

**PARLIAMENT OF KENYA****THE SENATE****THE HANSARD****Wednesday, 15<sup>th</sup> November, 2023****Morning Sitting**

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

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

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

**The Temporary Speaker** (Sen. Wakili Sigei): Clerk, could you confirm if we have the quorum to begin the Sitting?

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

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

*(The Quorum Bell was rung)*

**The Temporary Speaker** (Sen. Wakili Sigei): I am informed that we now have quorum. Clerk-at-the-Table, call the next Order?

*(Loud consultations)*

*(Sen. (Dr.) Khalwale stood up in his place)*

Sen. (Dr.) Khalwale, please, resume your seat.  
Clerk, proceed.

**NOTICE OF MOTION****EXTENSION OF MANDATE OF *AD HOC* COMMITTEE ON  
COMPENSATION TO VICTIMS OF USA EMBASSY 1998 BOMBING**

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, the Motion on the extension of the mandate of the *Ad Hoc* Committee on the compensation of the Kenyan Victims of the 1998 bombing of the United States of America Embassy in Nairobi is by Sen. Kavindu Muthama. Any Member of that Committee?

Clerk, we can defer this.

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

Please, call the next Order.

For purposes of proceeding, we will re-arrange the Order Paper because we have one Cabinet Secretary present. I am informed that the Cabinet Secretary for Tourism and Wildlife is present.

*(Sen. Chute spoke off record)*

Once we are done with the Notice of Motion that Sen. Chute will give on behalf of Sen. Kavindu Muthama, we will re-arrange the Order Paper to deal with the questions to the Cabinet Secretary, who is already present in the Chamber.

Sen. Chute, take the Floor.

**Sen. Chute:** Thank you, Mr. Temporary Speaker, Sir. I beg to give Notice of the following Motion -

THAT, AWARE that at the Sitting of the Senate held on Thursday, 27th June, 2023, the Senate, resolved to establish an *Ad Hoc* Committee to investigate the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy in Nairobi and report back to the House within three months of its establishment;

REALIZING that the extension period of 45 days of the tenure of the *Ad Hoc* Committee lapsed on 10th November, 2023, yet the Committee has a lot of work to execute to conclude in conducting the enquiry;

NOW, THEREFORE, the Senate resolves to renew the mandate of the *Ad Hoc* Committee for a further period one hundred (100) days from 10th November, 2023, to enable the Committee to finalize and table its report in the Senate on or before 18th February, 2024.

Thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Chute, you have not called out someone to second your Motion.

*(Sen. Chute spoke off record)*

Clerk, proceed to the next Order.

## QUESTIONS AND STATEMENTS

### QUESTIONS

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, as earlier stated, we have the Cabinet Secretary for Tourism and Wildlife present in the Chamber. He is being ushered in. We will begin with that.

*(The Cabinet Secretary for Tourism and Wildlife,  
Dr. Alfred Mutua, was ushered into the Chamber)*

The first Question is by Sen. (Dr.) Murango from Kirinyaga County. Sen. (Dr.) Murango has delegated the Question to someone else. That is Question 57 on the Order Paper.

Hon. Cabinet Secretary, welcome to the Senate together with your team. I would like to appreciate you for taking your time to respond to our invitation to answer to questions. This is part of the mandate of this House, to ensure services are delivered to Kenyans by the relevant ministries. In this case, we have one question by Sen. (Dr.) Murango from Kirinyaga County, but Sen. Wamatinga will proceed to ask the Question to the Cabinet Secretary.

#### *Question No.057*

#### HUMAN-WILDLIFE CONFLICT IN KIRINYAGA COUNTY

**Sen. Wamatinga:** Thank you, Mr. Temporary Speaker, Sir. I am holding brief for Sen. (Dr.) Murango of Kirinyaga County.

(a) Could the Cabinet Secretary provide a report of all cases of human-wildlife conflict from Kirinyaga Central Constituency, in Kirinyaga County?

(b) When will the defective electric fence, which allows wild animals from Mt. Kenya Forest to cross over into Kiandaka, Giatatha and Kwa Eliud Villages in Kirinyaga Counties, where they attack people and destroy property, be repaired?

(c) When will the Government pay compensation for loss of life, injuries and property damages resulting from the human-wildlife conflicts in Kirinyaga Central Constituency?

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

Hon. Cabinet Secretary (CS), I will invite you to respond to the Question and thereafter, if there are any additional or supplementary questions from Members, you will also be at liberty to do so.

I am aware and would like to acknowledge the fact that you had already received your written response. Therefore, I believe your response will be within the context of your response and additional information, where necessary, will be provided.

Please, proceed.

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**The Cabinet Secretary for Tourism and Wildlife** (Hon. (Dr.) Mutua): Thank you, Mr. Temporary Speaker, Sir and hon. Members. I am happy to be here. It is the first time that I am coming to the Senate to answer a Question as the Cabinet Secretary for Tourism and Wildlife. This is a very important forum.

For the first Question, I would like to respond as follows-

From January 2013 to date, a total of 14 human-wildlife conflict cases have been reported to Kenya Wildlife Service (KWS), as indicated in the attached Table One. All the incidents were attended, damage assessed and compensation claims forms issued, awaiting their recommendation for payment by the Kirinyaga Community Wildlife Conservation Committee.

Mr. Temporary Speaker, Sir, Table One has the 14 various names and incidents.

For the second Question, about the defective electric fence, I would like to respond as follows-

The Kenya Wildlife Service has procured two batteries and a solar panel and they are in the process of fixing them to enhance enough voltage along the affected fenceline. However, vandalism of the electric fence has been the main challenge. The fence has been effective in managing wildlife encroachment up until July, 2023 when the Gikumbu battery and solar panel were stolen by some members of the public.

In reference to the last part of the Question about the payment of compensation for loss of life, injuries and property damage, I reply as follows-

In the current human-wildlife conflict compensation disbursement, 17 individuals from Kirinyaga County have benefited from allocated funds of Kshs1.4 million, and these are as indicated in Table Two, attached.

Another seven members who are not in the list, comprising of three human injuries, three crop destruction and property damage, have also been approved at a value of Kshs1.418 million and will be funded as indicated also in table three attached.

Thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. CS, I thank you for your concise response to those particular questions. As the tradition of this House, Sen. Wamatinga, if you have any supplementary question to the hon. CS, it is your opportunity to ask for the CS to respond. Thereafter, I will allow hon. Members with supplementary questions, and in particular, related to the primary Question that the Hon. CS had been invited to respond to this morning.

Sen. Wamatinga, you may ask your supplementary question.

**Sen. Wamatinga:** Thank you, Mr. Temporary Speaker, Sir. I would wish to give colleagues a chance to ask the questions, then I will ask mine towards the end.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Wambua, please proceed.

**Sen. Wambua:** Thank you, Mr. Temporary Speaker, Sir, for this opportunity. The CS said that this is a first time for him to appear before the Senate to engage in this manner. It is also my first time to engage with a CS after the court ruling the other day. So, I beg your indulgence if I am off the track. You know, we are just learning these things.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Wambua, I have guided you accordingly. Your supplementary questions to the CS should be within the confines of the

primary Question that came he to answer, but that does not mean that you also do not inquire what the CS can respond to you this morning.

**Sen. Wambua:** Mr. Temporary Speaker, Sir, the beauty of it is that you are dealing with a fast learner. I am guided.

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

**Sen. Wambua:** Mr. Temporary Speaker, Sir, on the matter of human-wildlife conflict, it is a shame that 60 years after Independence, we are still grappling with the basics of the issue of human-wildlife conflict.

Mr. Temporary Speaker, Sir, I have a case in point. Two weeks ago, in a ward called Tharaka in Kitui County, we lost a schoolgirl to a snake bite. The agony of the loss is that she was bitten by a Black Mamba, and in the list of the animals which would attract compensation from Government, Black Mamba is not listed. So, in essence, that girl is lost and that is it. There is nothing we can do about that. We have a lot of Black Mambas in Kitui County and they are very aggressive snakes. Our people are dying out of snake bites from Black Mamba. However, the excuse given by the KWS and the Government is that there is no provision for compensation if you are bitten by a Black Mamba. What is the Ministry doing to address this issue?

Lastly, I saw the CS the other day in my county helping with planting trees. The bigger the vegetation, the more the infestation by Black Mambas. So, after he has done something that will attract more Black Mambas in Kitui County, what are they going to do to ensure that if our people are bitten by that snake, they are compensated? I think I have done well for the first time.

**The Temporary Speaker (Sen. Wakili Sigei):** You have. I wanted to remind you that you are only entitled to ask one question. I thought your second was a question. However, as you said, you are a fast learner. The first question will be dealt with by the CS.

Hon. Members and CS, I have a good number of Members who want to ask questions. I will request that we take three questions, so that you answer them in sequence rather than taking on and off.

So, I will invite Sen. Mundigi to take the Floor.

**Sen. Mundigi:** Bw. Spika wa Muda, swali langu kwa *Cabinet Secretary* ni kuwa katika Kaunti ya Embu kuna *game reserve* inaitwa Mwea *Game Reserve* ambayo iko na ndovu karibu 250. Wakati wa kiangazi, pale kuna mto unaitwa Thiba. Ndovu walivuka wakaenda Mavuria *Ward* na wengine wakaenda wadi za Mwea na Makima.

Wakati wananchi walipiga kelele, hakuna hatua yoyote ilichukuliwa kwa sababu wale *game rangers* walisema hakuna mahali wale ndovu watapelekwa mpaka wangoje waamrishwe. Ilichukuwa karibu miezi miwili ama mitatu na wakasumbua watu sana.

Bw. Waziri, naomba kujua ni hatua gani utachukua ili mvua ikipungua wasiweze kuenda kusumbua watu tena. Baadaye, walichukuliwa na magari wakapelekwa. Ili hayo mambo yasifanyike katika Mbeere South, katika Embu *County*, utachukua hatua gani? Pia, hapo hakuna hata simba mmoja kwa hiyo *game reserve*.

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

I would like to ask Sen. Maanzo to proceed.

**Sen. Maanzo:** Thank you, Mr. Temporary Speaker, Sir. I had brought a request for a Question much earlier in relation to human-wildlife conflict in Makueni County. Recently, the CS visited Masongaleni. As soon as he left, the elephants attacked people.

What is he doing about the illegal conservancies neighbouring Makueni County, which have not been approved by Kenya Wildlife Service (KWS)? They are the ones that are allowing animals to cross to Kibwezi East and Makueni to terrorize people. In fact, quite a number of people have died. What is he doing about the compensation of the injured people and the crops, which have been destroyed?

Finally, in relation to the same, you promised to extend the fence within a month. When are you going to do this because the month is over and there is no effort? From my knowledge of Government and Parliament, there has to be a budget before you extend the fence. Where is that budget and how much is it?

I thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Cabinet Secretary, you may respond to those three questions, so that we can take the next batch of questions from Members.

Very well, proceed.

**The Cabinet Secretary for Tourism and Wildlife** (Hon. (Dr.) Mutua): Thank you, Mr. Temporary Speaker, Sir and hon. Members, for the very insightful questions. Let me start with the question from the Senator of Kitui County, Sen. Wambua, the quick learner.

*Mheshimiwa*, the loss of life due to snakebites is quite sad. I lived in Australia, a country that has the top 10 most poisonous snakes in the world, where you find that in a year, they can go with no recorded case of a person dying as a result of a snakebite.

It breaks my heart to hear of the girl who has died of a Black Mamba bite, whose venom kills you within half an hour if unattended to. The challenge we are facing in the country is that for a long time, we have not instituted systems of prevention and treatment. You will find that there is no anti-venom in many places. In Kenya, we do not produce any snake anti-venom. It all comes from South Africa, India, Europe and other countries. The COVID-19 pandemic taught us that it was very important to be self-sufficient.

One of the first duties that I have made, was to go to a research institute and centre in Naivasha. We have started the process, together with others, to produce our own snake anti-venom in this country.

There should be in every health centre, which is within 10-kilometre distance of everybody in this country, snake anti-venom with a properly trained person who can take care of that. Many people die from snakebites because of lack of treatment on time.

Snakes do not have to kill you if you get treated on time. If it is a cobra, you have six hours; Puff Adder, you have got quite a number of hours and for Black Mamba, depending on your age, you have 30 minutes to two hours. So, if there is good system, which we are putting into place with the Ministry of Health, we hope we will be able to take care of this.

On the question about compensation for snakebites, these were part of law and schedule of compensation claims. This was removed in 2018 as a result of fraud that was existing because people were falsely claiming to have been bitten by poisonous snakes.

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Therefore, the mandate still lies with the hon. Senator and other legislators. If you put it back, then we can pay. As you know, the Government operates on the basis of rules and the rule of law. It is very clear that snakebites are not compensated by the Government.

Mr. Temporary Speaker, Sir, on the second question, by Sen. Munyi Mundigi from Embu, ameuliza swali kuhusu shida ya ndovu. Amesema kuna ndovu 250 ambao wako eneo hilo na ndovu wanne walitoka hivi majuzi.

Ningependa kumwambia ya kwamba sisi tunashirikiana sana. Utakuta ya kwamba Mwea *Game Reserve* ni *reserve*. Inamaanisha ya kwamba inatawaliwa na serikali ya Kaunti ya Embu. Kwa hivyo, sio National Park kama yetu.

Ijapokuwa tuko na Kenya Wildlife Service (KWS) ambayo inahudumia wanyama wote katika nchi yetu ya Kenya, tunataka tuwe na ushirikiano. Kwa hivyo ile *management* ya Mwea *Game Reserve* inapaswa kuwa na *rangers* ambao watasaidia katika hizi shida peke yake.

Ukisikia kuwa watu walisema hawana njia, nguvu, amri ama uwezo wa kwenda kuondoa wale ndovu, usifikiri ni kwa sababu sio kazi yao, bali ni kwa sababu hawatoshi. Tuko na upungufu wa vijana na wasichana ambao tungependa wawe wanafanya kazi kwa KWS.

Hivi majuzi Rais wetu alikubali kwamba tuweze kuajiri vijana wengine karibu 1,500, wengi kutoka National Youth Service (NYS) ndipo tuweze kuongeza ile idadi ya wafanyikazi, ili ukihitaji msaada siku inayokuja tuwe na watu wanaoweza kukuhudumia. Kenya Wildlife Service (KWS) inahudumia wanyama wote waliomo katika *game reserve* ama nje.

Tunafanya mambo mawili. Tunaangalia mambo ya *fencing* ili tuweze kuweka wanyama wanapopaswa kuwa, ambayo nita itaja nikijibu swali nililoulizwa na Mheshimiwa kutoka Kaunti ya Makueni.

Jambo la pili ni kuwa tuna mpango wetu wa kuchimba bwawa na *water pans* tofauti mahali ndovu wako. Hii ni kwa sababu kulikuwa na ukame uliosababisha ndovu kutoka. Kwa hiyo tutawachimbia maji yao na mimea yao, ili wakae kwao bila kuja mahali wananchi wako.

Hon. Temporary Speaker, Sir, on the third question asked by the Senator of Makueni County, my good friend, Sen. Maanzo, about the wildlife conflict, I visited Makueni just a few weeks ago. I visited the home of a man who had been killed by an elephant.

For the record purpose, it was quite heartbreaking. His wife told me that she was in the market and she heard that an elephant was near their area and had killed somebody. She knew her husband had left that morning to go somewhere else and was to come back in the evening.

So, when she was done with everything, she went home, so that she could warn her husband that there was a rogue elephant around. When she got home, she found that people were waiting for her, and it was her husband who had been killed by the elephant.

It is a real problem. We need to separate the animals from the people by fencing. Already, we have a budget of Kshs50 million for fencing in that area. I am about to add another Kshs100 million in part of our deployment of funding from our Ministry, so that we have Kshs150 million.

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Concerning the process, as you know, the Government procurement processes, I am waiting to receive the Bills of Quantities (BQs) for the fencing today and tomorrow, and we shall be advertising by early next week and by the beginning of next year, early January, if not late December.

When the procurement system has been done properly, we will initiate the process of fencing very many areas in our country. I am also going to look at how we can add more money in the supplementary budget and other sources. We want to work with other organizations to help us to fund this process.

Lastly, there was a question about conservancies working without approval. I will get my officers to look into that, because we should not have any conservancies working without an approval.

I do not know whether they are the ones who let the elephants come out. However, I know that we are looking at how we can moderate between fencing in the animals and also ensuring that the wildlife corridors are also protected because animals at times need to move from one place to another see their relatives and to feed.

Thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, hon. Cabinet Secretary. We will take the second batch of questions.

I invite Sen. (Dr.) Lelegwe Ltumbesi.

**Sen. (Dr.) Lelegwe Ltumbesi:** Thank you, Mr. Temporary Speaker, Sir. The Senate or Parliament is aware of a report that is in the Ministry, which has a list of victims spanning over 10 years, that have not been compensated. This report has been tabled at the Senate Standing Committee on Land, Environment and Natural Resources.

We are not aware whether this report has been fully implemented, as indicated. So, my specific question to the Cabinet Secretary is, can he provide a confirmation regarding the full payment of all approved compensation cases spanning over 10 years to the victims or the beneficiaries contained in that report?

Mr. Temporary Speaker, Sir, most of our communities are not aware---

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. (Dr.) Lelegwe, I believe that you have already asked your question or do you want to explain?

**Sen. (Dr.) Lelegwe:** No, Mr. Temporary Speaker, Sir. I want to ask a second question.

**The Temporary Speaker** (Sen. Wakili Sigei): I believe you have already asked your question. Please, take your seat.

Sen. Dullo, you have the Floor.

**Sen. Dullo:** Thank you, Mr. Temporary Speaker, Sir. Speaker. I will ask a question on compensation, especially on the Big Five. I am speaking on behalf of the people of Isiolo. Over the years, Kenya Wildlife Service (KWS) and the Ministry are only compensating people who have been killed or attacked by the Big Five.

As I am speaking right now, there are many pending cases. Two weeks ago, we lost a young man from a place called Gafarsa in Isiolo County. These people are not paid and the payment is taking forever. So, can the Cabinet Secretary tell us when he is planning to pay the pending bills?

Mr. Temporary Speaker, Sir, I wish I could be given another opportunity to ask another question.

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I thank you.

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

Sen. (Dr.) Khalwale, you may proceed.

**Sen. (Dr.) Khalwale:** Thank you, Mr. Temporary Speaker, Sir. Allow me to congratulate the Cabinet Secretary on his arrival at the new Ministry. I wish him success.

Hon. CS, traditionally, for over a 100 years, tourism in this country has meant the Big Five and our beautiful beaches at the Coast. Could you tell the Senate and the whole country what plans you have put in place and how much money you have committed to ensure that we exploit the potential of tourism beyond the Big Five and the beaches at the Coast, so that the potential of the Kit-Mikayi in Nyanza, the crying-stone, Ikhongo Murwe in Kakamega, bullfighting, Kakamega Forest, Mt. Elgon Forest, Mwibale stone in Bungoma and the rich history in Trans Nzoia of the settlement, can also be a product that can expand the income from tourism?

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. CS, you may now respond to that second part of the three questions.

**The Cabinet Secretary for Tourism and Wildlife** (Hon. (Dr.) Mutua): Thank you, Mr. Temporary Speaker, Sir, and Hon. Members for your good questions.

Let me start with a question by the Hon. Senator of Samburu County, Sen. (Dr.) Lelegwe, about the list of who has been funded over the last 10 years. We have not been compensating people because after COVID-19 in 2020, we have not done proper verification to know who needs to be compensated.

The last verification was done up to 2020 for Kshs5.7billion. We have not paid anything since that time. The first payment was done this year of Kshs908 million.

As we stand here, I have Kshs1.1 billion available to be paid off, which I plan to pay as quickly as possible. I am planning to find through other sources an additional Kshs1.5 billion, if the National Treasury agrees.

We have written to them a letter and have some money sitting somewhere. If they agree to another additional Kshs1.5 billion, that will bring us to Kshs2.6 billion in this Financial Year to pay people.

We still have a shortfall of Kshs3.1 billion that is not available. That is just up to 2020. We are not talking about 2021, 2022 and up to date, 2023. We may need an additional Kshs2 billion in addition to the shortfall of Kshs3.1 billion. So, if this House can help us get another Kshs5 billion, we will be able to compensate everyone. I am also changing the way the system is run; to ensure there is a faster response system and no fraud.

The Senator of Samburu County will be happy to note that we have compensated the people of Samburu, who have been injured to the tune of Kshs39.14 million, since last year to date. So, we are continuing to compensate.

Mr. Temporary Speaker, Sir, in terms of a list of all the areas that will be compensated, I have a booklet here that has a list of Kshs900 million payment criteria by county and the various people who are paid and the monies that were transferred into the bank accounts.

I table it.

**The Temporary Speaker** (Sen. Wakili Sigei): Clerk, please, approach the Chair.

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

**The Cabinet Secretary for Tourism and Wildlife** (Hon. (Dr.) Mutua): On the second question by the Senator of Isiolo County about people who are killed and not paid, I think I have answered that question in the first question. This is because we are going through the process of paying. We have exhausted the Kshs908 million. We have Kshs1.1 billion and we are now starting the process of making payment. My condolences to the family of the young person who was killed.

Payment has been taking forever because of lack of funding, but you will be happy to note that in the last payment, the people of Isiolo County have been compensated to the tune of over Kshs23 million.

Mr. Temporary Speaker, Sir, to the last very brilliant question from Sen. (Dr.) Khalwale about expanding tourism, it is quite unfortunate. I totally agree with him that our products have been the same. It has always been the beach, the animals and the curios, which have remained the same. We have not even added anything.

The iPhone, Samsung and the Nokia have changed over the years. The curios that we sell are the same ones that our great-grandmothers were selling to tourists in the 1960s and 1950s. We have not evolved and we wonder why other markets are taking over.

So, we have a very elaborate plan under the Kenya Kwanza Government. I am very clear that we have to expand the products that we are selling. I will be traversing this country beginning either December or early January. I am going to visit all 47 counties. I am going to sit down with the governors and the elected leaders of those counties to discuss circuits on what they have to offer.

I have already had meetings with the different stakeholders, that is, the tour agencies, the hoteliers and the promoters of tourism. We have agreed that we have to come up with new circuits for Kenya. We cannot just be selling the same products.

The population that is going around the world now is young. They want adventure, music, entertainment, to climb and see new things and not just what their mothers and their fathers saw. So, we also have to adapt to the times. We need to have hiking, climbing programmes and adventure.

One of the things that I am thinking about is transforming some of our areas like Kilifi, for example, which was identified by Vision 2030 as a resort area. We look at Kilifi, Malindi, Watamu to be the Miami of Kenya. That is where the entertainment of Africa is. That is where the music comes. Let us bring those young people here. When they come there, we also transport them to Trans Nzoia, so that they see something there.

We have so much to offer in this country. I was the Governor of Machakos. In Machakos, there is the hill where water flows upwards. It is like a miracle. You put your car on neutral on a hill, the car goes upwards instead of downwards. The world should be flocking to Machakos County to see that. We have not had a concerted effort. I am going to put a concerted effort to promote what each county has.

Mr. Temporary Speaker, Sir, as I finish, we talk about Kenya being the cradle of humanity. In Turkana County is where the bones of the so-called first person was found and we have not marketed that place. As the Cabinet Secretary for Tourism and Wildlife,

it is a low-hanging fruit. We need to improve the airstrip, put up a small museum and let people come and see where they came from. We are going to provide opportunities.

For example, areas where all these tourists can come, we give them boots, coats, they pay for them, a small brush, they kneel and start doing some archaeological work, looking for their relatives and ancestors. We need to be creative in the way we do things.

I assure this House that we are going to change the way tourism is looked at. There is so much money out there. Countries like Greece are receiving 20 million tourists this year. Spain is looking at 60 million. The Bahamas, which is smaller than the Nairobi City County, is receiving seven to nine million tourists, expected to be 10 million this year. We are talking about 1.9 million in Kenya. This has to change. We have to grow the numbers and the value of the tourists.

The animals are important; they are the magnet. Let the animals and beaches bring them here, but let us spread the money across the country.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. CS, when you were responding, I noticed that Sen. (Dr.) Khalwale could not believe the miracle that you said about the Ngelani Hills. I must admit that I experienced this a week ago when we had gone to Ngelani for a Petition that was filed by Sen. Kavindu Muthama.

I challenge Sen. Kavindu Muthama as well as the area Member of Parliament (MP) to document that because it is true what the hon. Cabinet Secretary (CS) has said. Place your car on neutral and instead of going downhill, it goes uphill. Whether it is a miracle or science, it is something worth documenting for purposes of expanding the territories and experiences we can have in this country. Hon. CS, it is one of the low-hanging ones that you can begin to work on.

Sen. Mumma, I will give you an opportunity to ask the next question for the CS to respond.

**Sen. Mumma:** Hon. CS, welcome to the Senate. My question is about human-wildlife conflict with monkeys. Many areas in the country are suffering from this. I am aware of places in Kisumu, Siaya, Makueni and Nairobi City counties. My worry is that we seem to be pre-occupied with compensation as the solution to the human-wildlife conflict.

Is it possible for your Ministry to collaborate with the Ministry of Environment, Climate Change and Forestry to ensure that in our wilds and forests, we include the planting of fruit trees and foods within the forest in order to keep animals like monkeys within the forest?

Hon. CS, you will agree with me that all the monkeys want is to have some food. However, because of the expansion of the human settlement, we have displaced animals and, as a result, the conflict is inevitable. If we are only thinking of compensation and not ways of keeping those animals within the wild, then we would never resolve this issue. Is it possible to think out of the box and enable that?

Like what happened on Monday, we could have planted lots of fruits trees within the forests in order to keep the animals there.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, when granted an opportunity, go straight to the question, so that we can keep time and enable the CS to respond to the specific areas of concern.

Sen. Gataya Mo Fire, please, proceed.

**Sen. Gataya Mo Fire:** Mr. Temporary Speaker, Sir, I am seeking to know from the Cabinet Secretary whether he is aware of an international cultural event dubbed Ura Cultural Festival in Tharaka-Nithi County. It is celebrated yearly between August and September, which attracts quite a number of people, including both local and international tourists.

I remember one time your Ministry promised to give this facility, where the exercise is being conducted, a facelift. The place is dusty and neglected. It is a serious event that can attract both local and international foreigners.

In the 2020/2021 event, your Ministry promised to give Kshs10 million to this facility to give it a facelift. Up to now, we have not seen anything being done to make sure this place is given the standard that it requires. Could you be in a position to tell people from Tharaka-Nithi and this House what the Ministry is doing to make sure that this important facility is given a facelift?

In a rejoinder to that question, recently, the Meru National Park was fenced, but we are still experiencing a lot of influx from the local animals, which are causing a lot of conflict between the park and the locals. The same park is being used as a conduit for bandits. When animals are stolen from Tharaka-Nithi County, the same park is being used to transport them, yet it is a Government facility.

People from Tharaka-Nithi County would want to know whether your Ministry is aware that Meru National Park is quite a number of times used as a conduit to transport stolen animals.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Mwaruma, please, proceed.

**Sen. Mwaruma:** Mr. Temporary Speaker, Sir, I would like to seek clarification from the CS on which law is being implemented. In 2018, the National Assembly attempted to change the Wildlife Management Act, 2013. There were two things that were amended.

The first one was removing the snake from the schedule of animals for compensation. The second one was changing of the composition of the County Wildlife Conservation Committees.

Initially, the Wildlife Conservation Committee was chaired by an eminent person, who is knowledgeable in matters conservation. It was changed to have the County Commissioner to chair the county wildlife conservation committees. Those two items were in that amendment for 2018 that was done by National Assembly, but the National Assembly did not seek concurrence with the Senate---

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Mwaruma, I am afraid I have to stop you there. The question has already been asked. Allow the Hon. CS to respond. We need to make progress.

Lastly, I will allow Sen. Chute, so that you can respond to that batch of questions and we move on.

**Sen. Chute:** Mr. Temporary Speaker, Sir, I had an opportunity to visit Kenya Wildlife Services (KWS) headquarters yesterday. This is in relation to a *mzee* from Marsabit County who died three weeks ago. He had crop destruction and had been waiting for this compensation for the last nine years. I was surprised to note that there are many approvals for compensation that are awaiting payment from the National Treasury.

Secondly, there are many claims at the county level awaiting committee verification for payment. What I want to ask the Hon. Cabinet Secretary is the many claims that are being expected at the county need your approval. What are you going to do or how soon are you going to convene these committees to verify the compensation for the people of Marsabit County?

Thank you, very much.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Chute. Hon. Cabinet Secretary, you may proceed to answer those questions.

**The Cabinet Secretary for Tourism and Wildlife** (Hon. (Dr) Mutua): Thank you, Mr. Temporary Speaker Sir, for the questions. I will start with the question by Sen. Mumma. It is always good to hear because not very many people stand and speak for the rights of monkeys. I thank you for that. I think it is a brilliant idea to plant fruit trees, including mangoes and others so that we can also supply the animals with the food that they need. It is something that I am going to look at because we are looking at mitigation areas even as we open up other areas.

We are looking at those wildlife corridors and dispersed areas. We have a report that we are compiling to look at how we can be able to live with those animals. Sometimes those monkeys transfer from one area to another area and then we block where they pass through. As a result, they are not able to move from one area where there is food to another during the drought.

As a result of that, they end up in our *shambas*. We are looking at all that so we could also advise. It is a big challenge throughout the country in terms of blocking of corridor areas of animals. At times animals just want to pass and go their way, but then they find a house, a farm and people where they are not supposed to be and, therefore, accidents happen. However, thank you, for those ideas hon. Senator. I really appreciate them and we will implement them very fast.

The Senator and good friend from Tharaka-Nithi asked about the cultural event. Yes, last year, the Cabinet Secretary attended that function. Monies that were promised; I can promise you in this House that next week, I have a meeting and I will make sure that the money is allocated and that is done. I will also work closely with the governor to ensure that we also share resources so that we can do a good job. I will be visiting Tharaka-Nithi as one of my first stops to look at what we can do in terms of tourism.

Regarding your question about Meru National Park; yes, I am aware of some of the challenges. You are aware hon. Senator because you know there were security operations there just the other day of bandits and people using that as a corridor and we are working on it because we are able to erect the fence and go in and go out. At times they are going in fattening the animals and moving further. However, it is something that I am aware of and we are taking care of it together with other State agencies.

Thank you, my good friend, Sen. Mwaruma for the question about the amendment. As you know it is the 2018 amendment and as you have said it is right about the removal of the snakes and the wildlife committee. I however have a question that was sent also to me by the other House about the same issue. I think it is more of a technical issue and I am not able to answer at this time. It is a technical issue between the Senate and the National Assembly in terms of those things that need to be taken care of.

Housekeeping to be done by this and the other House. However, it is a good point that you are making.

My good friend from Marsabit - my condolences for the loss of the *mzee* who passed away despite waiting for all those years without being paid - that is the story everywhere. It breaks my heart. Families, even people die and they stay for years without compensation. Their families live in poverty. The deceased were the breadwinners and they have never been compensated. It is actually a big problem.

I request you, as you pointed out in your Statement, you can also intervene with the National Treasury so that they also understand the importance of this issue because it is a matter of life and death. Just like you are buying medicine for people; just like we are doing other important things, compensation is critical especially when people have lost their lives or have been maimed and they cannot continue and I would like to be able to pay everyone.

I would like to confirm to this House that the committee verification has already started and is ongoing. I will be able to pay the Kshs1.1 billion very quickly without any delays as long as the National Treasury will give us that money. I have Kshs1.5 billion sitting somewhere. If the National Treasury approves that money, we are available to start paying even tomorrow. However, we are yet to get the necessary approval. With a bit of flexing your muscles in this House, we will be able to move forward.

Thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Hon. Cabinet Secretary. We will take the last batch of questions. I will begin with Sen. Mungatana.

**Sen. Mungatana, MGH:** Asante sana Bw. Spika wa Muda kwa kunipa nafasi. Swali langu ni fupi. Kule kwetu Tana River tuko na shida kubwa sana ya wanyama. Kwanza nataka Waziri aifanye priority. Afanye safari tupange akuje awasikize wananchi vile Tana River tunaumia. Watu wanakufa sana.

Lakini, swali langu ni hili: Ni mipango gani ambayo Waziri ako nayo kuongeza askari wa Kenya Wildlife Service (KWS)? Mara nyingi hawa ndio huwa wanatusaidia, lakini ukiangalia, wamepunguzwa kabisa. Ukiangalia sehemu ya Delta, hapa kati kati Tana River Sub County, ukiangalia Tana North Sub County, wamepungua badala ya kuongezeka na shida zetu zinazidi kuongezeka.

Je, Waziri, ni mipango gani ambayo uko nayo kutuongezea wasimamizi wa wanyama wa pori katika gatuzi ndogo la Tana River?

Asante.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Mbugua, you may proceed.

**Sen. Mbugua:** Thank you, Mr. Temporary Speaker, Sir. With your indulgence, I will request the Cabinet Secretary to appraise this House on the reports of harassment by visitors at the Jomo Kenyatta International Airport (JKIA), what effect it has had on tourism and what the Government is doing to alleviate the situation?

I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cheptumo.

**Sen. Cheptumo:** Thank you, Mr. Temporary Speaker, Sir. In Baringo County there is a game reserve called Lake Kapnorok Game Reserve. There has been serious conflict between the residents of that area and the wildlife in that game reserve. I wanted to know from the Cabinet Secretary, because sometimes some of the game reserves

provide pastures for livestock within those areas, sometimes because of the conflict between the wildlife and the residents, there is a lot of inhuman harassment of the residents of that area.

I want to know from the CS if it is possible for his Ministry to have a Memorandum of Understanding (MoU) between the game reserve management and the people so that during the dry season, people are allowed to graze in the game reserves.

The game reserves are a resource within our communities and I think the conflict should be managed in a manner that there should be some understanding, so that the locals can be allowed to graze with the understanding that that is an important resource for them.

Is the Ministry able to engage communities under MoUs and allow people to graze in the game reserves with an understanding?

**The Temporary Speaker** (Sen. Wakili Sigei): Lastly, Sen. Tobiko.

**Sen. Tobiko:** Mr. Temporary Speaker, Sir, I am glad to hear that the Ministry is now going to do dams and water pans at the park areas because this has been the biggest contributing factor to the human-wildlife conflict as the wildlife get out of the parks to get water from the private and communal water pans.

I believe that if a lot of water pans and dams are done at the park areas, that will lessen the human-wildlife conflict in our areas.

Mr. Temporary Speaker, Sir, we have areas where the human-wildlife conflict is really a major issue and has stopped children from going to schools in our county around Kiboko areas, Poka Kenyawa Ward. It is a big issue.

The second thing is about the snakes. I know we are not allowed to kill the snakes. Nonetheless, even if there was compensation, which is not there on snake bites, it is natural when you see a snake, you imagine that it will bite and kill.

I want the CS to note that the truth is that we are killing snakes because we come from places where the Puff Adders and the Black Mambas are all over and it is a natural instinct from human beings. If you see a snake, you kill it.

In fact, I am ready to offer those who harvest the poison from the snakes a place in my home, so that they can capture the snakes and get the poison that they use to make the anti-venom because this is a daily occurrence in our places. The Puff Adders and Black Mambas are so many.

Mr. Temporary Speaker, Sir, my last contribution,---

**The Speaker** (Sen. Wakili Sigei): Actually, Sen. Tobiko, I had given you an opportunity to ask the Cabinet Secretary a question, but I have notice you have commented.

**Sen. Tobiko:** Allow me to do the last bit, Mr. Temporary Speaker, Sir.

**The Speaker** (Sen. Wakili Sigei): In the course of making your comment, you have confessed to the killing of snakes on a daily basis. Kindly, close on your comment, so that the CS can answer.

**Sen. Tobiko:** Mr. Temporary Speaker, Sir, let me close this way; I have been wondering why the Kenya Wildlife Service (KWS) does not take time to do an awareness campaign within the communities that live with wildlife. This is so that when I see a Black Mamba, I know how to behave and when someone sees an elephant or a hyena, they know how to behave.

Sometimes, people kill these animals because they do not know how to escape from them. You do not know if this animal may be harmless or not. I am sure if KWS was to do an awareness creation campaign within the communities or even be teaching the children in schools on the various behaviours of animals and how they should be handled, I am sure we would be able to reduce the human-wildlife conflict.

I thank you.

**The Speaker** (Sen. Wakili Sigei): Hon. Cabinet Secretary, before you respond, I have a Communication to make.

*(Interruption of Question Time)*

### COMMUNICATION FROM THE CHAIR

#### VISITING DELEGATION FROM RIARA INTERNATIONAL SCHOOL, NAIROBI CITY COUNTY

Hon. Senators, in the Public Gallery, we have 45 students accompanied by four teachers from Riara International School in Nairobi City County, who are on an education visit to the Senate.

Hon. Senators, 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 behalf, wish them a fruitful visit.

I thank you.

I will ask Sen. (Dr.) Khalwale, to welcome them in the Senate, under one minute.

**Sen. (Dr.) Khalwale:** Thank you, Mr. Temporary Speaker, Sir, for the privilege to acknowledge our children. Riara Schools have made a very big contribution to the education of this nation. I, therefore, wish to welcome the young people plus their teachers and assure them that as we sit down here in the Chamber, their round faces remind us of God's message that the world will never come to an end.

In the coming days, some of them will be in this House, in the other House, in our County Assemblies, they will be doctors like me, lawyers like you, teachers like many and so on and so forth.

We wish you well and all the children of Kenya who are now sitting for their exams, we wish you good luck.

I thank you.

**The Speaker** (Sen. Wakili Sigei): Thank you, Sen. (Dr.) Khalwale. Hon. Cabinet Secretary, you may respond now to that last batch of Questions from the hon. Members.

*(Resumption of Question Time)*

**The Cabinet Secretary for Tourism and Wildlife** (Hon. (Dr.) Mutua): Thank you, Mr. Temporary Speaker, Sir. I also want to acknowledge the students who are here from Riara. I remember my days as a student visiting different areas where we got a lot of interest and we learnt correct things.

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Nianze na swali la Mheshimiwa Mungatana kutoka kwa ndugu zetu wa Tana River kuhusu shida ambayo imetokea kule kwa sababu ya upungufu wa wasimamizi wa wanyama pori. Ningependa kumwambia kwamba, shida ambayo tumekuwa nayo ni upungufu wa watu wa kutosha. Hivi sasa Rais wetu ametupatia ruhusa ya kuweza kuwaajiri watu wapya; karibu 1,500 ambao ni wasimamizi wa wanyama pori.

Kwa hivyo, tutaanza kuwaajiri hivi karibuni. Tutatangaza na wengi tutawatoa kule kwa National Youth Service ndipo waweze kuwa ukiitana, wako hapo na wanaweza kukuhudumia kwa njia ambayo inafaa. Tukipata hela zaidi, tunaweza kuwaongeza wengine.

Ningependa pia kukuarifu ya kwamba, kuna shida tofauti katika upande wa Tana River kwa sababu ya ule uhusiano ama kuishi karibu na wanyama na pia katika zile shida ambazo zimewakumba, na sio mamba pekee yake.

Hata hivyo, tayari katika muhula ambao umepita na ambao unaendelea, tumelipa Kshs77 milioni kwa wale ambao wameathiriwa katika Kaunti ya Tana River.

Moving on to the second question about harassment of tourists and visitors at Jomo Kenya International Airport (JKIA), it is a real concern that I have spoken about.

I would like to inform this House that the former Senator, the CS for Roads and Transport, held a very important meeting with his team. He has initiated procedures and changes that will be undertaken to make sure that the airport is operating properly in many ways, from its physical perspective to the way the operations run, and to the ways the visitors are received.

We are working closely together as one team of Government under the Kenya Kwanza Government. We are going to ensure that this does not happen. Definitely, when people feel harassed, there is a problem.

I was telling the Commissioner General of Kenya Revenue Authority (KRA), that he always has to look at the bigger picture. Most of us when we were growing up, we were given the duty of running after the chicken so that we could capture the chicken whenever we had a visitor, so that it could be slaughtered.

One could run all over and try to capture the chicken. Nonetheless, at times we saw what our fathers did. Instead of running after the chicken, they could just use maize. By dropping a seed of maize, one after the other and the chicken would peck it and get closer and then it could be captured. You do not calculate the cost of the chicken because of the cost of the maize. If you concentrate on the maize seeds, you lose the bigger chicken. I was trying to tell them that at times you may want people to be charged for this and that, but let us look at the bigger picture.

Furthermore, I realized that they have been harassing people who do not need to be harassed. I was there just the other day as I was travelling. I saw them stop a lady who just had her two old phones in her bag and they made her open her bag. What is the deal about having two or three phones? Are you not allowed to have two or three phones?

It is different if you are carrying a package of phone to sell as you need to pay duty. If you are carrying your own individual phones and they can tell they are not in a package, why do you even need to stop the person to verify that?

There is a lot of education that needs to go to our people that we are working together to be able to raise enough revenue. Nonetheless, work is being implemented and the future is bright.

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On the question about Baringo, it is good to note that we cannot just allow domestic animals to go and graze in game reserves. That is why they are set as game reserves. We know there is that challenge where people need to go and get fodder and all that.

Therefore, we have entered into agreement with several counties such as Mbeere Conservancy, Shimba Hills Conservancy and South Kitui Conservancy about how to use some of these things. However, there is also the danger of diseases.

As you know, Kenya wants to place itself as a big marketer of beef to the world. If we start mixing livestock with wild animals, there is a danger of transfer of diseases. Therefore, we can get to a place where all exports from Kenya are banned and we lose money.

Mr. Temporary Speaker, Sir, those diseases can be transferred to animals, we eat them, fall sick and we die. It is important to keep the wild animals separate from the domestic animals. However, we can look at entering into an agreement with the game reserve in Baringo. I want to let the hon. Member of the Senate know that this year we paid Kshs40 million in terms of compensation to the people of Baringo.

Lastly on the question from Sen. Tobiko, *jirani mwema* from Kajiado. It is good to say that we had a Senator here who spoke on behalf of the monkeys. We have had a Senator speak on behalf of snakes. It is true that education and awareness are key. Many people do not know how to identify animals, dangerous and non-dangerous snakes. They also do not know how to deal with them.

It is good to note that only 33 percent of snakes in Kenya are poisonous and 66 percent are not. Unfortunately, they do not have a uniform like the students of Riara Primary School where you can tell these ones are from here or there and these are poisonous or not. We can educate people on how to keep away from snakes. For example, people need to know that when you have chicken in your household, you are inviting snakes to go there. You are more in danger of getting snakes in your household because they come for eggs and the chicks. Put chicken away from your household.

They can also put water in buckets and make water areas for snakes away from their houses. *Nyoka zinapindukia huko, zinakunywa maji, zinaenda mbali*. They should also look at the stores where they put their maize by ensuring that it is airy and there are no rats because snakes come for the rats and they meet people on the way and bite them. It is about awareness and we are going to do it in a better way. It is a good idea and we will work on that.

Mr. Temporary Speaker, Sir, I had said earlier on, that we are about to start a process that will end up manufacturing snake anti-venom in our country. It will not need to come from far. In the meantime, I will be getting snake anti-venom from everywhere. Even as we manufacture anti-venom, we welcome your offer for us to come to your farm, milk snakes and have that as part of the research process.

I would like the Senate and members of the public know that wild animals are called such because they are wild. You cannot reason with them and cannot tame them. You cannot even tame a lion. Elephants are dangerous animals and are very fast. The top speed - when I or Sen. Mungatana who looks active when running would be 25 kilometres per hour and at that time, we are sweating like crazy. An elephant while it is

just jogging will do 28, 30 or 35 kilometres per hour. You cannot outrun an elephant even if you are fast. It will catch up with you.

Mr. Temporary Speaker, Sir, we, therefore, need to tell people to keep away. If you see an elephant flapping its ears, know that is dangerous. You should keep away. You cannot outrun it. You may be far, but it can catch up with you very fast. It is about being able to let *wananchi* know and have good programs. We are going to do something effective using the local media and community education in order for people to know how to live with or near wild animals.

I thank you for this opportunity and this session. As we continue promoting our country, we have to protect our wildlife. We are getting new visitors coming here. I am leaving here to rush to the Nairobi National Park. The President of Romania is visiting and is currently exploring the Park. I want to show him a few things.

As the interest in Kenya grows, our President, Dr. William Ruto has aroused interest in our country and we should see an influx of many people coming to our country. Kenya is being spoken about everywhere. I witnessed this in New York when I went for sessions in the United Nations, whereby once you get in and you raise your hand, they skip other people to let Kenya speak first.

Kenya is an anchor nation in terms of how we are looked at in the foreign world. We expect many visitors coming for tourism, conferences and others. It is our job to ensure that they are comfortable when they are here, so that they leave their money behind for us to create employment for our children.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, hon. Cabinet Secretary. I will ask Sen. Chimera to be the first person to ask questions the next time you appear. He had a question, but he came in when I already had discretion to close the questions time. I appreciate you together with your team, Madam Sylvia Museiya the Permanent Secretary and the rest that support you for taking time to come in and respond to questions in this honourable House.

I am sure that your involvement in answering these questions is giving us the comfort and assurance as to the role your Ministry is playing and that you will take into consideration the number of proposals and comments made by Members in furtherance of your work in the Ministry. I wish you and your team a good day. You stand released from this Session.

*(The Cabinet Secretary for Tourism and Wildlife,  
Hon. (Dr.) Mutua, was escorted out of the Chamber)*

Hon. Members, we had two other Cabinet Secretaries who were meant to be here today. We had the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs and the Cabinet Secretary for National Treasury and Economic Planning. We had received communication from him that he is on official duties and has travelled outside the country. He has excused himself.

Therefore, Question No. 18 will be deferred courtesy of a letter that came from the Office of the Cabinet Secretary. Secondly, the Cabinet Secretary for Roads and Transport is to be here in a little while. He had conversed with the Chair and requested to join us in due course.

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*Question No. 018*RELEASE OF TURKANA COUNTY PASTORALISTS  
ARRESTED IN UGANDA*(Question deferred)*

**The Temporary Speaker** (Sen. Wakili Sigei): For purposes of us progressing, we will deal with the other issues in the Order Paper as we await the Cabinet Secretary. Should he appear in good time, we will proceed to deal with the Questions that were scheduled for the Ministry.

Hon. Members, earlier on, Sen. Chute had moved the Motion on extension of time of the *Ad Hoc* Committee. I would like us to revert to that, so that we progress.

Clerk, call the next Order.

Sen. (Dr.) Khalwale, what is your point of order?

**Sen. (Dr.) Khalwale:** Mr. Temporary Speaker, Sir, I need some clarity on where we are going. There were a number of Ministers who were listed to appear before us. Amongst them was the Cabinet Secretary of Roads and Transport and infrastructure who had Question No.65 on the fate of the Presidential directive on upgrading of Kakamega Airstrip to international status.

We wanted you to guide us about that and the other Ministers who are involved so that we know.

**The Temporary Speaker** (Sen. Wakili Sigei): I will. I am afraid that Sen. (Dr.) Khalwale you were probably not concentrating on the directive from the Chair. I have indicated that the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs has written a letter to the House, which has been accepted. He asked to have his Questions deferred because he is on official duties outside the country. He, therefore, could not attend today.

Secondly, with regard to the hon. Cabinet Secretary for Roads and Transport, the Questions are Nos. 30, 47, 48, 56, 60 and 65. All these are directed to him. The communication which has been received is that he is travelling from Mombasa to attend to these Questions. Therefore, we will---

*(Sen. Cherarkey stood in his place)*

Sen. Cherarkey, the Chair is speaking. You cannot interrupt when the Chair is giving his address and I thought you were a ranking Member, so you should understand at what point to bring in your point of order. I will give you the opportunity.

Sen. (Dr.) Khalwale, that is the direction. We will have the Cabinet Secretary for Roads and Transport to respond to these Questions. The Communication we have received is that he is on his way, coming to join the House and respond to the Questions.

Sen. Cherarkey, what was your point of order?

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, on a matter of procedure, this House had made a ruling that we can only wait for a Cabinet Secretary or they can fail to

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attend the House on two occasions only. First, when attending a Parliamentary committee or Parliament and second when in a Cabinet meeting.

Could you clarify to the House which procedure would force the House to adjourn, to wait for a Cabinet Secretary who was well versed to appear today as from 9.30 a.m. in order to look at the many issues? We do not want to build a tradition where in the future, if a Cabinet Secretary feels like they do not want to come at 10.00 a.m. they can appear at 12.00 p.m., imagining the House will freeze or proceed with other House business.

The neater way is, if they are busy, they reschedule to a later date. Unless you are making a different ruling, if I am a witness appearing before Parliament in future, and I am asked to appear at 9.00 a.m., if I am caught up, I could decide to tell the House that I will appear at 3.00 p.m.

Mr. Temporary Speaker, Sir, can you clarify, so that in future we do not open that window? This is a House of rules and traditions. We do not want to summon or invite witnesses before the House who can go to court and challenge that at some point a Cabinet Secretary was supposed to appear, but because he was traveling, the House decided to defer the matter an hour or two later. We need to be very clear so that we do not open a dangerous window that will abuse the Parliamentary privilege and the position of Parliament.

We have agreed that there are only two situations that they can avoid sitting; a Cabinet meeting or appearing before Parliament. Can you clarify so that we do not risk other issues that might crop up in the future?

I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Proceed Sen. Mungatana.

**Sen. Mungatana, MGH:** Mr. Temporary Speaker, Sir, in addition to what my colleagues have said, it is important for Cabinet Secretaries to honor the summons here. In particular, I was personally waiting for Hon. Murkomen because we have a national embarrassment at our international airport where the roof is leaking.

*(Applause)*

It would have been an important position for him to clarify what was going on. The newspapers have reported that he talked about the Jubilee administration. How can we be talking about the Jubilee administration one year down the road? We wanted the Cabinet Secretary to come and clarify. This is an important podium for him. Is that not more important than traveling to wherever?

Mr. Temporary Speaker, Sir, you should be very firm about these Cabinet Secretaries. We want them to honor the time of this House especially when such important issues that are embarrassing the nation happen. Imagine I am being called by a relative, my brother living outside, to ask me what is happening in Kenya, that we cannot even fix our airports. It is a national embarrassment. The Cabinet Secretary should have been here to clarify what he is going to do about it.

I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you Sen. Cherarkey and Sen. Mungatana. In fact, the reason the Hon. Cabinet Secretary was accommodated to

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come at around 11.00 a.m. was due to the issues you have just raised. The decision that this House took previously still stands.

It can only be to a point where the Senate Business Committee (SBC) has agreed to adjourn or defer questions. Otherwise, all Cabinet Secretaries who are required to respond to Questions are supposed to appear unless it has otherwise been accepted by the SBC.

In this case we had only received this communication from the Cabinet Secretary for National Treasury as to his official engagement outside. The other Cabinet Secretaries were meant to appear, including the Cabinet Secretary for Roads and Transport who was to appear at 11.00 a.m. The SBC, indeed, said he must come here.

The Cabinet Secretary was engaged in an assignment that Sen. Mungatana has raised. That is the reason for his delay. There is no other reason why that has been accepted by the Chair.

Sen. (Dr.) Khalwale.

**Sen. (Dr.) Khalwale:** Pardon me, Mr. Temporary Speaker, Sir. Sorry if I am seen to be slowing the House. I find it difficult to understand and probably the Clerks can guide us, under what Standing Orders do we wait for a Cabinet Secretary?

We have been around for a while and we have never seen a situation where business of the House is being stood down to wait for a Cabinet Secretary. Even if we are going to do it, could you tell us, are we suspending the House?

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. (Dr.) Khalwale, I had already indicated that I am calling the next Order to deal with the Motion for the purpose of making sure the business of the House is not suspended.

Sen. Cherarkey, proceed.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, I want to repeat what my colleagues have said. With all tremendous respect, I know you have the power to rearrange the Order Paper as per the Standing Orders. However, how do we look before Kenyans if we can wait for a Cabinet Secretary?

Can you rule that the Cabinet Secretary appears in the next possible sitting so that we can proceed with other matters?

I am aware of the issue of leaking roofs at Jomo Kenyatta International Airport (JKIA) and roads that have been swept away by floods. These are issues we needed the Hon. Murkomen to come and clarify and whether the Ministry is putting interventions in terms of dealing with the issue of flooding in the country or not.

What we are arguing is for neatness in the House since you have now rearranged the Order Paper; which you have the powers to, as per the Standing Orders. In fact, Parliament does not even wait for a President. If we wait for a Cabinet Secretary, Hon. Murkomen, it will be a national embarrassment together with what is happening at JKIA; the leaking terminal roofs.

Out of respect, I know you are good and a gentleman, I request you allow the House to proceed, advice the SBC - because you are a learned senior counsel - that out of the neatness, respect and tradition of this House, let the Cabinet Secretary be allowed to appear at a later date and then we can proceed with other matters. There is the extension of the *Ad Hoc* Committee by Sen. Chute. There is the issue of the debate of the Presidential State of the Nation Address.

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Finally, I reiterate that there are only two instances you can fail to appear before Parliament; when you are attending a Cabinet meeting or Parliament. We shall not allow Hon. Murkomen to take this House for granted. He was here and knows the value of Parliament. We have received so many complaints. Sen. Chute will tell you that in Marsabit County and in northern Kenya, roads have been swept away by floods.

Mr. Temporary Speaker, Sir, can you rule that we allow the Cabinet Secretary to go see the roads and the leaking roofs in JKIA and then give him a later day next week so that we can proceed with the matters of the House, considering that our agenda is heavy.

Kindly guide the House properly for the benefit of all, so that we can move on to other issues in the Order Paper.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cherarkey and Sen. (Dr.) Khalwale, you are both aware that under Standing Order No.45(2) the Chair has the mandate to re-organise the Order Paper and business of the House for the convenience of the Senate. It is on this provision of the Standing Order that we made those rearrangements. However, in view of what you have said, I will, as already stated, direct that Sen. Chute proceeds with his Motion and for the neatness of the House make relevant directives in regard to the appearance of the Cabinet Secretary before the House.

Sen. Chute, proceed to prosecute your Motion on the extension of time for the compensation of the Kenya victims of the 1998 bombing of the United States of America Embassy.

## MOTIONS

### EXTENSION OF MANDATE OF *AD HOC* COMMITTEE ON COMPENSATION TO VICTIMS OF USA EMBASSY 1998 BOMBING

**Sen. Chute:** Thank you, Mr. Temporary Speaker, Sir. I beg to move the following Motion on behalf of the chairperson-

THAT, AWARE that at the Sitting of the Senate held on Thursday, 27th June, 2023, the Senate, resolved to establish an *Ad Hoc* Committee to investigate the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy in Nairobi and report back to the House within three months of its establishment;

REALIZING that the extension period of 45 days of the tenure of the *Ad Hoc* Committee lapsed on 10th November 2023, yet the Committee has a lot of work to execute to conclude in conducting the inquiry;

NOW, THEREFORE, the Senate resolves to renew the mandate of the *Ad Hoc* Committee for a further period of one hundred (100) days from 10th November, 2023, to enable the Committee to finalize and table its report in the Senate on or before 18<sup>th</sup> February 2024.

As you are aware, since its establishment, the Committee has carried out various activities about its mandate. At a snapshot, the Committee has held several meetings in which it transacted the following key businesses-

(a) Consideration of preliminary report from the law firm in the United States that has been litigating the compensation of the victims by the United States of America Government;

(b) Meeting with the victims of the bomb blast tragedy and their representatives;

(c) Attended the bomb blast victims' prayer day held on Saturday 5<sup>th</sup> August, 2023;

(d) Attended the 25<sup>th</sup> commemoration of the bomb blast held on 7<sup>th</sup> August, 2023;

(e) Conducted a public hearing;

(f) Meeting with the advocates who have represented the bomb blast victims;

(g) Meeting with the National Council for Persons with Disability;

(h) Meeting with the Ministry of Health;

(i) Meeting with the Ministry of Labour and Social Protection;

(j) Meeting with the Ministry of Foreign Affairs and Diaspora Affairs; and,

(k) Meeting with the Ministry of Interior and National Administration.

All the above mentioned activities have been crucial for the Committee as they have provided invaluable insights that will enable the Committee to fulfill its mandate.

**The Temporary Speaker** (Sen. Wakili Sigei): I hope you are closing because this is a Procedural Motion that has no issues to warrant you run us through all this information.

**Sen. Chute:** Mr. Temporary Speaker, Sir, say that again.

**The Temporary Speaker** (Sen. Wakili Sigei): This is a mere Procedural Motion that you can read out, and get somebody to second so that we make progress. I believe this House will not have much of an issue regarding the extension of time.

**Sen. Chute:** Thank you, Mr. Temporary Speaker, Sir. Before I invite somebody to second this Motion – it has been 25 years and the victims are awaiting compensation. We have done a lot. We met the Prime Cabinet Secretary about three weeks ago. We intend to meet with the American Embassy soon. We also intend to visit the United States of America to convince or lobby for the Senate in America to pass a law for the compensation of the 1998 victims. We are seeking 100 days.

Sen. Cheptumo, please second the Motion.

**Sen. Cheptumo:** Thank you, Mr. Temporary Speaker, Sir. I will be brief. I serve in this Committee as a Member with my neighbor here.

There are compelling reasons and justification for this Motion for an extension of time. As ably prosecuted by the Mover, Kenyans suffered a great deal during the bombing in 1998. Several Kenyans died and many were maimed. 25 years down the line, they have not been compensated. It should be known that the suffering Kenyans were going through for that period arose out of a bombing by terrorists, not because they were fighting the Kenyan population or the Kenyan Government. This was an incident targeting the United States of America Embassy.

Kenyans suffered because of a situation existing between the terrorists and the American Government. For 25 years there has been no attention given to these Kenyans. For the first time, this House has taken the step to seek compensation. As a Member of this Committee, we have had meetings with many stakeholders. However, we want to escalate this conversation to the United States of America Government to engage the Senate and other stakeholders. This also includes the Embassy of the United States of

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America in Kenya, so that we move to the final stage of this process. We can only do this if we are given time.

I support the Motion and request the House to approve this request. The Committee will then finalise within 100 days, we will conclude and report back to the House.

I second.

*(Question proposed)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, from the dashboard, I can see a good number of you seeking to debate this Motion. I directed the Mover of the Motion, that this is just a Procedural Motion, and I believe we should not take much time to debate it. We should close the debate in the shortest time possible. I will ask only three Members to speak to this Motion so that we can move on to the next Order.

Sen. Mungatana, you may have the Floor.

**Sen. Mungatana, MGH:** Mr. Temporary Speaker, Sir, I will follow your guidance and be brief.

I am grudgingly supporting the extension because they have already come before this House for an extension of their mandate. I have been listening carefully for the Mover and the Seconder to give us a solid reason why they need another extension of their mandate. I did not hear any except that there is unfinished work. I put my faith in the honorable gentlemen like Sen. Cheptumo, Sen. Chute and the team leader, *Mama Sen. Kavindu Muthama*. They are people that I believe are honorable Members and have distinguished themselves in the various places I have worked with them.

However, with this caution, let them finish the work. *Ad hoc* committees are not supposed to stay in perpetuity. They should go finalise the job, give us a report and we finish with the matter. This is because the same people who are waiting for that report; the people they are fighting for, are the same people who are going to tell them, they are taking too long, they are not doing anything, and they are just like the other people. The Senate will then come under another fresh attack. Therefore, may this be the last extension. Let them not come back again. Let them just finish the work and give us a report.

Mr. Temporary Speaker, Sir, because there are good men there, I will support the Motion, but grudgingly.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Korir, you may have the Floor.

**Sen. Korir:** Thank you very much, Mr. Temporary Speaker, Sir. Allow me to really support my one and only able Chair of the National Cohesion, Equal Opportunity and Regional Integration Committee, Sen. Chute. I am one of the interested parties in this *Ad Hoc* Committee and I have been following a number of activities that they have been undertaking. This is one of the *Ad Hoc* committees that involves a number of stakeholders in terms of really finding out on how best they can address the issue of these victims.

I agree with them in terms of extension of time because it involves a number of ministries and even outside the country. They have the goodwill of the leadership of this country. That is why they have to do due diligence in a number of activities that they are involved in. Since this is just a procedural Motion, I request that we support and give them time.

Thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Ogola, you have the Floor.

**Sen. Ogola:** Thank you, Mr. Temporary Speaker, Sir. I rise to support this Motion and appeal to this honorable House to grant the *Ad Hoc* Committee the 100 days that they have requested for an extension. I am also a Member of this Committee and we have been looking at the compensation on a number of issues such as loss of lives. This is loss of lives of over 200 Kenyans on that day.

In the Committee, we have been meeting different Kenyans from all over the country. As you may have noticed, this was a most unfortunate happening. A number of Kenyans lost their lives in the course of their duties. A number of them were Kenyans who were just working in adjacent buildings to the American Embassy and others were Kenyans who were going about their daily lives, passing by the road and this happened.

Mr. Temporary Speaker, apart from the loss of over 200 people, we have been listening to over 5,000 Kenyans who had massive injuries. Some of them are in so many deplorable situations. A number of them are blind; some lost their limbs and suffer long-term medical conditions. The reason we have come to ask for an extension is because the attention of this Committee has been so massive. Each time we are meeting the stakeholders, it is so overwhelming because we have to listen to all of them. I think they deserve to be listened to by this Committee of the Senate.

Apart from loss of lives and the massive injuries that were caused, we are also looking at the compensation for the loss of opportunities. In our sittings, we listened to children who dropped out of school because their parents died in this blast. Therefore, we ask that the extension be granted so that we have due diligence on Kenyans who need the attention of the Committee.

Mr. Temporary Speaker, Sir, this bomb blast happening that we are dealing with, is also going to set a precedence for other happenings that have occurred in this country. After that, we had the Westgate, the Garissa Technical University attack and the Dusit D2 attack. If this is handled well and within the time that we are asking for, this will also give a solution to some of those happenings in this country. We are yet to also exhaust our---

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Ogola, earlier on, I had given direction that this is a procedural Motion. Let us limit our arguments in support of the Motion. I ask you to end at that point so that we progress.

**Sen. Ogola:** Thank you. Mr. Temporary Speaker, I am well guided. As I conclude, I support the Motion and appeal to the House to support the extension of time.

Thank you.

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

**Sen. Kinyua:** Asante, Bw. Spika wa Muda. Kuanzia mwanzo, naunga mkono kuongezwa kwa muda kwa Kamati hii ya Dharura kwa siku 100.

Nimeangalia shughuli ambazo wamekuwa wakiziangatia. Wamekutana na Wizara ya Afya, Wizara inayohusika na Mambo ya Maswala ya Nje, na Wizara inayohusika na Mambo za Humu Nchini. Lakini, ni vizuri tuseme ya kwamba, muda huu ambao wameuliza wautumie vizuri wasije tena hapa kuomba waongezewe. Hii ni kwa sababu mambo waliyoyafanya, wameyafanya na zaidi ya siku 165. Haya ni mambo machache yaliyobaki wanayotakia siku 100, najua inawezekana. Hii ni kwa sababu wanasema wanataka kukutana na Mkuu wa Sheria, Balozi wa nchi ya Marekani na vile vile, watembelee nchi ya Amerika ndio waweze kukutana na Seneti ya Amerika.

Kwa hivyo, hizo siku 100 zitatoha ili waweze kushughulikia Wakenya ambao waliathiriwa na vile, wale ambao tayari waliaga, wale watu wao ambapo ni zaidi ya 200, wapate fidia. Naipongeza hii kamati kwa kazi nzuri wanayofanya lakini wasiongeze siku kupita hizo siku 100 ambazo wameitisha. Hii ni kwa sababu ni mambo machache sana yaliyobaki na hatutakataa kwa sababu tayari wamemkula ng'ombe, iliyobaki ni mkia. Hizo siku 100, waweze kumaliza mkia, walete ripoti na Wakenya wetu waweze kushughulikiwa.

Naunga mkono.

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

Sen. Methu, you have the Floor.

**Sen. Methu:** Thank you, Mr. Temporary Speaker, Sir, for giving me an opportunity to also grudgingly support the extension of time for this Committee. I am not persuaded by the reasons that were given by Sen. Mungatana because his Committee sought an extension four times during the Shakahola---

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

**The Temporary Speaker** (Sen. Wakili Sigei): What is your point of order, Sen. Mungatana?

**Sen. Mungatana, MGH:** Mr. Temporary Speaker, Sir, this is a House of records. I want Sen. Methu to be factual. We only sought an extension once, not four times. If it were four times, you would not have accepted surely. It is not possible. So, just be focused.

**The Temporary Speaker** (Sen. Wakili Sigei): Senator, make sure that your contributions---

**Sen. Methu:** Okay, very well, then he sought the extension once.

Mr. Temporary Speaker, Sir, I have been following up on this particular matter that is being dealt by the Committee led by Sen. Kavindu Muthama. I have seen the strides that they have made.

I feel that they require a little more time. I hope, just as the Senator of Laikipia County said, this shall be the last extension that they are seeking so that they can finalize with all the stakeholders, and the report so that as a House, we can get a conclusive report.

I support.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, that brings us to the end of the contributions by Members to this particular Motion. I determine that this matter does not affect counties. I now put the question.

Sen. Korir, you may take your seat. Sen. Methu, take your seat as well.

*(Question put and agreed to)*

Clerk, you may call the next Order.

THANKS FOR THE PRESIDENTIAL ADDRESS

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

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

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

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

*(Sen. (Dr.) Khalwale on 14.11.2023)*

*(Resumption of Debate interrupted on 14.11.2023)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, I believe there was no one left out in the last sitting unless---

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

I am notified that Sen. Ali Roba had concluded his debate on the Address. I will now invite Sen. Cherarkey to proceed.

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

From the onset, I want to thank you for fast tracking the House business despite the earlier hiccups. I do not doubt your ability because when things were thick, you represented me in court those days when we were in trenches of fighting to ensure Kenya Kwanza wins. Out of my blessings, you went on to become the Senator of Bomet County.

I want to bring to the attention of the House an issue, but I know there will be proper communication. I want to thank the courts of law---

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

**Sen. Cherarkey:** I do not know what is wrong. Is it a blessing?

**The Temporary Speaker** (Sen. Wakili Sigei): Resume your seat, Sen. Cherakey. There is a point of order from Sen. Kinyua.

**Sen. Kinyua:** Mr. Temporary Speaker, Sir, I listened to the most sought lawyer in town, Sen. Cherarkey. Does he insinuate that Sen. Yusuf Haji, who also sits in the

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Speaker's Panel, is not a good speaker because he did not represent him when he was in the trenches?

**The Temporary Speaker** (Sen. Wakili Sigei): What is your point of order, Sen. (Dr.) Khalwale?

**Sen. (Dr.) Khalwale:** Mr. Temporary Speaker, Sir, did you hear the Senator of Nandi County say that without his blessing, you would not be here today, not using the exact same words, but words to that effect? I know him as a distinguished Senator with an outstanding legal mind, but, with no religious---

*(Laughter)*

Can a man who has no track record of even preaching once to a Sunday school, have the capacity to bless the distinguished Senator of Bomet County?

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cherarkey, you may clarify the point of order by Sen. Kinyua on the insinuations that you made as well as the comments and the point of intervention by Sen. (Dr.) Khalwale.

Sen. Cheptumo, just hold and let us deal with this first.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, I said I am one of the people who gave you blessings. Secondly, other panelists are good people, even the substantive Speaker.

As you are aware, I come from the Nandi Community where Koitalel Samoei was born. You remember when we took President William Ruto for blessings by the Koitalel and Talai elders, his roads were opened and he is now the fifth President of the Republic of Kenya.

With those many remarks, I hope my time is frozen.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cheptumo. Please, proceed.

**Sen. Cheptumo:** Mr. Temporary Speaker, Sir, I do not know whether this will be relevant. I heard my colleague referring to a Member here as Yusuf Haji. Do we have a Senator by the name of Sen. Yusuf Haji?

*(Laughter)*

**The Temporary Speaker** (Sen. Wakili Sigei): I let that pass.

Sen. Cherarkey, please, proceed.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, he is the son of our former Senator, but he is now Sen. Abdul Haji.

Secondly, I want to bring to the attention of the House, as I debate this, that one of the hallmarks in this House is amending the Standing Orders to allow Cabinet Secretaries to appear before the Senate and we had the blessings of the President.

I want to congratulate the courts of law for dismissing a Petition by our colleagues from the Minority side, Azimio Senators, as lacking merit. I am happy that, finally, they have come back to the House. This is because whenever we question the Cabinet Secretaries, our colleagues in the Minority side do not attend because they had a Petition in court.

I am happy that the matter is settled and the courts dismissed the Petition that it does not have merit. So, I hope we shall not be taking frivolous matters to court.

Mr. Temporary Speaker, I want to thank the President because as per the tradition and the Constitution, he has done tremendously well despite the challenges.

The economy was in the Intensive Care Unit (ICU) because of many challenges. All of us know that the public debt is way above Kshs10 trillion. We know there were issues of extrajudicial killings, which the President came and stopped.

We know many economic challenges that were unfortunate. To the people who deal with business, the fact that there is going concern and you are able to pay your credit, you are doing very well. Kenya has not defaulted in terms of payment of the credit and international loans.

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

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

I note the change on the Speaker's seat.

Therefore, it is very important that as a House, we must give because our economy is at the cliff like a place called Sheu Morobi, so that people can get the context. After getting very old, in my community, people used to say death has forgotten them. So, they used to go to a place in Nandi County called Sheu Morobi and throw themselves down because they had realised they had gotten too old until death had forgotten them. That is the stage where our economy has reached.

I would like to thank the President because we demand the independence of the Judiciary. I am happy there has been an additional Kshs3 billion given to the Judiciary. What we demand of the Judiciary is independence, fairness, firmness and transparency. We do not want to see justice being sold like sweets on the streets. We want to see the Chief Justice, Martha Koome, and other judges---

In this country, we risk reducing justice to the highest bidder. The Judiciary should not be a den of corruption where court orders are being issued like tissue papers on the streets. As a country, if we give more resources, they must stand with the truth and justice like what our Holy Books; the Bible and Quran talk of.

We need the Judiciary to be held accountable and push for justice of the local people. How do you explain the backlog of cases in the Judiciary? There are 500,000 cases being filed by Kenyans every year. How can Chief Justice Martha Koome and Judiciary explain to the country? In fact, in future, we should be calling for state of address of the Judiciary since it is an independent arm of Government, to tell us what they are doing. How do you have a court case, which is five to 10 years old? Some of them are succession matters that can be determined on a matter of technicality and procedure.

In as much as there is goodwill from the President, the Judicial Service Commission (JSC) must also rein on rogue officers. I have been the biggest defender of the Judiciary. In fact, I brought a Statement when the Salaries and Remuneration Commission (SRC) wanted to reduce the salaries and remunerations of the Judiciary. I am a supporter of the Judiciary, but we must call out corruption in the Judiciary.

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I like Mr. Ahmed Nassir Abdullahi, Senior Counsel, who has been consistent in calling out corruption in the Judiciary. Those judges who had been caught participating in corruption must not only be fired, but also subjected to a judicial process so that we get a clean Judiciary.

The other issue is of farmers. I thank the President. When he took over Government, the cost of a bag of fertiliser was Kshs7,000. Last planting season, we bought fertilizer at Kshs3,500. Now, we are buying fertiliser at Kshs2,500. This fertiliser will be given to maize, tea, coffee, sugarcane and other farmers through the National Cereals and Produce Board (NCPB).

I thank the Minister of Agriculture, Livestock and Fisheries, Hon. Linturi, for spearheading distribution of subsidised fertiliser. I do not know about other counties, but the management of the County Government of Nandi is on auto pilot. After getting the subsidy programme, I expected the Governor of Nandi County and the County Government to do what we call last mile distribution of fertiliser, so that we do not need to go to Lesos (NCPB) Board. That way, it becomes easy for farmers to save transport costs noting that the cost of fuel is quite high.

I thank the President. We now have maize driers. We harvested when it was raining and to avoid the issue of aflatoxin, the driers have been provided at Kshs70 from Kshs300 per bag. I also thank the Deputy President, His Excellency Rigathi Gachagua. He has been leading the reforms in the coffee, tea and milk sectors. I know the President is watching. We have a problem because one litre of milk has gone down to Kshs32. We want at least Kshs50 per litre of milk, so that farmers can get value.

On the reforms of the coffee sector, His Excellency Rigathi Gachagua should ensure through Coffee Cherry Advance Revolving Fund, that all counties get it. In the last session, we got Kshs10 billion through Coffee Cherry Advance Revolving Fund, but Nandi County did not get it yet we have coffee. I went to Kaprer and Kipsiele Farmers' Cooperative Society. There are many cooperative societies in Tinderet up to Soba. Almost the entire Nandi County is growing coffee. In this Coffee Chery Advance Revolving Fund, we want Nandi County to be included.

I thank the Government for increasing coffee prices from Kshs20 to Kshs80 per kilo. I continue encouraging the Deputy President to continue facing the coffee and agricultural sector cartels who continue to threaten our farmers. He should fear nothing. As a Christian, they always say fear those who kill the soul, but do not fear those who kill the body.

Mr. Temporary Speaker, Sir, I hope we shall be able to get value out of those reforms that the Deputy President is spearheading in the agricultural sector.

Another issue is on sugarcane. Sen. Oketch Gicheru should be excited because the Government has waived Kshs117 billion to sugar factories that are owned by the Government. This will give a new lease of life to Mumias, Chemelil and Nzoia Sugar companies. Most of those regions are occupied by Azimio supporters. You can see the President is non-discriminative in bringing development across the country. Also sugarcane farmers will be paid Kshs1.7 billion.

I know Christmas will come early to the people from those regions. I encourage them to use that Kshs1.7 billion being paid to farmers to advance their planting. I do not want to see them adding more wives and children or buying new toys and cars.

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Even us, both Majority and Minority sides, please, find time to read our Manifesto. I have seen people commenting on issues when they have not read it. The plan is very clear; it is about the people.

On the implementation of the issue of fishing landing sites, we need to ensure that there are fishing landing sites like in Nyanza and Coast regions. These are areas that voted against William Ruto in the 2022 General Election. These are the areas that the President has not in any way discriminated in terms of development.

On post-harvest, when you go to Nyandarua County, we normally lose--- Even in my county, we have a lot of milk. When there is *ndengu* from Machakos or Kitui counties or potatoes from Nyandarua County and other areas, we want to ensure---

On the issue of the Hustler Fund, I encourage Kenyans to use this revolution and for all of us, we must be ready as a country to use the Hustler Fund and save for ourselves.

On the issue of NHIF, we agree with the President that the reforms in the NHIF sector or Universal Health Coverage (UHC) should be taken at topnotch. I thank the President for Community Health Promoters (CHP). Apart from food, the next highest spending item of any family is on the issue of health care.

Now you will have a health promoter come to your house and they ensure they check you, so that you are able to live a good life. There is a famous singer. I am forgetting the name of who sang "Imagine if Things were this good." That is a Reggae song for those people who like listening to Reggae. They can agree that imagine good things will be with Kenya's Kwanza Government led by William Ruto.

Regarding transforming education, because I can see my time is up, let us continue transforming education. We want to see the Curriculum Based Programme (CBC) being quickly addressed. I want to thank Prof. Kithure Kindiki. For the information of the House, the Ministry of Interior and National Administration led by Prof. Kindiki has revoked licenses on charges on identity cards, birth certificates, death certificates, people who went and got married outside the country and come with their children, these things have continued to be reviewed going into the future.

I want to thank the Ministry of Interior and National Administration for revoking that Gazette Notice so that the ordinary Kenyans can get services at an affordable rates. You know, you cannot levy tax without public participation and parliamentary approval. I agree with Prof. Kindiki that public participation should be done going into the future.

I ask Kenyans to give President William Ruto time. In the next year, this country will be a land like Canaan; the land of honey and milk where every Kenyan will be able to afford a decent meal and take their children to school.

I want to appeal to Cabinet Secretaries and senior Government officials: Let them stop doing politics. The President has given them the opportunity to serve the nation. Let them do so. Politics is for politicians. If you are a Cabinet Secretary or senior civil servant, stick to your lane and deliver. If you are given to do roads, do roads; do not go and launch football in some funny areas. I want to challenge the Cabinet Secretaries and senior Government officials to deliver this agenda going into the future so that, as a country, we can move forward.

The President has given us direction. We do not want to sing the song by Lucky Dube "*When you look outside the window, do you see anything to smile about?*" We do

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not want to listen to such songs. We want when you look outside the window to paraphrase the Reggae song, you see everything to smile about.

I congratulate the President and I support the Motion.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru?

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, it is with a lot of humility to get a chance to make a few comments on the President's Address which is a requirement of him under Article 132 of our Constitution. I think this will be the second time that we, as a House, are reflecting on the President's Address.

We cannot reflect on this Address without recognizing the first Address was a promise speech. When the President was addressing the country in the second Address, it goes without saying that it was a scorecard on the things that the President promised, which I am glad that the Senator for Nandi has encapsulated as an issue of the manifesto.

That manifesto had very specific milestones and an agenda that was sold to this nation, which was reiterated when the President gave his first Address to Parliament. I am glad to see that in line seven of his Address, the President started by attempting to give the nation an apology for not being able to meet those promises.

In that line, the President gives a very clear excuse for why these issues have not been met. He says with his own mouth-

"In our plan, we identified three primary challenges - external shocks, fiscal distress and structural imbalances that heavily strained our economy causing nationwide difficulty."

This becomes the mischief excuse. He should indicate to the country why we are experiencing an almost economic meltdown. It is not surprising that every speaker who has stood before this House, including some of the departmental heads stood and had got different reasons why the economy is not working. Sen. Cherarkey has also stood here and intimated some of them. Yesterday I saw here when the Chief Whip was moving this Motion, he said very well that the reason the Dollar has gone high is because the US citizens were given Dollars so that they could keep.

As that was happening in this House, the Central Bank of Kenya (CBK) Governor was appearing in the other House. He was asked the same question. They are working for the same Government. The CBK Governor said the reason why the Dollar is struggling is because there are no tourists coming to Kenya. So we have three different people in the same Government not understanding why, we, as a country, are having a problem with the Dollar.

This kind of confusion in this regime that also reflected on the President's Address is an important one to assess. In every promise that the President gave, there are different numbers and excuses that are not in line with what Kenyans are saying.

Let me start with the issue of education. When the President was reaffirming his commitment to education, as we speak right now, our university students in nearly all the universities have not received their money from the Higher Education Loans Board (HELB). Even if it was a grant, they have received it to the extent that children from Nandi are sleeping on veranda without even food.

If you look at the issue of secondary school education---

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

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

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, Sen. Eddie should have learnt Standing Order No.105 on the responsibility of facts. HELB loans were released two weeks ago. Is it in order, with tremendous respect to my younger brother, to mislead the country that the money meant for HELB has not been released?

If he has a contrary information to that, he should substantiate and table that information before the House. It might be good to make quick political gains, but it is not convenient to lie to the House. Is it in order to mislead the House?

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Eddie, are you able to substantiate the information on the HELB?

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I have a responsibility to always bring facts to this House. I also have a responsibility to educate lawyers who do not know numbers. Therefore, if you give me until the end of the week, I will furnish this House with that data. I will be talking about so much data here that Sen. Cherarkey might collapse hearing it because he does not understand these numbers.

I want to tell Sen. Cherarkey that when he was speaking, I was listening. We were given one mouth and two ears so that we listen more. In relation to these numbers, let him digest the numbers. If they are contrary, I will wish him the courage to be in touch with what is happening. For instance, I was going to the issue of secondary school education. When President Uhuru left the presidency, the capitation for secondary school education was such that the cost of tuition was Kshs22, 000. By the time the President was leaving, everybody was getting their money.

Today, in our economy, we have four million students who are secondary school students. He knows very well that the President has only released Kshs65 billion for capitation. If you are to divide that by four million students, then it means that the students today are only getting Kshs16 billion. Therefore, that means, every single parent has to pay Kshs6,000 more on that capitation gap that we have. It is a problem and our children are suffering.

Mr. Temporary Speaker, Sir, regarding the Junior Secondary Schools that have been brought today, 95 percent of the schools that we have in our country do not have money for infrastructural improvement that can be able to meet the demands of these schools.

Therefore, while parents are struggling to pay for capitation gaps in this country, the same parents are forced to fundraise to be able to buy desks, build classrooms and buy books for their children.

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

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru, there is a point of order from Sen. Cherarkey.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, did you listen to the Senator threatening the House?

I am rising under Standing Order No.105 on responsibility of facts, which is why I want to advise Sen. Oketch Gicheru to be listening more and talk less. It is the work of the National Government Constituencies Development Fund (NG-CDF) to improve school infrastructure through his area Member of Parliament (MP) where he comes from.

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I thought these are basic things that he should be aware of. It is the work of the NG-CDF to improve and develop the infrastructure that we have. Under Standing Order No.105, is he in order for him to mislead the House?

Mr. Temporary Speaker, Sir, NG-CDF is given to all legislators both from the Minority and Majority side, unless their MP in Migori or where he comes from --- Which constituency does your MP come from, Sen. Oketch Gicheru? You should share with the House.

The infrastructure improvement should be done by NG-CDF. I am always willing to mentor him and guide him where he gets his facts wrong.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru, I presume you stand guided by Sen. Cherarkey's statements.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I think it is also in order to sometimes refer to Standing Order No.126 on what constitutes a frivolous point of order.

Sen. Cherarkey is just concerned that this factor might be putting some serious high pedestal on the President and, therefore, he just wants to come up with any point of order.

Mr. Temporary Speaker, Sir, the way NG-CDF works in this country, has always been limited. Right now, the highest a Member is getting on NG-CDF is Kshs145 million with the kind of budget that had been pushed forward to be given to the junior secondary schools. It is actually about 65 per cent gap that needs to be put on junior secondary schools.

We are trying to advise that---

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

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

**Sen. Oketch Gicheru:** I hope you are holding my time, Mr. Temporary Speaker, because this part of Government is now becoming notorious on these points of order.

**The Temporary Speaker** (Sen. Abdul Haji): Your time is stopped.

**Sen. Methu:** Thank you very much, Mr. Temporary Speaker, Sir. I would not have wanted to interrupt my good friend, Sen. Oketch Gicheru. Since this is a House of record, and together we are new Senators, we are learning, I think it is fair to say that what he has said and what is in the Standing Orders is different.

He has quoted Standing Order No.126 to constitute a frivolous point of order yet Standing Order No.126 is on action to be taken on refusal to withdraw. It has nothing to do with frivolous points of order. Therefore, for purposes of this knowledge, he can read and quote the right Standing Order.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, there is something called a slip of the tongue. The Standing Order that I meant was Standing Order No.121 on false standing orders.

I am glad that the Senator who has brought it up is the Senator who has also struggled with the slip of the tongue all the time. Catching up with English has been very difficult, but now he has acclimatised to the language of the queen in the House.

Mr. Temporary Speaker, Sir, I wanted to also talk about the issue of borrowing. I hope you are holding my time because these points of orders have been so many. The

President talked about the issue of borrowing and the way he is struggling with the issue of borrowing---

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

**The Temporary Speaker** (Sen. Abdul Haji): Proceed, Sen. (Dr.) Khalwale

**Sen. (Dr.) Khalwale:** Thank you, Mr. Temporary Speaker, Sir. Standing Order No.105 demands that Members must take responsibility for the factuality of their statements.

On Friday, the Permanent Secretary (PS) released Kshs16.9 billion being money for capitation. This is part of the Kshs89.4 billion, money set aside by the Government to address the issue of capitation.

The Senator of Nandi has correctly informed the Senator of Migori, that NG-CDF, has the responsibility to help in upgrading the classrooms. I put it further to him, that the policy of the President and his Government is that NG-CDF creates a partnership with the Ministry to address the issue of junior secondary schools.

Is he in order to mislead the country and incite the unsuspecting members of the public that this Government is not able to roll out the Competency Based Curriculum (CBC), when the facts are there?

I have told you on Friday Kshs16.9 billion was released to every Member of Parliament (MP) not Kshs135 million, but up to Kshs170 million per constituency. Therefore, even if you do not like President William Ruto, at least give him credit for what he has done.

If you must campaign using facts, then use the correct facts. Is he in order? Can he withdraw and apologize? Failure to which, can he then substantiate by tabling alternative figures?

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru, what will it be? Are you going to substantiate or correct your statement and data?

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, the Senator for Kakamega was almost lynched in Malinya Market, where his own mother buys sugar because of the students that are struggling in that area.

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

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I am still explaining on this point of order. Just be patient. Can I respond to this point of order?

**The Temporary Speaker** (Sen. Abdul Haji): One minute, Sen. Oketch Gicheru. Proceed, Sen. Cherarkey.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, Standing Order No.98 provides that a point of order is not a privilege. It is a right in our Standing Orders. Under Standing Orders Nos. 103, 105 and 110, it is not good to disparage the name of the good Senator.

Sen. (Dr.) Khalwale, is a senior politician in this country. The time he has had in politics is more than your age, Sen. Oketch Gicheru, with all due respect. Is it in order for the good Senator of Migori to disparage the good name of Sen. (Dr.) Khalwale yet we know in Malinya, Sen. (Dr.) Khalwale, enjoys a godly like status in that village? Is he in order to say he was lynched? Finally, can he provide an Occurrence Book (OB) to show that matter was reported in a police station showing that Sen. (Dr.) Khalwale was almost lynched because that is a serious issue? Can he bring an OB number?

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, let us give Sen. Oketch Gicheru time to give his submissions.

**Sen. Oketch Gicheru:** I know Sen. Cherarkey is trying to help the President by deconstructing my thought processes.

Mr. Temporary Speaker, Sir, the word 'ignorance' is not any bad word to use when somebody does not know something.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru, if I may guide you, please, clarify the issue of capitulation.

**Sen. Oketch Gicheru:** My character has been assassinated here because when I talked about the issue of heckling and the almost lynching scenario in Malinya, it is not me who said it. It is Sen. (Dr.) Khalwale who stood on the Floor of this House yesterday and said it. It is upon the Senator of Nandi to make sure that he is responsible, comes to this House and listens to what people say.

Mr. Temporary Speaker, Sir, I empathize with Sen. (Dr.) Khalwale because he was heckled for the first time. He is a fine leader, but he was heckled on the basis that the economic times are hard in this country. He accepted it.

On the issue of capitulation, he who alleges and the lawyers in the House will tell you, has got the fundamental responsibility to give evidence. You cannot question my facts and say that my facts should be tabled before the House and you give counter facts that have not been tabled here. If you feel that my facts are wrong, bring your facts in the House, so that we put them against my facts. I have also stated that I will bring my facts in the House and Mr. Temporary Speaker, Sir, make a ruling on this, that Sen. (Dr.) Khalwale must also bring his facts against my facts in this House.

Mr. Temporary Speaker, Sir, I was talking about the issue of borrowing and I hope that my time will start now on the 15 minutes I still have.

*(Sen. Cherarkey spoke off record)*

It is because you have been interrupting me and do not want to listen to the truth. The President talked about the issue of borrowing, which has been a serious burden to this House and to the nation---

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, let us allow Sen. Oketch Gicheru to be heard in silence. Let us hear him first.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, protect me.

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

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, under Standing Order No.19, it is a point of order and I insist that it is a right and is part of the Standing Orders. Have you heard Sen. Oketch Gicheru say that he who alleges must prove? In the standard of criminal probabilities, you prove beyond reasonable doubt. The standard of civil is based on probabilities as well.

Is it in order for Sen. Oketch Gicheru to misdirect your ruling where you had ruled that he should be the one to substantiate and now he is moving the burden of substantiating to Sen. (Dr.) Khalwale? Is he challenging your ruling? Is it in order to revise your ruling? Do our Standing Orders and the Constitution allow us to challenge the

Speaker's ruling yet you have told him to substantiate? It is not about Sen. (Dr.) Khalwale.

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

Sen. Oketch Gicheru, you may proceed, but you did mention that you were going to substantiate your information and data next week on Tuesday.

**Sen. Oketch Gicheru:** Yes, Mr. Temporary Speaker, Sir. Are you happy now? Listen now happily to my submissions here.

The President talked about borrowing in this country. When President Uhuru Kenyatta left, the commercial borrowing interest rate was averaging 14 per cent. As the President was doing his submission last week, the Government had issued infrastructure bonds at 17 per cent. If you issue infrastructure bonds at 17 per cent, there is no way commercial banks would risk their capital in this country by giving anything under.

This has forced our economy right now, that if the banks were to give loans to any of the small business that the Government wants to help, then the average is 24 per cent. This is now leading to crowding out of businesses. Businesses do not have a chance to grow because of this heavy borrowing we are seeing.

When basis points was moved sometime early this year, the deficit the country had was Kshs700 billion. I know this because we sit with the senior Senator for Kakamega, Dr. Khalwale and together, we criticized---

*(The amber light was switched on)*

Mr. Temporary Speaker, Sir, you have to protect me on the time. We criticized the issue of high deficits. As I speak right now, the President has borrowed Kshs1.2 trillion, way above the deficit of this country. Then you stand before the House and you say that you are going to deal with the crowding out. This kind of juxtaposition of a statement from the President is worrisome.

The President talked about the issue of subsidy, which is consistent to the claim that he had made in the beginning of the year that it is important the country subsidises production and not consumption. The issue of fertilizers---

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

**Sen. (Dr.) Khalwale:** Mr. Temporary Speaker, Sir, I am sorry to appear like I am interrupting the distinguished Senator. However, he is alleging that the President has borrowed Kshs1.2 trillion. He is an economist and knows what it means by Kshs1.2 trillion.

Could he help this House, carry it and the public by tabling evidence here, showing the Kshs1.2 trillion that the President has borrowed. You cannot make your sweeping, populist statements that suit the opposition politics as if President William Ruto is an irresponsible leader. When he spoke to this issue, it was clear that he only limited himself to the fact that he was going to repay the Kshs2 billion Eurobond next month at Kshs300 billion.

If the Eurobond was Kshs2 billion and he has talked about any Eurobond, China Bond or whatever bond, how about Kshs1.2 trillion? If you must lie, lie with facts. Lie reasonably and with a degree of intelligence.

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*(Several Senators spoke off record)*

**The Temporary Speaker** (Sen. Abdul Haji): Point of order on who? Sen. Mumma.

**Sen. Mumma:** Mr. Temporary Speaker, Sir, allow me raise a point of order on the process that is going on. I feel the use of points of order to disrupt need to be ruled upon. There are Members in this House who through points of order violate Standing Order No.97, getting to speak more than once on this issue by calling on points of order and then proceeding to discuss on issues that people have raised.

Mr. Temporary Speaker, Sir, we need to stop that.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mumma, the point of order you have cited says no Senator shall speak more than once to a question. It does not refer to more than one point of order. Any Senator may raise a point of order at any time during a Member's speech. So, your point of order does not stand.

Sen. Oketch Gicheru, on the issue that Sen. (Dr.) Khalwale has raised in substantiating the fact that the President has borrowed Kshs1.2 trillion, please respond to that and let us know if you are able to substantiate and table it with the other data.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, a Senior Member of this House is questioning my facts and goes ahead and says that this country has a Eurobond worth Kshs2 billion. He further challenges me to prove numbers. Seriously, Mr. Temporary Speaker, Sir? Sen. (Dr.) Khalwale, the Senator for Kakamega?

Even before I respond to his point of order, there is another point of order. Was this a strategy from the Government side to run away from my facts as I tell them what Kenyans are feeling today? You know---

*(Sen. Oketch Gicheru microphone went off and he spoke off record)*

**The Temporary Speaker** (Sen. Abdul Haji): Order! Sen. Oketch Gicheru, order! What is your point of order, Sen. Cheptumo?

**Sen. Cheptumo:** Mr. Temporary Speaker, Sir, you know I rarely interrupt Members. I only do so when it is absolutely necessary. You gave clear directions to the Senator for Migori County to explain his position. Instead of doing so, he is again going ahead to look like he is challenging your decisions.

It is only fair because this is a House of rules, order and record; whoever alleges proves. I think that is what Hon. Sen. (Dr.) Khalwale was talking to. You need to prove that what you are talking about has facts.

Mr. Temporary Speaker, Sir, you have told him already that if he is able to substantiate to do so next week from the other issues he has raised. If he does not have the facts now, he can be given time. We are losing time.

I want to speak to this Motion together with many other Members. As much as we have that right under the Standing Orders, we should also spend our time optimally so that we move forward. My colleague here should be able to explain his position, not only alleging, but prove what he is saying.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cheptumo, if you had given him time, he would have probably responded. He is just making his introductory remarks. Let us give him time and hear if he will substantiate or not.

Proceed, Sen. Oketch Gicheru.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, where Sen. (Dr.) Khalwale feels like my facts are wrong against his, I promise that next week I will avail facts in the House. Is that satisfactory, so that I can finish my presentation?

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

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, the President talked very heavily on the issue of farm inputs. The concept and argument have always been you subsidise production and not consumption. It is, probably, a brilliant concept.

The reality is that when you say you have subsidised fertilizer such that the prices have come from Kshs6,500 to Kshs2,500 - which is a fact yet - I have called everywhere in Migori County and fertilizer does not go for Kshs2,500 anywhere. I will tell you the reason why Sen. (Dr.) Khalwale---

Secondly, we had Senate Mashinani in Turkana County. We went to a place called Katilu, an irrigation farm. None of those farmers are getting fertilizer for Kshs2,500. When you decide to say you are subsidising fertilizer and constantly the cost of petrol and fuel keeps getting higher the other inputs get affected, including the cost of vehicles going to Lokichar to take fertilizer. That is why there is an increased price of fertilizer despite the fact that you claim subsidies.

In any case, fertilizer is not the only subsidised input that the country needs. The people from the Lake - Migori County where I come from - Siaya and Homa Bay counties are serious fish farmers. When the cost of fuel is high, it affects them directly. As I speak, the Kenya shilling is performing extremely poorly against other currencies.

Uganda has decided to buy its oil directly and not through Kenya. When the former President Uhuru was leaving office, the Kenya shilling was trading at Ksh32 against the Uganda shilling. Right now, it is at Ksh25. The Tanzanian Shilling is now stronger than it was then.

Sen. (Dr.) Khalwale must know that the people who grow tea in this country are having it auctioned in Tanzania instead of what was happening in Mombasa County. The economy is doing badly. For the purposes of the one man who believes in God - President Ruto and his troops like Sen. (Dr.) Khalwale - the Bible in John 21.3 says that when Jesus Christ had been arrested, crucified and died, his disciples felt broken because they had nothing else to do. They went back to fish. On the third day when Jesus rose from the dead, he came back and told them that when you are most broken that is when God is near you.

We are telling the people of Kenya today. Ruto has broken our spirit, the future of our children, hopes and dreams of our people. Even if he insists through speeches and frivolous point of orders, the country will move forward because now, as a people, our hands are in the Lord Jesus Christ. Our hands are in the hands of God.

*(Sen. Cheptumo spoke off record)*

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

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*(Loud consultations)*

**The Temporary Speaker** (Sen. Abdul Haji): Kindly, Sen. Oketch Gicheru. Sen. Cheptumo, what is your point of order?

**Sen. Cheptumo:** Mr. Temporary Speaker, Sir, is the hon. Member really debating this statement? He is converting this House to a political rally. This statement is a clear expression of the plans that the Head of State has for this country. For the hon. Member to appear to dismiss every proposal and statement is unfair.

This is a House of debate. Let us be objective in our discussions. My colleague is overstepping in his submission because he is attacking the person of the President.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cheptumo, which Standing Order are you standing on?

**Sen. Cheptumo:** Mr. Temporary Speaker, Sir, I have said what I have said.

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

**Sen. Mungatana, MGH:** Mr. Temporary Speaker, Sir, I am standing on Standing Order No.105 to ask the hon. Senator for Migori County, who is a very good upcoming Senator, that when he generalizes and says 'Ruto' is he referring to the President or who is he talking about? He says that he has broken the dreams of the children. Is he in order to make such sweeping allegations without first of all discussing the Head of State through a substantive Motion?

Secondly, when he says that Ruto has broken a dream, he has to give us the specific dream that has been broken. What was the dream of the fisherman you said? Was he expecting to get 10 kilogrammes or what? How was that dream broken? How is Ruto in it?

Mr. Temporary Speaker, Sir, the hon. Senator for Migori County must tone down and come to the mode of debate and move away from politics, so that we can hear him. We actually want to encourage you in your growth. We have a lot of respect for him. Do not veer into politics, but stick to the issues so that we can hear him.

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

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru when you are making your submission you refer to Ruto. Is your point against Ruto as a person or as the President because you did not refer to him as such?

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I did refer to him as President Ruto and I am addressing the Presidential speech. Is that okay? May I conclude?

**The Temporary Speaker** (Sen. Abdul Haji): On the point of order raised by Sen. Mungatana, I am not sure if it actually needs substantiating. However, at this point, I will allow you to finish your submission. You only have two minutes.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I have no problem responding to this in the context of this speech. The speech includes the President's investment on the Hustler Fund. The reason I say there are broken dreams that are suffering today is because as a *boda boda* operator you can only get up to Kshs1,000. To

qualify for bigger chunks of money such as Kshs4,000 - even for the *boda boda* operators - it takes an average of seven months.

The Senator for Tana River County, when the former President was leaving office, TVS model of *boda boda* which is commonly used in this country was going for Kshs128,000. However, now it is going for Kshs168,000. Kindly go and check.

For the *boda boda* operatives to acquire the motorcycle, they are required to give Kshs20,000 to Watu Credit and then another Kshs40,000 for processing of other things. The remaining is all debt. That means that an operator needs a debt of Kshs150,000. If this operative can only borrow Kshs1,000 from the Hustlers Fund, how is this person's dream possible? It is not.

*(Sen. Oketch Gicheru's Microphone was switched off)*

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senator, your time is up. We added your time. We have been stopping your time when there were interruptions. I will add you two minutes to conclude.

**Sen. Oketch Gicheru:** Thank you, Mr. Temporary Speaker, Sir. My brothers and sisters, the biggest borrowing place for hustlers in this country is no longer the Hustler Fund. It is the *mtu wa kiosk*. In the morning, they have to borrow to consume. They borrow eggs, sugar and *maziwa*. They are recorded as debtors in the *mama wa kiosk* book.

This is the endless problem that we have. If you set up the Hustler Fund, make it possible for people to borrow assets to allow them to do business. Lastly, we have the housing tax. For our mothers in the villages and our people in Kibera and Mathare, their pension scheme has never been saving money to buy houses. Their pension scheme is for their children. Mothers educate their children so that when they get educated, they buy them houses.

Several people in this House are buying their parents houses, including myself. I am building my father a house. The Government has made it impossible for a mother in Kibera or Mathare to do business, borrow or survive. They cannot afford to take their children to school. I cannot dream or have any hope in this country.

The Government should go back to the basics of the promises on the hustler economy and make it possible for them to thrive in this country. Otherwise, we will continue to talk about big dreams while the President will continue to use Kshs500 million for travel that could be used to give hustlers to buy *boda boda*, *mkokoteni* or washing machines to build their dreams.

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

**Sen. Mungatana, MGH:** Mr. Temporary Speaker, Sir, is the hon. Senator from Migori County in order to insinuate that President Ruto is spending Kshs500 million on travel? We visited Mukwiro in Kwale County and because of the negotiations done, the whole project of electrification was worth Kshs1.2 billion and the Government of Kenya will only contribute Kshs56 million. Is it in order for him to say that the President's travels are a waste of money? He cannot answer, his time is over.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru, you do not have to answer, this is your opinion. Take your seat.

Sen. Wamatinga, you have the Floor.

**Sen. Wamatinga:** Thank you, Mr. Temporary Speaker, Sir. We listened to the Presidential speech. It is astonishing to listen to some Senators who were supposed to have sat and listened to the Presidential speech. It is either their ears have taken leave or they are suffering from selective amnesia.

The President pronounced himself that the Hustler Fund is being stocked up so that we can move to asset financing. The President gave an example of a *tuk tuk* driver in Mombasa County whom he had personally spoken to and expressed his desire to have the Hustler Fund modified in a way that it can accommodate asset financing.

When you listen to some Senators' comments, it is either they were not present or are suffering from selective amnesia. The President alluded to the fact that the fund will move in that direction. The President pronounced himself to the policies, measures and adjustments that have taken place in the agriculture sector. You might have heard one Senator speak about missing fertilizer. The problem is that some of the Senators who speak here never go home and will never know what is available at home.

We were in Turkana County and visited the Katilu Irrigation Project. We spoke to the National Irrigation Authority who confirmed that the fertilizer will be made available to the farmers in Turkana County. I would like to confirm that after the structural adjustment programmes of the 1980s that destroyed the agriculture sector in Kenya, the President and his Cabinet are on the right path to restore.

The other day, after having toiled for long to change the plight of coffee farmers, we introduced an advance of Kshs300 to farmers that has been elusive for the last 20 years. Therefore, we have seen the Government in its effort to reform the coffee sector introduce several measures. In the Committee on Agriculture, Livestock and Fisheries, where I sit in, we have nine Bills on agricultural reforms. What has been lacking in this country is the political goodwill to make changes that will benefit Kenyans. As the President said, this regime can change the fate of Kenyans, especially the farmers.

In under one year, the Kenya Kwanza Government has employed over 56,000 teachers. This has never happened in the history of this country. We saw the introduction of ICT hubs in wards, which is going to be a major achievement. The President has ensured that we have a constant and uniform design for all the ICT hubs so that we can uniformity and control---

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

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I stand pursuant to Standing Order No.105. I have been following keenly the issue of recruitment of teachers in this country with the latest being 30,000. Is it in order for the Senator of Nyeri to mislead this House that the President has employed over 56,000 teachers? He should take the courage to tell us the tribe and counties these teachers are from. When you talk about employment in this country, these are opportunities for young people. He should give the breakdown if he truly knows that the recruitment is fair. Let him not mislead the House that it is over 56,000 people.

**Sen. Wamatinga:** Thank you, Mr. Temporary Speaker, Sir. The figures and data can be accessed on the website of the Teacher Service Commission (TSC). The Senator's claim that fertilizers have not gotten to their counties because they never get to go there. As the senior Senators, because of our generosity, we have come together and agreed that we will arrange for Senators struggling to get a landing in their homes because of lack of spouses to get them, so that they can go back home and tell us what is happening in their backyard. This information is with the TSC. I do not need to do any research.

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

**The Temporary Speaker** (Sen. Abdul Haji): Order! Sen. Wamatinga, Sen. Oketch Gicheru stood on a point of order to request that you substantiate the figure of the number of teachers that were employed. Are you in a position to table this data on the Floor of the House?

**Sen. Wamatinga:** Mr. Temporary Speaker, Sir, this is general knowledge. I would be more than happy to table data broken down into how many have been recruited in each county. Let Senators take time when we have a recess to go back home, so that they know what is happening there. Those who have come and acquired houses near Nairobi only go back home during elections, the only thing they can do is throw stones and demonstrate.

*(Sen. Oketch Gicheru spoke off record)*

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Oketch Gicheru, Sen. Mumma was before you. What is your point of order?

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I rise under Standing Order No. 101(4) that states-

“No Senators shall impute improper motive to any other Senator or to a Member of the National Assembly except upon specific substantive Motion of which at least three days' notice has been given, calling in question the conduct of that Senator or Member of the Assembly.”

When I stood on the Floor of this House, I was the most disrupted by point of orders from the Majority side. However, at no point, did I impute any improper motive on any Senator. This is because we are hon. Members. I know the struggles we go through to be elected or nominated to be in this House. I know our commitment to the people of Kenya and to our constituents.

Every single weekend, I go to my constituency. I drive for almost 600 kilometres, all the way to Masangora in Kuria to go and see my people, talk to them and listen to their problems.

Is it in order for a senior Senator who purports to be an engineer - even if it is an engineer of making phones - to impute that I or even any other Member of any other part of this country, do not go to our constituencies? This is not fair. You must restrict him to the debate, withdraw and apologize to me personally and to all other Senators he has been imputing this motive on.

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

**Sen. Mumma:** Mr. Temporary Speaker, Sir, my point of order is on Standing Order No.105. You did ask the speaker to undertake to substantiate the information as provided. However, he is referring us to a website. Can you call him to order? Secondly, is he in order to imply that one has to be married in order to be in this House?

**Sen. Wamatinga:** Thank you, Mr. Temporary Speaker----

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Wamatinga, before you proceed, are you going to withdraw your statement on Senators not going to their constituencies and apologize? Also, on the point of order where you referred to Senators without spouses and that you shall assist in finding spouses for them?

**Sen. Wamatinga:** Mr. Temporary Speaker, Sir, I am an African. It is the duty of the elders to assist the younger ones who are not able to get spouses. I would be doing my African duty. Therefore, I do not need to apologize on that one. I will---

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

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I am speaking as a youth in this country, still under Standing Order No.101. This House, must stop being ageist, chauvinistic and looking at People with Disabilities (PwDs) as not enough. This is why Senators like Sen. Wamatinga was disparaging a women governor the other day. This is because he constantly sees this House as a House of seniors, superiors and a certain calibre of people.

We are here by right. The young people of this country elected me, married or not. They wanted me to belong in this House. You are not going to continue with this ageist, chauvinistic and misogynistic kind of attitude in this House.

On this, I do not need his apology because we are young people of this country and we belong here. We are going to contribute to this debate whether he likes it or not.

I thank you.

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

**Sen. Wamatinga:** Mr. Temporary Speaker, Sir, the law of an African elder still remains standing. The African society has been known to move upright over the years because, even before the coming of the modern education, we were passing knowledge orally from one generation to the next one.

It is an open secret that in many communities, including Kenya, the guidance of the elders to the younger ones cannot be equated to anything. There is nothing to withdraw and apologize. It is the set up of Africans. That is what makes us very strong even in the adversity that we confront as a continent.

Mr. Temporary speaker, Sir, having said that, what we are discussing today is the Presidential Speech---

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

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

**Sen. Crystal Asige:** Mr. Temporary Speaker, Sir, I am quite disappointed with the line of debate that is being taken right now. It has nothing to do with the Address. We are supposed to be talking about the State of the Nation, not the state of single or married young people in Kenya. That is another debate for another day.

I am standing on Standing Order No.101. I feel extremely offended because this line of language is continuing. I urge you kindly, if you could just rule if the Senator is in order to continue in this manner because it is very offensive, not just to people in this House, but to people who are listening. Even though it is his opinion, that the elders are here to do one, two or three, that has nothing to do with the State of the Address. So, kindly rule him out of order.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Wamatinga, I urge you to continue with your submission on the State of the Nation. Avoid attracting too many points of order.

**Sen. Wamatinga:** Thank you very much, Mr. Temporary Speaker, Sir. I am well guided. Some things will never change no matter how much or how little you say them.

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senator, proceed with your submission.

**Sen. Wamatinga:** Going back to the State of the Nation Address, I was very impressed that the President outlined the number of Kenyans that he called. A President called a farmer in Trans Nzoia and a *boda boda* rider in Mombasa. This is a clear demonstration that the President of this country cares about Kenyans and he minds collecting their views. Most importantly, looking at how they would want things done.

Mr. Temporary Speaker, Sir, whoever cared to listen to the speech of the President is aware that he has a plan for this country. He outlined the Eurobond loan of US\$200 million that was taken. Everybody thought that Kenya will not be able to pay. He outlined that the country is going to honour that before time. The President, in his capacity, as the Executive Head of this country is committed to honour the international obligations and see that the economy of Kenya is in the path of recovery. Most importantly, he is prepared to take everybody on board towards this path of recovery. What other people will not want to hear.

There is a saying from my community that states when somebody does not like you, even when you are in a swimming pool, he will tell you are blowing a lot of dust.

We know the commitment of the President from maintain this economy, to guide farmers towards the path of recovery and to ensure that the dignity of Kenyans is restored. Not by making them beggars, but by ensuring that they join hands into the economic path to recovery.

Mr. Temporary Speaker, Sir, it is an open secret that we can recover. We will recover because the President has the utmost political goodwill to ensure that this county is in the path of recovery.

As I sit down, I would urge my colleagues to look at it openly. It does not matter. The years 2027 and 2032 are coming and you will challenge us on what we have been able to perform.

My fellow Senators, let us close ranks and agree that it is our obligation to move this country forward.

Sen. Oketch Gicheru, Senator for Migori County, he is my younger brother. It is my obligation to guide him into the right path. If I stepped on the wrong toes, it is not because I do not like him, but because I like him so much. That is why I will repeatedly tell him---

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

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

**Sen. Ogola:** Thank you, Mr. Temporary Speaker, Sir. As I rise to contribute to the President's speech, I remind my senior, Sen. Wamatinga, just yesterday morning, I came from Homa Bay County. That is a demonstration that not only the elected Senators go back to their constituents, but all leaders in the Senate and we are able to pick up issues from there.

Mr. Temporary Speaker, Sir, allow me to start on the note that the cost of living continues to escalate. Kenyans are stretched to the limit, they keep getting stretched and this must be attended to. Just this morning, I attended a Mass where there was a wise reading from the Book of Wisdom---

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

**Sen. (Dr.) Khalwalwe:** Mr. Temporary Speaker, Sir, Sen. Ogola, has informed the House that every weekend, she goes back to her county, yet she is a nominated Senator.

*(Loud consultations)*

We cannot be repeating the obvious under Standing Order No.105. Can she clarify which county she represents in this Senate?

**The Temporary Speaker** (Sen. Abdul Haji): Sen. (Dr.) Khalwalwe, with all due respect, you are a senior Member and I would never want to correct you. Sen. Ogola comes from a county, whether nominated or not. She was referring to her home county. She said she came yesterday from her home county. So, I overrule that.

Proceed, Sen. Ogola.

**Sen. Ogola:** Mr. Temporary Speaker, Sir, some of us continue to hear things they want to hear when others speak.

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

**The Temporary Speaker** (Sen. Abdul Haji): Point of order on who? Sen. Ogola just started speaking with two words.

*(Sen. Oketch Gicheru spoke off record)*

Okay, what is your point of order, Sen. Oketch Gicheru?

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, you know how much I respect your Chair. You also know how much I have been passionate about some of the rulings you make. My intention has and will never be - not even now - to question your ruling.

Standing Order No.121 is on knowingly raising a false point of order. Standing Order No.122(c) further strengthens that Standing Order and talks about failure to declare personal interest in some matters and persistently making serious allegations. It goes all the way to 122(1)(j).

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Mr. Temporary Speaker, the Senator for Kakamega County is constantly raising frivolous points of order. This House has declared in its Standing Orders, that this constitutes grossly disorderly conduct. I wonder why Sen. (Dr.) Khalwalwe is not thrown out of this House for being disorderly.

*(Loud consultation)*

You cannot stand on a point of order to disparage nominated members, even questioning them and almost declaring them ‘county less’ or stateless. Under Article Six of the Constitution, this country is divided into counties. The moment you have declared a Member of this House, ‘county less’, you are declaring them stateless.

**An hon. Senator:** Exactly.

*(Loud consultation)*

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, is this in order in this House? How are we degenerating into something else? I beseech you that today, Sen. (Dr.) Khalwalwe, the Senator for Kakamega County, is not in his best element. He is probably under the influence of something else. Please, find him disorderly and throw him out of this House.

**Sen. Ogola:** Baas!

*(Applause)*

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Ogola, one moment, please.

Sen. Oketch Gicheru, you started your statement by saying you respect the Chair. I also respect you, but on this particular point of order that you have just lamented here today, you are the one who is out of order. I could find you grossly out of order because I had already made a ruling on the point of order that Sen. (Dr.) Khalwalwe had raised and closed that matter. By standing on the same point of order, you are trying to reopen a matter that has already been ruled on. So, I caution you, Sen. Oketch Gicheru.

Sen. Ogola, you may proceed.

**Sen. Ogola:** I request Sen. Oketch Gicheru to bear with senior Senator, Sen. (Dr.) Khalwale. Remember by his own admission yesterday, he was appalled that for the first time he was heckled in his village. That must have caused him a bit of discomfort.

Mr. Temporary Speaker, Sir, to also put it straight to this House, I come from a Ward called Kanyamwa Kosewe in a Sub County called Ndhiwa in Homa Bay County. That record about me is not about to change. When I go to Homa Bay County as my home county, I am rightly there. I am also officially a delegate of Homa Bay County as spelt out, written and recorded by Sen. M. Kajwang’.

As I begin to make my contribution to the presidential speech, this morning, I was in a Mass and there was a reading from the Book of Wisdom. It said “listen, oh Kings, that you may learn wisdom.” One wise man I like listening to often says that if you want to succeed, do not listen to the people with the answers, listen to the people with the questions. My contribution is part of the people with the questions.

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As I contribute to the President's speech, I would like that the Head of State to take note of the following items in my checklist. You notice that we have had a countrywide power outage. The longest blackout that happened in this country was in August this year for over 20 hours. This points to the economy and image that we paint as a country.

Just last Saturday, there was another blackout from 8.00 p.m. till latest midnight. We have had such national power blackouts in the last few months. This must be taken care of because power points to our economy and the image. Something that rattles me when we talk about this national power blackout is does it point to a lack of planning problem or what is it trying to show?

Mr. Temporary Speaker, Sir, just today, there is going to be treaty of the European Union and the Organisation of African, Caribbean and the Pacific Group of States in Brussels. Our state, Kenya is supposed to be a signatory to this treaty. This country holds the family in highest esteem. The family is the natural unit of society that must be protected by both the society and the state. However, this treaty that Kenya is supposed to be signing today all the way in Brussels has connotations of sexual and reproductive health rights that includes abortion, homosexuality and issues of sex work. It is a pity that if this is signed, children are going to be left to decide their sex.

Sen. (Dr.) Khalwale is a gynaecologist. We all know that the sex of a child is determined physically at birth. However, there is this proposition that children should be left without determining their sex, so that in future as they grow up, they have a choice to decide whether they are female or male. Today as I speak, this treaty is supposed to be signed in Brussels. In protecting our family values, these are some of the issues that the Head of State and leadership of our country should look into.

In the President's speech, there was the issue of employment. All of us know the state of unemployment that is in the country. There was a reference to inclusivity---

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Ogola, when this debate resumes, you will have a balance of seven minutes. Next Wednesday, we will prioritize the questions and answers to be addressed to Cabinet Secretary Murkomen. I think that will be next week on Wednesday morning.

### ADJOURNMENT

Hon. Senators, it is now 1.00 p.m. time to adjourn the Senate. The Senate, therefore, stands adjourned until today, Wednesday 15<sup>th</sup> November, 2023 at 2.30 p.m.

The Senate rose at 1.00 p.m.