

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Wednesday, 14<sup>th</sup> June, 2023

### Morning Sitting

*The House met at the Senate Chamber,  
Parliament Buildings, at 9.30 a.m.*

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

### PRAYER

DETERMINATION OF QUORUM  
AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum?

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

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

*(The Quorum Bell was rung)*

*(Several Senators entered into the Chamber)*

Serjeant-at-Arms, I am informed we have the quorum now, so you may stop ringing the Quorum Bell.

Clerk, proceed to read the first Order.

## QUESTIONS AND STATEMENTS

### QUESTIONS

*Question No. 011*

STATE OF SECURITY IN LAIKIPIA AND  
THE WIDER NORTH RIFT REGION

**The Speaker** (Hon. Kingi): Hon. Senators, if you look at the Order Paper, there are four Questions listed for response by the relevant Cabinet Secretaries. Question No. 011 and Question No. 012 were directed to the Cabinet Secretary for Interior and National Administration. However, we received a letter informing the Senate that the Cabinet Secretary will not be present today for purposes of responding to these two Questions.

That letter was found unsatisfactory and another letter was sent by the Clerk to the office of the Cabinet Secretary informing him that he has to be present today. Despite that letter, the Cabinet Secretary is not present.

Hon. Senators, under Standing Order No.51(d) where if a Cabinet Secretary fails to appear for the purposes of responding to these Questions and does not give any satisfactory reason as to why they have failed to appear, then a Motion of Censure shall ensue.

In this regard, this matter is going to be discussed during the special Senate Business Committee (SBC) tomorrow, Thursday. The Senate will be advised accordingly after this matter is discussed. That also applies to Question No.15.

*Question No. 015*

OPERATIONS OF THE KENYA NATIONAL  
TRADING CORPORATION

**The Speaker** (Hon. Kingi): Hon. Senators, last night we received a letter from the Cabinet Secretary of Investment and Trade indicating that he will not be able to appear before the Senate for purposes of responding to this Question. Again, no satisfactory reason was contained in that particular letter.

Mr. Speaker, Sir, the same will be discussed during tomorrow's special SBC for purposes of invoking Standing Order No.51(d). Again, after the matter is discussed, the Senate will be advised accordingly. Therefore, that leaves us with only one Question; that is Question. No.14. The Clerk---

*(Sen. Kinyua stood in his place)*

Sen. Kinyua, are you rising on a point of clarification? I do not see how the Chair is out of order for you to bring him back to Order.

Kindly Proceed.

**Sen. Kinyua:** Thank you, Mr. Speaker, Sir, for your guidance. I agree with you because the Cabinet Secretary for Interior and National Administration, for purposes of Question Nos.11 and 12, we have rescheduled twice. I want to agree with you that you did write letters yesterday. That is why we are here.

Mr. Speaker, Sir, the Cabinet Secretaries are not taking this House seriously. So, I would recommend that you be firm when dealing with this matter at the SBC so that we can invoke provisions of Standing Order No.51(d).

I agree with you and I support your decision.

**The Speaker** (Hon. Kingi): Clerk, is the Cabinet Secretary for East African Community (EAC), ASALs and Regional Development present? Can you usher her to the rightful place?

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

I am informed that the Cabinet Secretary in charge of East African Community, ASALs and Regional Development is present for purposes of responding to Question No.14. Let me take this opportunity to welcome her to the Senate.

Thank you so much, Madam CS for honouring the invitation to come and answer the Question that has been posed by the Senator for Marsabit. I will straightaway proceed to request the Senator for Marsabit to ask the Question.

*Question No. 014*

STATUS OF RELIEF FOOD DISTRIBUTION PROGRAMMES

**Sen. Chute:** Thank you, Mr. Speaker, Sir. I beg to ask the following three Questions to the CS, East African Community, ASALs and Regional Development-

(a) Could the Cabinet Secretary state the type and quantity of goods being imported by corporations --- sorry this is a wrong Question.

**The Speaker** (Hon. Kingi): Senator, you do not know your Question?

**Sen. Chute:** Mr. Speaker, Sir, they are both mine. It is a mix up.

**The Speaker** (Hon. Kingi): You are asking Question No.014.

**Sen. Chute:** Thank you, Mr. Speaker, Sir, I have got it.

Mr. Speaker, Sir, I beg to ask the following Question to the CS, East African Community, ASALs and Regional Development-

(a) Could the Cabinet Secretary provide a list of the relief food distribution programmes currently being run across the country, indicating the types of food being distributed and the quantity of package?

(b) Who are the suppliers of relief food under this programme from 2017 to date? Could the Cabinet Secretary state the amount paid to the respective suppliers and indicate the pending bills accrued, if any?

(c) Could the Cabinet Secretary explain the tendering process used to award the tenders and provide details or type of food products procured and the price per unit in respect of the current programmes?

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, kindly proceed to respond.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Thank you very much, Mr. Speaker, Sir and Hon. Members. I am glad to be here this morning to discuss matters that are important and pertain to our nation.

Mr. Speaker, Sir, for the purpose of clarity and for the sake of providing general context to the Question by Sen. Chute of Marsabit County, allow me to capture very briefly the scope of the Ministry I serve as Cabinet Secretary and the Ministry of East Africa Community, ASALs and Regional Development. The Ministry has two state departments; namely, the State Department of East Africa Community and the State Department of ASALs and Regional Development.

The matter in focus here today falls under the State Department of ASALs and Regional Development and more specifically in the general realm of the ASALs and special programmes.

Mr. Speaker, Sir, currently the Kenya ASALs occupy a land mass approximated at 85 per cent. Some estimates place the percentage as high as 89 per cent. However, what is not in doubt is that even the most conservative estimates put the Kenya's ASALs at 80 per cent of the entire territory at the very least. This by any standard is a huge land mass that can no longer be accorded casual attention with regard to social economic planning.

In recent years driven by climate change, related reasons the areas regarded as semi-arid lands have joined the league of ASALs even if they were not ASALs before. At least 200 of Kenya's 290 constituencies are now either arid or semi-arid lands. ASALs are home to about 40, 70 and 90 per cent of Kenya's human population, livestock and wildlife, respectively.

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

**The Speaker** (Hon. King): Sen. (Dr.) Khalwale, you cannot stand on a point of Order when the Cabinet Secretary is on her feet. You cannot.

Cabinet Secretary, proceed but please go straight to respond to the Question as asked. I have been listening attentively here, but you have not even started to respond to the Questions. Kindly respond to the questions as asked by the Senator.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Speaker, Sir, the Senator from Marsabit County, Sen. Chute, has asked the Cabinet Secretary for East African Community (EAC), Arid and Semi-Arid Lands (ASALs) and Regional Development to provide a list of the relief food distribution programmes currently run across the country, indicating the types of food being distributed and the quantity of package.

The Ministry runs relief programmes through the National Drought Management Authority (NDMA) and the Directorate of Special Programmes. The Directorate of Special Programmes Relief Food interventions are categorised into two-

1. Relief Food Distribution.
2. Humanitarian Emergency Response.

Under the Relief Food Distribution, dry food stuffs are provided to vulnerable households affected either by drought or other disasters. The food items are procured and

distributed to households based on affected population, severity of the drought at the point of need, nutritional requirements, trucking distance, among others. Currently, the Ministry is procuring rice and beans only.

The prolonged drought affected maize production, thus creating scarcity in the market, while global geopolitics, especially the Russia-Ukraine conflict, affected the global supply chain for vegetable oil. For fortified food, the base raw material used is maize flour, whose production was severely affected by the prolonged drought.

According to the guidelines and procedures for the management of relief food distribution in Kenya, the following committees are responsible at various levels-

1. State Department for Relief Food Committee.
2. County Steering Group Relief Food Committee.
3. Sub County Relief Food Committee.
4. Ward Relief Food Committee.
5. Local Relief Food Committee.
6. Sub Location Relief Food Committee.
7. Village Relief Food Committee.

The following are food items that are procured-

- (i) Rice packaged in 50 kilogramme bags.
- (ii) Beans packaged in 50 kilogramme bags.
- (iii) Maize packaged in 50 kilogramme bags.
- (iv) Vegetable oil, which is a carton that contains 12 one litre packaging.
- (v) Fortified food bales of 25 kilogrammes each.

As I have said, we are currently dealing with rice and beans. So, that is the relief food programme.

The next programme we have is the Humanitarian Emergency Response, which is non-food commodities that are provided to households affected by various disasters.

The non-food commodities portfolio comprises mainly iron sheets, timber, ridges and nails assorted. We also have mattresses, blankets, kitchen sets, *jikos*, gas lamps, tents and tarpaulins, soaps and sanitary towels.

Worth taking note of is that the Ministry did not get an allocation for relief supplies in the current and now ending financial year. However, we requested for allocation as and when the need arises.

The NDMA supports non-food programmes to mitigate the effects of drought through cash transfers and safety nets programme. They also do water trucking and provision of livestock feeds. The NDMA also coordinates relief food distribution by private sector-led initiatives and some development partner initiatives.

The cash transfers are sourced from commercial banks. Water trucking services are mainly driven by community water users' associations, while livestock feeds are competitively sourced locally through open tendering process.

Mr. Speaker, Sir, in the appendices, we have provided finer details of all the programmes that have been in place.

(b) Who are the suppliers of relief food under these programmes from 2017 to date and could the Cabinet Secretary state the amount paid to the respective suppliers and indicate the pending bills accrued, if any?

Mr. Speaker, Sir, regarding the period spanning 2017 to October 2021, and also from October to January 2023, this particular query was redirected to the State Department for Devolution and the State Department for Social Protection and Senior Affairs for competent adjudication and response. This is because this function was only transferred to my Ministry through the Executive Order No.1 of January 2023, and we have only handled this function for the past five months or so.

The Ministry did not inherit any pending bills as far as relief supply is concerned. Payments to the current suppliers for the five months is ongoing because delivery and supplies continue. In the appendix, we have provided a list of the suppliers that are sourced through the supply branch.

(c) Could the Cabinet Secretary explain the tendering process used to award the tenders and provide details of the types of food products procured and the price per unit in respect of the current programmes?

Mr. Speaker, Sir, the Ministry of Lands, Public Works, Housing and Urban Development, through the State Department of Public Works, that is the Supplies Branch Department, pre-qualifies contractors for supplies of goods and services to various Government Ministries, Departments and agencies every two years or as and when it is necessary.

The Ministry of EAC, ASALs and Regional Development uses the list of pre-qualified contractors to identify appropriate suppliers for various commodities for relief programmes.

The Supplies Branch agreement referenced as a contract No.53 dated January 2023 was issued. The details of the framework contracts of supply and delivery of dry foods is also attached. It has about 400 providers.

Procurement of relief food and humanitarian emergency response are based on the provisions of the Public Procurement and Asset Disposal Act of 2015 and as guided by the Supply Branch.

The types of food products that were procured from January to May when this department was in my docket was rice, *sindano* grade of 50 kilogrammes and the cost in January was Kshs7,250. Various types of beans were packaged in 50 kilogrammes bags and the price was Kshs7,500. We did not purchase maize, vegetable oils and other fortified foods.

In terms of the tendering process, in accordance with the provisions of the Public Procurement and Asset Disposal (PPAD) Act and the aforementioned circular from supply branch, the state department for Arid and Semi-Arid Lands (ASALs) and Regional Development adopted the contract framework. The Ministry also utilizes provided tendering procedures and methods for sourcing relief food. The methods are open tendering, restricted, direct and requests for proposals and quotations.

As noted, Kenya experienced the worst drought in 40 years and the biting drought rendered many people food insecure. There was urgent need of relief assistance. With

that in mind and with limited resources, we looked at the market and the prices that set by the supplies branch and we managed to bring down the delivery cost.

We, therefore, managed to get some rice at Kshs4,500 per 50 kilogrammes bag compared to the Kshs7,250. We also managed to get the second lot of the rice at Kshs5,250 compared to the initial Kshs7,250. For the beans, because of the scarcity, we were only able to bring it down to Kshs7,300 from the initial Kshs7,500.

Mr. Speaker, Sir, I submit.

**The Speaker** (Hon. Kingi): Thank you, hon. Cabinet Secretary. Sen. Chute, under Standing Order No. 51(c) (7a), you have an opportunity to ask two supplementary questions.

You may elect to ask one and then be the last Senator to ask the second question. If you have been satisfactorily responded to, you may not elect to ask any question.

**Sen. Chute:** Thank you, Mr. Speaker, Sir. I will ask one question first and the other at the end of the session. I thank the Cabinet Secretary for having the courage to reduce the price from Kshs7,200 to Kshs4,500 for a 50 kilogramme bag of rice and the beans from Kshs7,500 to Kshs7,300. She should work on the beans and see if she can get them at a lesser price.

My question to her is - the documents we have before this House are from the Kenya National Trading Corporation (KNTC) and they show that they have supplied or imported rice and edible oil. Did you contact KNTC to see if you can get a better price? If yes, at how much are they selling?

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Thank you, Mr. Speaker, Sir and hon. Members. I wish to confirm that we did contact KNTC and the price we got for rice and the beans was slightly higher. I do not have the actual figures, but I can firmly confirm that they were slightly higher.

**Sen. Dullo:** Thank you, Mr. Speaker, Sir. Let me take this opportunity to thank the Cabinet Secretary on her elaborate response to the question asked by Sen. Chute. I thank Sen. Chute for bringing this Statement.

First, the food is dumped at the Deputy County Commissioners (DCCs) headquarters. The procedure that has been there before is that there must be a budgetary allocation to ensure the food reaches the communities.

Unfortunately, over the years, I had followed it up with Ministry of Special Programmes before it was handed over to you. We have about four or five months that you have not provided allocation of the budget to the DCCs.

Secondly, there was a time views were collected on the ground where instead of giving food to individuals you give cash transfer which is better, transparent and useful to the affected communities. Why can you not use cash transfer as a Government instead of providing food that does not even reach the people?

The beans, especially take like three to four hours, to cook. I would request the Cabinet Secretary to get better beans for the communities instead of the current supply.

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, kindly proceed and respond.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Thank you, Mr. Speaker, Sir. I will take the question by Sen. Dullo in regard to the last mile arrangement for relief food distribution.

This is normally through the County steering group co-chaired by the County Commissioner and the Governor with membership from the Ministry of Interior and Coordination of National Government and other stakeholders. Specifically, on the transport, we have given an appendix starting from February to show that the arid counties received Authority to Incur Expenditure (AIE) of Kshs200,000, the semi-arid areas received Kshs100,000 per sub-county and the non-traditional ASALs affected got Kshs50,000.

We continue to perfect this to ensure that by the time the food arrives at the last mile or at the sub-county, that amount is available because it is for distribution and transport. From February to May, I have the data to show that we are matching the food distribution and the amount for transport.

In regard to your second question on cash transfer, I could not agree with you more. Cash transfers are efficient, effective, dignified and we do have that under the National Drought Management Authority, the Hunger Safety Net Programme. The World Food Programme (WFP) and some of the development partners already have that programme.

I assure you that this is work in progress. Going forward we will reduce as much as possible the relief food distribution and revert to cash transfer which gives households convenience, dignity and variety.

We will give the technical teams the urgency and the importance that this assignment requires. I will be glad to update the House on the progress made towards achieving more cash transfers than relief food distribution at the appropriate time.

I submit, Mr. Speaker, Sir.

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

**Sen. Seki:** Thank you, Mr. Speaker, Sir, for this opportunity. I appreciate the Cabinet Secretary. My question is in regard to Question 14(b) on the supply of relief food under this programme as asked by Sen. Chute.

I have looked at the response and it is not satisfactory because we need to have a list of suppliers during the period between December up to almost April. That is the time we were at the peak of supplying relief food to counties through the Cabinet Secretary's Department.

I looked forward to seeing the list of suppliers as asked by the Senator because that Ministry was supplying food and that was the time we had a severe drought---

**The Speaker** (Hon. Kingi): Senator, what is your question? Proceed to ask your question.

**Sen. Seki:** Mr. Speaker, Sir, I request the Cabinet Secretary to give us a list of suppliers of this relief food between February to May because that was the peak of the drought.



**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, the question is, could you provide a list for those suppliers, especially for the period when drought was at its peak?

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Ms. Miano): Thank you, Mr. Speaker, Sir. The contracts and supplies are still ongoing but I have the list here. I will submit it.

**Sen. Dullo:** Point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): What is your point of order, Sen. Dullo? I hope you are not raising a point of order against the Cabinet Secretary because, that, you cannot do.

**Sen. Dullo:** Mr. Speaker, Sir, the part of beans in my question was not answered.

**The Speaker** (Hon. Kingi): Cabinet Secretary, as you respond to the question from Sen. Cheptumo, you will also shed light on why you are supplying beans that take four to five hours to cook.

Was that your concern, Sen. Dullo?

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

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

**Sen. Cheptumo:** Mr. Speaker, Sir, I thank the Cabinet Secretary for the comprehensive answer to the questions raised by Sen. Chute. I appreciate the fact that the Ministry does relief food supplies to various counties.

The challenge we have and I have witnessed it having been the former Member of Parliament (MP) for Baringo North, are these supplies reaching the targeted population. Some of these supplies from disappear somehow somewhere between the county headquarters to sub-counties.

What measures has the Cabinet Secretary put in place to ensure that food supplies reach the targeted people in order to avoid the middle people like the District Commissioners (DCs), District Officers (Dos), and the chiefs who sometimes divert these supplies to other beneficiaries?

Mr. Speaker, Sir, finally---

**The Speaker** (Hon. Kingi): Sen. Cheptumo---

**Sen. Cheptumo:** Mr. Speaker, Sir, the question is related.

**The Speaker** (Hon. Kingi): Under Standing Order No. 51(c)(7)(b) ---

**Sen. Cheptumo:** It is okay, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, kindly proceed to respond to Sen. Cheptumo's question as you also respond to an earlier question by Sen. Dullo.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Thank you, Mr. Speaker, Sir. With regard to the Question by Sen. Dullo on beans, we have not received a complaint about the beans for now or maize that takes longer to cook. We have not yet distributed any food. However, in the future outlook, we will continue on working on cash transfers so that communities and vulnerable people can then sample what else is easier to cook and is available in the market.

I will also undertake a survey on alternative relief food or dry foods that may have the same protein and may be available. We would like to get suggestions and see what alternative proteins would be available.

Mr. Speaker, Sir, in regard to the response to the Question by Sen. Cheptumo about the last mile. We use the county steering groups to target the affected and vulnerable populations following the reports by the National Drought Management Authority (NDMA). These groups are co-chaired by county commissioners, governors, and members from the Ministry of Interior and National Administration, the county government, the Ministry of Agriculture and Livestock, and the Ministry of Health. This Committee has multi-sectoral participants who target that group.

In terms of distribution, when we allocate relief food, we write to the county commissioner and copy all elected and administration leaders. This is to ensure higher accountability so that we have enough people participating and getting the documentation and also witnessing this distribution.

Mr. Speaker, Sir, we would like to perfect this further, and being the accounting Ministry, we had made a proposal to have officers based on the ground. That is a work in progress and the Public Service Commission (PSC) is still considering our request. I assure you that the message we have is of high accountability and to ensure that the relief food gets to the right people and to the last person who is vulnerable and is deserving of this relief food.

We will continue to follow up and take the responsibility with the seriousness it deserves. I submit, Mr. Speaker, Sir.

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

**The Senate Majority Leader** (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir. I laud the Cabinet Secretary for her diligence and also note the Communication you gave earlier.

There is something curious to note here. The Cabinet Secretaries who have not previously served in Parliament with us are more responsive to calls to this House than our colleagues who used to be here. It is rather embarrassing of our former colleagues who treat this House with not so much decency.

Three or four years ago, the Commission of Revenue Allocation (CRA) updated Government records on the classification of Arid and Semi-Arid Land (ASAL) areas. Previously, as you know, ASALs were large geographical areas perhaps to the North and certain other parts of the country.

However, CRA commissioned a study that classified and divided the country into wards, which are well known administrative units that passed the test of ASAL areas. Unfortunately, I continue to see Ministries, including hers, who still stick with the former classification of ASALs. Therefore, even the distribution of relief food is only shared in the traditional ASAL areas. When will the Cabinet Secretary update the records of her Ministry?

My neighbour here comes from Meru County, where they have very fertile parts. However, if you go upwards to the areas bordering Laikipia County, it is very arid. The same can be said of my county too.

I wish to find out from the Cabinet Secretary when her Ministry will update this information. That way, relief food distribution and drought mitigation programmes can reflect the new definitions issued by CRA.

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, kindly proceed.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Thank you, Mr. Speaker, Sir and Sen. Cheruiyot for the question. The original classification of the ASAL was done by the Kenya Agricultural and Livestock Research Organization (KALRO) among other stakeholders. That is the classification that has been there. We also note the classification by CRA.

During the drought we just had, we went out of the classification and looked at the practical data of the counties and the people affected by it. I confirm that we had nine non-ASAL counties whose about 45 wards were affected. There were pockets that were affected by the drought, but they were not in the classification by KALRO or CRA. We used contemporary data and occurrences that we saw. The data we have shows that we distributed food in all corners that were affected.

Going forward, we will work with KALRO and CRA, whilst looking at the effects of climate change and the lessons we have learnt during the devastating drought, in order to get updated classifications. With that, we will be able to work on sustainable programmes for ending drought emergencies and for sustainability in the ASALs using contemporary classification.

Mr. Speaker, Sir, the drought we suffered was the worst in 40 years. We have learnt valuable lessons. We believe that it will recur because of the climate change. From day one going forward, we need to start preparing for any future occurrence and avoid some of the emergencies that we got into.

I assure Sen. Cheruiyot that we are already on course and that we were not restricted by the classification on record during the drought.

I submit.

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

**Sen. Kinyua:** Thank you, Mr. Speaker, Sir. I join my colleagues in thanking the Cabinet Secretary for coming. It beats logic because most of the time in the news, you will see people suffering from hunger in some ASAL areas. In the same breath, other parts of this country such as Uasin Gishu and Laikipia counties have bumper harvests.

I encourage the Cabinet Secretary that we buy rice locally instead of importing. Farmers in Mwea keep complaining about the low prices. In Uasin Gishu County, it is the same thing on the prices of maize. Laikipia County can provide protein. From our animals, we can have canned meat. We will then get food at low prices and provide to our people.

I confirm that the Cabinet Secretary, who is answering questions in detail, is a daughter of Laikipia County. We are proud of her.

*(Laughter)*

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, kindly proceed to respond to the question.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Thank you, Mr. Speaker, Sir. Sen. Kinyua has said that some areas produce more food, while others have a shortage. This is true. However, during this last drought – the very worst – Kenya was a net importer of food, especially rice, beans and other commodities. We are net importers.

Back to his point, work needs to be done by multi-sectoral players, including the Ministry of Agriculture, Livestock, Fisheries and Cooperatives, Ministry of Water and Sanitation and various Government and non-state actors. We need to come up with county food balance sheets. This exercise will bring back reserve food quantities, so that in future, food can be stored and be available in order to manage the shortages in some counties by getting it from other counties. That is an assignment worth undertaking by the multi-sectoral players in this food security sector. My Ministry is very involved and interested in the outcomes of such an exercise.

Thank you.

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

**Sen. Murgor:** Thank you, Mr. Speaker, Sir. I congratulate the Cabinet Secretary for the way she is handling the questions.

In counties such as West Pokot, Turkana and others, which experience disturbances such as cattle rustling, there is a lot of shifting from area to area. In that process, many school going children relocate and go without food. What intercepting measures can the Ministry take on such issues?

Thank you.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Speaker, Sir and Hon. Members, during the drought, we also had counties that experienced insecurity. They were then classified as operational counties. We continued to provide relief food under the guidance of the Ministry---

*(Sen. Cheruiyot crossed the Floor without bowing to the Chair)*

**The Speaker** (Hon. Kingi): Cabinet Secretary, hold on.

Senate Majority Leader, you are out of order. You cannot cross from one side to the other. You know that you go to the Bar and bow then take your seat. You will get the first caution of the day.

Cabinet Secretary, proceed.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): We continued to provide relief food for the operational area guided by the security team. The delivery was supervised by the security agencies.

For the school-going children that were affected, I am aware that we have a school feeding programme under the Ministry of Education. However, my State Department have complemented and supplemented that work.

This week on Monday, we had a meeting to discuss how to support the school children that are affected by the peace operations and the insecurity. We are aware that some of the insecurity is caused by competition for limited resources and lack of development. We need multisectoral teams to work on how to spur development and provision of resources.

Today, I have shared my article with one of the newspapers on ‘*Reimagining Peace in the Arid and Semi-Arid Lands(ASALs)*’ co-authored with the Ministry of Interior and National Administration team.

As a country, going forward and in line with the manifesto or the plan of this Government, we should take development to all corners of Kenya. In turn, ASALs which are known for the lack of peace, are promoted to the same level of development as the rest of the country.

I believe that issues of insecurity and other challenges that are encountered for lack of resources or development will either be minimized or eradicated altogether.

It is exciting to work in this Ministry and participate in some of the discussions and strategies. It is life-changing and impactful to see some of these issues being resolved. For example, removing the ASALs from being seen as areas that lack water, peace, security and development to areas that are contributing significantly to the development of this country. The people of Kenya who live in ASAL can enjoy the same level of development and peace that some of the other parts of the country enjoy.

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

**Sen. Wamatinga:** Thank you, Mr. Speaker, Sir. I will start by thanking the Cabinet Secretary for ably responding to all the questions. This drought has been experienced in ASAL for the last 40 years. What is the Ministry doing in order to ensure we develop strategic reserves and post-harvest management strategies, so that we do not lose food when we have a bumper harvest, then use money to mitigate drought?

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, proceed.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Thank you, Mr. Speaker, Sir. What Sen. Wamatinga has said is true. We need strategic reserves. I have seen the documentation and strategies of the Ministry of Agriculture and Livestock Development. We are following up with them to implement the strategies. Being the Ministry in charge of policy for the ASAL, we are sharing the policies, our strategic plans and data, so that it can be an input, not only to the Ministry of Agriculture, but all the other Ministries.

Every Ministry has one or two things in regard to the ASALs. I attended the launch of the strategy of the Ministry of Water, Sanitation and Irrigation. I saw their plans on water harvesting and the shift from rain-fed agriculture to irrigation. We would like to follow up with the Ministries and continue with this discussion so that we have strategic food reserves. Next time there is drought in the years to come, it will be handled better than what we experienced in the latest drought.

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

**Sen. Lomenen:** Thank you, Mr. Speaker, Sir. I congratulate the Cabinet Secretary. I come from the furthest corner of this country, in areas like Kibich and

Kapedo. How does the Ministry ensure the rural areas that have the problem of infrastructure are considered to make sure they receive food?

I know that food leaves Nairobi to sub-counties. However, when it reaches there, it takes more than three months to reach to those rural areas. When you ask the County Commissioner why this is the case, he tells you that he has not been facilitated. The Kshs200,000 used to transport food to ASAL, as mentioned by the Cabinet Secretary, is not enough. Transporting food from here to Kapenguria or Lodwar is more than Kshs200,000.

What happens is that when food reaches the headquarters of the sub-county, it stalls there. They sell the food to facilitate themselves to reach the areas it is supposed to go to. What plans do you have to ensure the vulnerable people from rural areas receive this food instead of targeting people from the headquarters of the sub-county and towns?

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, proceed.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Speaker, Sir, I would like to confirm that during the drought, I managed to go to the most interior part of Turkana County four times to distribute relief food.

We have transport arrangements. We get an escort from Kenya Defence Forces (KDF) and other authorities. Lately, we are using Government vehicles.

I would like to clarify the Kshs200,000. This is for fuel for the sub-county level and not for the transport in totality per county or area. This is to ensure the food reaches where it is supposed to be. You mentioned that probably food is sold to get funds for transport.

I have not experienced this in the five months that I have handled this assignment. Perhaps there is need to segregate historical issues if they were there. However, for the last five months, I have seen smooth transportation of food. We use all the means that we can to ensure that food reaches to the innermost parts of the country and counties that are affected.

We work very closely with the Ministry of Interior and the National Government Administration Officers (NGAOs). Nonetheless, like I said before, it is work in progress. We are always improving and making it better. That is the mindset that we are having as a State department. Nevertheless, if there is infrastructure development in these counties in the long-run, the challenges we are having of transport and other challenges will be minimized and eradicated eventually. It is a good future to anticipate.

I thank you.

**The Speaker** (Hon. Kingi): Proceed, Sen. (Dr.) Lelegwe Ltumbesi.

**Sen. (Dr.) Lelegwe Ltumbesi:** Thank you, Mr. Speaker, Sir. I appreciate the comprehensive response from the Cabinet Secretary both for the primary and supplementary questions asked at the Floor.

Mr. Speaker, Sir, we all agree that this was the worst drought as reported in the last 40 years. However, I have heard the Cabinet Secretary saying that “the people who were affected,” meaning that the impact or the effects of the drought is over. Nonetheless, I cannot agree with that because the pastoralists or the livestock dependent communities

of Kenya are still experiencing and are affected by this drought. One, because of the depleted numbers of their livestock, which they depend on and the surviving livestock are still weak.

My question to the Cabinet Secretary is: What measures is she considering to ensure constant supply of emergency relief aid for these communities in Arid and Semi-Arid Areas (ASALs), which are still affected despite the rains, which have not changed the situation in Kenya or in these communities that depend on livestock?

I thank you.

**The Speaker** (Hon. Kingi): Proceed, hon. Cabinet Secretary.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Speaker, Sir, I will respond to the question by Sen. (Dr.) Lelegwe Ltumbesi.

It is true that Kenya has experienced the worst droughts. It is also true that the effects of the droughts are not over. It takes quite a long time to recover from such a drought. Following the rains that we have had, we have seen slight improvement; the vegetation regenerating, thus giving quite a bit of feed to the livestock and water is also available. However, the effects of the drought are still with us.

If we receive enough rain, it will still take more than six months to get the much-needed relief. Despite the little improvement that we have seen from the rains, which we thank God for, I confirm that the relief food programme is still on and there is constant relief food distribution. Currently, we have constant food distribution. We will continue to support the communities that require the support until we get significant recovery.

We do not have enough funds, but with the little fund available, the National Drought Management Authority (NDMA) has had several strategies to support recovery, restocking to some of the worst hit areas that lost almost their entire livestock. That is ongoing with support from some of the development partners. We continue to support the affected areas in regard to relief food.

Additionally, we are also spending a significant amount of our time looking at sustainable ways of managing or ending droughts. We have activities and discussions that are going on. We also have support from development partners. I assure the hon. Member that the programme is still on and recovery is not yet complete.

I thank you.

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

**Sen. Mungatana, MGH:** Thank you, Mr. Speaker, Sir. I join my colleagues in acknowledging the thoroughness of this particular Cabinet Secretary.

It has inspired confidence that we got the right person amongst the Kenyans who are listening including myself. Keep it up. I also acknowledge our very own son from Tana River, the Principal Secretary (PS); I can see him there. I know he is part of the team that is producing good calibre work that we are proud of.

My question to the Cabinet Secretary is whether they have planned for future droughts because the drought cycle in Tana River County, and I dare say the rest of Kenya, is predictable. We want to know whether they have done some forward thinking to mitigate the effects of that drought. Has the Ministry planned for the procurement of

the bale of grass that is useful and good food for animals during drought? I am particularly speaking of Tana River County, because that is where animals from Marsabit and Isiolo come to during the drought season.

I want to know whether the Ministry has done forward planning, so that we have these bales of grass that can sustain livestock during the difficult times. That is on the side of livestock because I have not heard much on that side. On the human side, I would like to know whether they have planned to secure food reserves for the people, so that we do not have embarrassing situations like Kenyans dying for lack of food. I am speaking for my county, and by extension, to the rest of the nation.

I thank you.

**The Speaker** (Hon. Kingi): Proceed, Hon. Cabinet Secretary.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Speaker, Sir, I thank Sen. Mungatana. Compliments are rare but appreciated.

One of the documents we are working on is a strategy called ending drought emergencies strategy and this is the second phase. We had one that just expired in December. In this strategy, we are focusing on resilience building. We are coming up with strategies, programmes and projects that in future will alleviate droughts. Consequently, with the climate change and the devastating effects of climate change, droughts, lands and the climate are not getting better. It is only planning that can get better.

We are hoping to launch the Ending Drought Emergency Strategy by 1<sup>st</sup> July, 2023. Development partners support it. When we launch it, we will then embark on execution and implementation. We do look forward to a team that the discipline of execution.

In terms of food reserves, the Ministry of Agriculture comes into this particular docket. I have looked at their proposals, not only for the Ministry of Agriculture and Livestock Development, but the current administration's manifestos and plans on agriculture, which we are all aware of. We look forward to the fruition of these plans and the activities that are going on, to promote large-scale agriculture and proposals to have food reserves. So, all these activities are to position us better for future droughts because they will surely come. However, we do hope that the country, communities, counties, even Ministries and all of us will be much better placed to handle that.

One of the mandates for this state department is livestock development in arid and semi-arid lands. We are coming up with newer fodder programmes and proposals on livestock transformation. We have one particular programme that is supported by various development partners. We are almost at the tail-end of the proposals.

We have come up and put together a steering committee, which we believe are of big thinkers and strategic thinkers, to think with us and see how we can transform the livestock sector in the arid and semi-arid lands, taking cognizance of the fact that this was one of the most affected sectors during this drought.

Therefore, we are looking at commercialization of fodder, so that we have more fodder available. We are looking at vaccinations and better breeds of animals for our



communities, so that they can also look at livestock as part of commercial development in arid and semi-arid lands.

I am certain and I believe that going forward, most of these proposals will bear good fruits to face future droughts with better resilience, not only for communities or people, but also the livestock, wildlife and any other sector that is ordinarily affected by the drought.

I thank you.

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

**Sen. Abass:** Thank you, Mr. Speaker, Sir. First of all, I commend the CS for the competency in which she has answered her questions.

Two, I have a question for the CS. The food distribution is done at sub-counties. Some areas have more sub-counties than others and one sub-county may have more population than another one. However, the food is given across board. Therefore, I think there is a lot of disparity in food distribution because of the differences in population at sub-counties, depending with the severity of the drought.

Mr. Speaker, Sir, one other thing is that the cost of delivering food is just too high because of transportation. A bag that costs Kshs7,000 might cost almost Kshs15,000 when it reaches the end consumer.

I know your Ministry is doing cash transfers through the Hunger Safety Programme. When you give about four or five kilogrammes of food to a family, it may take them three or four days. However, when you give them cash, they will be able to manage themselves and it will also be cheaper for the Ministry and Government other than giving out maize, beans or oil.

What plans do you have to instead of giving food at high costs, transfer cash? Even non-state actors like non-governmental organizations are now resorting to cash transfers. What is your plan since distributing relief food is not sustainable and we cannot continue with this unnecessary costs? Secondly, it is also not enough for the people. The supplies also take less than a week and maybe the next supply may come in three or four months.

That is my question. What is your plan for equal distribution of food, based on the number of people or population?

Thank you.

**The Speaker** (Hon. Kingi): Proceed, hon. CS.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Speaker, Sir, I will take the first question by Sen. Abass, on food distribution. This is based on reports that are prepared by the National Drought Management Authority (NDMA) and the county steering groups.

However, the distribution is based on the population at the sub-county level because some sub-counties are vast and sparsely populated, while some are heavily populated. We receive that data from both at the sub-county level and that is validated by NDMA. That informs how much food - rice and beans - that will be sent to the county.

It is a fact that we cannot have enough food because of the limited resources and a tight fiscal space. So, based on the resources that are available and the food that we procure, we try to balance and just do the best that we can with what is available.

We are cognizant that cash transfers have less logistics. They do not have transport costs. Relief food distribution is a whole operation, in terms of food, vehicles, logistics, records and all that. Cash transfers would be the way to go. Currently, we do both, but cash transfers is at a smaller scale.

The programmes that are in place, some of them supported by our development partners, we are looking at this to see how we can spread this to more counties than what we have currently, so that we have more cash transfers in future and the relief food becomes less, and to only reach the really needy or pockets that deserve the actual food rather than the cash transfer.

Therefore, we are receiving support from our development partners and also working together on this strategy of hunger safety-net and cash transfers. I will call it again, work in progress.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Proceed, Sen. Thang'wa.

**Sen. Thang'wa:** Thank you very much, Mr. Speaker, Sir. I take this opportunity to thank Madam CS because of her responses, which I feel are satisfying. Nonetheless, I want to build up on a question that was asked by Sen. Abass because I want to ask almost the same question.

Mr. Speaker, Sir, you either have food or you do not. There are factors that contribute towards that. It may be lack of employment or jobs and access to food. In this case, we are talking about famine.

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

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

There is famine that is long term. Therefore, I want Madam CS to tell us, those who benefit from this programme, how long it takes to get this kind of food distribution? What is the duration? If you are given food and the drought is there for few months, then you need food for a longer period of time.

Mr. Deputy Speaker, Sir, I have noted that some politicians are using this food distribution as a campaign tool. When the food is taken to an area, perhaps they are given two packets of rice and one bowl of beans, and they never go back there again. Sometimes I wonder how long a person can benefit from that kind of food. Do we have data and a way of monitoring? After giving them food, what is the success story?

Mr. Deputy Speaker, Sir, finally, instead of giving cash or buying food and distributing to the people, why do we not come with food vouchers? That may encourage business people from that area to go where food is, buy it, go back and sell it to their communities using the vouchers.

If you remember well, when there was famine in the northern side of this country, potatoes were rotting in Nyandarua. There was plenty of food in Nyandarua. If those people had cash or vouchers, maybe somebody could have gone to buy the food and take it home to sell to their people. That way, you promote businesses. It also gives them an opportunity to see other places in this country.

**The Deputy Speaker** (Sen. Kathuri): Hon. Madam Cabinet Secretary, please proceed.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Deputy Speaker, Sir, I will take the question by Sen. Thang'wa.

In response to the first question, I wish to confirm that during the drought period or between January and May when I have been handling this docket, and I believe even previously, relief food is sent to the sub-counties after a duration of 30 days or every month depending on the quantities available. So, we distribute every month.

The process of food distribution, the targeting of the vulnerable and the work at the county level by the county steering committees never change. We have a policy and programme in place. If you see leaders or other people during food distribution, I believe they are just witnessing or participating in that programme. Our programme is firmly documented and it is followed.

Whenever we distribute food, we copy all the leaders, including elected leaders. They have the discretion to go and witness either for confirmation or just participating with the communities.

We have the data of the food we have distributed since February per sub-county, per county and every area, including the quantities. After every distribution, we also get returns at the county level, which we study and take note of the observations, confirmations and questions that we may have or clarifications to seek.

Mr. Deputy Speaker, Sir, regarding food vouchers, I wish to say that today we have received valuable input on how to manage drought issues and relief food. Although our markets, especially in the ASALs are not fully developed to a level of having food vouchers, that is a good idea.

I will task the technical teams to look at the proposals we have received today, including the proposal about food vouchers because we must improve, make it easier logistically and make it more efficient and effective, and above all, uphold the highest levels of dignity even as we intervene to support vulnerable communities.

**The Deputy Speaker** (Sen. Kathuri): Last but not least, Sen. Cherarkey, please, proceed.

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, I believe colleagues have asked questions. I would like to know whether the Cabinet Secretary has had a discussion.

A few years ago, the Jubilee Administration removed Strategic Grain Reserve Programme. I do not know whether the Cabinet Secretary for EAC, ASALs and Regional Development has had a discussion with the Ministry of Agriculture and Livestock Development with a view of reviving the Strategic Grain Reserve Programme.

For example, in Nandi County where I come from, there is always a lot of milk. When we harvest our maize, we always--- You remember what we said in November last year.

We also have beans. Other colleagues have talked about mung beans in Machakos. We have many other products that if put under Strategic Grain Reserve Programme, it will help in terms of ensuring food security, which is one of the core agendas of the Kenya Kwanza Administration.

Mr. Deputy Speaker, Sir, could the Cabinet Secretary be gracious enough to provide information on ways of ensuring that Strategic Grain Reserve Programme is in place? I would also like to know whether she requested her colleague, Hon. Linturi, to get budget allocation for operation of Strategic Grain Reserve Programme in the Republic of Kenya.

**The Deputy Speaker** (Sen. Kathuri): Proceed, Madam Cabinet Secretary.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Deputy Speaker, Sir, we are at such a time in this country that we have not had sufficient food, leave alone a reserve. However, we are having conversations with the Ministry of Agriculture and Livestock Development to ensure that we have sufficient food to ensure we have reserves.

Looking at the activities and what the current administration is doing in terms of agriculture, they are providing fertiliser, encouraging farmers to farm and promoting irrigation. I believe all those activities will stabilise the current need for food sufficiency.

If we have enough, we will have strategic food reserves. We have to produce enough to eat first. Currently, we are on debit and we have to balance that. We need to get a credit so that we move to strategic food reserves.

There are active discussions going on among the Ministry of Agriculture and Livestock Development, other players and Government officials. At the opportune time, we will be glad to update Members on the progress being made in this regard.

We look forward to getting a bumper harvest based on the rains we have received and the activities that were undertaken. We have witnessed more enthusiastic farming as we move across the country. Therefore, we are hopeful that we will achieve the aspiration of having strategic food reserves that can sustain the country even during some of the worst droughts, like the one we have witnessed in the recent times.

**The Deputy Speaker** (Sen. Kathuri): I can see two interventions on my screen. Sen. Cherarkey, you cannot ask two questions.

*(Sen. Cherarkey spoke off record)*

No, you cannot ask two questions. *Hakuna.*

*(Sen. Cherarkey spoke off record)*

Is it on what you have asked about the grain reserve? Are you not satisfied with the answer given?

*(Sen. Cherarkey spoke off record)*

Do you have enough grains to keep in the stores as the strategic grain? Use 30 seconds, kindly.

**Sen. Cherarkey:** Madam Cabinet Secretary, in the interest of time, I appreciate that we might not have enough food in the country to sustain us. However, I wanted you to give practical steps into the reopening and functionality of strategic grain reserves.

I know there is the aspect of food security and sustainability. My only concern was whether they are in consultation with the Ministry of Agriculture, Livestock, Fisheries and Cooperatives on the operationalisation, functionality and reopening of strategic grain reserve.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Madam Cabinet Secretary, do you have something to add on that?

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Mr. Deputy Speaker, Sir, I would request that we have a more comprehensive conversation with the Cabinet Secretary of the Ministry of Agriculture, Livestock, Fisheries and Cooperatives, who is the most strategic and key player in this conversation. This will enable us to have more detailed and comprehensive responses to that question.

**The Deputy Speaker** (Sen. Kathuri): Sen. Chute, do you want to close with a comment?

**Sen. Chute:** Yes.

**The Deputy Speaker** (Sen. Kathuri): This is because you had exhausted your two questions.

**Sen. Chute:** I did not. I asked only one question. This is the final one.

**The Deputy Speaker** (Sen. Kathuri): For the Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development or a different Cabinet Secretary? Is it a different matter?

**Sen. Chute:** The same matter. I had asked one question. I want to ask the last one now.

**The Deputy Speaker** (Sen. Kathuri): Okay

**Sen. Chute:** Thank you, Mr. Deputy Speaker, Sir. Thank you, Madam Cabinet Secretary, for your good answers. Are you aware that in the Kenya Kwanza campaigns, the President was propagating the spirit of “bottom up”? Does the Cabinet Secretary have any plans to prequalify distributors or suppliers from the 47 counties?

With that prequalification, a supplier from Marsabit County can supply goods from the nearest point such Meru or Nyahururu so that the cost of transport will come down.

Madam CS, you are aware that we have challenges in some counties and sub-locations. Currently, you are using the 30 ton trailers to transport food and they cannot go inside the locations. What plans do you have to prequalify suppliers from the 47 counties,

even if they are just five or six suppliers from each county to supply food rations to the respective counties?

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Madam Cabinet Secretary, you may respond.

**The Cabinet Secretary for East African Community, Arid and Semi-Arid Lands and Regional Development** (Hon. Miano): Thank you, Mr. Deputy Speaker, Sir.

My response to the intervention by Sen. Chute is that the current procurement process is open to everybody to participate. However, it is certainly a very good suggestion to involve the local micro, small, medium enterprises (SMEs) and even individuals in participating in the supply of relief food and other humanitarian commodities. This is in keeping with the Kenya Kwanza ideology of “bottom up” economic transformation.

The Kenya Kwanza Manifesto promised to provide even opportunities and a fund to cater for the SMEs and individuals as a deliberate effort to support and grow their business. Including that category in the supply of relief food at the local levels resonates perfectly with the current administration’s ideology.

Therefore, based on our discussions today, I will ask the technical officers to interrogate the current status and process to see how best we can include this category and promote the “bottom up” business agenda; that is, macro, micro and SMEs in the list of suppliers without disrupting the existing rhythms, decorum and promoting efficiency and above all, at the best cost that will be available.

We will take this up and have the technical and procurement teams come up with modalities of entrenching this into the current procurement process and the current supplier list of who can supply the relief food even at the local level.

I thank you.

*(Applause)*

**The Deputy Speaker** (Sen. Kathuri): Thank you, Madam Cabinet Secretary. It is very strange, I have been here for quite some time and I have hosted CSs. You are very special since Members are applauding you.

Madam CS, that means that you have handled that question properly. I actually saw the document of the answers that you provided and it is very satisfactory. As a House, we really encourage other Cabinet Secretaries to follow suit.

*Lakini, Kiswahili kinasema, mgema akisifiwa, tembo hulia maji.* Madam CS, make sure you maintain the standards so that we can be able to develop this country. When I was seated there as the Senator of Meru County, I also had a question but now I cannot be able to take part in asking you questions when I am Chairing. I will get some time and come to your office with my question so that also I can be able to serve the Meru Community properly.

I thank you and your officers for your time. We have exhausted the questions. We would like to release you so that you can proceed to go and serve other Kenyans in your office.

Kindly escort the Cabinet Secretary out of the Chamber. You can pass by the Speaker's Office for a cup of tea if she is interested.

Thank you, very much.

*(The Cabinet Secretary (Hon. Miano)  
was escorted out of the Chamber)*

Next Order.

### COMMUNICATION FROM THE CHAIR

#### VISITING DELEGATION FROM BURU BURU CITAM SCHOOLS

Hon. Senators, in the Public Gallery, we have 143 pupils---

*(An Hon. Member spoke off record)*

Are they still there?

*(An Hon. Member spoke off record)*

They have left, Okay. However, I acknowledge the Buru Buru CITAM Schools in their absence. I really welcome them to the Senate.

Thank you, very much.

Next Order.

### MOTIONS

#### STATE OF MENTAL HEALTH OF POLICE OFFICERS

*(Sen. Kibwana 4.5.2023)*

*(Resumption of debate interrupted on  
31.5.2023 - Morning Sitting)*

This is resumption of debate. Sen. Tobiko had a balance of eight minutes. She is not around.

Sen. Cherarkey, what is your point of order, meanwhile?

**Sen. Cherarkey:** Thank you, Mr. Deputy Speaker, Sir. Looking at the amended Standing Orders No. 51, I know there is a ruling you have made. I am rising under Standing Order No.1. As you retreat to write your ruling, I am not reopening or varying your ruling, you need to give us direction because, the next Statement meant for the Cabinet Secretary for Investments Trade and Industry has been--- synonymous with the question time.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, kindly resume your seat. That matter was well addressed by the Speaker when he was here.

*(Sen. Cherarkey spoke off record)*

That is why I am giving you guidance that the matter is well-placed. It will be canvassed tomorrow at a high-level meeting which will make some conclusions. So, wait for the confirmation.

Sen. Cherarkey, do you want to contribute to this Motion?

*(The Clerk-at-the Table consulted the Deputy Speaker)*

Now that there are no other Senators interested in contributing to this Motion, the debate is concluded.

The Mover of the Motion, Sen. Kibwana, is not present. She is away on official duty.

We will go to the next order. She will reply the next time she will be available.

COMPENSATION TO THE KENYAN VICTIMS OF THE 1998  
BOMBING OF THE UNITED STATES EMBASSY IN NAIROBI

*(Sen. Kavindu Muthama 16.3.2023)*

*(Resumption of debate interrupted on 2.5.2023)*

I am also aware that this Motion was stood down because the Mover is using other methods to canvass it.

Next Order.

*(Motion dropped)*

INCORPORATION OF INTELLIGENT WATER MANAGEMENT SYSTEMS  
IN BUILDING PLANS FOR SUSTAINABLE LIVING

Sen. Wamatinga, are you ready to move the Motion?

**Sen. Wamatinga:** Thank you, Mr. Deputy Speaker, Sir. Yes, I am ready to move this Motion.

I beg to move the following Motion -

THAT, aware that water is an essential yet scarce resource whose demand is increasing rapidly due to population growth, urbanisation, and industrialisation, and whose wastage has become an issue that needs to be addressed urgently owing to Kenya's vulnerability to climate change;



NOTING THAT there is a growth in the number of buildings coming up to accommodate the rapidly growing population thereby posing a challenge to water management;

APPRECIATING THAT the incorporation of water management systems in building plans include a variety of techniques and technologies such as rainwater harvesting, waste water recycling, low-flow plumbing, and sensor systems that detect leaks and deactivate water flow, when necessary, thereby optimising the use of water by eliminating water overexploitation, waste water management, and pollution;

NOW THEREFORE, the Senate urges the Ministry of Lands, Public Works, Housing and Urban Development in coordination with the Council of Governors and the National Environment Management Authority to:

- i) incorporate into the building code and standards a requirement for intelligent water management systems in all building plans; and,
- ii) undertake a systematic nationwide renovation of government-owned buildings to incorporate water management systems.

Mr. Deputy Speaker Sir, we are all aware that global and climatic change in the world has become real. In the last couple of years, Kenya found herself in a situation where we not only have water shortage but we have faced the worst drought in the last 40 years.

Many a time, we have treated water like an endless resource. We saw rivers and dams dwindle and large rivers are known to be ever-flowing come to a halt. We saw desertification and the increase of ASAL areas in Kenya. It is, therefore, very important that in alignment with the Sustainable Development Goals (SDGs), we embark on the measures that will ensure that we use water sustainably for future generations to get some of it.

It is our commitment to introduce intelligent water management systems that will ensure that water remains a sustainable resource.

*(An hon. Senator spoke loudly on the phone)*

Mr. Deputy Speaker, Sir, kindly protect me from my neighbor who is insisting on being on the phone, therefore, distracting me. Thank you very much.

If we fail to rise to the occasion, incorporate intelligent technologies in water management in our building, and more specifically when the Kenya Kwanza Government has undertaken to construct several affordable houses, it is time we come up with standardised high-level policy and legislative measures that will ensure what we use as water does not become a waste. We implement technologies that will allow the recycling of water and ensure that we do not have water losses.

It has been reported by some water service providers that their non-revenue water goes up to 70 percent. Non-revenue water is water that has been harvested but cannot be accounted for. This is due to old infrastructure water distribution systems or leakages and

at worst, water that has been siphoned or stolen from the main distribution lines leading to losses in terms of revenue.

The Kenya Kwanza Government policy to construct huge mega dams using public-private partnerships would mean that we have to manage water properly so that what we harvest can be accounted for. With 70 per cent of non-revenue water, this would remain a pipe dream. It is, therefore, important that we embark on putting into place not only new policies but equally infrastructure that can detect leakages so that water can be treated as a variable asset.

Water is life. We know that the human body is made of 70 percent fluid and it would be very important that we, for the purpose of our future generation and in line with the SDGs, engage in practices that ensure we can save on water. This would mean that the Government would need to create new policies, as the Senate comes up with a legal legislative framework that will enforce such policies both at the county and at the national levels.

This would mean that all the buildings owned by the Government need to meet a certain standard and all the new buildings must incorporate intelligent systems to detect water losses and most importantly incorporate the aspect of water harvesting.

We know that we have a lot of unemployed educated youths. We have institutions of higher learning like the Jomo Kenyatta University of Agriculture and Technology (JKUAT), and Dedan Kimathi University that are very advanced in technology. It is high time that we leverage the availability of technology and technical savvy young people to come up with intelligent metering systems, and intelligent water flow detecting systems. We should even go a step further and introduce innovative technology that can be founded and innovated within the country.

If we do that, we will not only manage water intelligently, but also create opportunities for the young people who have the necessary academic qualifications to do that.

Mr. Deputy Speaker, Sir, that will be impossible if the Government will not give incentives in terms of capital investment. It will be impossible without collaborative engagement with institutions of higher learning, which are specifically tailor-cut to address water shortage.

We will be judged very harshly by the future generations, if we sit down and watch as water continues to be wasted, knowing so well that water is a scarce and vital resource that must be used prudently.

We have seen it in the developed countries where they incorporate water intelligence systems in their buildings, so that you do not have running pipes when you do not need. You will find someone in the bathroom brushing their teeth for 10 minutes and all this time, the water is running. By fitting pipes with sensors using simple technology, we will save up to 70 per cent of the water that we use every morning. This is a challenge to us, a responsibility and our moral obligation to the future generations.

Having spoken about leveraging on technology, it is also important that we have high level policies from the Government and multi-sectoral intervention that addresses

water harvesting. Other than that, it will also look at providing portable water as is the requirement of Sustainable Development Goals (SDGs) of which Kenya is a signatory.

Mr. Deputy Speaker, Sir, it is my desire to see us come up with measures that will address this very important issue during the lifetime of the current House. If we do that, we will then say one of the major milestones that we will have achieved is to conserve water, as well as ensuring there will be enough of it for the next generations.

The Kenya Kwanza Government is committed and as we speak, there is an on-going debate in the other House on the Finance Bill 2023. We are talking about taking our economic destination in our hands without having to over-rely on donor-funded initiatives.

It is high time that we appreciate the fact that Kenyans have come of age to move and develop the country using their own dynamics. It is with this spirit that I stand here and saying that it is time we came up with interventions. It is time we started the conversations of how affordable water can be supplied to all households and curb the wastage that has made this essential commodity expensive to many.

According to Vision 2030, our dream was to have portable water in every household in Kenya. Sadly, we have not moved towards this goal because we have been tied up with bureaucracies and a lot of wastage. The issues of governance at the water supply, water distribution and policy formulation levels are to blame. They have become major stumbling blocks such that we have not been able to achieve this goal.

Mr. Deputy Speaker, Sir, with the current use of technology, I take the example of money transfer using the M-Pesa services. It is possible to incorporate intelligence systems, smart meters, leakage systems and low-pressure of water distribution to ensure that what we harvest and harness is used 100 per cent effectively and efficiently.

It is my desire to see the future of our country being driven by Kenyans. I challenge ourselves, as Senators and as Kenyans, that it is time we start even at the private level involving intelligent water management systems in our homes, as we wait for formulation of Government policies at a higher level.

Having said that, I request county governments, especially those who have been affected by climate change, that it is time we started investing in the future of our generation. They can do this by ensuring that water resources are managed prudently and also put intelligence systems in place. We should also put measures in place to conserve water by way of planting trees and managing riparian lands.

Mr. Deputy Speaker, Sir, the commitment of the Kenya Kwanza Government to plant several billion trees is in line with this dream to make Kenya one of the environmentally friendly countries. At the same time, we will be conserving and sustaining our environment. This can only be possible if we ensure that at the other end of water usage, it is managed properly, avoid wastage and most importantly, ensure that the water that flows out of our houses, can be re-used at a later point.

We know Nairobi City County used to be known for its clean water and rivers. Today, Nairobi and Ngong' rivers are a pale shadow of their former selves. With the kind of pollution, industrial wastage and human waste that is being pumped into rivers, the

people living on the lower coastal region are suffering the consequences of our irresponsible behaviour in water use management.

Mr. Deputy Speaker, Sir, it is high time we came up with measures that would ensure every Kenyan, according to the Constitution, has access to clean water. We can only realise this if we also engage ourselves in prudent management of water resource.

I request my colleagues that as we go about our business in counties preaching the gospel of planting trees, we should also preach the gospel of using water prudently and ensuring that our water management is in conformity with Vision 2030, which requires that every home has access to clean water.

Mr. Deputy Speaker, Sir, as I sit down, I request my colleagues to support this Motion and to ensure that the gospel of intelligent water management system is being preached in every corner of this country. It is because it is our moral obligation to our country and to our future generations. It is our responsibility to ensure that the children of our children will have a sustainable environment.

As a Christian, the Bible tells me that an intelligent parent will ensure that he leaves inheritance for the children of his children. I would want this to be the inheritance that I will leave for the children of my children; ensuring that they have a sustainable environment where clean water is available.

I beg to move.

**The Deputy Speaker** (Sen. Kathuri): Who is seconding you?

**Sen. Wamatinga:** I request Sen. Cherarkey to second.

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

**Sen. Cherarkey:** Thank you, Mr. Deputy Speaker, Sir. As I rise to second, I congratulate the Mover of the Motion, Sen. Wamatinga, for this wonderful Motion.

After the Motion has been debated and passed, many people assume nothing gets done after our resolutions are adopted by the House. Most Senators have been arguing we should have an Implementation Committee to follow up on the resolutions of the House.

If you remember around three weeks ago on the Floor of the House, I moved a Motion on the issue of clean sports and rewards system. I am happy that after the resolution of the House, the President and the Government took what the Senate proposed. For example, yesterday the Government gave Ms. Faith Kipyegon, Kshs5 million and a house. It also awarded Mr. Ferdinand Omanyala Kshs2 million. Ms. Faith Kipyegon broke two records---

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, for the purpose of record, did we not pass as a House, that once an athlete wins, he or she should get a house and Kshs5 million so that also other Kenyans can---

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, I am also illustrating the Motion that I brought on the issue of sports. That one of the resolutions of the House was to review the rewards structure towards our sportsmen and women. Therefore, I am giving an example of what the Government did yesterday to confirm that if we resolved as a House through Sen. Wamatinga's Motion, on the issue of the intelligent--

**The Deputy Speaker** (Sen. Kathuri): Is that the set standard that everybody will be getting?

**Sen. Cherarkey:** I believe everything that President William Ruto says. I believe that is the standard.

In my own opinion, if you break a world record, you will get you Kshs5 million. If you break a second world record, you also get another Kshs5 million. For the purposes of the reward system for our sportsmen and women, it would be the best.

In the past, our sportsmen and women were only getting less than a Kshs1 million. It is like what President Museveni did. He used to give a house and car. If you were not also married, a wife or husband.

I wanted to confirm to the House because many people might imagine we are doing a talk show. Sen. Wamatinga has highlighted the challenges of accessibility and use of water. There are many resolutions.

I want to allay fears of our Members. This is because when we were sitting in the Members' Lounge many asked what would follow after the Motion has been resolved.

I am happy that a number of issues will be resolved, for example, the reinforcing of 'Sports Fund and others.

I want to congratulate and commend the Senator for Nyeri County, Sen. Wamatinga, for bringing this Motion. Water is one of the available resources. It is readily available but not so much again. That is the problem we have in the country.

Under Article 43, every Kenyan, under economic and social rights, has a right to clean and safe water. The demand for water in the county is high, especially in household needs. 70 per cent of water demand goes to agriculture. People like Sen. Mungatana, MGH, use irrigation to plant their food unlike us who use rainfed agriculture such as parts of Meru and Nandi counties. However, in Tana River County, you find out that the demand for water in households is 70 per cent. Therefore, we must be ready to implement Article 43 on economic and social rights.

When the President addresses the Joint Sitting and submits the progress report on the implementation of economic and social rights and any other form of rights as demanded by the Constitution, then we shall interrogate.

The average spending of water per household in Kenya is 1365 litres per week. There is a population of 53.5 million Kenyans across the world.

I have seen students in the Gallery. Some of us went to schools that were very cold. I am not saying that water was not available in the great Kapsabet Boys High School. For the record, it has produced the second and fifth Presidents of this country. We do not know whether it will produce the seventh. Moreover, because of the cold in Kapsabet Town and its environs, we used to do "passport". I am not encouraging our students to go in that direction. They should shower daily. During our time, some of us used to have a lot of allergies.

Somebody has said that when it rains in his county, the electricity also disappears. I do not know the relationship.

All of us live in Nairobi City County. According to the statistics that we have---

We are talking about Nairobi City County because it is our capital city. Therefore, building plans will ensure there is incorporation of water management systems.

I have seen the Senator for Murang'a County, Sen. Joe Nyutu. We had an issue with building a tunnel from his county to supply sufficient water to Nairobi City County.

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

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

The daily demand of water in Nairobi City County is 810 million litres and it gets 550 million litres per day. The deficit is 265 million litres. I am just using Nairobi City County as an example because it is the capital city and it is where most of us work and live. Therefore, there is still a big challenge in accessing clean water. We need to look at the quality of clean water.

I want to thank President Dr. William Ruto who has taken the initiative to clean rivers and the climate change action of planting trees. The quality of water is poor. There is a lot of Lead and Magnesium which will affect our health. It can increase the cases of cancer and other diseases.

We must look at the quality of water. Most of the diseases such as trypanosomiasis -the pronunciation is a bit complicated- and other diseases that are waterborne come from the quality of water.

Unfortunately, some of this water gets into our homes, the showers and what we drink. The issue of quality of water should be looked into.

I note the change of the Chair of the Speaker. Our colleague, the Senate Deputy Speaker was on the Chair and now, it is our Temporary Speaker, Sen. Abdul Haji.

Mr. Temporary Speaker, Sir, as a country, we are losing 430 million litres of water per year. It comes from pipe leakages and non-revenue water.

Even as our counterparts in the National Assembly discuss the Finance Bill 2023, we should look at why we are losing non-revenue water and the water tax. We should be taxing more to get revenue to fund our budget which is approaching Kshs3.6 trillion.

That is lost every day---

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

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

**Sen. Wafula:** Mr. Temporary Speaker, Sir, is it fair in the eyes of young pupils and Kenyans for a distinguished barrister of the House, to mislead us that by if our people drink bad water they get trypanosomiasis? This is a sleeping sickness transmitted by tsetse flies. Is it in order?

You are a cattle farmer, my distinguished friend. Tsetse flies live amongst your people.

*(Laughter)*

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Wafula, I remember Sen. Cherarkey stating that he was not sure of the exact name of the disease he was referring to. He stands guided by that.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, I would not say I am the owner of knowledge but he is saying that the tsetse flies live among my people. That is a dangerous statement. It should be struck out. I agree however, I used interchangeably used waterborne diseases.

**The Temporary Speaker** (Sen. Abdul Haji): Maybe, I can correct the Senator. Tsetse flies live among my people in Ijara Constituency. That I can confirm.

**Sen. Cherarkey:** In Nandi County, we do not have tsetse flies.

I thank you, Sen. Wafula, for that. It shows our colleagues are doing a good job and I commend that.

On the issue of non-revenue water, as I said, we lose 430 million litres per year through leakages and pipe bursts. This water is known as non-revenue water.

I thank Sen. Wamatinga. He has aptly put it on point.

We can tax the 430 million litres. However, we need to be careful as we tax water. By the time water is being harvested into a dam for distribution, it will cost about Kshs5 per litre. However, by the time it reaches the consumer, it will cost 150 times more the production cost of the water.

Water users have complained about water loss and we need to be careful. Have you noticed in this city and other parts of the country there is no day water bowsers are off the market? They can never be off the market as long as they sabotage accessibility of water to our homes. For instance, Nairobi County needs 810 million litres per day and we get 550 million litres per day resulting to a deficit of 260 million litre per day to our households. We need enforcement and protection of water. The water bowsers and vendors will not be off the market as long as there is no adequate access to clean and safe water.

I thank the Ministry of Interior and National Administration led by Sen. (Prof.) Kindiki. The Cabinet Secretary has formed a Water Protection Unit (WPU) in the police unit. The mandate of the unit is to protect the critical and key water installations in the country. They are like the Critical Infrastructure Protection Unit (CIPU) who protect strategic infrastructural installations within the Government.

I laud the Government and Sen. (Prof.) Kindiki for this innovation so that we do not lose 430 million litres through sabotage and leakages. The Water Protection Unit within the Ministry of Interior and National Administration will facilitate easy collection of revenue and tax for water.

Mr. Temporary Speaker, Sir, we need better access to water. I am happy that President (Dr.) William Ruto has insisted on food security and the issue of dams. My wish is that when I come to Garissa or Mandera counties and other parts of northern Kenya – our condolences and sympathies to the families who lost their loved ones because of the heinous acts of the cowards. These are cowards because they set an Improvised Explosive Device (IED) and hide for other people to die. My condolences and deepest sympathies to families and friends who have lost their loved ones through the tragic terrorist attack by cowards.

We have to make the northern Kenya productive. The future of this country is not in Nandi or Kisii counties but in northern Kenya. I am told that in Turkana County, we

have the largest aquifer that can supply water for 70 years. We should ensure there is access of water for animals and irrigation and this is how we can improve food security.

I am happy President (Dr.) William Ruto has ensured there are dams like Karimenu, Bosto Dam in Bomet where Commissioner Sen. Korir comes from. We have Chemususu Dam in Baringo County and a number of them in northern Kenya and across the country. The President has proposed that he is working on building 100 dams.

In Nandi County, we are lucky because we have revived the Keben Dam which will ensure that we have access to water in Kapsabet which is the headquarters of Nandi County and Lessos. We are happy that we have Keben Dam on course. We are happy that Kipkaren Dam is on course and will cost at least Kshs1.2 billion. This dam is next to my home and will supply water to Mosoriot, Kabiyet and other areas in Nandi North.

We have an ongoing sewerage and sanitation project around Nandi Hills. We also have the Kesses Dam which supplies water up to Lessos Ward, parts of Nandi Hills Constituency, Moi University and other areas. We should ensure everyone has access to water supply in their homes.

I see my time is far spent and we need to hear from colleagues. I was being told a story of a developer in this city that decided to develop sewerage, piping for water and build a septic tank. I do not want to mention the apartment in this city. They put a septic tank without a proper sewerage and sanitation process. We need to teach Kenyans on how to save water. Let us promote water quality and recycling.

Finally, I call upon the National Construction Authority (NCA) which is under the Ministry of Roads and Transport to check and ensure compliance as they approve the buildings and physical plans. Our enforcement agency is the NCA and they should check these buildings to ensure that the standards are met.

We are lucky that the Chairperson of Roads, Transportation and Housing Sen. Thang'wa, the Senator for Kiambu County, is here. Kiambu County is the worst affected by the issue of collapsing buildings. I know he has had conversations with the NCA to ensure that before approval of these buildings, standards are met. I hope the Chair and the Government can reconstitute the NCA because we are having problems in approval of the plans.

Old buildings like the Kenyatta International Convention Centre (KICC) where our offices are, has a lot of challenges. Most of the Senators will not tell you that there are no lights in the offices or water in some of the toilets. It is very dirty. We need to push for renovation and standard approval codes. Most of my colleagues are suffering in KICC because the management has decided to sleep on the job.

Looking at the way you are agreeing with me, I know you are also a victim. Even the corridors of KICC have no lights. It is good that the PSC Commissioner, Sen. Korir, is here. The PSC needs more funding to ensure that such issues are looked into. We are suffering in KICC and I hope yourself and your office can intervene so that we have good offices to ensure we dispense serious Motions, Statements and Bills since Senators are working in a good environment.

Mr. Temporary Speaker, Sir, with those remarks, I beg to Second and congratulate Sen. Wamatinga who has continually distinguished himself. I hope the



people of Nyeri are noticing how the Chairman of the Committee on Energy is overworking and delivering on his mandate in the Senate. We are proud of his work as the chairperson, Committee on Energy and on the Floor of the House.

I beg to second.

**The Temporary Speaker** (Sen. Abdul Haji): Thank you Sen. Cherarkey.

Sen. Mungatana, MGH, proceed.

Senators, my apologies. Let me propose the Question before we continue.

*(Question proposed)*

I, therefore, call upon the Senators to make their contributions. Proceed. Sen. Mungatana.

**Sen. Mungatana, MGH:** Mr. Temporary Speaker, Sir, I thank you very much for giving me this opportunity to make my comments on this Motion.

Those of us who come from Tana River and areas where water scarcity is a big problem, we stand with any person who talks about conservation of water resources because it is a precious commodity. I, therefore, want to stand to support this Motion that was brought by our chairman of the Energy Committee, Sen. Wamatinga and seconded by our very own Nandi warrior, Sen. Cherargei.

This Motion is a technical Motion. Nonetheless, it is really touching the issue that is affecting water distribution systems. We have valued a lot in this country, the petrol and oil distribution systems, but we have not valued water distribution systems. What this motion is asking is that, let us go back to the basics and let us give due attention to the systems of distribution of water like the way we do to the oil distribution.

Kenya Pipeline Corporation have a lot of investment in terms of intelligence in the management of leakages that can happen when the oil is being transmitted from one point to another. What this Motion is asking from the relevant authorities is that, let us borrow the intelligent systems of management. Just like the way they have done to the oil industry, they should do the same and apply the same technology, if not better, for water, because water is life. Water should have been, in fact, prioritized as opposed to putting so much in oil transportation and distribution as opposed to water.

As we are speaking now, a lot of water is wasted when it is being moved from one point to another. The result of that is that we have shortages all over, not just in Nairobi, but even in the distribution systems within our counties, such as Tana River County.

Time has come, through this Motion, to urge the relevant authorities that they should now apply their sense in putting up proper systems of management of the pipeline and waters. This is so that when water is moving from one point to another, we are able to get the full quality and value of that water when it reaches the destination point.

Mr. Temporary Speaker, Sir, intelligence technology can be applied from one point to another. Sensors can be put so that water is not lost. In case there is leakage, water leakage is detected in good time and it is corrected so that the leakages are not wasted.

If these leakages that are occurring in all the pipelines in Kenya are taken care of, we will save a lot of water and money. We want to urge the authorities that are involved to start the system of intelligence and water management within the distribution systems.

I also urge that through this Motion, proper education on conservation of water should be carried out. In Kiswahili they say: “*Mtoto umleavyo ndivyo akuavyo*”. In other words, the interpretation is that as you bring up the child, so shall he or she be.

Our children in schools are taught to wash hands during break time when they go for the physical activity (PE) and when they go to use the washrooms. However, they are not told to wash hands with conservation in their minds.

Schools in Kenya do not have intelligent water systems. You find a tap is running and you have 100 students who have gone for break to take tea or something.

*(Sen. Cherargei stood up from his place)*

Mr. Temporary Speaker, Sir, maybe you can protect me from Sen. Cherargei who is moving around and distracting other Senators.

What I am trying to say is that you have in primary schools one tap that is running and children have gone out for break and they have been taught that you need to wash your hands before break, after break or during lunchtime and after lunchtime. So, you have a tap there running on and on in the dining hall.

Why? They have been taught half the education. Their education has been given by their teachers and tutors to the extent that you need to wash your hands. However, they have not been told that you need to conserve water. Therefore, this education ought to be carried out. Massive education in water conservation should be carried out.

It even happens in our houses. We have not taught our children on conservation of water especially to our beautiful young daughters. They enter showers and that is when they start singing, dancing and water is just running. You ask: “Mummy, why are you not finishing to shower?” She says I am coming out and they continue to shower. It is because even as parents, we have failed to teach our children how to manage and conserve water.

There is lack of conservation education for water even in our families. We are praying that through this Motion, this education on conservation of water shall be carried out. Parents who are listening to your Senators from Kenya and elsewhere, that we shall teach our children, teachers and tutors, owners of institution of educations, not only in primary school but in the secondary schools and institutions of higher learning should teach education of water conservation so that we are able to save water for the future. We need to have a behavioural change amongst the population of Kenya.

If you go to some of our areas like in Tana River County, during the dry season, you will find someone using a simple gourd or a bottle of water to take care of a whole family. They are very good at conserving water because of the scarcity. However, when the rains come, people use the water “just like that”.

I think one of the issues that this Motion should seek is to educate and underline the importance of education, behavioural and cultural change, especially within the urban

areas. We need to change our behaviour as Kenyans on how we use our water so that we can be able to save more.

This Motion is calling on building costs to incorporate in them the requirement for intelligent water management systems. What does that mean? It means the Architectural Association of Kenya, if you are drawing your structures and those water engineers and so on; everybody that is involved in putting up structures and the Government Authorities, please tell your clients that they must incur that extra cost so that we can save water for our future generation.

Mr. Temporary Speaker, Sir, if you go to some of the high-end hotels, when put out your hands under the tap it immediately senses and water flows out. When you remove your hand, the water stops flowing. That is what we are talking about on intelligent management of water system so that this system is incorporated in every building.

Mr. Temporary Speaker, Sir, we want to see designers implementing this Motion in the affordable housing programme that the President is championing. We want them to put up systems that will save water because it all starts with the Government. That is why this Motion states that Government buildings should also be renovated to include systems of intelligence in the management of water because the wastage is too much.

Wastages in Government offices is excessive. Technology can be applied to help create systems that will help to save and conserve water because it is a scarce commodity. I truly thank Sen. Wamatinga for coming up with this crucial Motion.

Mr. Temporary Speaker, Sir, I want to address one of the fears that Sen. Cherargei spoke about. We have said that Motions passed in this House will carry some consequences for officers who will not implement them. That is why I moved a Bill which we are almost finalizing.

It was passed yesterday in the Committee of the Whole. It will come for the Third Reading and we are going to push it until it becomes law. Motions passed by this House and the National Assembly will be charged to responsible officers. If the responsible officer does not implement it, then penal consequences shall follow them.

Even Committees on Implementation will become irrelevant because with this one, the Clerk of the National Assembly or the Clerk of the Senate will write to the responsible officers and tell them that the Senate has pronounced itself that from today, building codes must incorporate intelligent water management systems.

We need this to be incorporated and I hope they are listening. Going forward, once that Bill becomes law, then a Government officer approving building codes will be held liable for any failure to apply what this Senate has resolved. This is important. It is not for Sen. Wamatinga but for our nation.

Our nation needs to conserve water. We need to inculcate in our children and all of us the need to conserve water in every place and shower less. In fact, I support 'passport' showering.

Sen. Cherargei said that during cold seasons in Kapsabet High School, they would just enter the bathroom and come out. I want to confess that in Alliance High School, we used to practice water conservation during cold season, not because we wanted, but

because of the weather. We would just jump in the bathroom for a minute then jump out and we are here. We used to be clean.

Therefore, I do not think people should be showering for many hours, while singing praise songs. You can praise God outside the shower. This culture needs to be inculcated into the people so that we can save water.

Mr. Temporary Speaker, Sir, this Motion ought to be supported by every Member of this House who gets an opportunity to speak to it. The people of Tana River and I support it.

I thank you for giving me an opportunity to contribute.

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senators, I will interrupt the debate to make a communication.

*(Interruption of debate on the Motion)*

### COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM MOI GIRLS HIGH SCHOOL,  
NAIROBI CITY COUNTY

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senators, in the Public Gallery, we have 90 students accompanied by 2 teachers from Moi Girls High School in Nairobi City County, who are in the Senate on an education tour.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them, and on behalf of the Senate and on my own behalf wish them a fruitful visit.

I thank you.

*(Applause)*

Sen. Cherargei, kindly take a minute to welcome them.

**Sen. Cherargei:** Mr. Temporary Speaker, Sir, I join you on behalf of my colleagues to welcome our beautiful girls from Moi Girls High School. Their performance has been exceptional.

They are lucky to be in the Chamber when we are discussing a critical Motion on water. I hope we are not encouraging them to be taking 'passport' showers as Sen. Mungatana has alluded to.

We love you and wish you well. We want you to succeed and we are praying for you. You are the future of this nation. You are lucky because you study in the Capital City of the Republic of Kenya.

When you go back to school, pass our greetings to the principal, your parents and everybody else. Assure them that the Senate will always ensure that the issue of education is given top priority. All the best and God bless you.

I thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru, you can also welcome them.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I am always glad to see wonderful schools visiting us because some people like Sen. Cherargei are soon leaving the stage and therefore the future of this country is actually seated here. We really appreciate your coming to learn.

This is also the time you are looking at the future and your careers. One of the best places to be is in public service. Sometimes it is difficult for young ladies to envision themselves in politics because of discrimination.

Since time immemorial, ladies have not been getting opportunities in the public service. I can assure you that we are lucky in Kenya because we have the Senate which provides opportunities to wonderful people.

In this House, we have got amazing women Senators who are doing great work in this country. We have got Sen. Miraj over there, who is a great leader and a fantastic contributor to debates in this House. I wish you came when the House is full, so that you see amazing women who are doing a great job.

We wish you well in your visit. If you get a chance, interact with women Senators. Try to avoid Sen. Cherargei and Sen. Mungatana because I do not think they like cleanliness as much. They are using the issue of scarcity as an excuse of not being clean. Therefore, you might get wrong advice.

I hope you enjoy being in the Senate. We wish you well in your future endeavours.

Thank you so much.

**The Temporary Speaker** (Sen. Abdul Haji): We will resume debate. I notice that Sen. Thang'wa is the next speaker. Maybe you can also take a minute to welcome them since you are from a neighbouring county.

**Sen. Thang'wa:** As I contribute to the Motion?

**The Temporary Speaker** (Sen. Abdul Haji): Yes.

*(Resumption of debate on the Motion)*

**Sen. Thang'wa:** My name is Karungo wa Thang'wa, the Senator for the neighbouring Kiambu County. I take this opportunity to welcome the students from Moi Girls High School in Nairobi. You are in the right place.

You are lucky that your teachers saw it fit for you to come and see the place where decisions about running this country are made. We make right decisions not only for you but also for everybody in this Republic of Kenya. Welcome.

As Senators have said, of course they are not telling you not to shower. What they are exactly saying is that we should conserve water.

Mr. Temporary Speaker, Sir, by saying that, I support this Motion. To support the point of misuse of water, in 2009, the former President of Venezuela known as Hugo Chávez banned singing in showers in his country. He told people not to sing because the more you sing, you can take 30 minutes or an hour while water is running. He said that

three minutes are enough for you to be done. I do not know whether we will go that direction.

This Motion is asking us about three issues; optimize water use, reduce wastage and promote efficient water management. This Motion could not have come at the right time. This is the right time when the country is about to roll out the affordable housing.

If all the suggestions and recommendations by the Senate are put in place, it can be incorporated in the plans for the affordable housing where the President of this Republic is planning to build about 200,000 house units every year. You can imagine if all those buildings have all these intelligent systems as a way of preserving water.

Mr. Temporary Speaker, Sir, as much as we want this, we also caution the governors. That as much as we want this to be incorporated, it should not be used against the contractors who in many counties, are not able to get the approvals in time. We should not look like we are adding another impediment. All we have to do is ensure that once it is incorporated, it is used, allowed and is for the benefit of those who are building the structures.

I happen to be a Member of the Committee on County Public Investments (CPIC). All the audit reports that have been presented in front of the Committee, all those water companies in the Republic of Kenya have one common issue which is non-revenue water. They say there are leakages, people are doing illegal connections and they are losing a lot of water because of lack of using intelligent systems in running these water companies.

Although we have also come to learn that non-revenue water is also a leeway for those water companies to loot and steal. When they charge for water and the audit reports are done, they cannot tell where that water went. Of course, it tells you that probably, they have stolen the money that they charged the unsuspecting users.

For us to avoid those companies stealing public money and the water from leakages, this Motion, if well put in place and the mandated department comes up with the right policy, I believe we are going to save a lot when it comes to leakages and loss of water.

Mr. Temporary Speaker, Sir, I happened to visit Israel when I was a Member of County Assembly (MCA) some time back. They recycle even water that has been used in toilets. It goes underground for about 400 days. By the time it comes out, it is clean water and some people drink it.

However, I am not telling people to drink that water. I would not even trust that process for now. That the water that is used to flush toilets comes back to me for me to drink? No, I would not support that.

Nonetheless, what they did for people who are a bit sceptical such as myself is that in your house, you have two water pipes. One is white, the other purple. The white one is clean water that is coming from the source- natural water. The purple one is recycled water. That tells you, you can use it to wash your clothes or to clean. Still, if you want to drink it, it is okay but they are giving you that opportunity.

We can borrow a leaf from such a country that has put a lot of investment in recycling water. For people to understand what it means to have water scarcity, that is

why I was proposing the holidays amendment Act. Nowadays, they are calling me *Seneta wa sherehe* or *Seneta wa ma-holidays*.

I was proposing that for people to have enough time to visit other counties in this country. You go to Marsabit, Wajir or those landlocked counties and you see what they go through to get water.

We have just been told by the Senator for Tana River County that water scarcity is an issue in that county. If you do not visit those places, you might not understand what those people are going through.

It is also part of education and awareness in our schools. Let them visit those places and see what people are going through so that whenever somebody has been given an opportunity to use water, they will use it knowing that somebody somewhere is having a water shortage.

Mr. Temporary Speaker, Sir, Sen. Wamatinga said even when you are brushing your teeth, by the time you brush the upper, lower, left and right jaw, the water is running. Sometimes, educate people. When you are brushing, first, turn off the water then when you are done, you can run the water. It is small things that require culture change, awareness and education.

As I sit, we were arguing here with the Senator of Bungoma County over the statement that water is life. A litre of water at the supermarkets goes for Kshs100. We want to say water is life and a fundamental right for any human being, yet it is costlier than a litre of petrol for those people who drive. It is also something we need to check as a country whether we should do a lot of subsidies so that clean water can be available for everyone.

If you look at those water bowsers that go to Kibera and some places in Kiambu County where there is no water, a jerrycan of about 20 litres is from Kshs20 to Kshs50. That means a litre is about Kshs3.

If our people are drinking that water that is going for about Kshs3 or Kshs4 a litre, why can the same water not be on the shelves so that we can have the same water our people are drinking? Not to have water that is for upper class and for lower class.

These are some of the things that we need to discuss as a country so that we can bring equality and equity among our people especially when it comes to water.

I support the Motion.

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

**Sen. Abass:** Mr. Temporary Speaker, Sir, I beg to support the Motion. Having intelligent systems for water management is a very crucial thing in this country. This is a country that is water scarce.

If you go to most parts of the country, there is no water available. Especially in Nairobi City County, now as it is, the city is growing and we are depending mainly on water bowsers. Of course, we do not know how safe that water is, but we believe that our bowser owners will give us safe water.

However, the best system is to have piped water everywhere you go. If you go to most of the cities, you see very clean rivers flowing across. The water is purified. There are systems that have been put in place to at least get clean water right from the source.

Currently, if you see what is going on in Nairobi City County through the rivers flowing, it is more or less sewage. The same water is being used by many people in Kiambu County who cannot afford water for domestic use.

Mr. Temporary Speaker, Sir, it is necessary to have systems that can purify and conserve water. If you go to homes, as you have seen it, water is wasted so much, and we do not even have the water itself. In Nairobi City County, most people are now drilling boreholes.

We are debating on the underground water. So, the subsidised water is actually depleted, it is scarce and we are cutting all our trees. It is the trees that are helping to at least give us a better environment. The water that flows through the forest gets purified by the trees. Carbon dioxide is being released and water becomes clean.

Therefore, if you have this system there, we will be able to have clean water in place. Apart from not having intelligent systems, we do not have the water now. Water is becoming a problem in this country.

If you go to my place, we are making water tracks after every three months. This time, we had very good rainfall, but we did not have water harvesting. The water drains to the oceans and seas. There were no conservative measures.

It is not only having intelligent systems for water use but also water conservation. We need to conserve rainwater. We need to have water harvesting systems for every building so that at least we can be able to minimize the water that we are using from water sources and rivers. If you have big tanks, we can capture the raindrops, we will be having more water in Nairobi.

As it is, water is life. We need to incorporate it into our curriculum in schools. We must be able to teach our young ones the essence of having and conserving water. It is not only having the systems but also conservation. Water harvesting is a very important thing.

I know we have a water harvesting institution, one of the parastatals but I do not know what they normally do. Everybody should be compelled to harvest water in his/her house. If you do not do that, then this country will not be able to have sufficient water and we cannot be able to sustain ourselves.

Mr. Temporary Speaker, Sir, one other thing that I have been hearing is that in most developed countries, people do not waste water. Even the sewage water is being recycled. Sewage water is being recycled and used for other domestic uses. I am told China uses it even for drinking.

I think this country has a problem. We have the plan, the system, and the knowledge. The problem is, the programs for implementing water harvesting, purification, and systems are not in place. As a result, we are having water scarcity very soon.

You know how things are in Northern Kenya. There are many animals that died because of lack of water. We are using irrigation, but we do not take care of our irrigation systems. We just waste a lot of water. There are a lot of runoffs. It is high time that we conserve water. For us to have proper water intelligence systems, it should be conditional and we should be compelled.



I commend Sen. Wamatinga, he is a water expert engineer. You need this to become a Bill and be adopted. It must be mandatory for every household and institution to harvest their own water and have at least a water reservoir. Water should be purified and we have the intelligence of water use. The system can be used to know the amount of water being used in every household and then there should be a penalty for water misuse.

With those few remarks, I beg to support.

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

Sen. Omogeni, you may have the Floor.

**Sen. Omogeni:** Thank you, Mr. Temporary Speaker, Sir. I rise to support this Motion by my good friend, Sen. Wamatinga. If you travel to many countries, water is a security matter. If you go to Spain, where they store water is a security zone. You cannot even fly over that region. This is because countries appreciate that without water there is no life. If we have no water, there is no life.

You know the agreements around the Nile Basin among the nine counties that share the River Nile. If you threaten the source of the River Nile with even pollution, it can be an act of war. That is how important water is to many countries. Therefore, when a Motion like this is brought to the Floor, it is a matter that we should take very seriously.

I thank Sen. Wamatinga for thinking about this matter and bringing it to the attention of the House.

Mr. Temporary Speaker, Sir, if you started your professional career in Nairobi, you know what water scarcity can subject you to. People who live in this city, in many of the residential areas including renowned estates such as Umoja, some parts of Donholm and Dandora, have intermittent shortages of water. At times, they go for one week with no water. You ask yourself, these are not people living in the rural areas where there are rivers to go and draw water. They get water from vendors but you really cannot vouch for the safety of that water.

When we talk about the issue of ensuring that everybody who resides in Nairobi should get water, it is actually a human rights issue. I fully support the issue that has been brought to the Floor with the following contribution.

Mr. Temporary Speaker, Sir, first, the Government must stop this idea of not supporting water companies. For Example, in Nairobi, the company that is serving Nairobi does not get any financial support from Government. If you read the current budget, you will see that there is no budgetary allocation to support Nairobi Water Company.

The last time we had support for water in Nairobi in terms of dam supply and the like, was in 1980 when the population of Nairobi was 2.3 million. As we speak today, we are doing 5.6 million, and yet we expect Nairobi Water and Sewerage Company to enhance water supply using the revenue that they collect. It is not possible. This is a matter that we should highlight as Senate.

The last time we discussed this matter in the last session, the requirement for Nairobi River to regenerate the sewer lines in Nairobi so that you kill this issue you have raised on this Motion of pollution, they need Kshs19 billion. How can we as a Government not be able to give Nairobi Water and Sewerage Company Kshs19 billion to

ensure that they connect everybody to the sewer line so that we deal with this issue of pollution? They have made that request.

They told us that some of the pipes supplying water and maybe that is what you take, were laid down in the city in 1932 by a *mzungu*. Up to today, those are the same pipes that are supplying water to the residents of Nairobi. All they need is just Kshs10 billion so that they can regenerate those pipes and what you get in your respective houses is not polluted. They told us that some of these pipes have cracks and the sewer breaks. They then run through some of these areas where they pass through and they end up going to the pipes that supply you water. When the water comes to your house, it is already polluted.

The problem with the Nairobi River is because of broken sewer lines. The sewer breaks and it finds its way to the Nairobi River. That is why the Nairobi River is one of the most polluted rivers around. We really must urge the Government to set aside funds to support the Nairobi Water Company which is taking care of 5.6 million Kenyans so that we can have clean water in our houses.

If you go to other countries in Europe, you are told tap water is safe and you can drink it. If you go to Australia, they tell you, you do not need to buy bottled mineral water, you draw clean water from the tap, drink it and you are okay. If you try that in this country, you will be knocked down by typhoid and other water-borne diseases.

This is a matter that honestly speaking, should prick the consciousness of the Government of the day so that we give Nairobi Water and Sewerage Company the monkey they need. In totality, it is just Kshs29 billion and you have a healthy population, clean water, and a sewer that is working and serving.

It may not serve everybody but a good number of Nairobians will have sewer connection.

Mr. Temporary Speaker, Sir, imagine if you live in these estates that I have mentioned, like Umoja and you get water once a week. You live in a flat where you get water supply once a week on a Sunday and maybe at night. Where do you even store the water because you live in an apartment? You do not even have open space where you can put a tank. We need to care about these underprivileged members within our society, so that they also enjoy the independence that we got from the *Mzungu* in the 1960s.

I cannot agree more with the proposals that have been made on water recycling. The plumbing system should have a component of water recycling. The Senator for Kiambu County mentioned that he travelled to Israel. I am told in Israel, when you flush water in a toilet, it is recycled and re-used. They minimise any water wastage. You will be surprised that it is a desert, but they still use the same water for irrigation and they supply fruits to many countries.

I fully support that we need to do something on plumbing works so that that the component of recycling is incorporated to minimise water wastage. When you flush your toilet, that water should serve another purpose.

Finally, we created a body that is supposed to take care of our environment, but it is doing very little. There are many people who are doing illegal businesses such as washing cars next to rivers and discharging oil to the river. This is happening yet the

National Environment Management Authority (NEMA) and the Nairobi City County Government are doing nothing.

We are polluting these rivers knowing that there is somebody downstream who is depending on that water for household use. We are being very insensitive. I hope that at the opportune time, we will also put these bodies to task. NEMA should tell us what they are lacking. They get financial allocation every budget cycle. What are they doing? The Nairobi City County Government gives approval of buildings. However, if you walk along Kirichwa Kubwa River, people have built almost to the bank of the River. The riparian area has now become a private property and that is not right.

I support this Motion by Sen. Wamatinga. I am sure we are all supporting it. I hope that once we pass it, the Government will pick it up and put in place some measures that will address the issues raised in this Motion.

I support.

**The Temporary Speaker** (Sen. Abdul Haji): Senators, I again interrupt debate to give a Communication from the Chair.

*(Interruption of debate on Motion)*

### COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM ST. HANNAH'S  
SECONDARY SCHOOL, NAIROBI CITY COUNTY

Hon. Senators, in the Public Gallery, we have 72 students from St. Hannah's Secondary School in Nairobi City County. They are accompanied by six teachers who are in the Senate on an education tour.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and on my own behalf, I wish them a fruitful visit.

Thank you.

*(Applause)*

Sen. Thang'wa, I do not know if you will welcome them as the neighbouring County.

**Sen. Thang'wa:** Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity.

As you have rightly said, I am the Senator for Kiambu County. I call myself the miracle Senator. I welcome the students to come and see how we deliberate in this House. This is where decisions running this country are made. We make laws that are assented to by the President and when we do so, they come into effect.

I know many people ask whether this is the Upper or Lower House. It is the Senate that is mandated to represent counties and protect the interest of the 47 counties and their governments. We welcome you and thank you for visiting.

I also thank their teachers for giving them an opportunity to come and see how we interact. We are not like the other empty side. This is the Government side and the other is the Opposition side. They can see that, at least, the people in Government are working.

Thank you and welcome.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mungatana, do you wish to welcome the students?

**Sen. Mungatana, MGH:** Yes. Mr. Temporary Speaker, Sir

**The Temporary Speaker** (Sen. Abdul Haji): Take a minute.

**Sen. Mungatana, MGH:** Mr. Temporary Speaker, Sir, my two daughters, Hafsa Mungatana and Amara Mungatana passed through that school. So, I have an attachment with it. Right now, I have a little girl in Primary School by the name Arianna Mungatana.

It is a good school and has done very well. It has trained very good students. St. Hannah's should keep up. We are working hard. They should keep up the spirit. When they come out, they should join us. I hope some of them will become Senators and will come to help build this country.

Thank you.

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

**Sen. Oketch Gicheru:** Thank you, Mr. Temporary Speaker, Sir. Through you, I take a minute of my time to welcome the students from St. Hannah's School into this House. We love to see students in this House.

My name is Sen. Oketch Gicheru. I am the Senator for Migori County. I am sure Migori County has some students in your school as well. My County has a high affinity for learning towards good schools like yours. These students are the future of our country.

Some of us here like Sen. Mungatana, are soon leaving the stage for people like you to come and fill in. So, enjoy this space. The Senate is the Upper House and we do not have the battles you see in the National Assembly on who is superior than the other. We are a House of good reason.

Today, all of us are not in because one of our staffer passed on and most of the Senators have gone to that funeral. Next time, you will get all of us. It is good that you have come when we are debating the important matter of conservation.

**The Temporary Speaker** (Sen. Abdul Haji): Thank you, Senator. We resume debate now.

*(Resumption of debate on the Motion)*

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, today we are debating what Sen. Wamatinga has brought on the Floor about water conservation and how we can improve our housing code by making sure that, as we build new houses in the country, we have faucets or plumbing systems that can ensure that we conserve water.

This is an important Motion. I congratulate Sen. Wamatinga for bringing it to the Floor because of what we see in the country today. There are three areas I want to talk about.

The first one is the national housing code which has not been changed for a long time. This debate makes me start thinking creatively on whether Sen. Wamatinga can consider some amendments that can compel a total overhaul of our national housing code which allows free tendering on plumbing fixtures.

We have almost a free market where you can choose low flow plumbing fixtures such as shower heads, faucets and flush valves that can ordinarily save water. It is more of the issue of the national housing code that needs to be looked at.

This Motion comes at a time when the national Government is relinquishing some water companies from national bodies to county management offices.

Mr. Temporary Speaker, Sir, I am in the County Public Investments Accounts and Special Funds (CPIC), together with my sister, Sen. Miraj here.

One of the things we have been dealing with here is the issue of water management. When you look at what is happening with these water bodies and water company such as what Sen. Omogeni was talking of; the one constant issue we have been fighting about with Governors and the Managing Directors (MD) managing water bodies and companies which have been transferred to the counties, is the issue of non-revenue water.

Almost 60 per cent of the causative factors of non-revenue water is physical losses. Losses around metering, plumbing and piping systems and ratification that does not allow conservation to happen. Look at how our oil pipelines are managed; we have serious smart meters that can detect when oil leakages are happening in our pipeline systems. If you are to rank the importance of the water commodity *vis-à-vis* oil, you shall rank water very highly.

It is a high time we start thinking about our entire metering systems; only those limited to housing but also the component of rectification of water systems across the county and national in construction in such a way that we allow these innovative brilliant proposals by Sen. Wamatinga, to ensure these kinds of plumbing fixtures are created in our systems. Make it a requirement almost like an omnibus Bill that will also ensure climate change action and conservation is done to the maximum.

This is a straightforward Motion that we should not even belabor about. We should just give Sen. Wamatinga, a pat on the back with serious support such as what I am doing now. Congratulations my brother, we are very proud of you. Your county should also be very proud for coming up with this kind of an intervention to help us conserve water.

I can assure you that if this was to be implemented, even if I have not done the statistical analysis; I am sure we can save up to 45 per cent of the water usages we are seeing in the counties today. I support and congratulate the Senator for bringing this on the Floor.

I thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Thank you Senator. Sen. Wafula proceed.

**Sen. Wafula:** Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to contribute to my senior brother's presentation in the House today. In the

villages where we come from, it is sad to see women waking up very early in the morning, at 3.00 a.m., with jerrycans and pots on their heads, leaving behind their conjugal and entertainment roles to go fetch water downstream many kilometers away. This is because the Government has failed to step forward and minimize turmoil that ably talented men ought to be enjoying. Members are laughing but it is a serious matter out here

*(Laughter)*

*(Sen. Oketch Gicheru spoke off record)*

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

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

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, we are in a very progressive country. I am rising under Standing Order No. 105, which is about substantiating statements. Is the Senator for Bungoma County, Sen. Wafula in order to suggest that all women in our country who are waking up every day in the morning to go and struggle to get water would only be doing the opposite; conjugal entertainment? Is this in order? Does it not border on some sexy statement that does not honor women in our country? Can he substantiate that statistic with respect to women in this country?

**Sen. Wafula:** Mr. Temporary Speaker, Sir, I believe they are things which can be naturally explained by virtue of existing in this world.

Matters of water are very serious today. In the last Government we had the Big Four Agenda where the Government was pumping billions of shillings in dams and connecting water. However, at the end of the day, the biggest matter that was not tackled was conservation and prudent use of water. This is a matter that my senior Sen. Wamatinga has brought on the table. Government must ensure that any infrastructure be it in medical, tourism and sports fields that any internal or external developer is investing in there is necessary infrastructure to ensure we conserve and prudently use water and therefore, be able to meet the expectations of Kenyans in terms of prudent use and availability of water.

It was sad that in this country we devoted ourselves to continuously remind God that we need water, rain and our crops to flourish; yet when the rains came, Kenyans and the Government in particular did not do anything in regard to conserving and tapping the water for future use.

This is why Sen. Wamatinga has done us proud. This Motion when adopted will ensure that as we pass the budget according to the will of the people, Government will be proactive to ensure what we are legislating on the Floor of the House is implemented and make Kenya a country where people live in peace. Those of them who want to do nocturnal entertainment, irrigation or water sports can do that prudently.

I, therefore, support the process and the Motion.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Murgor, proceed. Sorry, Sen. Murgor, I have a Communication to make.

*(Interruption of debate on the Motion)*

### COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM ELGON  
VIEW COLLEGE, KISII COUNTY

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senators, in the Public Gallery we have 20 students accompanied by two lecturers from Elgon View College Kisii Campus in Kisii County who are in the Senate on an education tour.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and on my own behalf wish them a fruitful visit.

I thank you. Sen. Murgor.

*(Resumption of debate on the Motion)*

**Sen. Murgor:** Thank you, Mr. Temporary Speaker, Sir. I join my colleagues in congratulating Sen. Wamatinga. Water is life as has been said by others. A large percentage of the human body is composed of water rather than blood. Water is life in that when one is lacking water, it has to be added into the body so that a person is brought back to life. Since water is life ---

**The Temporary Speaker** (Sen. Abdul Haji): Order. Sen. Murgor, you will have 19 minutes to continue with your contribution when the Motion is next in the Order Paper.

### ADJOURNMENT

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senators, it is now 1.00 p.m. time to adjourn the Senate. The Senate, therefore, stands adjourned until today, Wednesday, 14<sup>th</sup> June, 2023 at 2.30 p.m.

The Senate rose at 1.00 p.m.