



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIFTH SESSION)

VOTES AND PROCEEDINGS

WEDNESDAY, SEPTEMBER 22, 2021 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. **PAPER**

The following Paper was laid on the Table of the Senate: -

Report of the Auditor General on the financial statements of Tetu Aberdare Water and Sanitation Company Limited for the year ended 30th June, 2019.

(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)

4. **STATEMENTS**

a) Pursuant to Standing Order 47(1)

- i.) Nominated Senator (Sen. (Dr.) Getrude Musuruve Inimah, MP) made a Statement concerning the International Day of Sign Languages.

Thereupon, the Senator informed the House that the world marks the International Day of Sign Languages on Thursday, 23rd September 2021 to raise awareness on the importance of sign language in the full realization of the human rights of people who are deaf and the day is celebrated in conjunction with the International Week of the Deaf (WFD), with this year's theme being "*We Sign for Human Rights*."

The Senator also informed the House that on 30th March, 2007, Kenya signed and on 5th May, 2008 ratified the UN Convention on the Rights of Persons with Disabilities which was entered into force in 2008 and which recognizes and promotes the use of Sign Language. Further, the Senator stated that the right for the use of sign language is enshrined

in the Constitution of Kenya, 2010 in Articles 7 (1)(b), 54 and 120. To this effect, she stated that she had co-sponsored several Bills together with Sen. (Prof.) Margaret Kamar and Sen. (Dr.) Alice Milgo aimed at actualizing these Articles and ensuring that there were specific laws that promote an inclusive human rights approach in Sign Language awareness.

The Senator then wished every Kenyan and all people around the world a happy International Day of Sign Languages and indicated that she would mark this day by donating Sign language books and materials to various national libraries to be stored in their Africana or references section for hearing people to access and learn Sign language.

- ii.) Nominated Senator (Sen. (Arch.) Sylvia Kasanga, MP) made a statement regarding joint observation mission of presidential, parliamentary and local government elections in Zambia by the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR).

Thereupon, the Senator informed the House that that the FP-ICGLR had participated in a joint election observer mission in Zambia between 5th and 16th August, 2021 alongside the United Nations (UN), the African Union (AU) and the Common Market for Eastern and Southern Africa (COMESA), and other election monitoring groups and the Kenya delegation had comprised Members of the FP-ICGLR drawn from both Houses of Parliament and led by the Rt. Honorable Speaker of the Senate, who also serves as the President of FP-ICGLR.

The Senator also informed the House that the 2021 General Elections had taken place against a backdrop of heightened political tension in the country which was compounded by a shrinking economy and exacerbated by the global COVID-19 pandemic that has resulted in increased socio-economic inequalities and social disenchantment by citizens, evidenced by pockets of violence reported in the Zambian capital, Lusaka, as well as Northern, Southern and Muchinga provinces where supporters of the then governing Patriotic Front (PF) and the then opposition United Party for National Development (UPND) clashed.

The Senator further informed the House that, although the elections infrastructure in Zambia was largely manual, the electoral process was found to be efficient and most polling centers opened and closed on time. The use of KIMs kits was witnessed in only one polling centre and the Electoral Commission of Zambia was well organized and the

electoral process was generally managed in an orderly manner. The Senator highlighted some of the lessons that can be borrowed from Zambia, including the importance of engaging diplomatic interventions in electoral processes, importance of making the voter register readily available to election officials and agents and the importance of investing in independent institutions that outlast political parties or formations.

The Senator urged the Standing Committee on Justice, Legal Affairs and Human Rights to assess the status of preparedness of the Independent Electoral and Boundaries Commission in the upcoming elections in Kenya in 2022, and to table a report thereon so that, if gaps are observed, necessary interventions are made well ahead of time.

(b) Pursuant to Standing Order 48 (1)

Nominated Senator (Sen. (Dr.) Getrude Musuruve Inimah, MP) sought a Statement from the Standing Committee on Health regarding the state of health care services to cancer patients in public health facilities.

6. MOTION - CENSURE OF HON. JOHN K. MUNYES, CABINET SECRETARY FOR PETROLEUM AND MINING AND HON. CHARLES KETER, CABINET SECRETARY FOR ENERGY

Order read;

Motion made and Question proposed;

THAT AWARE that on 15th September, 2021, a statement was requested under Standing Order 48(1) regarding the recent increase of fuel prices by the Energy and Petroleum Regulatory Authority (EPRA);

AND WHEREAS the Speaker of the Senate directed the Standing Committee on Energy to invite the Cabinet Secretaries of the Ministries of Petroleum and Mining; and Energy to appear before the Committee on Tuesday, 21st September, 2021 to apprise the Committee and the entire Senate on the unprecedented escalation of fuel prices in the country;

AND WHEREAS the Standing Committee on Energy invited the two Cabinet Secretaries, pursuant to Article 153 (3) and (4) of the Constitution, to appear before the Committee on Tuesday, 21st September, 2021 at 11.00 am;

NOTING that the said Cabinet Secretaries failed to honour the invitation to attend the meeting of the Committee;

COGNIZANT of the fact that the sharp increase in fuel prices in the country has had a ripple adverse effect on the economy leading to a rise in the cost of living and the cost of doing business on an already overburdened citizenry grappling with the effects of the COVID-19 pandemic;

FURTHER AWARE that this increase in fuel prices has outraged a majority of Kenyans who bear the brunt of the effects of the increase such as high cost of transportation, high food prices, high cost of electricity among other adverse effects on most sectors of the economy;

NOW THEREFORE the Senate-

1. Expresses its grave concern on the unprecedented increase in fuel and electricity costs and the adverse effects that these have had on the economy and livelihoods of the people of Kenya; and
2. Expresses its dissatisfaction with the conduct of the two Cabinet Secretaries, namely- Hon. John K. Munyes, Cabinet Secretary for Petroleum and Mining and Hon. Charles Keter, Cabinet Secretary for Energy in failing to appear before the Senate to address these urgent issues thereby abdicating their responsibilities as set out in Article 153 (3) and (4) of the Constitution.

(The Senate Minority Leader)

Debate arising;

And the time being thirty minutes past six O'clock, the Temporary Speaker (Sen. (Dr.) Lelegwe Ltumbesi, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

7. **SENATE ROSE** – at thirty minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Thursday, September 23, 2021 at 2.30 p.m.*

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