watu wanaenda wanaweka magunia mengi ya mchele. Wakati ile *scheme* ilikuwa inafanya kazi miaka iliyopita, kulikuwa hakuna njaa. Sasa tunatarajia maisha hayo kurudi na kuwe na chakula cha kutosha hapa nchini.

Tukiwa tunaongea, hatuongeti maneno pekee yake, tunaongea ukweli ambao tumeuona katika jimbo gatuji la Tana River. Jambo ambalo tungependa kulizungumzia zaidi ni kuongeza miundo misingi. Tunataka kuona barabara ambazo zinajengwa katika eneo letu ilivyoahidiwa wakati wa kampeini.

Bw. Spika, hali ya maisha ambayo tunaongelea kupunguza ni kuongeza chakula na wananchi wanajua hivyo. Chakula kikiongezeka, bei zitashuka na maisha yetu yatakuwa mazuri zaidi.

Kuna jambo ambalo limezungumzwa nataka kulirejelea kidogo. Kenya tulienda kuomba pesa. Hatukuomba pesa kwa International Monetary Fund (IMF), Africa Development Bank ama World Bank. Tulienda kwa *commercial market* mahali ambapo watu wanachukua madeni kama mtu yeyote wa kawaida. Tulichukua dola bilioni mbili. Kila mtu alikuwa na wasiwasi kwamba Kenya haitalipa hizo pesa. Kenya isipolipa hizo pesa, heshima na mambo yetu mengi yataharibika.

Nchi ya Ghana ilikoba katika hiyo *commercial market* na walishindwa kulipa, sasa nchi yao ikakuwa *declared bankrupt*. Sasa watu walikuwa wanajiuliza Kenya itafanya nini na madeni yake. Hizo dola bilioni mbili ni shilingi billioni mia tatu na tatu. Mhe. Rais wetu amesema milioni dola mia tatu zitalipwa kufikia Decemba. Pesa hizo tayari tuko nazo. Kama watu wanasema kwamba hatuimamii uchumi vizuri, je, inawezekana mtu ambaye yuko na deni na ameambiwa kulipa mwezi wa sita mwaka ujao anaanza kulipa mwezi hujao; miezi sita kabla tarehe ya kulipa hiyo deni?

Bw. Spika, ni sawa tufanye siasa lakini pia tuseme ukweli ya kwamba tumeanza kusimamia uchumi wetu vizuri. Hizo dola mia tatu ni sawa na shilingi bilioni arobaini na tano nukta nne (*Kshs45.4 billion*) za Kenya. Pesa zipo na tuko tayari kuzilipa. Wakenya wajue kwamba mipangilio yetu ya kiuchumi inaenda vizuri. Wakati huu Okotba mwaka jana, *inflation rate* yetu ilikuwa asilimia 8.9. Oktoba mwaka huu, *inflation rate* ya Kenya ni asilimia 6.9. Hiyo ni kusema tumeshusha. Siasa tufanye lakini pia ukweli tuuseme.

Oktoba hii, *figures* za *Central Bank* zinasema tumeweza kupata ushuru wa shilingi bilioni mia moja na sabini ambayo imeongezeka na asilimia 19.4 ukiunganisha mwaka uliopita na mwaka huu wakati huu wa Oktoba.

Waswahili husema, “Mgala muue lakini haki yake mpe.” Mhe. Rais anafanya kazi, anaangalia huu uchumi na anapanga mambo yetu. Ni kweli tuko na shida. Ikiwa umeanzisha biashara ya *tuktuk* leo, ni kujifunga mkanda kwa sababu kabla matunda yatoke, kuna kule kuumia. Ikiwa unafanya kazi ya shambani na umeweka mbegu, kuna kupalilia na kulinda ndege na wanyama wasiharibu. Ule muda wa kujifunga uko lakini matunda yatakuja baadaye.

Wakenya wenzangu ambao wananisikiza, kuna siasa na ukweli. Ni kweli hali ni ngumu. Hakuna mtu anakataa lakini kuna mipangilio ambayo Mhe. Rais anafuatilia ambayo itafufua uchumi wetu na ninamwamini. Akija kwetu, tumeona tofauti na ninajua



maeneo ya gatuji zingine ni tofauti ni vile yalikuwa mwaka jana na mambo yataenda vizuri.

Ninawakikishia wakati mipangilio ya *housing development* na *Universal Healthcare* itaanza kufanya kazi, wananchi wenyewe wataona kwamba Mhe. Rais anatupeleka nchi hii vizuri.

Kwa hayo mengi, naomba kuunga mkono Hoja hii na hotuba ya Rais.

**The Speaker** (Hon. Kingi): Hon. Senators, I now proceed to propose the question.

*(Question proposed)*

Sen. Sifuna, you may now make your contributions to this Motion

**Sen. Sifuna:** Thank you, Mr. Speaker, Sir. I think you have presided over this House for over a year and you are aware of the character of most of us in this House. In your Communication about the President's Address, you reminded this House of the requirement of the Standing Orders that in an address to the House, the Head of State shall be heard in silence.

Now, knowing myself and knowing the President, I chose not to attend the President's Address at the National Assembly. This is because I knew for a fact that at the first instance where I felt he was giving misleading information to the country, I would not be able to manage to keep quiet. I would have been strongly pushed to say something. I would have, therefore, run afoul of the rules of this House.

Although the Speaker of the Senate might be lenient because he knows me, I was not very sure about the Speaker of the National Assembly whether he would extend some of the courtesies that you have extended us in this House. I suspected that if I went for that speech, I probably would be serving an expulsion from the House for a minimum of six months.

I will go into the reasons why I did not trust the Head of State to paint the true picture of the state of the nation. In my mind, the state of the nation is the state of the people. Sen. Mungatana has spoken very eloquently here about the state of the creditors of this country. The creditors who gave us money during Eurobond are happy they will be receiving their payment.

He should be asking himself, how many Kenyans are still able to service their own debts? That is a state of the nation that I would want to address. So, what I did I joined a group of friends and you will indulge me here in playing a drinking game. The rules of the game are very simple. Every single time you thought that a statement that the President had made was untrue or even partially untrue, you had to take a shot of whiskey.

Needless to say by the end of the President's speech, we were extremely inebriated because of the half-truths and open lies that we believed the President told before Parliament. I will get into the specifics.

My expectation has always been that during a State of the nation address because the Constitution requires it---

**Sen. Mungatana, MGH:** On a point of order, Mr. Speaker, Sir.

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

**Sen. Mungatana, MGH:** Mr. Speaker, Sir, I know that Sen. Sifuna can be very passionate, but is the use of the words “open lies” referring to the speech by His Excellency the President parliamentary? If not, could he withdraw and restrict himself to parliamentary language?

**The Speaker (Hon. Kingi):** Sen. Sifuna, you can still express yourself without necessarily using such words that may not be parliamentary. I know you understand exactly what I am saying.

**Sen. Sifuna:** Mr. Speaker, Sir, replace every time I have used the words “open lies” with “untruths” or “misleading” or what other synonym is there?

**The Speaker (Hon. Kingi):** Not factual.

**Sen. Sifuna:** Or nonfactual and I will demonstrate point by point what I thought was not factual or was misleading.

My expectations with these speeches ever since I became acquainted with the Constitution is that you must address yourself to the specific steps taken and progress achieved in realizing the values under Article 10.

I was specifically looking out for the presidential speech to address three values set out under Article 10. The first one is national unity and inclusiveness, which I will take together. We live in an era where we are reminded every single day that if you did not vote for this Government, you have no shares in it and you should expect nothing at all. What I expected the Head of State to do was to tell us that ever since those pronouncements were made, he has taken certain steps to rein in members of his administration who might not understand what Article 10 speaks about when it speaks on inclusivity and national unity. He would have given an undertaking that we will not hear about that issue of shareholding any more.

The first untruth that I want to invite this House to agree with me that I encountered is in paragraph nine of the President’s Speech where he acknowledges that it is the duty of all of us as leaders to listen keenly and comply with the people’s wishes.

Now, that is where I took my first shot because I know for a fact that Kenyans have spoken over many policies that this administration has put in place, including the taxation measures that have been imposed through the Finance Bill of 2023. However, this Government has chosen to ignore the people’s pleas and, in fact, to do the exact opposite of what the people have been asking it do.

The other value that I wanted him to speak to is the question of the steps taken by his Government and the progress that has been achieved in strengthening democracy. Now, here I went for a double shot and I will explain why.

The first reason and Sen. (Dr) Khalwale has spoken very eloquently about what their generation did in order for them to achieve the freedoms that we enjoy during this time, including the freedom of speech. I suspect he also meant even the freedom of demonstration and the right to picket.

When I was a child, I saw the leaders of the church being bludgeoned. I saw those pictures of Reverend (Rtd) Njoya being bludgeoned here on the streets by police officers just because he was exercising his right to protest. This same regime and Government is doing the very same things. In fact, this year alone, it has bludgeoned more people than Moi bludgeoned during the time of multi-party democracy.

As a leader of the opposition, I know that I have a right under Article 35; a right that Bonnie and his generation fought very strongly for me to be able to express my

disaffection with a policy of Government by protesting and picketing. I do not know how I can define picketing for my brother, Sen. (Dr) Khalwale, but picketing includes even putting a *sufuria* on your head.

That *sufuria* on my head is not the solution I am proffering because I had proffered a solution that at the moment, because Kenyans are going through difficult times, please retain the subsidies, do not increase the taxation on fuel. Those are the proposals that came from my mouth.

So, when you see me putting a *sufuria* on my head, that is not the solution. That is to me picketing and drawing your attention to the solutions I am proffering. However, you have refused to listen to the people of Kenya and yet the President would come and stand before the hallowed House of Parliament and say that he acknowledges that as a leader he has a responsibility to listen to the people of Kenya.

Contrary to what many people believe, I actually admire Sen. (Dr) Khalwale because I have studied his history. You are some of the people who have inspired some of us to come to this House. We know your skills as a debater. Sen. (Dr) Khalwale, sometimes I understand your position as a Majority Whip in this House. You are handicapped. Some things you do not want to say openly here on the Floor or even in public gatherings.

Sen. (Dr) Khalwale, those confessions you have made here that in your stellar career as a politician, you have never been as unpopular as you are right now; it is not because of your undoing. I honestly believe Sen. (Dr) Khalwale has not changed. The only thing that has changed is that you are defending the indefensible.

I can confirm that the people of Malinya still love their Senator, but they do not agree with the policies of the Government that he support. I wish the same admissions that have been made by Sen. (Dr) Khalwale on this Floor would come from the mouth of the President that he acknowledges that some of the policies that he has put in place have made his Government unpopular because they do not resonate with what Kenyans want to do.

Let me now come to what I consider untruths, misleading statements about the state of the nation address. The President spoke about many things. These matters have been fact-checked by many people, including reputable media houses, if, indeed, what he was saying is true. Let me start with the easiest because outside there, I am known as the permanent representative of the people of Kenya on matters of *unga* and it is because as a Luhya, I think I am an authority on food.

Mr. Speaker, Sir, the President said in his own Address that a packet of maize meal flour is now retailing at between Kshs145 and 175, and added a very clever rider, 'depending on the brand', down from Kshs250. I want to submit to this House that, that statement is in fact not true. I have conducted my own research in supermarkets that are here in Nairobi. The average price of *unga* is still Kshs200 for a packet of two kilogrammes. Since we host you here in Nairobi, this is something you are welcome to do.

In previous arguments, I have tried to convince this Senate that, in fact, the definition of food security includes a reference to people's preferences. If, for instance, my household has been eating Jogoo *Unga* and I was buying it at Kshs100 and it goes to Kshs250, you cannot then try to convince me to start buying another brand that I have never heard of, and I do not know where it comes from because it is retailing at Kshs150.

The preferences of people have to be included in food security. You cannot, therefore, tell us that depending on the brand you want, you can buy *unga* at Kshs100.

Mr. Speaker, Sir, I can assure you, any single thing in this country is contraband, including some of the liquor that we took during the President's Speech in that famous game I have been referring to. There is an industry that has sprung up called Kariobangi Light Industries. We cannot vouch for the authenticity of everything, but Kenyans expect quality from certain brands and that is what they go for.

Mr. Speaker, Sir, we were told about the question of subsidising the price of fertilizers. Now, it is public record that, in fact, some of these subsidised fertilizers came to this country as a donation from the Government of Russia. This is something that the Government of Russia confirmed to us publicly.

If you receive something for free, you cannot tell us you have reduced its price. It is that simple. You got it for free; you cannot tell me you have reduced its price. Therefore, the question of fertiliser is another obvious untruth by the Head of State.

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

**Sen. Chute:** Mr. Speaker, Sir, the hon. Senator is misleading this House. He is talking about free fertilizers. Can he table this evidence before this House?

*(Applause)*

**The Speaker** (Hon. Kingi): Senator for Nairobi City, can you substantiate your claim? If you cannot, proceed to withdraw.

**Sen. Sifuna:** Mr. Speaker, Sir, I will request that you give me time to table evidence from the speeches of the leadership of the Federal Republic of Russia, that they, in fact, gave a donation of fertilizers.

**The Speaker** (Hon. Kingi): So, when do you intend to table the evidence?

**Sen. Sifuna:** Give me time. You can give me until tomorrow.

**The Speaker** (Hon. Kingi): You have until tomorrow.

**Sen. Sifuna:** Absolutely. Mr. Speaker, Sir, let me proceed to something else that I consider,---

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

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

**Sen. (Dr.) Khalwale:** Sorry, Mr. Speaker, Sir. I wish not to offend you, but because we have engaged in a wild goose chase in this House before, in terms of substantiation, caution them that he should not come here with newspaper reports. He should come here with evidence, authenticated extracts of speeches of the leadership of Russia, which we know.

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale, you cannot teach the Chair what to communicate. I know exactly what amounts to a substantiation and whatever the Senator will bring, must of course meet that standard. If it will not have met the standard, the Chair will rule.

Proceed, Sen. Sifuna.

**Sen. Sifuna:** Thank you, Mr. Speaker, Sir. There is another half-truth that was spoken on the Floor of the House; that, in fact, 56,000 new teachers had been employed this year alone.

Now, the problem there is that, on the face of it, it appears like the Head of State knows what he is talking about. However, the data from the Teachers Service Commission (TSC) itself indicates that up to 80 per cent of that 56,000 teachers were hired on short-term contracts and only 20 per cent of those were permanently employed. That is something you need to say to the nation, so that we know the true state of affairs when it comes to the hiring of our teachers.

Mr. Speaker, Sir, he also announced that in June of this year, his administration would employ 103 Community Health Promoters (CHPs). We saw him flagging of distribution of 100,000 kits to be used by those people.

The fact of the matter is, that is not true. In fact, counties are supposed to identify the people to be recruited as CHPs and that progress is ongoing. You cannot claim something has happened, yet it has not happened, just to massage the numbers and appear like your Government is working.

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

**Sen. Sifuna:** Next, he told us--- I am on the Speech. These are the contents of the President's Speech. I am not making up anything.

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

**Sen. (Dr.) Khalwale:** Thank you, Mr. Speaker, Sir. I hate to interrupt the Senator for Nairobi City. The 100,000 CHPs were launched on Mashujaa Day.

**The Speaker** (Hon. Kingi): Are you on a point of information or a point of order?

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, is he in order to mislead the House, without giving us evidence to support his claim, that we did not recruit 100, 000 CHPs? We did.

**The Speaker** (Hon. Kingi): Sen. Sifuna, is your assertion factual?

**Sen. Sifuna:** Mr. Speaker, Sir, I represent a county.

**The Speaker** (Hon. Kingi): Sen. Sifuna, if it is factual, let it form part of those factual claims that you will substantiate tomorrow.

**Sen. Sifuna:** I will substantiate whatever is required for me to substantiate because the truth is the only weapon we have against the lies that are there in the world.

Let me go to the question of recruitment of Health Care workers. He told us that 20,000 Health Care Workers have been employed. This one is also not true. In fact, the reports we have are that only about 1,200 interns were deployed to hospitals since the beginning of the year, not the 3,394 that the President spoke about.

Let me conclude on the question of Wi-Fi hotspots. If you want me to substantiate this, I will take you to the hotspot. We were told that he has set up Wi-Fi hotspots across the country, including here in Nairobi County in markets such as Muthurwa and City Market. For this, I will just invite you to carry your devices to City Market. It is just a walking distance and you will see that, in fact, those things do not work.

Finally, on the famous one on 'Hustler' Fund.

**The Speaker** (Hon. Kingi): Sen. Sifuna, are you saying it is not working or it was not provided?

**Sen. Sifuna:** Mr. Speaker, Sir, I have told this House on previous occasions that, in fact, I was there.

*(Sen. Sifuna's microphone went off and on)*

I have 20 minutes. I was present with the Cabinet Secretary for Information Communication and Technology at City Market on the day of the launch. Weeks later, I was called by traders because that thing was no longer working. That is the current situation today.

Let me finish with the question of the Hustler Fund. First, people need to understand one thing; that what *mama mboga* needs is the purchasing power of their customers to grow or to be retained at the level at which it was.

It is pointless for you to give *mama mboga* a loan to expand their business and yet, you are raiding their customers in a way that it is impossible for them to spend money at *mama mbogas*' stalls.

Secondly, the Central Bank of Kenya (CBK) data shows that the default rate of the loans borrowed under this Hustler Fund is higher than the ones of the Commercial Banks.

**Sen. Veronica Maina:** On a point of order, Mr. Speaker, Sir.

**Sen. Sifuna:** Out of the Kshs10.2 billion that is outstanding---

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

**Sen. Veronica Maina:** Is the Senator for Nairobi City, Sen. Sifuna, in order to indicate that the default rate is as he is reading? Should he not issue substantiated reports? These are based on facts and we are allowing too many things to pass without demanding for accuracy of the information that is being given to this House.

Mr. Speaker, Sir, the Senator for Nairobi City would need to substantiate that fact on the 'Hustler' Fund, loan repayment, default rate and the fact that the Wi-Fi is not working. To substantiate on the Wi-Fi, he will need a technical report to actually show and express that Wi-Fi is not working.

I am aware that the Wi-Fi is working, even the one in Nairobi. If it is not, then let him bring us a substantiation report based on technical facts.

**The Speaker** (Hon. Kingi): Sen. Sifuna, on the Wi-Fi, you might not be able to substantiate right away. Are you able to substantiate on the default on loan repayment?

**Sen. Sifuna:** Mr. Speaker, Sir, you can give me some credit as the person who represents the traders in these markets. I am in constant communication with these people. We are not talking about Wi-Fi in Kiambu, but in Nairobi, the people I represent.

**The Speaker** (Hon. Kingi): Very well, Sen. Sifuna.

**Sen. Sifuna:** If you want to substantiate whether Wi-Fi is working, you go there and try it.

*(Loud consultations)*

**The Speaker** (Hon. Kingi): Sen. Sifuna, there is a point of order that has been raised and I am proceeding to make a ruling on it.

This is my ruling on the point of order raised by Sen. Veronica Maina. Just take your seat.

*(Sen. Sifuna resumed his seat)*

Firstly, you have been called upon to substantiate on the issue of Wi-Fi. That, you cannot do right away because you need a technical report. Again, you will bring that substantiation tomorrow as you substantiate on the earlier point of order.

Then there are some facts you need to substantiate on the issue of default on repayment of the loans from the Hustler Fund *vis-à-vis* the commercial loans. Are you able to substantiate right now? Then, proceed to do so.

**Sen. Sifuna:** Mr. Speaker, Sir, we should not engage here with what we call ‘*kizungu mingi*.’ This is a term of art we use here in Nairobi that when people are unable to explain to the *wananchi* what they have done, they want to give technical reports. What technical reports does a trader in Muthurwa need to know that when he tries to log in, the thing is not working. On the question---

**The Speaker** (Hon. Kingi): Sen. Sifuna, I have ruled.

**Sen. Sifuna:** Yes, Mr. Speaker, Sir. On the question of the default rates, these are figures from the Central Bank of Kenya (CBK).

*(Several Senators spoke off record)*

Mr. Speaker, Sir, can I be allowed to proceed? I am the most interrupted Senator in this House for heaven’s sake!

**The Speaker** (Hon. Kingi): Allow the Senator to substantiate. Order! Order, honourable Senators. You have raised a point of order, let the Senator substantiate. Thereafter, you will rise on your points of order.

**Sen. Sifuna:** Thank you, Mr. Speaker, Sir. The question of the default rate is a question of mathematics and your capacity to comprehend maths. Kshs10.2 billion outstanding as loans and Kshs3 billion out of that, which is almost 30 per cent, is listed as non-performing loans.

You do not need to be a genius to know what non-performing loans mean. You take that figure of 30 per cent and compare it with the figure of the default in commercial banks. You will see which one has a higher default rate and I will provide that evidence tomorrow of what the current default rate for commercial loans is *vis-à-vis* the default rate for---

**The Speaker** (Hon. Kingi): That is exactly what Sen. Veronica Maina was asking. So, proceed.

**Sen. Sifuna:** Mr. Speaker, Sir, that is simple for me to do. Let me conclude.

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

**Sen. Kinyua:** Mr. Speaker, Sir, the Senator for Nairobi City cannot assume or pretend that he monopolizes Muthurwa Market. The President of the Republic of Kenya, William Samoei Arap Ruto, represents those people. They voted for him the way they voted for the Senator.

He cannot every time he stands here to speak, pretend that he represents those people and that they call him every day. They call us and the President as well!

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

**Sen. Kinyua:** The point of order is under Standing Order No.105. The Senator is misleading this House.

**The Speaker** (Hon. Kingi): Sen. Sifuna, in reference to the people of Nairobi, you have to know that they voted for six leaders. All those six leaders represent the people of Nairobi, including His Excellency the President.

Kindly proceed.

**Sen. Sifuna:** Very well, Mr. Speaker, Sir. It is also important for you to note that out of the six people who were elected in Nairobi, I received the highest votes in Nairobi, even more than the President. So, I speak for more people than him.

Unfortunately for me, I do not get the privilege of televising my telephone conversations with the traders in Muthurwa and other markets, like the President was pretending to do. However, the truth of the matter is that these people communicate with their leaders.

**The Speaker** (Hon. Kingi): Sen. Sifuna, you need to start using parliamentary language.

**Sen. Sifuna:** What is unparliamentary, Mr. Speaker, Sir?

**The Speaker** (Hon. Kingi): When you say the President was pretending---

**Sen. Sifuna:** That was obviously a staged call. Everyone could see in the video that it was a staged call and we should call it for what it is.

**The Speaker** (Hon. Kingi): Sen. Sifuna, I am guiding you. If you proceed in that manner, you know exactly what will befall you.

Proceed.

**Sen. Sifuna:** Mr. Speaker, Sir, I will finalize by addressing the question of some of the reasons the President gave for the tribulations Kenyans are going through. For the first time, the Head of State acknowledged that events outside of Kenya have a bearing on the state of the nation. He cited the Ukraine war and of late, we are hearing that the war in Gaza might affect the prices of fuel.

This is a radical departure from the position that the President took during the campaigns. He dismissed any role of outside events, including the war in Ukraine that began before elections in the state of the nation. That he has chosen now to turn and---

*(Sen. Sifuna's microphone went off)*

**The Speaker** (Hon. Kingi): Senator, we took note of those objections.

Sen. Ali Roba.

**Sen. Ali Roba:** Thank you, Mr. Speaker, Sir. I rise to support the Address by the President, but I would like to single out a few issues that I, as a leader, identified with. Those issues are to do with the effort the Government is doing in turning around the economic performance of our economy. The issues were raised with respect to support the fish, maize, tea, coffee, rice, potatoes, cotton and milk sectors.

Even though this is the President's and the Government's Statement, the interpretation of the Government in my head starts with the people I represent; the people in Northern Kenya. The entire region of the Arid and the Semi-Arid Lands (ASALs) was left out when we know very well that for the last three consecutive years, we have had a devastating drought situation that has wiped out livestock, the mainstay of the economy of the population in Northern Kenya. This has completely affected the livelihood of that region.



As I support, I identify a few issues that did not identify very well with me as a leader from that region. While I support and applaud the writing off of the debts in billions that has been discussed for various sectors, including the sugar industry and others, I am a bit concerned and pained to find out that within the 14 months this Government has been in existence, the issue of the drought that wiped out the economy of that region has not been addressed, to the minutest extent.

Mr. Speaker, Sir, the President discussed the issue of the Hustler Fund. It is a noble undertaking that has largely impacted positively on the population of this region. However, the population other leaders and I represent is predominantly Muslim, and they shy away from accessing any fund that attracts interest because of their faith. The 'Hustler' Fund has not been appropriately adapted to address this, so that there are equal opportunities for the population of the entire country availed in order for them to take advantage of this Fund.

I also applaud the efforts taken by the President in changing the entry requirements for the teacher training colleges in this country. Northern Kenya has been faced by perennial mass exodus of teachers as a result of insecurity and susceptibility to terror shocks. As a result of the President's action, I stand here to confirm that Mandera Teachers Training College was able to instantly recruit 644 students who joined the college.

This means that for the first time in 11 years of devolution, we see light at the end of tunnel that the susceptibility to terror shocks by the teaching sector and our schools is going to be addressed and put to rest in the next couple of years. Hopefully, it will not be affected by what is happening.

Mr. Speaker, Sir, the Address was very elaborate and it captured many sectors, and I support it. However, 60 years after Independence, counties such as Mandera are still undergoing power rationing.

This Government has not discussed what it is planning to do in terms of addressing it; whether by way of mini grids or connection to the national electricity grid, so that the privileges and opportunities enjoyed by the rest of the country are also availed to the region and other areas, which undergo power rationing.

Mr. Speaker, Sir, from time to time, the issue of industrialization has been discussed by the former and current President. However, there are enablers of industrialization that need to be facilitated by the Government. Two of those are the road infrastructure connecting that region to the national road network and the other is connection to the national electricity grid, so that the price of power is equal or closely matches the national average in this country.

Mr. Speaker, Sir, it is very sad that as we speak, Mandera County is undergoing power rationing 60 years after Independence. The Equalization Fund that was touted to address this has not been implemented. Even the Appropriated Equalization Fund 2022/2023 has not been credited to the Equalization Fund accounts. As such, we continue suffering with that situation.

Today, on the information platform, Get411, it was announced that the Cabinet Secretary for Interior and Coordination of National Government, Hon. (Prof.) Kindiki Kithure, reported that 46 people have been lost to flash floods to the ongoing El Nino devastation. It is very unfortunate that the President was misinformed when he stood up

to say that the rains were no more. The head of the Meteorological Department has apologized for that misinformation.

The State of Nation Address is supposed to touch on, create and give hope to the population of this country. However, the roads have been cut off in regions where we come from. Flooding has affected hundreds of thousands of the population in the region as a whole. The President's Speech fell short of creating hope and discussing the impact that the El Nino phenomenon is causing in our region.

Mr. Speaker, Sir, I rise to support the entire Address as I share the gaps in it.

I thank you.

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

**Sen. Crystal Asige:** Thank you, Mr. Speaker, Sir. I listened to the State of the Nation Address last week and, unfortunately, I was left disappointed. Apart from the issues raised by Sen. Sifuna in his submission, there were many other issues that were left either half spoken about or not at all.

I spoke about the Address with a group of Kenyans across the weekend. They described it as being similar to the moment you invite visitors to come to your home. The family at home, the spouse, kids, house manager and the *askaris* - those who live in the compound and house - understand exactly where the dirty linen is. They know exactly every nook and cranny in that household.

However, when visitors come along, everything is hidden. Things are put under the carpet, behind shelves, shoes inside the microwave and t-shirts behind the headboards inside the bedrooms. That is how they described that Address.

The sovereign power knows what is happening within our borders. Kenyans know exactly what is happening. The Embassies within our borders also know what is happening. This Speech seemed to be catered to the international communities outside of Kenya, who may not really understand the intricacies and true picture of what Kenya is going through today.

I also want to reiterate what has been said here, which is a quote taken from the Address. It says "our duties as leaders is to listen keenly and comply with the peoples wishes". Unfortunately, that has not been done. In fact, many people's wishes have been deliberately sidestepped, shelved and ignored, just to make way for interest and agenda to move forward.

He also continued to say that it puts ordinary Kenyans' security, wellbeing and interests front and center in our discourse. Unfortunately, I feel that is a mistruth that was posed in this Address. He spoke about making progress amidst the challenges and that Kenya cannot be derailed by challenges. However, when there are so many challenges to be addressed, how can this State of Nation Address speech not put them front and centre?

He gave a lot of anecdotes; about Kenyans he has been speaking to throughout the year, even more recently before this address. He talked to us about Alice, Harrison and Moses.

Mr. Speaker, Sir, I also know an Alice. She is a mother to a child with neuro-diverse disability in this country. She complains that there is no support nor framework that is actually assisting or aiding her as a caregiver to her child. I also know an Alice and she was also disappointed by this Address.

I also know a Harrison. He is a musician who has given his life and creativity to uplift this country and hold our flag high, not just within the country, but also outside.

Now, Harrison in his elderly age is in Mombasa County. He has acquired a disability and is not able to provide or fend for himself through his creative skill and talent of music.

He complained that this Address was extremely wanting because it made no mention of the creative economy and how the Government has done nothing until today to support creatives in the way they should be supported.

I also know a Moses, who decided that his only recourse was to leave Kenya and to look for work outside. He went to the Middle East to become a trader. He trades fruits and vegetables. That was his only saving grace in trying to make a living and sending money back home. Unfortunately, he too was disappointed by the Speech because no address was made about Kenyans' plight; the Kenyans in the diaspora or any issues in that regard.

People have told me that this Bottom Up Economic Transformative Agenda (BETA) is true to its words, but in a way that the Government maybe is not admitting to. It seems like money is being taken from the bottom and is being moved up. That is the only way that people in my community and those I have been speaking to see this BETA really looking like in the ground for them. Money is being moved from the bottom and taken up.

Mr. Speaker, Sir, once again, there was no mention about disability inclusion and mainstreaming. Last year when the President opened Parliament, he made no mention of disability matters; nothing about inclusion or diversity at all.

When he made appointments to different positions after the Address upon opening Parliament, he gave no opportunities and none that fit the quota of five per cent as per our Constitution to Persons with Disabilities (PWD).

Last week in his Address, he failed to address the needs of PwDs, the shortcomings and the steps he has taken through his Government to care for this vulnerable but extremely powerful minority group in the country.

I will give you an example of today. I was in the street outside Parliament. I was walking with a group of street vendors who are PwDs and had been thrown out of the Central Business District (CBD) by the county government *askaris*. They complained that they had been given no space to trade. They sell small goods like sweets, sodas, and water. Nairobi City County enforcement officers have been harassing, frustrating and pushing them out of the CBD even though according to the Constitution we have a right to be in these spaces and trading.

A total of 100 odd PwDs are vendors in this city, they brought a Petition to this House and the County Assembly, and have tried to get an audience with the county government through Governor Sakaja who has been in their account ignoring them. This is not the first time. They were there last week and were teargassed. Imagine a group of earnest hardworking PwDs who are trying to make a living and do the best they can with the little they have. As I said before, we have to work twice as hard, to get half as far in this country and any space in this world as PwDs. What do we get in return? The boot from our Government, county governments, and our authorities, telling us that we do not have space or time or the right to be in the CBD and trade. This was not addressed and these are some of the issues that have been completely ignored by the President and the executive.

Mr. Speaker, Sir, other places were not mentioned. There was no address for the rising prices of fuel and electricity and the national outcry regarding Kenya Revenue Authority (KRA) harassment at the airport. Nothing regarding the two-thirds gender rule. Also, nothing was mentioned about the Kenyans in the diaspora or *El Nino*. Also, how the Government has addressed Information Technology and digitization without gaps being filled regarding cybersecurity. None of those things were addressed.

Unfortunately, and painfully say that millions of Kenyans were dissatisfied and disappointed by this Address. It was extremely short. They said it was the shortest address that had ever been given. In the beginning, I wondered why, but I continued to speak to real people the same way the President said that he also spoke to real people. As I did my research I found that there are millions of PwDs, youth, women and Kenyans across this country who were disappointed and this is the true state of the Nation.

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

**Sen. Abass:** Thank you, Mr. Speaker, Sir for giving me this opportunity. I support the speech of His Excellency the President. It was commendable, well thought out and spoken. It was short and precise. However, there have been concerns. In the public sphere, you will hear what Kenyans expected he would talk about. These are the immediate issues that affected the lives of Kenyans; the cost of fuel, high taxation, and floods.

As you are aware, half of this country is marooned by water, especially in northern Kenya. There is food scarcity and vehicles cannot move freely across the country. Animals cannot graze because vegetation has been covered by water. We expected the President to talk about the interventions and support that Kenyans require. The Ministry of Roads and Transport should move with speed to open up the roads, this has not happened.

The President put a lot of emphasis on the agricultural sector, funds for coffee, and tea, and fertilizer subsidy. However, he left out the pastoral areas where 15 million Kenyans depend on livestock. Their economy has not improved since independence. In the past, they used to have livestock systems where animals were sold on time which helped farmers pay school fees. However, because of recurring droughts, animals died and perished. We expected a programme to recover from drought. Pastoralists in Northern Kenya expect to be given a subsidy in the same way the maize farmers are being supported so that livelihoods can be regained. Farmers should be given money to restock animals and drugs. The floods will most likely cause animal diseases like Rift Valley Fever and many other livestock and human diseases. We expect people to contract diseases and we need to take immediate measures to intervene.

The Government under the leadership of the President is taking so much concern about unpaid and accrued debt. The country is paying back money owed by various creditors and donors. This is a good move since the country is wavering in debt and we need to reduce it so that we improve our economy. The 'Hustler' Fund is a good initiative; however, this has not trickled down to the rural areas, especially in Northern Kenya. We are not beneficiaries of the fund because of religion. The Fund involves interests and because of that most of the people in Northern Kenya are not benefiting. We need to have a model that will accommodate all Kenyans.

People in northern Kenya - Wajir, Mandera, Garissa, and Marsabit Counties did not have teachers for the last seven years. All teachers recruited had run away. As a result

of various interventions, we can recruit teachers. As my colleague Senator for Mandera has said, the counties have taken up the initiative to train their teachers. There are almost 2000 students who have joined technical colleges and universities, and in the next five years, these counties will have enough teachers. This is a good move.

The cluster points issue which has been an obstacle to the training of teachers has now been removed by the Ministry of Education. The subject clusters are not there now. Anyone with a C+ can now do a diploma. This has given us leeway to train enough teachers which is a commendable thing. The student-centered financial support is a good move. However, this was not well done. We need to do more studies and see how effective this will be. I have seen concern and complaints from students who have joined the university. They are stranded and cannot pay their fees. Most of them are almost dropping out.

We need to go back to the drawing table so that at least, we can know how best people can benefit. As it is now, there is no clarity on the whole issue.

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

*[The Temporary Speaker (Sen. Abdul Haji) in the Chair]*

The other thing is the Universal Health Care (UHC), which is a wonderful move. The Afya Nyumbani is a good move whereby, 100,000 Community Health Providers (CHPs) have been trained and deployed. However, we need to give them enough facilities. Some of the areas in the Northern part are under-developed. The roads are a problem.

This morning, I saw in the paper that a mother who was in labour had to swim across a river to deliver. That mother risked her child by swimming across the river. I was not impressed. However, we need to get enough facilities to promote and facilitate these health workers.

Another thing is that, storage facilities for those drugs should be provided. All in all, this country needs to heal, come together and move forward. The President has not said much about that part. The biggest challenge we have is this Government is almost becoming unpopular because of the high cost of living. The President should have addressed that and say how he is going to handle the high cost of living.

With those few remarks, I beg to support.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mumma, you may have the Floor.

**Sen. Mumma:** Thank you, Mr. Temporary Speaker, Sir, for the opportunity to contribute.

*(Sen. Cherarkey moved around the Chamber)*

Can Sen. Cherarkey seat down? He always causes chaos when he comes to the House.

**Sen. Cherarkey:** On a point of order, Mr. Temporary Speaker, Sir.

**Sen. Mumma:** This is a very important issue. Sen. Cherarkey, who purports to love the President, should listen in when we are making our comments on this speech. It is very important.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, what is your point or order?

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, I rise under Standing Order No.105 on responsibility of facts. Is it in order for Senator and Temporary Speaker of the House to state that another Senator can cause chaos in the House?

Can she use a better language or is she excused when she is on the seat and when she is speaking? Can you rule her out of order?

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mumma, can you use parliamentary language when referring to senior Members of this House?

**Sen. Mumma:** Thank you, Mr. Temporary Speaker, Sir. I hope the senior ranking Members will not disrupt debate in the House.

The State of the Nation speech---

**Sen. Kinyua:** On a point of order, Mr. Temporary Speaker, Sir.

**Sen. Mumma:** Mr. Temporary Speaker, Sir, I hope my time is being saved.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Kinyua, what is your point of order?

**Sen. Kinyua:** Mr. Temporary Speaker, Sir, I am standing on Standing Order No.105. I listened to Sen. Mumma saying that Sen. Cherarkey, who pretends to love the President, should sit and listen. I am wondering, how does she know whether he loves the President or not? She should substantiate that.

**Sen. Mumma:** Mr. Temporary Speaker, Sir, I did not say “pretends”, I said, “purports”. I am sure it is up to him to tell the House whether he loves the President or not. I would not know. I have no way of telling that.

Mr. Temporary Speaker, Sir, can I proceed?

*(Loud consultations)*

**The Temporary Speaker** (Sen. Abdul Haji): Order, Senators. The Senator will be heard in silence.

**Sen. Mumma:** The State of the Nation Address is a constitutional requirement---

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, what is your point of order? We need to let Sen. Mumma to contribute.

**Sen. Mumma:** I hope you are saving my time please.

**The Temporary Speaker** (Sen. Abdul Haji): Stop her time.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, you know, we must stick to the procedures of the House. The Speaker has ordered you to withdraw and apologies. However, the good Senator has not. She has just continued. I would have expected her to request that the word “chaotic” be struck out from the HANSARD; that is the fair process. That is what I am requesting. It is not a difficult thing.

For the record, I love the President more than Jesus Christ. You do not need to get worried.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mumma,

**Sen. Mumma:** Mr. Temporary Speaker, Sir, I withdraw the word “causing chaos” and replace with the word “disrupting” the House, which I did.

**The Temporary Speaker** (Sen. Abdul Haji): Very well.

**Sen. Mumma:** The State of the Nation Address is a constitutional requirement on accountability by the Presidency to the people of Kenya on how the Government of the day is carrying out its responsibilities in relation to the people of Kenya. Particularly, how the Government is ensuring that the values and principles provided for in Article 10 are being taken care of.

Mr. Temporary Speaker, Sir, in paragraph nine and 10 of the President’s speech, he reiterates this responsibility. In Article 9, he said that-

“Transformation of our economy is not only desirable and important but it is also necessary and urgent. The people of Kenya have made this clear at every opportunity”. He continued to say-

“Our duty as leaders is to listen keenly and comply with the people’s wishes”.

How I wish that he would lead by example, by listening to what the people of Kenya are saying at this time. I would have hoped that the President, at the time he was reading the speech, would have listened to the cries of Kenyans about the cost of living in this country.

In Article 10, he referred to the citizen’s freedoms and fundamental rights. He did not speak to the whole stretch of it. However, we know that the entire of Chapter Four, guarantees certain rights to the citizens of Kenya. Among these rights, are the basic rights to ensure that people live in dignity.

Mr. Temporary Speaker, Sir, the state of the nation is that many families are not able to make ends meet. The state of the nation is that many families are not able to educate their children anymore. This is because, levies have been put on since this Government came in place that have made it difficult for many families to afford tertiary, secondary and primary education.

The state of the nation at the time we spoke is that, we have rogue departments that have decided to levy taxes left, right and center, that are making the poor poorer and stressing those who are doing business in Kenya.

To increase the charges on a birth certificate, an identity card, a marriage certificate, a death certificate, acquiring of a passport, reclaiming citizenship for Kenyans who were born abroad, goods of Kenyans who are coming in and including second hand goods that people are coming in with from abroad, is where the state of the nation is.

Mr. Temporary Speaker, Sir, Kenyans are being taxed left, right, and centre; whether dead or alive, in the womb or hospital. That is the state of the nation. I would have loved to hear the President pronounce himself on this issue. Particularly, why the Department of Immigration has decided to, without following due process, levy charges on fundamental rights.

Access to the national Identification Card (ID) is a fundamental right. Paying Kshs2,000 for an ID will make the difference as to whether a child will go to university or not. Our children are finishing Form Four and many of them will need to acquire IDs. Many of them will require those IDs before they get help. This Government says when you come from a poor family, forget about university education. That is the state of this nation.

Many businesses are closing and some are crossing over to Tanzania because they cannot afford taxes in Kenya. That is the state of this nation. I hope the friends of the President and those close to him will allow him to get in touch with the people, in order to understand what is going on. That is the only way for him to truly understand what the state of the nation is; and do something about the impact of his taxation policies.

Mr. Temporary Speaker---

**Sen. Cherarkey:** On a point of order, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Abdul Haji): What is your point of order, Sen. Cherarkey?

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir. I rise under Standing Orders No.98; 103; and 105, on responsibility for statements of fact. Even if this is a debate about the Presidential Speech, it is very unfortunate that the Senator has stated that Kenyans who want to go to university should forget it. She is alleging that yet she is fully aware that the university payment model is being refuted.

Is it in order to allege that the Government is not allowing people to go to university simply because they do not have money? Two weeks ago, the Higher Education Loans Board (HELB) released money for students who are ongoing in various universities. Is she in order?

Secondly, she has alleged that businesses are crossing to Tanzania. Does she have the facts to clarify her assertions? Even if you are debating on the Presidential Speech, it does not mean that you use the Floor of the House to mudsling the Government. I know it is the work of the opposition to do it but they should do it constructively and with facts.

Mr. Temporary Speaker, Sir, is she in order?

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mumma, on those two issues, are you able to substantiate what you have said?

**Sen. Mumma:** Mr. Temporary Speaker, Sir, please, give me time and I will bring information that should be within access of Sen. Cherarkey.

**The Temporary Speaker** (Sen. Abdul Haji): How much time do you need, Sen. Mumma?

**Sen. Mumma:** Mr. Temporary Speaker, Sir, within this week, I will submit on the issue of university fees.

**The Temporary Speaker** (Sen. Abdul Haji): What about the issue of businesses moving to Tanzania and university?

**Sen. Mumma:** Yes, Mr. Temporary Speaker, Sir, I will.

**The Temporary Speaker** (Sen. Abdul Haji): Very well, on Thursday---

**Sen. Mumma:** Mr. Temporary Speaker, Sir, on the university fee structure, I am calling on all Kenyans out there who have not been able to attend, to bring that list because you want to trivialise this; so that we can give you the names of the many children who are not attending university because they do not have money. We will bring that list. I am asking Kenyans out there, please, bring the names. I know some and I will bring that information, if that is the way you want us, to go. I thought it is common knowledge that fees have gone high in the universities. I will bring it if that is what you want me to do.

Mr. Temporary Speaker, Sir, the issues I am speaking to are not because I am in the Opposition. Unfortunately, even the children of those who voted for the President, are facing the same fate.



Unfortunately, families of Kenyans across the board, regardless of who they voted for, their gender or tribe, are suffering the same fate of high cost of living. That is the state of the nation. It is important that we tell the President the truth so that he can pause, review and think through. Can we keep moving forward on the basis that this country should be driven by the rich as we leave the poor behind? Can we even afford that? This is a Government that purportedly stands for the poor. It must be able to lift the poor.

All I am saying is I did not hear the President speak to these issues. I would have liked to hear the President speak to these issues because that is the state of the nation. We are not in a good place.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Kinyua, please proceed.

**Sen. Kinyua:** Asante Bw. Spika wa Muda kwa kunipa fursa hii. Kuanzia mwanzo, naunga mkono Hoja hii ya hotuba ya Rais wa Jamhuri ya Kenya. Ijulikane wazi, Rais mwenyewe alisema kinaga ubaga anajua kuwa maisha ni magumu lakini kuna ile mikakati ambayo imewekwa kuangazia kwamba maisha magumu ya wakenya inazingatiwa. Kwanza kabisa, bei ya pembejeo imepuguzwa kutoka Kshs7,000 mpaka Kshs2,500 ndiposa bei ya chakula iweze kupungua.

Hivi sasa, sehemu zile ambazo tunategemea sana kwa hali ya ukulima wamesema kwamba wameweza kupata mazao maradufu na ni ukweli. Ukiangalia sehemu nyingi, unaona Mungu alitujalia kwa mvua na mazao yameendelea kuwa mazuri.

Jambo lingine ambalo nataka kumpa Rais kongole ni alipoteuliwa kama Rais, jambo la kwanza alifanya ni kuteua majaji ambao walikuwa wamependekezwa na tume ya majaji. Hilo lilikuwa jambo zuri. Hakukomea hapo. Aliendelea na askari polisi wetu ambao hawakuwa wanajitegemea. Walipewa hela zao wenyewe waweze kuwa wao ndio wanafanya mipango kinyume ya ilivyokuwa hapo awali wakienda katika taasisi zingine za Serikali ndio waweze kupata hela zao. Hilo ni sababu la kujivunia.

Sisi kutoka Kaunti ya Laikipia, ninaweza kusema peupe kimasomaso kwamba tumeona hayo mambo yakileta amani na utulivu kwa sababu usalama ulikuwa ni donda sugu. Tulikuwa kila wakati tunavamiwa na hawa majangili na wezi wa mifugo. Lakini, Serikali imejitolea. Nampongeza Rais kwa sababu alisema kuliongezwa wale polisi wa ziada. Saa hii, Kaunti ya Laikipia ina askari wa hakiba zaidi 500. Hilo ndilo jambo ambalo nasema ni afueni kwetu.

Hata tukiwa na barabara au hospitali nzuri namna gani lakini kukose usalama, itakuwa kazi bure. Mimi kama Seneta wa kutoka Kaunti ya Laikipia, nampongeza Rais kwa hilo jambo zuri kwa mambo ya usalama. Akasema wazi kwamba hao wezi, wakora na majambazi wa mifugo watafuatwa mpaka kuwe na utulivu ulioko. Wale askari walioko huko; askari polisi, askari jeshi na askari wa hakiba hawatatoka, wataendelea kuishi huko huko.

Bw. Spika wa Muda, jambo lingine nataka kupongeza ni, nchi hii yetu ilikuwa imekopa pesa ambazo Sen. Mungatana alisema; *Eurobond*. Rais alisema vizuri kabla hata ya siku zake mwezi wa sita mwaka ujao, Decemba hii tayari Serikali ya Kenya italipa Dollar milioni mia tatu. Hilo ni jambo ambalo tunaona Serikali inaendelea kuwa dhabiti. Hii ni kwa sababu hauwezi ukalipa deni ikiwa wewe si dhabiti. Ni vizuri kulipa madeni uliyo nayo. Tayari tulikuwa tumechukua zaidi ya Dollar bilioni mbili.

Bw. Spika wa Muda, tulipokuwa tukizunguka Jamhuri ya Kenya tukiomba kura, Rais alisema atazingatia Hustler Fund. Wakati huu tunapongea, mwezi jana, zaidi ya Ksh36.8 bilioni zilikuwa zimechukuliwa na wananchi wa Kenya. Hawa ambao

tunawaita hustlers ama walala hoi tayari walichukua hela hizi na zimewasaidia kwa shughuli zao za biashara. Vile vile, wameweka akiba ya zaidi ya Ksh2.3 bilioni. Kwa hivyo, napongeza vile Rais alivyotoa Hotuba yake na kulenga mambo ambayo amefanya na mambo yale Serikali inaendelea kufanya.

Hakukomea hapo. Kwa mambo ya elimu, Serikali imeajiri zaidi ya walimu 56,000. Hilo ni jambo nzuri ambalo sisi na wanafunzi watajivunia kwa sababu kumekuwa na shida katika nchi yetu ya Kenya. Tangu tupate Uhuru, hakuna wakati walimu wameajiriwa wengi zaidi ya idadi hii. Kwa hivyo, tuna kila sababu ya kumwambia Rais anaendelea vizuri na analenga ndipo, na aendeleo vivyo hivyo.

Tulipokuwa tukitembea tukiomba kura kwa wananchi wakati wa siasa, shida iliyoko kubwa katika Jamuri yetu ya Kenya na ndio ukweli, ni vijana wetu kukosa ajira. Rais ameleta mfumo wa kujenga nyumba ambazo watu wanaweza kununua. Hizi nyumba zitasaidia vijana wetu.

Vijana wetu ndio watakaotengeneza madirisha katika sehemu za jua kali. Vijana wetu ndio watatengeneza milango, ndio wataweka hizi nyumba maji, na kuweka umeme. Hiyo itapatia vijana wetu ajira kwa sababu hawachagui kazi bora wapate pesa. Hizi nyumba zitatengenezwa katika kila sehemu ya nchi ya Kenya hasa kuanzia pale Nanyuki mahali panaitwa Yard, na ninajua hivi karibuni Rais wa Jamhuri ya Kenya ataenda kufungua hizi nyumba.

Ningependa kuwambia vijana wetu pale Nanyuki na Laikipia wakae chonjo wakingoja. Kazi zitapatikana na tutafanya zile kazi. Kwa hivyo, nina kila sababu ya kuunga mkono Hoja hii ya Hotuba ya Rais.

Ni dhahiri shahiri Rais alionekana katika sikukuu iliyopita akizindua hawa wauguzi wa nyanjani. Tayari tuna wale wauguzi. Mimi nilikuwa pale Laikipia wakati Gavana wa Laikipia alikuwa akizindua wale wauguzi wa nyanjani. Kwa hivyo, hawa wauguzi laki moja wapo na tunajua wataendelea kufanya kazi nzuri. Watakuwa tegemeo kwa sababu, nchi isiyo na afya, itakuwa na ukosefu wa watu wanaoweza kufanya kazi. Hivyo basi ni ukweli hao wauguzi laki moja wako chonjo na ngangari na wanaendelea kufanya kazi wanayopaswa kufanya.

Jambo lingine Rais alilolisema na ni nzuri zaidi ni hawa vijana wetu wa National Youth Service (NYS). Alisema wakati huu watu watachukuliwa kiasi cha vijana 40,000. Kilichonifurahisha ni Rais kusema kwamba watachukuliwa katika vijiji vyetu. Hakukomea hapo. Aliongeza ya kwamba, baada ya wao kwenda NYS, wakimaliza kusomeshwa wao ndio wakaokuwa wakijiunga kuwa askari polisi baada ya kwenda kwa mafunzo ya askari polisi au askari jeshi. Hivyo basi, katika sehemu zote zetu, vijana wetu watakuwa wameguzwa na hili ni jambo muhimu sana.

Hawa majeshi watapata maarifa. Itawezekana wao ndio watengeneza barabara, kuweka nyumba maji na vile vile kuweka stima kwa sababu watasoma haya mambo.

Bw. Spika wa Muda, kuna jambo lingine ambalo alilitaja. Alisema ya kwamba katika nchi ya Kenya kuna shida, kwa sababu tunapata mazao lakini soko zetu si nzuri sana.

Alisema vizuri ya kwamba tutakuwa na soko katika sehemu nyingi za nchi yetu ya Kenya na zile soko zitakuwa na stima na maji. Kwa hivyo, ijapokuwa ndugu zangu wa upinzani wanasema ati Hotuba yenyewe haikuwa nzuri, Mswahili husema 'Mgala muue na haki umpe.'

Kazi nzuri imefanywa. Ukitembea utaona haya maneno yote yakifanyika. Sitakomea hapo, kwa sababu aliongea kuhusu pembejeo. Wakati mwingi unapata iko katika miji zetu tu. Alisema ya kwamba pembejeo zipelekwe mashinani pia.

Alisema isipelekwe Nanyuki peke yake, ipelekwe Rumuruti, Salama, Matania, Thome na sehemu ambayo watu wanaweza kupata pembejeo bila kulipa nauli yoyote. Hiyo ndiyo kuinua hali ya maisha ya watu.

Bw. Spika wa Muda, kwa wengi ambao wanaongea kuhusu unga, ni vizuri alisema ya kwamba inategemea ni unga upi ambao wewe unatumia. Kwa sababu, wengi ambao wanaongea hapa ni mabwenyenye kulingana na mahali wananunua unga. Hawa si walala hoi. Kwa hivyo, ni vizuri waangalie mahali ambapo Rais alisema.

Mimi ningependa kumalizia hapo nikisema ya kwamba naunga mkono na vile ambavyo Rais alisema. Tutaendelea kumuunga mkono ili wananchi wa Kenya waweze kupata afueni.

Nashukuru.

**The Temporary Speaker** (Sen. Abdul Haji): Asante, Seneta. Proceed, Sen. Tabitha Mutinda.

**Sen. Tabitha Mutinda:** Thank you, Mr. Temporary Speaker, Sir. I rise by saying that I really support and appreciate the Address of the President, His Excellency, Dr. William Ruto.

To start with, the Address was on point in terms of the timelines. It was directed to the main issues that we promised Kenyans during the campaign period.

He did not even get off the things that we had not deliberated on. He was very much focussed. It was a well-informed Address, which he put across very well.

Let me start by appreciating the fact that the President, even way before the Address, has been able to move across all 47 counties, ensuring that there is equal development. This is because all Kenyans are paying taxes and are eligible for equal distribution of resources and services in this country. It is their right.

I have heard colleagues from the Opposition trying to bring the issue of shares indicating that the Kenya Kwanza Government has just offered services to the regions that supported them. That is not the case.

We have seen the President in the Western Region looking for the blueprints in this region and ensuring that development is provided as required by the law.

Mr. Temporary Speaker, Sir, before I point out some of the issues that the President addressed, I note that sadly our colleagues from the Opposition have been very negative and they have stated some of the reasons they could not attend the Address by His Excellency the President last week on Thursday.

They are pointing issues right, left and centre. Nonetheless, you wonder why would a whole honourable Member, who has been elected to represent his or her people in different regions, not create time to have an opportunity to speak with the President of this country; a President who is a President of everyone and who interacted with everyone on Thursday as we saw. He was also having talks with different Members on different issues in this country.

Mr. Temporary Speaker, Sir, if the Opposition in this House are genuine as they claim, then that was the time they would have had an opportunity to discuss with the President on the different issues they felt were not addressed. That is what a leader does. I

know they were keen to listen to the progresses and so, they listened to the President because he is the President.

If there were loopholes and untouched areas, it would have been the best time to come because as Members of Parliament (MPs), they have access unlike the voters who have minimal access. On that day, they had access to meet with Dr. William Ruto and have different discussions as we saw other Members try to do.

Mr. Temporary Speaker, Sir, the point of trying to lie and tell Kenyans that they are here fighting for the cost of *unga* for Kenyans is sad because at that time, they were comfortably seated, drinking and whining and yet, they are trying to claim that. It is sad. That is the time they would have used to ask Dr. William Ruto why he has not done this or that and they would have gotten a response on that platform. They would then communicate that response to their people who put them in these different offices.

As a woman, one thing that made me proud is the issue of the healthcare promoters. We, in this House, and the National Assembly passed the Universal Health Coverage Bill, which had different Acts in terms of Digital Health, among others. I am happy because during the Mashujaa Day, the President commissioned over 100,000 healthcare promoters with equipment as well. This happened across all the 47 Counties.

Why I am happy and proud is because most of these jobs were undertaken by young women because they got those opportunities. The President also promised that the national Government in collaboration with the county governments is going to set some kitty aside in order to reimburse the healthcare promoters. This is good progress because a healthy nation is a wealthy nation.

Mr. Temporary Speaker, Sir, these are achievements realised through the Universal Health Coverage Bill that was passed from the digital perspective in ensuring that there is quick servicing so that we move digitally. At the same time, there are matters of the amounts to be paid for health care. You will find that both the people who are in a position to afford and those who are not, are covered. Article 43 is clear in terms of medical emergencies. From next year, this Act will be implemented and a Kenyan is eligible for emergency health care at that moment.

There is the issue of allocation of Kshs3 billion to the Judiciary Fund and at the same time, the appointment of six judges. This is a big achievement for us, as Kenya Kwanza Coalition. We are ensuring that the Judiciary is independent, something we have seen and even this House, respects court rulings.

Mr. Speaker, Sir, there is the digital transformation. I have heard comments that is it not happening and it is not here because one wants to sit, drink and depend on hearsays and not factual, because they are in a position to afford bundles. So, they use those bundles they can afford to deal with rumours. They are in the House and they can get facts and reality. We have seen how digital hubs have been implemented all across the country and that continues to be implemented. This will create job opportunities for our young people.

Mr. Temporary Speaker, Sir, I urge the Opposition to try and look at some of these things in a very positive way, so as to encourage the young generation that voted for them to get an opportunity to make extra cash. These are stations and areas they can make income as required.

We have seen the e-government services. When we it started, there were about 300 e-government services. As we speak right now, we have over 13,000 services. The

President pointed this out. At the same time, the Government is still continuing to ensure we have more digital services in place.

Mr. Temporary Speaker, Sir, the beauty of it was agriculture. Of course, food security is a very important issue. As Kenya Kwanza Government, we focused on the cost of production. Without focusing on that and reducing the cost of production, then the end product of the service supposed to be rendered becomes expensive.

One of the elements and products has been the issue of fertilizer that our colleagues have tried to negate. I do not know if they do not farm or the areas they belong to--- The cost of fertilizer has come down from Kshs7,000 to Kshs2,500. Even if you have not so much gone to school, this is natural. You need to know that you need the basic skills to ensure you maximize your farming productivity in order to ensure food security.

How will you know the cost of *unga* - that they refused today - if your work is to sit back and drink from morning to evening? This is because when you go back to your house, your meal has been prepared. You do not know or have time to find out.

The price of *unga* came down from Kshs250 to ranging between Kshs150 and Kshs180. How will you know? Why do you not want to come and face the President himself, ask him and tell him how things are so that he can respond? You disappear and go to drink and dine and think that is going to build and give Kenyans the right answers.

On the issue of housing, I am happy because as a Nairobi City County delegate, there is job creation. I have attended one of the ground breaking of the housing projects in the county.

I am happy to state before this House that the local manufacturing, the Jua Kali associations have been brought together to ensure they are given the first priority of the local supplies in this country. These include the doors, windows and others things that can be produced locally. That is opportunity accorded to them.

Lastly, is on the Hustler Fund. The President said very clearly that he was able to communicate with one of the beneficiaries of the Fund. We went to our voters, talked to them and got to understand what the problem was. They told us the challenges they got through the shylocks. Hence, we focused on the Hustler Fund. As we speak, we have Kshs36.6 billion which has been disbursed, Kshs2.3 billion in savings and Kshs7.5 million of repeat customers. This means it is working well and helping Kenyans. They are able to increase their credibility levels. These are big achievements.

I want to wind up by asking colleagues from the Opposition to use the opportunity they have as parliamentarians to talk to their President directly so that all the questions they felt were not addressed can be addressed. They should stop hiding in clubs and bars in the name of not listening to the President. Get the right answers so that you give your people the right information.

I thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Thank you, Senator. Proceed, Sen. Chute.

**Sen. Chute:** Thank you, Mr. Temporary Speaker, Sir. I know we do not have much time. I support of this Motion. Article 132(1)(c) and 240(1) of the Constitution elaborates that the President should make a State of the Nation Address. The one that was held recently was the 10<sup>th</sup>.

The President started a journey on 13<sup>th</sup> September, 2022. Subsequently that journey gave us a retreat on 16<sup>th</sup> and 17<sup>th</sup> September, 2022. In that retreat, the President passionately and convincingly talked about some important issues. These issues are deep down my heart and I appreciate the retreat. The President talked about Universal Health Coverage, deposits at the National Social Security Fund (NSSF), and affordable housing, among many other topics.

Mr. Temporary Speaker, Sir, this Government was elected under the bottom up economic transformation. It is the duty and responsibility of our President Dr. William Samoei Ruto to make sure that this is achieved. I congratulate him and immensely thank him for the Address because it follows the journey he started on 16<sup>th</sup> September, 2022.

He said many things and I would like to talk about a few. First, he talked about the issue of healthcare, which is important. In his Address on *Mashujaa* Day, the President talked about dispensaries having problems with medication. The medicine and drugs at the hospitals are being stolen. The President said that we will have committees to manage the hospitals, especially the dispensaries. My people in Marsabit County are talking about this.

He also mentioned the appointment of the judges and the Judiciary Fund. Allocating Kshs3 billion to the Judiciary Fund that the President highlighted is an excellent way of making sure that the Judiciary is independent and free to do their work. If you look at my Statement today, I talked about courts not being finished, especially the court in Marsabit which has been under construction for some time now. We need to know what has happened to the Kshs3 billion. This issue is not confined to just Marsabit County but in many counties where they have not finished the projects.

The President talked about fertilizer. I have a farm in Naivasha at a place called Ndabibi. The major crops I farm are beans and maize. We planted the maize and got affordable fertilizer from the Government. Instead of harvesting four bags per acre, we harvested seven-and-a-half bags per acre. This is as a result of the incentives from the Government.

The other issue the President raised was about the Kshs300 million which will be paid to settle the Kshs2 billion Eurobond money. This is important because it will help us to get affordable credit.

The President also talked about affordable housing. About two weeks ago, I talked about affordable housing. This is a topic I have been talking about. The President in his desire to give Kenyans affordable housing has made houses affordable by introducing free land, taxes and free transfer fees. The President is doing well. However, the problem we have is 'scam' which I talked about two weeks ago.

A scam in the normal dictionary means fraudulent or deceptive acts or operations. Why do I say it is deceptive and fraudulent? A number of issues have come up about Buxton Estate and people have come to this House to complain. It is the same thing going on in Jamii Bora Estate in Kisaju, Jericho/Ofafa, Kibera Soweto and the Jogoo Road construction that is going on.

Mr. Temporary Speaker, it is fraud today and tomorrow. The fraud does not come from the Government. It is from individuals who are working in the Government. The President should check what is happening between the counties and the developers.

The current agreement is between a county and a particular developer. In an open market, the developer and the land owner enter into a clear contract. In many occasions,

the developer will have 70 per cent of the units that are to be built and the owner of the land gets 30 per cent. In these affordable housing contracts, it is 10 per cent for the land owner, who is the public and 90 per cent for the developer. That is why I was saying, it is a scam.

Mr. Temporary Speaker, Sir, I will talk about our Arid and Semi-Arid (ASAL) region. The President talked about many things. He talked about bailing out coffee, tea and sugarcane farmers. The important thing that I did not hear from the President is the ASAL region. The ASAL counties cover 80 per cent of Kenya's land mass. A total of 36 per cent of the population lives in the ASAL region, 70 per cent of national livestock herd and 90 per cent of wild animals comes from the ASAL region.

We have lost over 70 per cent of our livestock in the ASAL region. This is mainly in Marsabit, Mandera, Wajir, Garissa, Turkana and Samburu counties. The President has not talked about how he will resettle the Internally Displaced Persons (IDPs) and those people who have lost their livestock. At least, there should have been some kind of compensation for our people. We are also Kenyans. We have all the rights just like the people of Kakamega County. I would have wanted the President to address these issues.

Finally, there is something the President should address. I believe corruption is a major problem and a cancer for this country. According to statistics of 2022, the corruption index of Kenya is at 22 points out of 100. Kenya is position 123 out of 180 countries. The major problem is embezzlement, bribery and procurement fraud. People say police officers are the most corrupt. If we manage our economy and reduce the theft which is at 30 per cent – stealing money through procurement, bribery and embezzlement – we can afford to pay our traffic police well and stop them from asking for small *chai* on our roads.

People say that police are the most corrupt, but I think it is wrong. The most corrupt people are the Cabinet Secretaries (CSs), the Principal Secretaries (PSs) and the people who are heading Government institutions. If they do not steal the 30 per cent, that will make police officers in Kenya at least get better salaries and the bribery they are talking about will reduce.

Mr. Temporary Speaker, Sir, finally, I beg to support this Motion, but I ask the President not to forget the ASAL region of Kenya which covers 80 per cent of the land mass of this country.

Thank you and may God bless you all.

**The Temporary Speaker** (Sen. Abdul Haji): Thank you, Sen. Chute, I presume that you have concluded your contribution.

**Sen. Chute:** Yes, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Abdul Haji): That is quite okay.

## ADJOURNMENT

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senators, it is now 6.30 p.m. time to adjourn the Senate. The Senate, therefore, stands adjourned until tomorrow, Wednesday, 15<sup>th</sup> November, 2023 at 9.30 a.m.

The Senate rose at 6.30 p.m.