



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

THURSDAY, OCTOBER 25, 2018 AT 2.30 PM

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the appendix)
6. Notices of Motion
7. Statements (as listed in the appendix)
8. **MOTION – USAGE OF SIGNING EXACT ENGLISH (SEE) AS A MODE OF INSTRUCTION FOR PERSONS WITH HEARING IMPAIRMENT**
(Sen. (Dr.) Getrude Musuruve, MP)

THAT, AWARE that Article 43 (f) of the Constitution stipulates that every person has a right to education;

FURTHER AWARE that Kenya is among the State Parties that ratified the United Nations Convention on the Rights of Persons with Disabilities in which the parties undertook to ensure that persons with disabilities are not excluded from the general education system and that the education of persons, and in particular children, who are blind, deaf or deaf-blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development;

ACKNOWLEDGING that hearing impaired learners have linguistic challenges and perform dismally in academics since all subjects other than Kiswahili and foreign languages are taught and examined in English;

COGNIZANT that hearing impaired learners who are educable can master the essentials of English language as they are able to sign sing the National Anthem in Signing Exact English (SEE);

...../Motion

NOW THEREFORE, the Senate calls upon the Ministry of Education, Science and Technology to-

1. ensure that Signing Exact English (SEE) is used as a mode of instruction for persons with hearing impairment who are educable;
2. develop SEE instructional materials for learners with hearing impairment;
3. work with linguists and researchers to develop sign language resources; and
4. ensure that sign language linguistics is offered as a discipline in universities and teacher training colleges.

(Resumption of Debate interrupted on Wednesday, 17th October, 2018)

9. **MOTION - REPORTS OF THE STANDING COMMITTEE ON EDUCATION ON THE 20TH COMMONWEALTH EDUCATION MINISTERS CONFERENCE AND THE TVET CONFERENCE**

(Chairperson, Standing Committee on Education)

THAT, this House notes the Reports of the Standing Committee on Education on the 20th Conference of Commonwealth Education Ministers (20CCEM) held in Nadi, Fiji from 19-23 February, 2018 and the TVET Conference held in Victoria, Canada from 27th April – 2nd May, 2018, laid on the Table of the House on Thursday, 12th July, 2018 and Wednesday, 1st August, 2018 respectively.

10. **MOTION – REPORT OF THE SENATE DELEGATION TO THE INAUGURAL COMMONWEALTH PARLIAMENTARIANS’ FORUM**

(Sen. Moses Kajwang’, MP)

THAT, this House notes the Report of the Senate Delegation to the Inaugural Commonwealth Parliamentarians’ Forum held at the Westminster Palace, London, United Kingdom from 26th February to 1st March, 2018 laid on the Table of the House on Thursday, 10th May, 2018.

11. **MOTION - REPORT OF THE 138TH ASSEMBLY OF THE INTER PARLIAMENTARY UNION (IPU)**

(Sen. Susan Kihika, MP)

THAT, this House notes the Report of the 138th Assembly of the Inter – Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland from 22nd – 28th March, 2018 laid on the Table of the Senate on Thursday, 21st June, 2018.

12. **MOTION – REPORT OF THE SENATE DELEGATION TO THE AFRICAN PARLIAMENTARIANS’ NETWORK AGAINST CORRUPTION (APNAC) CONFERENCE**

(Sen. (Dr.) Isaac Mwaura, MP)

THAT, this House notes the Report of the Senate Delegation to the African Parliamentarians’ Network Against Corruption (APNAC) Conference held in Ghana from 17th – 18th March, 2018, laid on the Table of the House on Tuesday, 19th June, 2018.

...../Motion

13. **MOTION – REPORT OF THE 62ND SESSION OF THE COMMISSION ON THE STATUS OF WOMEN**

(Sen. Abshiro Halake, MP)

THAT, this House notes the Report of the 62nd Session of the Commission on the Status of Women laid on the Table of the House on Tuesday, 17th July, 2018.

14. **MOTION – REPORT OF THE 49TH SESSION OF THE AFRICAN CARIBBEAN PACIFIC PARLIAMENTARY ASSEMBLY AND INTER – SESSIONAL MEETING**

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

THAT, this House notes the Report of the 49th Session of the ACP Parliamentary Assembly and Inter- Sessional meeting of the ACP-EU Joint Parliamentary Assembly held on 20th – 22nd March, 2018 in Brussels, Belgium, laid on the Table of the House on Tuesday, 31st July, 2018.

15. **MOTION –REPORT OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE ON THE 2018 COMMONWEALTH GAMES**

(Sen. (Dr.) Alice Milgo, MP)

THAT, this House notes the Report of the Standing Committee on Labour and Social Welfare on the 2018 Commonwealth Games held in Gold-Coast, Australia from 4th to 15th April, 2018, laid on the Table of the Senate on Wednesday, 1st August, 2018.

16. **MOTION – REPORT OF THE SENATE DELEGATION TO THE CONFERENCE ON ENHANCING THE ROLE OF PARLIAMENTARIANS IN THE INTERLINKAGE BETWEEN POPULATION ISSUES AND THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT**

(Sen. Fredrick Outa, MP)

THAT, this House notes the Report of the Senate Delegation to the Conference on Enhancing the Role of Parliamentarians in the Interlinkage between Population Issues and the 2030 Agenda for Sustainable Development, held in New Delhi, India from 13th – 15th September, 2017, laid on the Table of the House on Thursday, 2nd August, 2018.

17. **MOTION- REMEDIES FOR CLOSURE OF SCHOOLS DUE TO FLOODS & INSTANCES OF INSECURITY**

(Sen. (Arch.) Sylvia Kasanga, MP)

THAT, AWARE that Article 43(1)(f) of the Constitution of Kenya provides that every person has a right to education and Article 53(1)(b) of the Constitution states that every child has the right to free and compulsory basic education;

COGNIZANT that on 5th January, 2018 during the flagging off of national delivery of core course books for schools at Cemastea Karen, His Excellency the President Uhuru Kenyatta stated that his administration has focused on initiatives that ensure every Kenyan has access to quality education, so they can acquire appropriate skills and knowledge that make our country globally competitive;

...../Motion

FURTHER AWARE that recently the country has suffered floods in many parts of the country leading to deaths and people being displaced and rendered homeless;

DEEPLY CONCERNED that some schools have also remained closed even after other schools reopened while others have been closed as a result of floods and instances of insecurity;

FURTHER NOTING that closure of schools due to the said floods as well as insecurity places students and pupils in those schools at a disadvantage as they are unable to access education which is their right, while some of the students in those schools are expected to sit for their national exams at the end of the year and their performance risks being negatively affected by the lost time out of school;

NOW THEREFORE, the Senate resolves that the Committee on Education, investigates this matter with a view to: -

1. identifying strategies to ensure that the affected students are able to access education as soon as possible;
2. outlining preventative measures to ensure that more students are not affected by the floods and insecurity; and
3. Submitting a Report to the Senate within sixty (60) days outlining the short and long term strategies, that are being put in place to ensure that schools in flood and insecurity prone areas are not affected in the future.

18. **MOTION – HUMAN – WILDLIFE CONFLICT**
(Sen. Johnes Mwaruma, MP)

AWARE THAT tourism is amongst key sectors of Kenya’s economy contributing billions of shillings to the country as well as generating employment and livelihoods to millions of citizens;

FURTHER AWARE THAT, Kenya is endowed with different wildlife species which contribute substantially to the national economy through tourism;

NOTING THAT, cases of human-wildlife conflict are on the rise as a result of many factors key among them climate change and encroachment on parks and nature reserves leading to deaths and maiming of people by wild animals;

FURTHER NOTING THAT there’s need to create a conducive environment for peaceful coexistence of humans and wildlife in the same space given the importance of wildlife not only to our economy but to ecology as well;

CONCERNED that victims and families of victims of human-wildlife conflict are not being compensated for loss of lives, being maimed or loss of their means of livelihood due to failure of the Treasury to allocate adequate funds for this purpose contrary to the Wildlife Compensation Management Act, 2013;

FURTHER CONCERNED that the regions and communities hosting the wildlife are marginalized and do not benefit from the proceeds of tourism in their area;

...../Motion

NOW THEREFORE the Senate calls upon the National Government to-

1. Allocate adequate funds during the current financial year and subsequent years for compensation;
2. Ensure that victims and families of victims of human-wildlife conflict are always compensated within 90 days of submitting their claims; and
3. Come up with innovative ways of ensuring host communities benefit from the revenue accruing from wildlife tourism.

19. **MOTION** - (The Senate Majority Leader)

THAT, pursuant to Standing Orders 28 and 29, the Senate do adjourn until Tuesday, 6th November, 2018.

NOTICES

The Senate resolved on 14th February, 2018 as follows:-

- a) **THAT**, pursuant to Standing Order 106 (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.

- b) **THAT**, notwithstanding the provisions of Standing Order 106 (4), the debate on any Motion for the adjournment of the Senate to a day other than the next normal sitting day in accordance with the calendar of the Senate shall be limited to a maximum of two hours with not more than fifteen minutes for each Senator speaking after which the Senate shall adjourn without question put;

Provided that when the period of recess proposed by any such Motion does not exceed nine calendar days, the debate shall be limited to a maximum of thirty (30) minutes, and shall be confined to the question of adjournment.

APPENDIX

1. PAPERS LAID

- a) Report of the Auditor General on the Financial Statements of the County Assembly of Lamu for the year ended 30 June 2017;
- b) Report of the Auditor General on the Financial Statements of the County Assembly of Kilifi for the year ended 30 June 2017;
- c) Report of the Auditor General on the Financial Statements of the County Assembly of Mombasa for the year ended 30 June 2017;
- d) Report of the Auditor General on the Financial Statements of the County Assembly of Kwale for the year ended 30 June 2017;
- e) Report of the Auditor General on the Financial Statements of the County Assembly of Taita Taveta for the year ended 30 June 2017;
- f) Report of the Auditor General on the Financial Statements of the County Assembly of Tana River for the year ended 30 June 2017; and
- g) Report of the Auditor General on the Financial Statements of the County Assembly of Homa Bay for the year ended 30 June 2017.

(The Senate Majority Leader)

2. STATEMENTS

(i) Statement Pursuant to Standing Order No. 48 (1)

The Senator for Baringo County (Sen. Gideon Moi, MP) to seek a statement from the Standing Committee on Finance and Budget on the County Recurrent Expenditure ceilings for the financial year 2017/2018.

(ii) Statement Pursuant to Standing Order No. 52 (1)

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 6th November, 2018.