



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

ORDER PAPER

MORNING SITTING

WEDNESDAY, MAY 15, 2024 AT 9.30 AM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **MOTION - DECLARATION OF CATTLE RUSTLING AND BANDITRY AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**
(Sen. William Cheptumo, MP)

THAT AWARE THAT, cattle rustling/banditry is a major menace and security threat in the South and North Rift regions and some other regions of the country;

CONCERNED THAT, the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPS), disruption of educational health programs and other economic activities owing to the destruction and/or closure of educational, health and other institutions;

FURTHER CONCERNED THAT, the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution;

...../Motion

NOW THEREFORE, the Senate resolves that the National Government through the Ministry of Interior and National Administration and in collaboration with the Council of Governors:

1. Declares cattle rustling a National Disaster;
2. Establish a National Task force on cattle rustling/banditry to:
 - (i) Investigate the causes of the rampant cattle rustling and banditry in the said region and the Country at large;
 - (ii) Establishes the extent of suffering, loss and damage the cattle rustling/banditry has occasioned to the communities in all the affected Counties;
3. Create a Special Fund for mitigating the losses suffered by and in compensating all victims of cattle rustling/banditry and settle all internally displaced persons occasioned by the menace.

(Resumption of debate interrupted on Wednesday, 6th March, 2024 – Morning Sitting – Balance of time 56 minutes)

9. MOTION - ADOPTION OF THE PROGRESS REPORT OF THE AD HOC COMMITTEE ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI

(The Chairperson, Ad Hoc Committee)

THAT, the Senate adopts the progress report of the Ad-Hoc Committee on the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy in Nairobi, laid on the Table of the Senate on Thursday, 2nd May, 2024.

10. MOTION - REPORT OF THE 66TH COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30TH SEPTEMBER – 6TH OCTOBER, 2023

(Sen. (Prof.) Margaret Kamar, MP)

THAT, the Senate notes the Report of the 66th Commonwealth Parliamentary Conference held in Accra, Ghana from 30th September – 6th October, 2023 laid on the Table of the Senate on 15th February, 2024.

11. MOTION - REPORT OF THE 147TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN LUANDA, ANGOLA ON 23RD TO 27TH OCTOBER, 2023

(Sen. Catherine Mumma, MP)

THAT, the Senate notes the Report of 147th Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Luanda, Angola on 23rd to 27th October, 2023 laid on the Table of the Senate on Thursday 29th February, 2024.

...../Motion

12. **MOTION - REPORT OF THE 63RD SESSION OF THE OACPS PARLIAMENTARY ASSEMBLY AND 43RD SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS IN BRUSSELS, BELGIUM**
(Sen. Kathuri Murungi, MP)

THAT, the Senate notes the Report of the 63rd Session of the OACPS Parliamentary Assembly and 43rd Session of the ACP-EU Joint Parliamentary Assembly Meetings in Brussels, Belgium laid on the table of Senate on Wednesday, 6th December, 2023.

13. **MOTION - REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE 13TH PLENARY ASSEMBLY OF THE FORUM OF PARLIAMENTS OF THE MEMBER STATES OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR), HELD IN JUBA, SOUTH SUDAN**
(Sen. Ali Ibrahim Roba, MP)

THAT, the Senate notes Report of the Parliament of Kenya Delegation to the 13th Plenary Assembly of the Forum of Parliaments of the Member States of the International Conference on the Great Lakes Region (FP-ICGLR), held in Juba, South Sudan, laid on the table of Senate on Thursday, 7th December, 2023.

14. **MOTION - REPORT OF THE 9TH INTER-PARLIAMENTARY UNION (IPU) GLOBAL CONFERENCE OF YOUNG PARLIAMENTARIANS HELD IN HANOI, VIETNAM FROM 15TH TO 17TH SEPTEMBER, 2023**
(Sen. John Methu, MP)

THAT, the Senate notes Report of the 9th Inter-Parliamentary Union (IPU) Global Conference of Young Parliamentarians held in Hanoi, Vietnam from 15th to 17th September, 2023 laid on the table of Senate on Tuesday, 5th March, 2024.

15. **MOTION - REPORT OF THE KENYA DELEGATION TO THE EXTRAORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT (PAP) HELD AT THE GALLAGHER CONVENTION CENTRE, MIDRAND, SOUTH AFRICA, FROM 20TH TO 27TH MARCH, 2024**
(Sen. Danson Mungatana, MP)

THAT, the Senate notes the Report of the Kenya Delegation to the Extraordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held at the Gallagher Convention Centre, Midrand, South Africa, from 20th to 27th March, 2024, laid on the Table of the Senate on Wednesday, 24th April, 2024.

16. **MOTION - ESTABLISHMENT OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES**

(Sen. Crystal Asige, MP)

THAT, AWARE THAT Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

NOTING THAT the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions, which if uncontrolled, will result to negative impact of climate change with adverse effect to millions of Kenyans;

CONCERNED THAT the number of private vehicles has significantly grown, leading to increased road accidents, carbon emission and vehicle congestion, costs of which are in excess of Kshs. 100 billion in GDP per year;

NOW THEREFORE the Senate urges the Ministry of Roads and Transport, Ministry of Environment, Climate Change and Forestry, in collaboration with the Council of Governors and the National Climate Change Council to –

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas across the country;
- ii.) Identify and develop County car-free zones, also known as “pedestrians’ precincts”, in urbanized areas, where its infrastructure and activities are restricted to pedestrians alone;
- iii.) provide affordable, safe and universally designed public transport access to and around these car-free zones, including, but not limited to, development of Bus Rapid Transport (BRT) in the urban areas;
- iv.) design inclusive mobility infrastructure that supports non – motorized transport facilities, such as pedestrian spaces, bicycle lanes and green spaces, within the Central Business District of every County; and
- v.) ensure inter-modal connectivity among the various transport modes.

...../Motion

NOTICE

The Senate resolved on 14th February, 2024 as follows:-

THAT, pursuant to Standing Order 111 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply.

APPENDIX

1. QUESTIONS AND STATEMENTS

QUESTIONS

Question No. 019 Nominated Senator (Sen. Joyce Korir, MP) to ask the Cabinet Secretary for Agriculture and Livestock Development:

- a) What measures has the Government put in place to ensure that all meat sold in Kenya meets requisite standards for human consumption, and could the Cabinet Secretary clarify whether the Government monitors the entire meat supply chain from slaughterhouses to retail outlets?
- b) Could the Cabinet Secretary state measures put in place to ensure proper disposal of meat certified as unfit for human consumption, and also guarantee that carcasses of already dead animals are not slaughtered and sold to unsuspecting Kenyans?
- c) Could the Cabinet Secretary provide an update on all court cases regarding the sale of uninspected meat?
- d) What strategies and initiatives has the Government adopted to promote value addition in slaughterhouses, particularly concerning by-products such as hooves, hides and skins, to enhance economic returns for livestock farmers in Kenya?

Question No. 042 The Senator for Tana River County (Sen. Danson Mungatana, MGH, MP) to ask the Cabinet Secretary for Agriculture and Livestock Development:

- a) Has the Ministry of Agriculture and Livestock Development assessed the losses suffered by both crop and livestock farmers, particularly in Tana River County, due to the recent heavy rainfall experienced across the country and, if so, what are the findings?

...../Motion

- b) Does the Government have plans to compensate the farmers for the losses suffered and, if so, could the Cabinet Secretary indicate the budgetary allocation made for the said purpose and explain any measures put in place to ensure that payments are made in a timely manner and to the right individuals?

Question No. 047

The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Agriculture and Livestock Development:

- a) What measures is the Government taking to ensure that Kenya's coffee and coffee products comply with the requirement of the European Union Deforestation Regulations (EUDR) that coffee not be sourced from areas affected by deforestation or forest degradation after 30th December, 2024?
- b) Which Government institution is leading the efforts to collect the geolocation coordinates of the coffee-producing farms as required by the EU Regulations?
- c) Could the Cabinet Secretary also state which Government institution is responsible for managing the geolocation information and state measures in place to ensure its accessibility and protection against access by unauthorized parties?
- d) What is the budgetary allocation for maintaining a comprehensive and accessible database of the geolocation data for land under coffee plantations?

Question No. 030

Nominated Senator (Sen. Mariam Sheikh, MP) to ask the Cabinet Secretary for Water, Sanitation and Irrigation:

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- a) What has caused the delay in the completion of the Mandera Water and Sanitation project that was funded by the Africa Development Bank (AFDB) in 2016, to address the suffering of the residents of Mandera due to water scarcity?
- b) Could the Cabinet Secretary provide a breakdown of the project's budget and state the amount paid to contractors and service providers to date, the recipients of these payments as well as the specific work done?

...../Motion

- c) What is the current status of the project and could the Cabinet Secretary state the measures in place to ensure the timely completion of the project and indicate the projected date of completion?

Question No. 033

The Senator for Wajir County (Sen. Abbas Mohamed, MP) to ask the Cabinet Secretary for Water, Sanitation and Irrigation: -

- a) Could the Cabinet Secretary provide details of all water projects in Wajir County budgeted for by the National Government in the Financial Year 2023/2024, as well as those planned for the FY 2024/2025?
- b) What is the status of implementation for each of the said projects, and could the Cabinet Secretary also outline anticipated impact from the projects, particularly in terms of water capacity and improving distribution networks?

Question No. 029

The Senator for Nandi County (Sen. Samson Cherarkey, MP) to ask the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs: -

- a) What is the current status of gold mining activities at Kerebe Gold Mine in Nandi County?
- b) What is the total amount of money paid as royalties to the Government for gold mining activities at the said gold mine and could the Cabinet Secretary provide a breakdown of how these funds have been shared between the National Government, the respective county governments and local communities?
- c) Could the Cabinet Secretary provide a timeline for the processing of all current applications for mining permits and licenses and explain the regulatory framework governing artisanal mining in Kenya?
- d) Could the Cabinet Secretary provide a list of all companies issued with mineral mining rights currently operating in the country, and state the total revenue collected from the export of minerals from the Financial Year 2022/2023 to date?

...../Motion

Question No. 046

Nominated Senator (Sen. Miraj Abdulrahman, MP) to the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs: -

- a) What progress has the Ministry made in the development of policy and legal framework for Blue Economy in Kenya?

- b) Could the Cabinet Secretary provide details on the disbursement of the Kshs. 1 billion under the “Investing in Women in the Blue Economy in Kenya Project” (IIW-BEK) by the Africa Enterprise Challenge Fund (AECF) funded by the Department of Global Affairs, Canada (GAC) and also indicate the number of women-led firms that have benefited under this programme?

- c) Could the Cabinet Secretary also clarify if the Ministry has a policy on women in the Blue Economy space, considering that they contribute up to sixty (60) percent of the labour force in the fisheries sector?

NOTICE PAPER

Tentative Business for Wednesday, May 15, 2024 (Afternoon Sitting)

(Published pursuant to Standing Order 43 (1))

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Wednesday, May 15, 2024 (Afternoon Sitting).

A. BILLS AT THE COMMITTEE OF THE WHOLE

- i) ***THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILLS NO. 70 OF 2023)
(The Senate Majority Leader)
- ii) ***THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2023)
(The Senate Majority Leader)
- iii) **THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)
(Sen. Wakili Hillary Sigei, MP)

B. BILLS AT THE SECOND READING STAGE

- i) *THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)
(Sen. Beatrice Ogolla, MP)
- ii) ***THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILLS NO. 44 OF 2023)
(The Senate Majority Leader)
- iii) *THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)
(Sen. Kathuri Murungi, MP)
- iv) *THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)
(Sen. Esther Anyieni Okenyuri, MP)
- v) *THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)
(Sen. Edwin Sifuna, MP)
- vi) ***THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)
(The Senate Majority Leader)

- vii) ***THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)
(The Senate Majority Leader)
- viii) ***THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 2 OF 2023)
(The Senate Majority Leader)
- ix) *THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)
(Sen. Johnes Mwaruma, MP)
- x) *THE NUTS AND OIL CROPS DEVELOPMENT BILL (SENATE BILLS NO. 47 OF 2023)
(Sen. Hamida Kibwana, MP)

C. MOTIONS

- i) CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILL No. 9 OF 2022)
(The Senate Majority Leader)
- ii) REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF WEST POKOT COUNTY ASSEMBLY FOR THE FINANCIAL YEAR 2018/2019 AND REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF ISIOLO, KIAMBU, KITUI, MARSABIT, NAROK, NYAMIRA, TRANS NZOIA, WEST POKOT AND MURANG'A COUNTY ASSEMBLIES FOR THE FINANCIAL YEAR 2019/2020.
(The Chairperson, County Public Accounts Committee)
