



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, MAY 22, 2024 (MORNING SITTING)**

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

3. **QUORUM OF THE SENATE**

The Deputy Speaker, having counted the Hon. Senators present at the commencement of the Sitting and confirming that there was no Quorum, directed that the Bell be rung for ten minutes, pursuant to Standing Order 40;

And there being a Quorum before the expiry of the ten minutes;

The Deputy Speaker invited the Clerk to call the Orders of the Day.

4. **QUESTIONS AND STATEMENTS**

**QUESTIONS**

- a) **Question No. 019** by Sen. Wakili Hillary Sigei, MP on behalf of Sen. Joyce Korir, MP to the Cabinet Secretary for Agriculture and Livestock Development on monitoring of the meat supply chain in Kenya was answered by the Cabinet Secretary.
- b) **Question No. 042** by Sen. Esther Okenyuri, MP on behalf of Sen. Danson Mungatana, MP to the Cabinet Secretary for Agriculture and Livestock Development on Compensation to crop and livestock farmers for losses suffered after the heavy rainfall experienced in Tana River County in April/May, 2024 was answered by the Cabinet Secretary.
- c) **Question No. 047** by Sen. James Murango, MP to the Cabinet Secretary for Agriculture and Livestock Development on Status of implementation of the European Union Deforestation Regulations (EUDR) by coffee farmers in Kenya was answered by the Cabinet Secretary.
- d) **Question No. 057** by Sen. (Prof.) Tom Ojienda, MP to the Cabinet Secretary for Environment, Climate Change and Forestry on Climate change initiatives

implemented in the country and their tailoring to the specific needs of each county was deferred in the absence of the Cabinet Secretary.

- e) **Question No. 021** by Sen. Edwin Sifuna, MP to the Cabinet Secretary for the National Treasury and Economic Planning on Failure by the e-Citizen digital platform to process payments made to some Government institutions was deferred in the absence of the Cabinet Secretary.
- f) **Question No. 060** by Sen. Catherine Mumma, MP to the Cabinet Secretary for the National Treasury and Economic Planning on Financing and utilization of the National Government development budget for the FY 2022/2023 was deferred in the absence of the Cabinet Secretary.

5. **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;

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, 6<sup>th</sup> March, 2024 – Morning Sitting)***

Order read;

Order deferred.

6. **MOTION – 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)

THAT, the Senate adopts the 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 laid on the table of the Senate on Thursday, 7<sup>th</sup> March, 2024.

***(Resumption of debate interrupted on Tuesday, 30<sup>th</sup> April, 2024)***

Order read;

Order deferred.

7. **MOTION – REPORT OF THE 66<sup>TH</sup> COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30<sup>TH</sup> SEPTEMBER – 6<sup>TH</sup> OCTOBER, 2023**  
(Sen. (Prof.) Margaret Kamar, MP)

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

Order read;

Order deferred.

8. **MOTION – REPORT OF THE 63<sup>RD</sup> SESSION OF THE OACPS PARLIAMENTARY ASSEMBLY AND 43<sup>RD</sup> 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.

Order read;

Order deferred.

9. **MOTION – REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE 13<sup>TH</sup> 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**

Order read;

Motion made and Question proposed;

THAT, the Senate notes the Report of the Parliament of Kenya Delegation to the 13<sup>th</sup> 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, 7<sup>th</sup> December, 2023.

*(Sen. Hezena Lemaletian, MP on behalf of Sen. Ali Ibrahim Roba, MP)*

There being no Senator wishing to contribute;

Mover replied;

Before the Question was put and pursuant to Standing Order 84 (1), the Temporary Speaker (Sen. Veronica Maina, MP) ruled that the Motion did not affect counties.

Question put and **agreed to.**

**RESOLVED ACCORDINGLY**

THAT, the Senate notes the Report of the Parliament of Kenya Delegation to the 13<sup>th</sup> 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, 7<sup>th</sup> December, 2023.

10. **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 20<sup>TH</sup> TO 27<sup>TH</sup> 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 20<sup>th</sup> to 27<sup>th</sup> March, 2024, laid on the Table of the Senate on Wednesday, 24<sup>th</sup> April, 2024.

Order read;

Order deferred.

11. **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.

Order deferred.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Veronica Maina, MP) adjourned the Senate at fifty-seven Minutes past Twelve O'clock without Question put, pursuant to the Standing Orders.

12. **SENATE ROSE** - at fifty-seven Minutes past Twelve O'clock.

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Wednesday, May 22, 2024 at 2.30 p.m.*

--x--