



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

VOTES AND PROCEEDINGS

TUESDAY, APRIL 26, 2022 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. **COMMUNICATION FROM CHAIR ON THE DEMISE OF THE THIRD PRESIDENT OF KENYA, HIS EXCELLENCY EMILIO MWAI KIBAKI, CGH**

The Speaker conveyed the following Communication from the Chair -

“Honourable Senators,

I take this opportunity to welcome you back from a recess period that has been packed with political events. In spite of this, I hope that you have had time to attend to your constituents and spend time with your families.

Honourable Senators,

Friday, the 22nd day of April, 2022, will be remembered in the history of Kenya as one of its bleakest moments, when the country lost the Third President of the Republic of the Kenya, His Excellency Emilio Mwai Kibaki, C.G.H. He died at the age of 90.

His Excellency the late Mwai Kibaki was born on 15th November, 1931 in Gatuyaini village, Othaya Division, in Nyeri County. He started his schooling at Karima Mission Primary School then went to Mathari School, currently Nyeri High School, where he also learnt carpentry and masonry. He later proceeded to Mang'u High School, where he studied between 1947 and 1950. He then joined the Makerere University in Uganda where he studied Economics, History, and Political Science. During his studies at Makerere University, he was the Chairman of the Kenya Students' Association. In 1955, he graduated with First Class Honours. Later on, he was awarded a scholarship to undertake further studies at the London School of Economics in the United Kingdom where he obtained a First Class Honours in Public Finance in 1957. He was the first African to score a First Class Honours at the London School of Economics.

In 1958, he returned to Makerere University where he served as an Assistant Lecturer in the Economics Department. In 1961 he resigned to take up the position of Executive Officer of the Kenya African National Union (KANU).

In 1961, the late Mwai Kibaki married the First Lady, Her Excellency the Late Lucy Muthoni Kibaki, the daughter of a church minister, who was then a secondary school head teacher. He is survived by their four children- Judy Wanjiku, Jimmy Kibaki, David Kagai and Tony Githinji.

Honourable Senators,

His Excellency, the Late Mwai Kibaki enjoyed a rich career in the public service. In 1963, when Kenya won its independence, he was elected Member of Parliament for Donholm Constituency in Nairobi (subsequently called Bahati and now Makadara) where he served for two (2) terms. In the 1974 General Elections, he moved his political base to his native Othaya Constituency in Nyeri, which he represented un-interrupted until his retirement in 2013. He will be remembered in the annals of history as the longest serving Member of Parliament having served ten (10) consecutive parliamentary terms, thus totaling to 50 years in service.

During this period, His Excellency the Late Mwai Kibaki served government in various positions including- the Parliamentary Secretary to the Minister for Finance between 1963 and 1965; Minister for Commerce and Industry between 1965 and 1969; Minister for Finance and Economic Planning between 1970 and 1978; the Fourth Vice President of the Republic of Kenya between 1978 and 1988. As Vice President, he continued to serve as the Minister for Finance up to 1983 and later as the Minister for Home Affairs and National Heritage between 1983 and 1988. After the 1988 General Elections he was appointed as the Minister for Health until 1991 when he resigned from the ministerial position and from the then ruling party, the *Kenya African National Union* (KANU).

Following the re-introduction of multiparty politics in 1991, he founded the Democratic Party and contested the 1992 presidential election, coming third. On his second attempt at the presidency in 1997, he came second and became the Official Leader of the Opposition and the Chairperson of the Public Accounts Committee. In the General Elections of December 2002, he contested for President under the National Rainbow Coalition (NARC) ticket and was elected President on the grand coalition ticket, at the age of 71. In the 2007 General Elections, he won a second term as President under the *Party of National Unity* (PNU).

Honourable Senators,

In his lifetime, His Excellency the Late Mwai Kibaki made innumerable achievements that transcend beyond the current generation and even beyond our borders.

He led Kenya in a tumultuous period and oversaw the passage of the Constitution of Kenya, 2010 that introduced the devolved system of governance, expanded democratic space and ensured there were more checks and balances on the institutions of governance.

His dedication to economic transformation and regional integration will be remembered by many generations. During his first term as President, the country's GDP growth rate rose from 0.6% to 7% at the end of his first term.

The Former President laid the economic and infrastructural foundation for the country. Some of the emblematic developments were the construction of the 44.5km Thika superhighway that links Nairobi to Thika, the expansion of the Jomo Kenyatta International Airport and the rehabilitation of the Nairobi-Nakuru-Eldoret-Malaba highway. He revived key economic institutions such as the Kenya Meat Commission and the Kenya Cooperative Creameries, Mumias and Nzoia Sugar Mills and Webuye Pan Paper, among many others.

Honourable Senators,

His Excellency the Late Mwai Kibaki was a progressive leader who believed in gender equality and women's empowerment. You will recall that the political party that he founded, the Democratic Party, had the highest number of elected women Members of Parliament in the 7th Parliament. Further, in his first Cabinet of 2003, he appointed a number of women as Ministers, among them Governor Charity Ngilu, Sen. Beth Mugo, MP, Hon. Martha Karua, Hon. (Prof.) Hellen Sambili and Hon. (Dr.) Linah Jebii Kilimo.

Furthermore, during his tenure he catalyzed the mainstreaming of gender equity in the public service, including the Judiciary. His tenure was the genesis of more women joining the Judiciary, key amongst them the current Chief Justice, Lady Justice Martha Koome, who joined the Judiciary as a Judge of the High Court from private practice in 2003.

The Late former President, in the quest to advance Universal Primary Education, introduced free primary school education, a move which was applauded worldwide, including by the United Nations. Millions of children have been beneficiaries of this programme. The programme is viewed as a step towards achieving universal basic education and as a contributor to economic growth and poverty reduction. Further he liberalized education in the country leading to the significant growth in the number of public and private universities.

Honourable Senators,

You will also recall that during the Late former President's tenure, landmark legislation governing the water sector was passed for the first time since independence. Further he supported many initiatives aimed at making portable drinking water accessible to communities in his capacity as the Patron of the Millenium Water Alliance, a multi-donor-funded initiative that seeks to make portable drinking water accessible to communities that are under threat of water security and scarcity. Following this, His Excellency the late Mwai Kibaki was designated the UNESCO Special Envoy for Water in Africa in April 2016.

Furthermore, during his tenure he opened the political space, liberalized media and promoted freedom of expression which led to unprecedented increase in the number of media outlets in the country. He strengthened the Communications Authority of Kenya (previously the Communications Commission of Kenya) and cautioned that media must at all times be responsible and uphold key pillars of journalism, particularly tolerance and objectivity. He expanded development of telecommunication through the Kenya Rural Telecommunications Development Project and developed the banking sector.

Honourable Senators,

Kenya and the world over has indeed lost a national statesman, a patriot, an accomplished economist and a selfless leader. He exemplified focused, purpose driven and responsive leadership. He possessed impeccable passion for public service and served the nation with utmost commitment and determination. At this point, may I point out that he appointed me twice, first as the Secretary, Provincial Administration in the Office of the President, and then as a full Principal Secretary (PS) in the Ministry of Livestock Development. This I will always remember, and would like it to be on record.

Honourable Senators,

Today we honour his legacy and mourn his loss alongside his family and friends, the people of Kenya, Africa and the world in general. On behalf of the Senate of the Republic of Kenya and on my own behalf, I convey our heartfelt condolences to his family, and to the people of Kenya. I convey our heartfelt condolences to his family, and to the people of Kenya.

Following the demise of the former President, the Senate Business Committee held a meeting this morning and resolved to defer the regular business of the Senate in order to afford the Senate and indeed Senators an opportunity to eulogize the departed President and condole with his family and the nation. Therefore, as you will observe, in the Supplementary Order Paper, the only business this afternoon will be the Motion on the tribute of the Senate on the

demise of the third President of the Republic of Kenya, His Excellency the Late Emilio Mwai Kibaki, CGH.

In honour of His Excellency the late Emilio Mwai Kibaki, CGH, I request that we all stand and observe a moment of silence.

(Thereafter all Senators stood and observed a moment of silence)

I thank you.”

4. **NOTICE OF MOTION – TRIBUTE OF THE SENATE ON THE DEMISE OF THE THIRD PRESIDENT OF THE REPUBLIC OF KENYA, HIS EXCELLENCY THE LATE EMILIO MWAI KIBAKI, CGH**

(The Senate Majority Leader)

AWARE THAT the late former President Emilio Mwai Kibaki, CGH, was the third President of the Republic of Kenya between December 2002 and March 2013, in addition to serving as the fourth Vice President of the Republic of Kenya between 1978 and 1988;

NOTING THAT the late former President Mwai Kibaki had a long and illustrious career in public service, spanning over 50 years, where he served as a Member of Parliament for Donholm and Othaya Constituencies for ten (10) parliamentary terms from 1963 to 2013, and as a Cabinet Minister in various Ministries for twenty-eight (28) years from 1963 to 1991;

APPRECIATING the late President Mwai Kibaki’s work in setting the foundation for Kenya’s socio-economic turnaround and infrastructural development; liberalization of education including introduction of free primary education; enhancement of the Bill of Rights; liberalization of the media, including promotion of media freedom; championing of women’s participation in politics and leadership; promoting environmental conservation, including sustainable management of water and natural resources; and deepening of telecommunication services and overseeing the unprecedented growth in the banking sector, among other milestones;

FURTHER APPRECIATING the late President’s efforts in governance and institutional reforms throughout his public service career, that culminated in the promulgation of a new Constitution in 2010, that ultimately ushered in a new governance paradigm;

COGNIZANT of the Presidential Proclamation of Friday, 22nd April, 2022 communicating the passing on of former President Mwai Kibaki, CGH;

NOW THEREFORE, the Senate **resolves** that the condolences of the Senate be recorded in Honour of the late President Mwai Kibaki’s service as a selfless Statesman, a National Hero, an accomplished economist, and a Member of

Parliament, for his contribution in nation building and Kenya's socio-economic development.

5. **MOTION - TRIBUTE OF THE SENATE ON THE DEMISE OF THE THIRD PRESIDENT OF THE REPUBLIC OF KENYA, HIS EXCELLENCY THE LATE EMILIO MWAI KIBAKI, CGH**

Order read;

Motion made and Question proposed;

AWARE THAT the late former President Emilio Mwai Kibaki, CGH, was the third President of the Republic of Kenya between December 2002 and March 2013, in addition to serving as the fourth Vice President of the Republic of Kenya between 1978 and 1988;

NOTING THAT the late former President Mwai Kibaki had a long and illustrious career in public service, spanning over 50 years, where he served as a Member of Parliament for Donholm and Othaya Constituencies for ten (10) parliamentary terms from 1963 to 2013, and as a Cabinet Minister in various Ministries for twenty-eight (28) years from 1963 to 1991;

APPRECIATING the late President Mwai Kibaki's work in setting the foundation for Kenya's socio-economic turnaround and infrastructural development; liberalization of education including introduction of free primary education; enhancement of the Bill of Rights; liberalization of the media, including promotion of media freedom; championing of women's participation in politics and leadership; promoting environmental conservation, including sustainable management of water and natural resources; and deepening of telecommunication services and overseeing the unprecedented growth in the banking sector, among other milestones;

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(The Senate Majority Leader)

Debate arising;

The Deputy Speaker interrupted the business of the House and adjourned the Senate at thirty-two minutes past Six O'clock, without Question put, pursuant to the Standing Orders 31 (2).

6. SENATE ROSE – at thirty-two minutes past Six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, April 27, 2022 at 02:30 p.m.*

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