

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Wednesday, 26<sup>th</sup> February, 2025

### Afternoon Sitting

*The House met at the Senate Chamber,  
Parliament Buildings, at 2.30 p.m.*

*[The Deputy Speaker (Sen. Kathuri) in the Chair]*

### PRAYER

DETERMINATION OF QUORUM  
AT COMMENCEMENT OF SITTING

**The Deputy Speaker** (Sen. Kathuri): Clerk, confirm whether we have quorum.

*(The Clerk-at-the-Table consulted with the Deputy Speaker)*

Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

*(The Quorum Bell was rung)*

*(Several Senators walked into the Chamber)*

I confirm that we now have quorum. Hon. Senators, take your seats. Clerk, read out the first Order.

Yes, Sen. Lomenen, proceed.

### NOTICE OF MOTION OF ADJOURNMENT UNDER STANDING ORDER NO.37

THE KILLING OF KENYAN FISHERMEN  
IN TODONYANG AREA, TURKANA COUNTY

**Sen. Lomenen:** Thank you, Mr. Deputy Speaker, Sir. I beg to give Notice of the following Motion-

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THAT, pursuant to Standing Order No.37, the Senate do now adjourn to discuss a definite matter---

**The Deputy Speaker** (Sen. Kathuri): Sen. Lomenen, you are standing on a point of order. I saw your name on my screen, raising a point of order.

Proceed to give notice.

*(Sen. Cheruiyot spoke off record)*

He is okay at this stage. However, he should state that he is standing on a point of order to state what he is presenting.

**Sen. Lomenen:** Thank you, Mr. Deputy Speaker, Sir. I beg to give Notice of the following Motion—

THAT Pursuant to Standing Order No.37, the Senate do now adjourn to discuss a definite matter of urgent national importance—namely, the killing of Kenyan fishermen in Todonyang area.

*(Sen. (Dr.) Khalwale walked to the Dispatch Box and consulted Sen. Lomenen)*

**The Deputy Speaker** (Sen. Kathuri): Sen. (Dr.) Khalwale, why are you interrupting the Senator of Turkana County?

**Sen. Lomenen:** Thank you, Mr. Deputy Speaker, Sir. I will repeat. I rise to give Notice of the following Motion –

THAT, pursuant to Standing Order No.37, the Senate do now adjourn to discuss a definite matter of urgent national importance, namely, the killing of Kenyan fishermen in the Todonyang area on Saturday, 22<sup>nd</sup> February, 2025, that allegedly left at least 22 Kenyans unaccounted for and 15 boats belonging to Kenyan fishermen stolen.

Thank you.

*(Several Senators stood in their places)*

**The Deputy Speaker** (Sen. Kathuri): Sen. Lomenen, I have confirmed that we have the requisite threshold. I direct that the Senate adjourn at 5:00 p.m. to discuss this Motion.

**Sen. Lomenen:** Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Next Order.

What is your point of order, Sen. Kisang?

*(Sen. Cheruiyot spoke off record)*

**The Deputy Speaker** (Sen. Kathuri): Maybe he is seeking clarification.

**Sen. Kisang:** Mr. Deputy Speaker, Sir, I have heard that you have said the Motion for adjournment has been slotted for 5:00 p.m. I thought we had agreed as a

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House that at 5.00 p.m., we would go to the service of our departed colleague, the late Sen. Cheptumo. Senators will lead the service. I do not know the arrangement we have.

**The Deputy Speaker** (Sen. Kathuri): Sen. Kisang, this House will adjourn at 6.30 p.m. According to me, the House will adjourn at 6.30 p.m. A decision will be made at 5.00 p.m.

Let us proceed to the next Order.

## PAPERS LAID

### REPORTS OF THE AUDITOR-GENERAL ON FINANCIAL STATEMENTS OF VARIOUS ENTITIES

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, Wednesday, 26<sup>th</sup> February, 2025-

Report of the Auditor-General on Financial Statements of the County Executive of Bungoma for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of the County Assembly of Bungoma for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of the County Revenue Fund County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of the Receiver of Revenue - Revenue Statements - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma County Assembly Members' and Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma County Youth and Women Empowerment Fund for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma County Education Support Scheme for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma County Assembly Employee Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma County Disaster and Emergency Management Fund for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma County Persons with Disabilities Empowerment Fund for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma County Trade Development Loans Fund for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma County Climate Change Fund for the year ended 30<sup>th</sup> June, 2024.

Report of the Auditor-General on Financial Statements of Bungoma Municipality for the year ended 30<sup>th</sup> June, 2024.

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Report of the Auditor-General on Financial Statements of Bungoma County Referral Hospital for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Kimilili Municipality for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Kimilili Sub County Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Cheptais Level 4 Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Sirisia Level 4 Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Webuye Level 4 Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Bokoli Sub County Hospital - County Government of Bungoma for the year ended 30th June, 2022.

Report of the Auditor-General on Financial Statements of Bokoli Sub County Hospital - County Government of Bungoma for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Bokoli Sub County Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Mt. Elgon Sub County Level 4 Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Bumula Sub County Level IV Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Chwele Sub County Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Naitiri Sub County Hospital - County Government of Bungoma for the year ended 30th June, 2022.

Report of the Auditor-General on Financial Statements of Naitiri Sub County Hospital - County Government of Bungoma for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Naitiri Sub County Hospital - County Government of Bungoma for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Nzoia Water Services Company Limited for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of the County Executive of Busia for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of the County Assembly of Busia for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of the County Revenue Fund - County Government of Busia for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Receiver of Revenue - Revenue Statements - County Government of Busia for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Health Services Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Agricultural Development Fund for the year ended 30th June, 2024.

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Report of the Auditor-General on Financial Statements of Busia County (Public Officers) Revolving Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Assembly Revolving Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Emergency Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Education Support Scheme for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Co-operative Enterprise Development Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Alcoholic Drinks Control Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Trade Development Revolving Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia County Climate Change Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Busia Water and Sewerage Services Company Limited for the year ended 30th June, 2024.

Mr. Deputy Speaker, Sir, I beg to lay.

*(Sen. Cheruiyot laid the documents on the Table)*

## COMMUNICATION FROM THE CHAIR

### VISITING DELEGATION FROM DAYSTAR UNIVERSITY

**The Deputy Speaker** (Sen. Kathuri): I would like to acknowledge the presence in the Speaker's and Public Galleries this afternoon, of 80 students of Diplomacy and International Relations from Daystar University. The students are led by Dr. Sylvia Muriuki, a lecturer of Peace and International Relations, and student leaders from the University. They are in the Senate for a one-day academic exposition.

I request the lecturer and student leaders seated in the Speaker's Gallery to stand when called out, so that you may be acknowledged in the Senate tradition-

- |                              |   |                          |
|------------------------------|---|--------------------------|
| (1) Dr. Sylvia Muriuki       | - | Lecturer and Team Leader |
| (2) Mr. Luis Simiyu          | - | Class Representative     |
| (3) Ms. Consolata Gichuru    | - | Class Representative     |
| (4) Ms. Krystal Johari       | - | Class Representative     |
| (5) Ms. Chantelle Chizhwende | - | Class Representative     |
| (6) Mr. Khalid Abdi          | - | Class Representative     |
| (7) Ms. Sharon Gikundi       | - | Class Representative     |

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

I thank you.

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Daystar University is in two counties; Nairobi and Machakos counties.

Senator representing Nairobi City County, proceed.

**Sen. Sifuna:** Thank you, Mr. Deputy Speaker, Sir. Daystar has two campuses; one in Nairobi and another in Machakos County.

**The Deputy Speaker** (Sen. Kathuri): You should choose your neighbours wisely, Sen. Sifuna.

**Sen. Sifuna:** Mr. Deputy Speaker, Sir, by all accounts, I did not choose Sen. (Dr.) Khalwale to sit here. He usually does not sit here. However, we were discussing issues regarding the community. We are done.

Sen. (Dr.) Khalwale should resume his seat.

*(Laughter)*

Mr. Deputy Speaker, Sir, as you rightly put it, Daystar University has two campuses, one in Nairobi and the main campus in Athi River in Machakos County. It is widely acknowledged that Machakos County is Nairobi's bedroom. That is what they call it. So, it is in order that I welcome the delegation from Daystar University to the Senate.

I have a history with the university. The Nairobi Campus has fantastic facilities. I remember the first time I ran for Senator for Nairobi, Daystar University organised a debate for senatorial candidates. That was the only debate for all the Senate seats. I do not remember anybody else having a senatorial debate because most were happening at the level of governors going forward.

At that time, there was a young man called Aloys Otieno, who was the president of the student body. I continue to mentor that young man because I would like him to become the Senator for Nairobi City at some point. I have been consistent that I will not be the Senator for Nairobi City forever. I am sure colleagues here will agree that we must mentor the young generation to also come and join us here.

I take this opportunity to welcome you to this Senate. Some of you look like my voters. You can tell a voter in Nairobi from very far. I do not mean to disrespect other voters from anywhere else. I hope that every day I do you proud as your Senator. I hope you will have a good visit. Enjoy yourselves.

If there is anyone in this Senate whom you would want to shake hands with, including the Speaker, let me know. I will make sure that I put in a good word for you, so that when we go out there, we can shake hands and pass niceties to each other.

I thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Thank you, Sen. Sifuna. I also want to notify them that it is the best university. My son attended the university and did international relations and security studies. He is not badly off wherever he is. I encourage the students to take up their positions rightly.

Sen. Onyonka, proceed.

**Sen. Onyonka:** Mr. Deputy Speaker, Sir, after those wonderful remarks that my Secretary General and yourself about Daystar University, I felt that I should mention that I also happen to be a beneficiary. One of my younger sisters who went to Daystar University when it started ended up being the Manager of Total Energies in East Africa.

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The university is a good institution. I hope you will continue to make sure that Kenya becomes a better country.

I wish you all the best in your education.

**The Deputy Speaker** (Sen. Kathuri): Let us move on to the next Order.

Sen. Mwaruma was to give Notice of the Motion. Sen. Onyonka, did he delegate that duty to you? Do you want to give the Notice of Motion on his behalf?

**Sen. Onyonka:** Yes.

**The Deputy Speaker** (Sen. Kathuri): Okay, proceed.

## NOTICE OF MOTION

### ESTABLISHMENT OF NATIONAL TEACHING AND REFERRAL HOSPITALS IN KENYA

**Sen. Onyonka:** Mr. Deputy Speaker, Sir, I beg to give Notice of the following Motion-

THAT, AWARE THAT Article 43(1)(a) of the Constitution of Kenya provides that every person has the right to the highest attainable standard of health, including reproductive health care;

NOTING THAT in Kenya, we have five National Teaching and Referral Hospitals with Kenyatta University Research and Teaching Hospital (KUTRRH) in Kiambu County and Moi Teaching and Referral Hospital (MTRH) in Eldoret, Uasin Gishu County being the only ones outside Nairobi County;

CONCERNED THAT the bed capacity, medical equipment and human capital in these National Teaching and Referral hospitals are not sufficient to absorb all the patients seeking specialized treatment;

FURTHER CONCERNED THAT many Kenyans with critical health conditions travel long distances in order to access specialized services in Moi Teaching and Referral Hospital in Eldoret or Nairobi where the other four National Teaching and Referral hospitals are located, leading to high cost of travel, augmented disease and in some cases deaths along the way;

NOW THEREFORE the Senate urges-

1. The Ministry of Health to:

i. Establish National Teaching and Referral hospitals in the Coast, Eastern, North Eastern, Nyanza and Western regions; and

ii. Fully equip the National Teaching and Referral Hospitals with modern medical equipment, medical supplies and personnel; and

The County Governments to allocate more funds to their respective health dockets to adequately facilitate their County Level 5 and Level 6 hospitals in order to enhance provision of critical health services to reduce the demand for such services from the National Teaching and Referral Hospitals.

**The Deputy Speaker** (Sen. Kathuri): Clerk, let us move on to the next Order.

## QUESTIONS AND STATEMENTS

## STATEMENTS

**The Deputy Speaker** (Sen. Kathuri): We have two Statements under Standing Order No.52(1).

Sen. Oketch Gicheru, proceed.

## PERSISTENT SALARY DELAYS AT KALRO

**Sen. Oketch Gicheru:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.52(1) to make a Statement on a matter of general topical concern namely, the persistent delay by the Kenya Agricultural and Livestock Research Organisation (KALRO) in paying salary.

Over the past year, KALRO employees across the country have experienced repeated delays in salary payments. Notably January, 2024 salaries were paid on 16<sup>th</sup> February, 2024; April, 2024 salaries were paid on 9<sup>th</sup> May, 2024; May, 2024 salaries were paid on 12<sup>th</sup> June, 2024; and August, 2024 salaries were paid on 13<sup>th</sup> September, 2024.

In all these instances, the institution failed to provide any explanation to its employees as to why those delays were necessitated. Although there has been no outright default in salary payments, these persistent delays have caused significant inconveniences and hardship.

Employees with bank standing orders and other time-sensitive financial commitments have been particularly affected. Furthermore, these delays have disrupted personal financial planning, often forcing employees to take loans, which accrue interest they would have otherwise avoided.

Additionally, KALRO has failed to implement the annual salary increments that were due last year without any communication from management. The lack of credit regarding these increments has further exacerbated employee frustration and dissatisfaction. The combined effort of delayed salaries and unimplemented salary increment has had a demoralising impact on staff morale, particularly among scientists who play a crucial role in conducting applied and adaptive research to address the country's agricultural challenges.

It is the fundamental responsibility of every employer, particularly a Government institution, to ensure that salaries are paid on time. This obligation is not merely a matter of goodwill. It is a contractual and an ethical commitment that reflects an employer's duty of care toward their employees.

Therefore, I call upon the Kenya Agricultural and Livestock Research Organisation (KALRO) to-

(1) Reform its salary processing system to ensure timely payment of salaries going forward;

(2) Implement the salary increment as per the agreed terms and conditions, and;

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(3) Review its communication structure and practices to enhance transparency and accountability and hopefully, the Senate will take notice of this going forward, given that agriculture is devolved.

I thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Sen. Seki.

RECOGNITION OF THE SERVICE OF  
THE LATE SAMUEL KAITWAI

**Sen. Seki:** Mr. Deputy Speaker, Sir, I rise, pursuant to Standing Order No.52(1) to make a Statement on a matter of national and international concern namely, the recognition of the service of the late Mr. Samuel Kaitwai, a young police constable who died in the line of duty while serving as part of the Kenyan-led and United Nations-backed multinational security support mission to Haiti.

First and foremost, I wish to express my heartfelt sympathies and condolences to the family and friends of the late Mr. Kaitwai during this difficult time. Mr. Kaitwai was a committed and courageous officer who made an ultimate sacrifice to the service of both his country and Haiti, where he was working tirelessly to help restore peace.

Mr. Kaitwai tragically lost his life on Saturday, 23<sup>rd</sup> February, 2025, after being shot during a security operation in response to a distress call from residents of Pont-Sondé, an area in Haiti, which had been suffering under the control of heavily armed gangs. His death is the first casualty of the multinational security support mission since its deployment in June, 2024. It serves as a stern reminder of the extreme dangers faced by those who serve in peacekeeping missions around the world. It underscores the urgent need for enhanced support and protection for those risking their lives for global peace and stability.

These officers need to be adequately armed and equipped to carry out their missions safely and effectively. I trust that the Government is doing all that is within its powers to ensure the safety and dignity repatriation of the body of Mr. Kaitwai to Kenya. This must be done swiftly and without unnecessary bureaucratic delays.

Furthermore, I call upon the Government to provide reasonable financial assistance to the bereaved family who have now lost their primary breadwinner. It is of utmost importance that the Government fulfils its moral obligation to demonstrate the nation's commitment to honouring the sacrifice made to their states.

I salute the service of this fallen hero. His bravery and ultimate sacrifice will forever be remembered.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Next Order.

**Sen. (Dr.) Khalwale:** On a point of clarification, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): No, we are still under Statements. Sen. (Dr.) Khalwale, what is it that you want to be clarified under Standing Order No.52(1)? You know the Standing Orders very well.

**Sen. (Dr.) Khalwale:** Small clarification. The House will recall what we resolved here, that gave effect to these young people to go to Haiti. If you allow me and permit

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that we demonstrate respect for life and those who are still in the field, we should honour this man with one minute of silence.

**The Deputy Speaker** (Sen. Kathuri): Sen. (Dr.) Khalwale, are you giving instructions or are you communicating to the Chair to consider?

**Sen. (Dr.) Khalwale:** I was bringing it to your attention. It is very sad. If we had more time to intervene in these Statements, I would have asked the Government not only to underwrite the cost as long---

**The Deputy Speaker** (Sen. Kathuri): Now you have no opportunity to do that.

**Sen. (Dr.) Khalwale:** I would have asked for full compensation

**The Deputy Speaker** (Sen. Kathuri): Can you put the request properly?

**Sen. (Dr.) Khalwale:** I request two things. One, if you allow, request the House to observe one minute of silence.

**The Deputy Speaker** (Sen. Kathuri): Okay, fine, that is enough. No two requests, only one minute of silence this afternoon.

**Sen. (Dr.) Khalwale:** *Na ile ya pili?*

**The Deputy Speaker** (Sen. Kathuri): So, Hon. Senators, let us stand and observe a one-minute silence to honour of the departed police officer.

*(The Senate Majority Leader (Sen. Cheruiyot) sat in his place)*

Wake up the Senate Majority Leader. We are standing up.

*(Hon. Senators stood up in their places  
and observed a minute of silence)*

May the soul of the departed police officer rest in eternity.

Amen.

Hon. Senators, we have several Statements under Standing Order No53(1). Whoever has a chance to read out his or her Statement should do it very quickly indeed.

We will start with Sen. Mundigi Alexander.

#### ADMINISTRATIVE CHALLENGES AFFECTING SHA OPERATIONS

**Sen. Munyi Mundigi:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health regarding the administrative challenges affecting the operation of the Social Health Authority (SHA).

On 12<sup>th</sup> November, 2024, the Acting Chief Executive Officer (CEO) for SHA was suspended for 90 days to allow investigations into his conduct and performance. The prolonged vacancy in this critical leadership position has raised concerns among key stakeholders, including patients, staff and the general public.

In the Statement, the Committee should-

(1) Explain the reasons for the delay in appointing the CEO of the SHA and provide a timeline for the expected appointment.

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(2) Provide details on the queues of administrative challenges affecting the payment of outpatient claims.

(3) State the Ministry's plans to permanently address these challenges, including proposed solutions, implementation timelines and allocated funding.

Thank you, Mr. Deputy Speaker.

**The Deputy Speaker** (Sen. Kathuri): Next is Sen. Esther Okenyuri, MP.

CHILD TRAFFICKING ALLEGATIONS IN GOVERNMENT  
HEALTH FACILITIES AND INFORMAL CLINICS

**Sen. Okenyuri:** Thank you, Mr. Deputy Speaker, Sir.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health regarding allegations of child trafficking in Government health facilities and informal clinics.

In the Statement, the Committee should-

(1) Provide a detailed report on ongoing investigations into allegations of child trafficking facilitated by staff in Government health facilities, particularly addressing allegations that a social worker attached to Mama Lucy Kibaki Hospital (MLKH) has facilitated the sale of multiple children.

(2) Outline the disciplinary and legal actions taken against Government employees, found complicit in child trafficking cases and state the collaborative measures in place between law enforcement agencies, health authorities, and child protection services to dismantle these illegal operations.

(3) Provide a status report on the licensing and regulatory oversight of private health facilities, explaining why unlicensed clinics continue to operate unchecked.

(4) Submit a list of licensed and unlicensed clinics in Kayole and other identified hotspots in informal settlements, outlining any actions being taken to shut down illegal clinics allegedly involved in child trafficking.

(5) Indicate the measures being implemented to ensure compliance with health regulations as well as the closure of facilities involved in illegal activities.

**The Deputy Speaker** (Sen. Kathuri): Next is Sen. Kibwana. You have two Statements. Kindly read them simultaneously.

STATUS OF PAYMENT OF LIABILITIES  
OF THE DEFUNCT NHIF

**Sen. Kibwana:** Thank you, Mr. Deputy Speaker, Sir. Although the Cabinet Secretary for Health was here, there were questions that were not responded to very well and I will still ask them.

Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No. 53 (1), to seek a Statement from the Standing Committee on Health, regarding the status of payment of liabilities of the defunct National Health Insurance Fund (NHIF).

In the Statement, the Committee should-

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(1) Provide a comprehensive report on all unpaid liabilities of the defunct NHIF, including outstanding claims, pending payments to health care providers, and other financial obligations, explaining how these liabilities are being addressed.

(2) Outline a specific timeline for settlement of the said liabilities.

CRITERIA USED BY SHA TO EMPANEL  
CLINICAL OFFICERS

**Sen. Kibwana:** I will read the second Statement.

Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No. 53 (1), to seek a Statement from the Standing Committee on Health regarding the criteria used by the Social Health Authority (SHA) to empanel clinical officers.

Mr. Deputy Speaker, Sir, concerns have been raised that SHA only recognises clinical officers affiliated with the Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU), leaving out the rest, including those affiliated with the Kenya Union of Clinical Officers (KUCO). This has far-reaching implications as it places an unfair financial burden on millions of Kenyans, especially in rural areas, who have to pay cash to access health care services at trusted health facilities operated by the excluded clinic officers.

In the Statement, the Committee should-

(1) Explain the criteria used by the SHA to empanel clinical officers and their respective facilities, addressing the concerns that only clinical officers affiliated with the KMPDU are recognised.

(2) Outline any measures in place to ensure that all qualified clinical officers and their respective health facilities are empanelled to facilitate seamless access to health care services across the country by everyone registered with SHA.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Next is Sen. Samson Cherarkey.

VERBAL EXCHANGE AND ALTERCATION BETWEEN AN  
EMPLOYEE OF KQ AND A NIGERIAN PASSENGER

**Sen. Cherarkey:** Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53 (1), to seek a Statement from the Standing Committee on Trade, Industrialisation and Tourism, regarding the heated verbal exchange and altercation between the employees of Kenya Airways (KQ) and a Nigerian passenger at Jomo Kenyatta International Airport (JKIA), on 3 February, 2025.

In the Statement, the Committee should-

(1) Explain the circumstances that led to the heated verbal exchange and altercation between an employee of KQ and a Nigerian passenger at JKIA on 3 February, 2025.

(2) Provide an update on investigations into the matter, explaining what is being done by the government and the KQ to ensure the incident does not cause the airline to be blacklisted or subjected to fines by other jurisdictions.

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(3) Report on the allegations by the Nigerian Civil Aviation Authority, (NCAA), that KQ has a long-standing pattern of mistreatment towards Nigerian passengers, which could result in a diplomatic row between Kenya and Nigeria.

(4) Explain actions taken by the Kenya Civil Aviation Authority (KCAA), and KQ to ensure airline staff at JKIA and other airports across the country work in a safe and dignified environment.

(5) Outline actions being taken to mitigate the potential impact of the incident on the attainment of KQ's strategic objectives as detailed in its strategic recovery project, named Project Kifaru.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Next is Sen. James Lomenen.

UPGRADE OF LOMUT-LOKWAMOSING (B118) AND  
NGINYANG'-LOKORI-LOKICHAR (A10) ROADS  
IN TURKANA COUNTY

**Sen. Lomenen:** Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53 (1), to seek a Statement from the Standing Committee on Roads, Transportation, and Housing regarding the construction and upgrade of Lomut-Lokwamosing (B118) and Nginyang'-Lokori-Lokichar Road (A10) roads in Turkana County.

Mr. Deputy Speaker, Sir, these roads are vital for opening of Turkana County to the rest of Kenya and play a key role in facilitating access to market, health care, education, and other vital services for the Turkana people. Despite their importance, these roads are still hard roads in many sections and are often rendered impassable by heavy rains.

In the Statement, the Committee should-

(1) Explain delay in implementing the Nginyang'-Lokori-Lokichar Road (A10) and Lomut-Lokwamosing (B118) roads construction projects, whose designs were completed in 2013 and 2016, respectively.

(2) Clarify whether the update of tender documents designed review of the environmental and social impact assessment and economic feasibility study reports for the project has been done, and if not, provide timeline within which this will be done.

(3) Provide a timeline for the commencement and completion of the projects, outlining measures put in place to ensure timely implementation.

(4) Outline any steps the Government is taking to address the potential adverse impacts of the projects as identified during the environmental and social impact assessment.

**The Deputy Speaker** (Sen. Kathuri): You have two Statements. Proceed and read the other one.

HAVOC CAUSED BY SURGING  
WATERS OF LAKE TURKANA

**Sen. Lomenen:** Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53 (1), to seek a Statement from the Standing Committee on National Security, Defense, and Foreign Relations regarding the havoc caused by surging waters of Lake Turkana in Turkana County.

Mr. Deputy Speaker, Sir, the alarming rise in water levels in Turkana County has submerged homes, roads, schools, and health facilities, displaced countless families, destroyed farmlands and grazing areas and disrupted livelihoods dependent on fishing and trade.

Additionally, the increased presence of crocodiles has turned the lake into a danger zone with multiple fatal attacks reported. It is deeply concerned that despite the severity of crisis, no comprehensive assessment report has been presented by the relevant authority. The Kenya Meteorological Department is yet to provide an updated advisory on factors contributing to this unprecedented rise.

Similarly, the National Disaster Management Authority has remained unresponsive, failing to deploy necessary emergency response measures, thus leaving residents vulnerable.

In the Statement, the Committee should-

(1) Provide a report on the causes of rising water levels in Lake Turkana and the proposed mitigation measures.

(2) Direct the National Disaster Management Authority to offer emergency relocation plans and protective measures for affected persons.

(3) Outline the measures in place to prevent future environmental hazard linked to rising water bodies.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Sen. Seki Ole Kanar, please, proceed.

ALLEGED DISCREPANCIES IN THE 2023  
KDF RECRUITMENT EXERCISE

**Sen. Seki:** Mr. Deputy Speaker, Sir, I rise first to Standing Order 53(1) to seek a Statement from the Standing Committee on National Security, Defense, and Foreign Relations regarding irregularity observed during the 2023 Defense Forces Recruitment Exercise, particularly affecting Reuben Ngige Muthoni, Identity (ID) Card number 36754818, a resident of Ngaimurunya Ward, Kajiado North Sub- County Kajiado County.

Mr. Deputy Speaker, Sir, during the recruitment exercise at Ngong Stadium, the complainant was shortlisted and issued with a confirmation letter to report to the recruitment centre.

However, despite having his biometric and identification documents taken, he has never received any further communication nor has his identification card been returned.

In the Statement, the Committee should-

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(1) Provide a list of candidates by name, nationality card, home county, and sub-county who were selected across all recruitment centres during the 2023 National Recruitment Center in the country.

(2) Obtain and review the final list of successful candidates who have completed training at the Defence Academy, including details of their respective posting.

(3) Cause an inquiry into circumstances under which the complainant was issued with a recruitment letter differing in content from that of his peers, particularly regarding the acknowledgement of ID card retentions, and examine the protocol followed during the collections of identification documents and fingerprints, and determine whether the procedure was formally applied to all candidates.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Next is the Statement by Sen. Miraj Abdullahi. She has delegated that responsibility to Sen. Hamida Kibwana. Similarly, Sen. Githuku has delegated his Statements to Sen. Hamida.

Sen. Hamida Kibwana, read the Statements; one Statement for Sen. Miraj, and the two for Sen. Joseph Githuku.

#### ALLEGED THEFT OF KRA EXCISE DUTY STAMPS

**Sen. Kibwana:** Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee on Finance and Budget, regarding the alleged theft of 9,686,358 excise duty stamps from the custody of the Kenya Revenue Authority (KRA).

Mr. Deputy Speaker, Sir, this alarming incident has put the spotlight on issues like consumer safety, public health risk, tax evasion, and market integrity, raising urgent concerns about the proliferation of counterfeit goods. It should be noted that counterfeit excise duty stamps allow illicit trade to flourish, affecting not only the economy, but also the well-being of Kenyans.

Mr. Deputy Speaker, Sir, this House will appreciate that the alleged theft revenue stamps at KRA is not an isolated case. In September of 2024, hundreds of title deeds were stolen from the Government Printer by unknown persons.

As we speak, no further information has been provided regarding the outcome of the investigations and the mitigation put in place to avoid recurrence or whether investigations were carried out at all. Most unfortunate, no officer has taken responsibility for the heist.

In the Statement, the Committee should-

(1) Investigate and report to the Senate the possible existence of tax evasion ring that may have infiltrated the KRA systems, putting into jeopardy the government's tax collection measures.

(2) Outline any measures by KRA to mitigate the infiltrations of its system that is prone to sabotage, resulting in flooding the Kenyan market with counterfeit dangerous goods that have adverse health risks to Kenya.

(3) Furnish the Statement with a report regarding the safety of goods sold in the market, any firewalls erected by the KRA against tax cheats, and most importantly,

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the actions that will be taken against the masterminds of the haste, as well as any strategies to guard against a repeat of a similar occurrence in future.

I will proceed with two Statements from Sen. Githuku, Lamu Senator.

#### STATUS OF IMPLEMENTATION OF ECDE AND TVET IN LAMU COUNTY

Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee on Education regarding the status of implementation on Early Childhood Development Education (ECDE), and Technical and Vocational Education and Training (TVET) in Lamu County.

In the Statement, the Committee should-

(1) Provide an update of the total ECDE enrolment rates in Lamu County and estimated cost of providing adequate school infrastructure and learning materials for ECDE centres from year 2022/2023 to date.

(2) Outline the annual budgetary allocation of the education sector from Financial Year 2022/2023 to date, specifying the allocation and expenditure for ECDE programs, county vocational training centres, and the recently scrapped county bursaries and scholarships.

(3) State measures taken by the County Government of Lamu to ensure ECDE learning environments are adequately resourced with teaching and learning materials as well as necessary facilities to support a conducive learning atmosphere.

#### OPERATIONALISATION OF KIONGWE AND MIKINDUNI DISPENSARIES IN LAMU COUNTY

Mr. Deputy Speaker, Sir, I rise pursuant to standing order 53(1) to seek a Statement from the Standing Committee of Health regarding the operationalization of Kiongwe and Mikinduni dispensaries in Lamu county.

In the Statement, the Committee should-

(1) Provide details on the state of Kiongwe and Mikinduni dispensaries in Lamu county, explaining why the dispensaries are still non-operational despite completion of construction works.

(2) State when the dispensaries will be made operational, outlining measures put in place by the county government of Lamu to ensure that the dispensaries are adequately staffed with qualified medical personnel, and provide with the necessary medical equipment and supplies.

(3) Explain what the county government is doing to ensure that residents of Kiongwe and Mikinduni areas have access to quality healthcare services as provided for all in Article 43(1)(a) of the Constitution pending the operationalization of the dispensaries.

**The Deputy Speaker** (Sen. Kathuri): Okay, good. Next is the Senator for Taita-Taveta County, Sen. Johnes Mwaruma.



**Sen. Betty Montet:** Mr. Deputy Speaker, Sir, please, allow me to seek this Statement on behalf of Sen. Mwaruma.

**The Deputy Speaker** (Sen. Kathuri): Okay, proceed.

**Sen. Betty Montet:** Mr. Deputy Speaker, Sir, Sen. Mwaruma has two Statements.

STATUS OF COMPENSATION FOR VICTIMS OF  
HUMAN-WILDLIFE CONFLICT IN TAVETA TAITA COUNTY

**Sen. Betty Montet:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Lands, Environment and Natural Resources regarding the status of compensation for victims of human-wildlife conflict in Taita Taveta County.

During a ceremony held on 12<sup>th</sup> July, 2023 at Voi in Taita Taveta County, the then Cabinet Secretary for Tourism and Wildlife, Hon. Penina Malonza, announced that the government had released Kshs908 million to compensate victims of wildlife-related accidents across the county.

In the Statement, the Committee should-

(1) Provide a report on all claims concerning human-wildlife conflict from 2014 to date, including details on the nature of claims, incident dates, claim submission dates, amounts claimed, and payment dates, while also clarifying the disbursements of Kshs51.1 million allocated to 350 victims from Taita Taveta County.

(2) Specify the standard duration of claim settlement and outline measures to be taken against Kenya Wildlife Services (KWS) if payments exceed the stipulated period.

(3) Present an update on all payment and pending claims, reasons for non-payment, and the expected timelines for settling outstanding claims.

(4) Provide a status report on the Kshs322 million previously promised to settle claims dating back to the 1990s and the progress of the Wildlife Compensation Insurance Program, highlighting the annual budget allocation for compensation for compensating victims of human-wildlife conflict.

BOUNDARY ALTERATION BETWEEN  
TAITA-TAVETA AND KAJIADO COUNTIES

**Sen. Betty Montet:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Devolution and Intergovernmental Relations concerning the alteration on the fourth day of July 2020 of the boundary between Taita-Taveta County and Kajiado County at Rombo Ranch in Taita-Taveta County by the county governments of Taita-Taveta and Kajiado.

In the Statement, the Committee should-

(1) Explain whether due process and the rule of law were followed in the alteration of the said boundary and provide details of any registered boundary dispute that informed the boundary alteration.

(2) Submit copies of the public participation exercise as envisioned in Article 232(1)(d) of the Constitution, which informed the decision, including the names, national

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identity card numbers, dates, and venues where the exercise was conducted in the two counties of Taita-Taveta and Kajiado.

(3) Confirm whether the boundary realignment and alteration are legally binding and outline the steps required to revert the original boundary demarcation if necessary.

(4) Disclose whether the changes were deposited at the survey of Kenya offices, the independent electoral and boundary commission, and other related bodies.

(5) Recommend appropriate remedial steps in the boundary alteration is found to have been conducted unlawfully.

**The Deputy Speaker** (Sen. Kathuri): Thank you. Next is Sen. Richard Onyonka. You have two Statements.

#### DELAYED PAYMENT TO FACILITATORS OF THE 2024 KCSE EXAMINATIONS

**Sen. Onyonka:** Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education regarding the delayed payments to supervisors, invigilators, and examiners of the 2024 Kenya Certificate of Secondary School Education (KCSE) examinations in Kisii County and in the Republic of Kenya.

In the Statement, the Committee should-

(1) Provide reasons for the delay by the Kenya National Examination Council (KNEC) to pay these supervisors, invigilators, and examiners who are engaged in the administering and marking of the 2024 KCSE examination, and particularly specifying the actions being taken to resolve this issue.

(2) Indicate when the said facilitators will receive the outstanding dues and all other non-paid dues.

(3) Outline measures in place by the Ministry of Education and the Kenya National Examination Council to prevent occurrence of similar delays in the near future.

I thank you.

#### STATUS OF PENSION SCHEMES FOR FORMER EMPLOYEES OF KPB, KEMRI, TUK AND OTHER STATE CORPORATIONS

**Sen. Onyonka:** Mr. Deputy Speaker, Sir, my second Statement. I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the status of pension schemes of former employees of the Kenya Pyrethrum Board (KPB), the Kenya Medical Research Institute (KEMRI), the Technical University of Kenya (TUK), Kenyatta National Hospital (KNH) and other state departments and corporations.

It is imperative that the government fulfills its obligations to retirees of our country who have dedicated their service to this nation. Delayed pension payments and the mismanagement of these retirees' funds has significantly affected their well-being and many of them, as you may note are most probably unwell because they are aged and old.

In the Statement, the Committee should-

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(1) Clarify the pension management framework of former employees of all state departments and corporations, including some of the defunct corporations, indicating whether these schemes are now fully funded or not and addressing any ongoing disputes that may be taking place right now.

(2) I would want the committee to have a remitted pension contribution schedule for these delayed payments of our workers.

(3) Outline any measures the government is taking to ensure that all eligible former employees of our government and state corporations are actually receiving their pensions and benefits without any further delays.

(4) Provide details of any legislative or policy reforms aimed at addressing inefficiencies and gaps in the pension system for employees in our state by the Kenya Kwanza Government.

I thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity.

**The Deputy Speaker** (Sen. Kathuri): Next is Sen. (Prof.) Tom Ojienda. You have two Statements.

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Thank you, Mr. Deputy Speaker, Sir. I have two Statements.

ALLEGED VIOLATION OF LABOUR LAWS AT CHINA  
SQUARE IN KISUMU COUNTY

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Mr. Deputy Speaker, I rise first to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding concerns over alleged unfair labour practices, ethnic profiling, and violation of labour laws at China Square, Kisumu County.

While investment in Kisumu County is encouraged, all businesses must comply with the law and uphold fair labour practices, ensuring that employees are treated with dignity, equity and due process in recruitment, termination and career progression.

In the Statement, the Committee should-

(1) Provide information on the number of employee complaints received by the Ministry of Labour and Social Protection from China Square Kisumu since its establishment and how they have been addressed.

(2) Confirm whether the Ministry has investigated the alleged labour rights violations at China Square Kisumu and provide details of their findings.

(3) Highlight any steps taken to ensure that China Square adheres to the Employment Act, 2007, particularly regarding fair treatment, lawful termination, non-discrimination and promotion of employees.

(4) Explain the mechanisms in place to protect affected employees from retaliation and ensure that their grievances are fairly resolved.

(5) State the measures the Government is taking to prevent similar labour rights violations by foreign-based businesses operating in Kenya.

REVIVAL OF STALLED MIWANI SUGAR COMPANY AND  
PAYMENT OF SALARY ARREARS TO WORKERS

I rise pursuant Standing Order No.53 (1) to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the stalled revival of Miwani Sugar Company and the long-standing issue of workers' unpaid salary arrears. Miwani Sugar Company, one of Kenya's earliest sugar mills established in 1922, was placed under receivership in February 2001.

This led to the retrenchment of 50 workers. What was initially intended as a temporary 90-day leave has now extended to over 26 years, leaving former employees in financial stress and leaving farmers struggling due to collapse of the sugar supply chain. Despite multiple plans to revive it, protracted legal battles over land ownership, government inaction and lack of investment have stalled any meaningful progress. In the Statement, the Committee should-

(1) State the total salary arrears owed to former employees of Miwani Sugar Company and indicate a timeline for the payment of the said arrears.

(2) Assess the socio-economic impact of the prolonged salary delays on the affected workers, their families and the Miwani community and outline specific remedial measures being implemented to mitigate these effects.

(3) Provide an update on the status of legal disputes over land belonging to Miwani Sugar Company and explain any steps the Government is taking to resolve these cases to facilitate revival efforts.

(4) Disclose whether the Government has engaged any strategic investor or partners to support the revival of Miwani Sugar and outline the proposed timelines for implementation.

(5) Detail policy reforms considered in the short, medium and long term to prevent future mismanagement and ensure the sustainability of the sugar sector in Kenya.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Thank you. There are two Statements by Sen. Wambua Enoch. Sen. Beatrice, I am posing for you to make some decisions. You know the consequences of dropping any business. We made a resolution in Naivasha.

Proceed.

STATUS OF PENDING BILLS IN KITUI COUNTY

**Sen. Ogola:** Thank you, Mr. Deputy Speaker, Sir, for allowing me to read the request for Statement by Sen. Enoch Wambua. I rise pursuant to Standing Order No. 53 (1) to seek a Statement from the Standing Committee on Finance and Budget regarding the status of pending bills in Kitui County.

In the Statement, the Committee should-

(1) Provide a report on the total value of pending bills currently owed by the County Government of Kitui, specifying the amount inherited from the previous administration.

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(2) Outline the mechanisms in place to verify the authenticity of these bills to prevent fraudulent or inflated invoices.

(3) Provide timelines for the prompt payment of verified bills and explain how the County Government plans to prevent the accumulation of pending bills in the future.

Mr. Deputy Speaker, there is a second Statement by Sen. Wambua.

#### STATE OF HEALTH FACILITIES IN KITUI COUNTY

**Sen. Wambua:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health regarding the status of health facilities in Kitui County.

In the Statement, the Committee should-

(1) Provide the total number of health facilities in the county categorized by classification and indicate which are operational and which are non-operational.

(2) Explain the reasons for the frequent shortage of essential drugs and the inefficiencies in their distribution across county public health facilities.

(3) List the number of staff working under the county health department with year-by-year data from 2013 to date.

(4) Outline the annual county budget allocation for the health department from 2013 to date.

(5) Disclose the total amount of revenue generated from health facilities as part of the county's own source revenue from 2013 to date.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): There is also a Statement by Sen. Beatrice Ogola.

#### VIOLATION OF THE ONE-THIRD BASIC SALARY RULE BY PUBLIC SERVANTS

**Sen. Ogola:** I thank you once more, Mr. Deputy Speaker Sir. I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding concerns over tax regimes that have led to a growing trend where public servants are receiving salaries that violate the provisions of the Human Resource Policies and Procedure Manual on the one-third basic rule.

There is growing pressure on public servants due to the mismatch between salary deductions and the legal framework, where public servants are receiving salaries that violate the constitutional one-third basic salary rule, which is exacerbated by recent tax changes. These tax changes, which include new mandatory contributions, have had a significant impact on the salaries of public employees.

Over the last two years, workers have seen deductions of 1.5 per cent of their gross salary for Affordable Housing Levy along with an additional 2.75 per cent deducted for the Social Health Insurance Fund (SHIF). These deductions, while intended for social welfare programs, have pushed many civil servants below the one-third threshold of their

basic salary, which is required by Section 3 of the Human Resource Policies and the Procedure Manual, 2016.

According to this policy, no employee should commit more than two-thirds of their basic salary. However, the additional taxes and contributions are forcing workers to take home less than they should, leading to a real danger of throwing more people into the poverty net called the working poor, perhaps calling for the need to review existing policies to align them with the new tax realities.

In the Statement, the Committee should-

(1) State any measures the Ministry of Labour and Social Protection, Public Service and Human Capital Development have taken to safeguard the financials as well as the psychological well-being of all public servants, including county government workers, whose financial plans are adversely affected by the taxes and levies on salaries that have remained unchanged.

(2) Explain the plans in place to cushion police officers, teachers, and all Government employees against probable disciplinary actions as a result of being seen to have violated the one-third salary threshold as required by the Employment Act.

(3) State any plans by the Ministry to review the existing policies to align them with the new tax realities.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, I want to put the question on Order No.8, and then I will allow Members to comment on their Statements.

Clerk, next Order.

*(Interruption of debate on Statements)*

## MOTION

### ADOPTION OF REPORT ON VARIATION OF SENATE RESOLUTION ON THE CONDUCT OF SEN. GLORIA ORWOBA, MP

THAT AWARE THAT on 20<sup>th</sup> September 2023, the Senate adopted the Report of the Committee of Powers and Privileges on the conduct of Sen. Gloria Orwoba, MP, and resolved to suspend the Senator from the precincts of Parliament for the remainder of the Second Session of the Thirteenth Parliament which period amounted to seventy-nine (79) calendar days;

COGNIZANT THAT Sen. Orwoba subsequently sought judicial intervention, obtaining a court order that stayed the implementation of the Senate's resolution until the matter was determined, and that the High Court, in its judgment delivered on 15<sup>th</sup> January 2025, dismissed the petition, thereby reinstating the suspension;

CONSIDERING THAT Sen. Orwoba has shown considerable level of remorse and that following the Communication by the Speaker on Wednesday, 12<sup>th</sup> February, 2025, on the implementation of the resolution of the Senate on the

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“*Report of the Committee of Powers and Privileges on the conduct of Sen. Gloria Orwoba, MP*”, the Senator was apologetic of her conduct;

NOW THEREFORE, pursuant to section 17(3)(d) and (g) of the Parliamentary Powers and Privileges Act, the Senate resolves to vary its resolution made on 20<sup>th</sup> September, 2023 suspending Sen. Orwoba from the Senate and precincts of Parliament for seventy-nine (79) calendar days and reduces the suspension period to thirty (30) calendar days, commencing 12<sup>th</sup> February, 2025 to 13<sup>th</sup> March 2025, after which the Senator shall be allowed back to the Senate and the precincts of Parliament, on the terms resolved by the Senate on 20<sup>th</sup> September, 2023.

*(Sen. Cheruiyot on 25.2.2025)*

*(Resumption of debate interrupted on 25.2.2025)*

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, this matter does not concern counties and, therefore, this question should be put.

Clerk, confirm whether we have a quorum. It is now a requirement.

*(Question put and agreed to)*

*(Resumption of debate on Statements)*

Thank you. Now, we will return to a few comments on Statements. We will start with the Deputy Minority Whip, Sen. Sifuna Edwin Watenya.

**Sen. Sifuna:** Thank you, Mr. Deputy Speaker, Sir. Allow me to make brief comments on Sen. Hamida's and Sen. Mundigi's Statements regarding the challenges facing the rollout of the new Social Health Insurance Fund.

Despite the fact that the Cabinet Secretary for Health was here in the morning, questions continue to abound. While she was here, after I had made my comments - you know the rules of this House do not allow us to speak twice on the same issue - my phone was inundated by messages from UHC workers. As you know, after the Gen-Z movement, my number is now public. It was disseminated to just about everyone in the country.

Out of the more than 500 messages that I received, I distilled the three issues that those UHC workers were telling me about. These are matters, and the Committee now has to have an intimate session with the Ministry's leadership and even these UHC workers themselves to reach the bottom of these matters.

Number one, these UHC workers believe that the Cabinet Secretary for Health, Deborah, might have misled this House on the question of whether all UHC workers have been put on a permanent and pensionable basis. In fact, the Ministry only confirmed the people working or the UHC workers at the national hospitals, and 8,572 of those UHC workers have been on contract for the last five years. This is a matter that the Committee must get to the bottom of and report to this House.

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Number two, it emerged that UHC nurses have been on strike for three weeks, demanding to be put on similar terms to their colleagues working in these national institutions. They are saying that the ones who are not put on permanent and pensionable terms, although they do the same work and face the same workload, are being paid up to a quarter of what their colleagues are earning because of their status.

They also told me that they had not been paid gratuity since the days of COVID-19 in 2020. These are the messages that I received on my phone. I am hoping that when the Committee sits down to deal with Sen. Hamida and Sen. Mundigi's questions, they will address this issue.

Lastly, I could also discern from those messages that the UHC workers are saying that a supplementary budget was passed in the National Assembly for the absorption of UHC workers. They want to know where that money went. Unfortunately, I had already spoken, and I did not get the opportunity to ask that question directly to the Cabinet Secretary. However, now that this matter has come up again, it is being committed to the Committee on Health.

I would want to encourage the Committee of Health, led by Sen. Mandago, to invite these UHC workers in the same room as the Cabinet Secretary because that is the only way to get to the bottom of the truth when there is the blame game. They are also tired of the blame game between the Government of Kenya, the Ministry and all other players.

Can we have all these people in one room with the Cabinet Secretary and let them investigate these issues?

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Members, please, make your comments in under two minutes. Many Members want to make comments, and there is also some business to transact. In the next 10 minutes, we should be through with these comments.

Sen. Wafula, proceed.

**Sen. Wafula:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to equally discuss the weighty matters discussed by our able Cabinet Secretary for Health.

I want to concur with Members that the UHC matter has been a thorn in the flesh of Kenyans for over 10 years. Every time this matter arises, we see the Council of Governors, the Executive, and the Ministry of Health hold meetings discussing matters of UHC. When things bubble up and get out of hand, then the Senate is called to mediate and find a solution.

Time is up, and the Senate needs to take its position to stamp its authority and demand that when matters dealing with devolution are being discussed at a meeting called a summit, we need our witnesses there so that we do not end up looking like morticians in the entire process. We need to be servants of the people who mediate a process with finality, with expectations that can be met, and not this merry-go-round that we see here today.

The matters of Community Health Promoters are clearly known. We cannot keep silent when these things are out of order, and I want to assure you, that as Members of the Committee on Health, we will not leave any stone unturned. We will ensure that we give

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the necessary support to the Ministry and that they are part of the bargain by the county governments.

When you look at the entire debate, it is the Cabinet Secretary and the Principal Secretaries who are firefighting on this matter, but health is devolved. The county governments are silent; they are not stepping up to be counted, and we shall equally put them to task to ensure that not only the national Government is asked questions and answers, but the county governments must equally stand up to be counted.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): What is it, Senate Majority Leader? Give him the microphone.

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg for your indulgence. I noticed that earlier on when our colleague Sen. Lomenen requested that we have an Adjournment Motion, you slated it at 5.00 p.m. I want to bring to your attention that at 5.00 p.m., we have a service at the home of our departed colleague, Sen. Cheptumo, where many of our colleagues will be going.

Therefore, I plead with you, to invoke Standing Order No.1 and vary that decision, so that perhaps we start at 4.15 p.m., so that by around 5.00 p.m. when we finish, many of us can join the rest who have already gone to the late Sen. Cheptumo's home for that service. I plead with you to allow, if you so permit, that we begin discussing the Adjournment Motion by Sen. Lomenen at 4.15 p.m.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Senate Majority Leader, I am somehow convinced that I should give that leeway. So, at exactly 4.15 p.m., we will adjourn the House to discuss the Motion brought by Sen. Lomenen. Senator, you should be around because you are the Mover of the Motion. At 5.00 p.m., we will see whether the House can be adjourned because of the prayers at our colleague's home.

Sen. (Dr.) Khalwale, you have been trying to catch my eye many times. You are on the list. Do you have a burning issue that you want to put across on the Statements?

**Sen. (Dr.) Khalwale:** Yes, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Kindly, do so in two minutes.

**Sen. (Dr.) Khalwale:** Mr. Deputy Speaker, Sir, the issue raised by Sen. Hamida on SHA and UHC is very important. The Committee must put the Cabinet Secretary to task. The money owed to NHIF, which is the reason private hospitals have cut services to the public putting their lives at great risk, is a mere Kshs19 billion.

The Cabinet Secretary said that Kshs9 billion has already been paid and, therefore, what is pending is Kshs10 billion. It is quite possible for the money that the Government wastes on teas and decorating offices with flagrant flowers to be stopped for a week and utilised to pay off these hospitals so that services can continue.

Equally, the Cabinet Secretary must be put to task. She said they have increased the money they pay as SHA towards ICU from Kshs4,600 to Kshs28,600. The Cabinet Secretary is a doctor of medicine. She ought to know that if you are in the ICU, you will be lucky if less than Kshs200,000 is spent on you. So, a paltry Kshs28,000 cannot make a difference.

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There is a matter raised by Sen. Cherarkey about employees of Kenya Airways (KQ). Again, we must put the Ministry under pressure. I remember not so long ago, the Speaker of the National Assembly, Hon. Wetangula, was held at the airport for 45 minutes because they insisted that he must produce his identification (ID) card in order to be identified whether he was indeed the Wetangula that he claimed to be. These are Public Relations (PR) issues that our KQ staff require to be trained on so that their emotional intelligence grows.

Finally, there is a matter that was raised by Sen. Seki about discrepancies in recruitment of staff of the Kenya Defence Forces (KDF). Again, we must insist to be told the composition of the KDF, county by county, region by region, and ethnic community by ethnic community.

This is a sensitive finishing because it is coming hot on the heels of the ruling by the High Court which found that in the Kenya Revenue Authority (KRA), only two communities are favoured in employment. The same problem faces KDF. We want our young people to enjoy service to the nation.

I thank you for the chance.

**The Deputy Speaker** (Sen. Kathuri): Proceed, Sen. Ogola.

**Sen. Ogola:** Mr. Deputy Speaker, Sir, I rise to support the Statement by the Senator for Kisii, Sen. Onyonka, concerning delayed payments to facilitators of the 2024 Kenya Certificate of Secondary Education (KCSE) examinations.

We are all products of teachers. Even as you sit there, if there were no teachers in your life, probably you would not be a Deputy Speaker today. I support this Statement because teachers sacrifice their holidays when they go to mark examinations. After marking, the whole country celebrates their work and sweat. Remember, they stay away from their families for weeks over December holidays.

Mr. Deputy Speaker, Sir, there must be some planning by the Kenya National Examinations Council (KNEC). You cannot engage teachers if you are not ready with their payment. We must also be sympathetic to our teachers regarding the kind of environment they are subjected to during the marking period. A number of times, they stay in schools, eat the same food and sleep in dormitories where the children sleep.

We have often seen in public and also in the newspapers the cries of these teachers due to the kind of environment they sacrifice to be in over the holidays so that Kenyans can celebrate the results. I happen to have been a wife of a teacher. That applies to all families of teachers; whether male or female. Over the holidays, their families sacrifice a lot.

This must be looked into. It cannot be that in this country, teachers continue suffering over their rights. The facilitators must be paid. When they are engaged in future, there must be a commitment that the money they should be paid is ready even before they start the exercise.

I also want to support the Statement brought by Sen. (Prof.) Ojienda over mistreatment and---

**The Deputy Speaker** (Sen. Kathuri): Sen. Tobiko, proceed.

**Sen. Tobiko:** Mr. Deputy Speaker, Sir, I want to contribute to the Statement brought by Sen. Seki on the most unfortunate demise of Samuel Kaitwai who was part of

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police officers who went to Haiti. That young man who was less than 30 years old has left a very young family. He was the only breadwinner.

We thank the Government for coming out openly about the loss of that officer. For Kenyans to appreciate the role our officers have played in peacekeeping missions, we call upon the Government to support his family. The late had started building a house and he has left very young children. We request that the family be supported.

I also needed to mention - I have been mentioning on the Floor of this House – that there is even no road to go to the home of this young woman who is my relative and my neighbour. Can the road even be graded so that we can go and give this young officer a decent burial? Let the Government do the grading of the road from Kenya Assemblies of God (KAG) going to Naserian because there is no road.

This is the embarrassment that we face every day to be associated with bad roads and bad infrastructure. This needs to be addressed. I do not know whether those who will carry that body to that place are going to fly because we do not have a road.

**The Deputy Speaker** (Sen. Kathuri): Is it a county road or a national road?

*(Sen. Tobiko spoke off record)*

So, next is Sen. Mwinyihaji.

**Sen. Faki:** Asante Bw. Naibu Spika, kwa kunipa fursa ya kuchangia taarifa iliyohusiana na kucheleweshwa kwa mishahara na Shirika la KALRO iliyoletwa Bungeni na Sen. Eddy Oketch, Seneta wa Migori.

Ni aibu kwamba Shirika la Serikali kama KALRO linashindwa kulipa mishahara yake kwa wafanyakazi kwa wakati ufaao kwa mujibu wa sheria.

Katika maombi ya taarifa hiyo, mishahara imecheleweshwa tangu mwaka jana Januari. Sio Shirika hili pekee linalochelewesha mishahara; kuna Shirika la Postal Corporation of Kenya ambalo limekuwa likichelewesha mishahara. Ninapozungumza hivi, mishahara ya mwisho waliyolipa kwa wafanyikazi wake ulikuwa ni wa mwezi na nane mwaka wa 2024.

Ni aibu Mashirika kama haya kuendelea kuaibisha Serikali wakati wale waliyo katika mamlaka haya wanashindwa kulipa mishahara ya wafanyikazi waliyojitolea kufanya kazi kuanzia tarehe moja hadi tarehe 30.

Ninaomba katika uchunguzi wa suala hili la KALRO, Shirika la Posta pia lijumuishwe. Wanafaa waje kujieleza hapa ni kwa nini wanachelewesha mishahara ya wafanyikazi wao kwa muda wa miezi minne ama mitano. Vile vile malipo ya uzeeni, na ada zingine zinazototwa wafanyikazi hazipelekwi kwa wakati.

Pia ningependa kugusia tu masuala ya afya yaliyokuja kupitia Taarifa iliyoombwa na Seneta wa Kitui. Afya ni muhimu. Wiki jana mimi pia nilileta suala la afya kutoka Kaunti ya Mombasa. Natumai ya kwamba Kamati husika inayoongozwa na Sen. Mandago italivalia njuga swala hili. Afya ndiyo maisha ya watu wetu. Ikiwa huduma za afya zimedorora na wananchi hawawezi kupata katika kaunti zetu, hiyo itakuwa ni kurudi nyuma na sio sawa kwa maendeleo ya nchi yetu. Kuna wengine wanasema hizi huduma za afya, kwa sababu zimelelea kaunti zetu, afadhali zirejeshwe kwa Serikali la Kitaifa. Hilo litakuwa ni kinyume na ugutuzi.

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**The Deputy Speaker** (Sen. Kathuri): Sen. Abass.

**Sen. Abass:** Mr. Deputy Speaker, Sir, I rise to contribute to Sen. Onyonka's Statement. I agree with him that every county must have a national referral hospital, especially in areas that I mentioned including Wajir and Mandera. We are almost 1,000 kilometres from Nairobi and the roads are just in a very bad state.

That report has said---

**The Deputy Speaker** (Sen. Kathuri): Sen. Abass, it is now 4.15 p.m. We had agreed on what to do at this time.

So, Sen. Lomenen, can you move the Motion?

### **MOTION OF ADJOURNMENT UNDER STANDING ORDER NO. 37**

#### THE KILLING OF FISHERMEN IN TONDONYANG AREA, TURKANA COUNTY

**Sen. Lomenen:** Mr. Speaker, I beg to give a notice of the following Motion.

THAT pursuant to Standing Order No. 37, the Senate now adjourns to discuss a definite matter---

*(The Clerk-at-the-Table consulted with the Deputy Speaker)*

I requested you to move the Motion.

**Sen. Lomenen:** Okay. Mr. Deputy Speaker, Sir, I beg now to move the Motion-

THAT, pursuant to Standing Order No. 37, the Senate now adjourns to discuss a definite matter of national importance, namely the killing of Kenyan fishermen in Nabeimukat in the Todonyang area on Saturday, 22<sup>nd</sup> February 2025, that allegedly left at least 25 Kenyans unaccounted for and 15 boats belonging to Kenyan fishermen stolen.

I rise before this House with great urgency and deep sorrow today to address the tragic massacre of 22 people, fishermen from Turkana County. They have lost their lives in a place called Nabeimukat, along the Kenya-Ethiopia border.

This heinous attack that was perpetrated by Dassanech militia and Ethiopia Special Forces on Saturday, 22<sup>nd</sup> February 2025, is an unacceptable violation of our nation's sovereignty and a direct assault on the security and dignity of the Turkana people. This called for an urgent visit by the Cabinet Secretary for Interior and National Administration, Hon. Onesmus Murukomen, accompanied by Deputy Inspector General (DIG) Eliud Langat, General Service Unit (GSU) Commander, Ranson Lolmodooni, and Rift Valley Regional Commissioner (RC), Abdi Hasssan, on 24<sup>th</sup> February 2025.

During this visit, the security measures and the way forward were mandated to RC Abdi Hassan, in close collaboration with Turkana County Commission (CC) Julius Kavita.

Reports indicate that killings in Nabeimukat near the Ethiopia military base in Namurpus were masterminded and executed by the Ethiopia military, with the support of

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Ethiopia Special Forces and the Dassanech community, in a well-planned attack to kill and dump the bodies into the lake. As a matter of fact, more than 22 Turkana fishermen were brutally murdered in cold blood and dumped into the water.

So far, little effort has been made to retrieve their bodies for proper handing over to the grieving loved ones who remain in deep sorrow after losing their family breadwinners, discarded like garbage into the lake. In addition, intelligence sources confirm that the Ethiopian military has been evacuating the Dassanech community from Lobeimukat, Namurpus Salan, Kalam village to an Internally Displaced People (IDP) camp in a place called Omurata Town.

Consequently, thousands of Dassanech militiamen have regrouped alongside Ethiopian soldiers and have taken strategic positions along the border of Namurpus and Salan, less than 20 kilometres from Kenya's GSU base and in Lobeimukat, which is Kenya's land.

They are heavily armed and fully prepared for aggression. The objective is clear; to destabilise Turkana north and wipe out our people. Armed with sophisticated weapons, they are anticipating possible retaliatory action and are ready to launch further attacks.

Despite the gravity of this situation, the response from the Government has been grossly inadequate. During the recent visit of the Cabinet Secretary for Interior and National Administration, Hon. Kipchumba Murkomen to Todonyang and subsequent talks between Kenya's security and Ethiopian local administration and its military--- The Ethiopian special forces have only agreed to return stolen boats, motorbikes and two guns of National Police Reservists (NPR), while refusing to discuss the retrieval of bodies of our slain countrymen. The deliberate disappearance of bodies is a calculated strategy to erase evidence which is a tactic previously unseen in cross-border attacks.

Mr. Deputy Speaker, Sir, credible intelligence suggests that another attack on Todonyang could happen within five days or even sooner. The Ethiopian military and Dassanech militia, are fully prepared for war and other actions demonstrate a total disregard for peace and diplomacy between the two countries, Kenya and Ethiopia.

To secure the country border and protect innocent civilians, I call upon this Senate and national Government, Ministry of Interior and National Administration to take the following urgent measures -

(1) Deployment of security forces; immediate deployment of Kenya Defense Forces (KDF) and additional security personnel to strategic locations along the volatile Turkana-Ethiopia border.

(2) Rapid response and rescue operations; formation of specialized security and rescue team, to retrieve the bodies of victims down in Lake Turkana and to provide urgent medical attention to survivors.

(3) Strengthening National Police Service (NPR); enhancing community security by increasing and equipping NPR personnel.

(4) Advanced surveillance measures, deployment of drones and other modern surveillance equipment to monitor enemy movements and deter further attacks.

(5) Improving network connectivity; establish a robust Safaricom communication mass and system to enable a real-time security response.

(6) Setting up an import immigration point, enhancing border control to regulate movement and prevent further incursions.

(7) Establishment of trading posts, strengthening cross-border trade and means of promoting stability and cooperation.

Mr. Deputy Speaker, Sir, Turkana people are living under constant threat at the Northern Todonyang border and failure to act decisively will not only put more lives at risk, but also expose the incompetence of leadership in protecting the sovereignty and security of our nation. I urge the national Government to heed this recommendation and act with urgency and seriousness that this crisis demands.

I extend my heartfelt condolences to these people who are still having anxiety of receiving their loved ones who had been thrown in the water. I remain committed to pursuing justice, ensuring the retrieval of people's bodies and advocating for local security measures to end these senseless killings. The people of Turkana deserve to live in peace and dignity. ,

I beg to move the Motion.

**The Deputy Speaker** (Sen. Kathuri): Who is seconding?

**Sen. Lomenen:** Sen. Cherarkey.

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir. I rise to support this Adjournment Motion. On the onset, I want to pass my deepest condolences to the families, friends and the great people of Turkana for the tragic loss of more than 22 Kenyans that we lost and the 15 unaccounted for boats that are yet to be recovered.

I treat this as a terrorist attack. It was not a normal attack. It looks like it was well coordinated. Therefore, I want to challenge the National Homeland Security, the KDF, the National Intelligence Service (NIS) and all other organs that are in security apparatus, to move with speed and pursue these criminals. I do not want to imagine these are ordinary Ethiopians. These are terrorists because for many years, Ethiopia and Kenya have shared this border in a cordial manner.

Therefore, we extend our deepest condolences and call upon the KDF, the Ministry of Interior and National Administration and NIS to swing into action. As you have seen, we have made great strides, especially in Northern Kenya, where there is proper collaboration among many agencies in fight against Al-Shabaab.

I expect the African Union (AU) and East Africa Community (EAC), to treat this attack as a terrorist attack. If you can recall the case of Sudan when they attacked America, for many years Sudan was being blacklisted until they compensate the Americans that were killed in terror attack. Likewise, in the Libya case of Lockerbie, Mohammed Gaddafi had to compensate. Consequently, these 22 lives, 15 bodies must and should be accounted for and compensated by the Ethiopian Government. The Ethiopian Government must hand over these criminals for prosecution within Kenya, so that we stop this issue of criminals going to hide.

Mr. Deputy Speaker, Sir, another aspect I wanted to state is that the road network must be improved in that region. There was a proposal of putting a fence between Kenya and Somalia. We should also see how we can put a fence between Ethiopia and Turkana County. The NPR should be doubled, properly remunerated and given further training. They should be given a way of rapid response unit.

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I thought of Safaricom on network coverage. We must agree that we need network coverage in those regions, so that it becomes easy to track and eliminate these terrorists. I do not call them Ethiopians. I call them terrorists, because what they did is inhuman and an animalistic behaviour.

The issue of border control is sad. As EAC, we are encouraging movement of goods and people, but it looks like our neighbours are abusing this privilege. We must intensify the border control, so that we eliminate people who are terrorists or people who want to bring disharmony. We are not saying Ethiopians should not come to Kenya or Kenyans should not go to Ethiopia. We need a robust way of handling immigration, especially in Turkana County. We need to bring activities that bring unity, like trading points, sports and games, so that they can solidify.

I want to empathize and sympathize with the great people of Turkana. It is unfortunate that, today, Kenya has been relatively stable. Undoubtedly, I want to ask KDF, the national Government, the President, and the people concerned to ensure they pursue these criminals. Ethiopia has been a friendly nation. Kindly let them hand over those criminals for proper prosecution under terror charges. In fact, they should be charged under the Prevention of Terrorism Act.

In conclusion, I saw the Cabinet Secretary for Interior and National Administration saying it was a small challenge. It was not a small challenge. The Cabinet Secretary for Interior and National Administration, Hon. Murkomen should at least in future have empathy. He said in Tiaty this was a small challenge, and yet 22 people have died. As Government officials, we must be empathetic. We must show remorse. If you are calling 22 lives a small challenge, what does it mean to the ordinary Kenyans who lost one or two Kenyans?

With those many remarks, I beg to second this Motion.

*(Question proposed)*

**The Deputy Speaker** (Sen. Kathuri): The Senate Majority Leader, please, proceed.

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I would like to, first, join my two colleagues who have spoken before me on this matter, alongside the people of Kenya, to pass our condolences to the people of Turkana County following the loss of life on such a significant scale

Mr. Deputy Speaker, Sir, 22 lives and others that we are yet to know if they are alive or they have since been killed, is not a matter to be taken lightly. This is murder most foul, because these people had gone to fend for their lives. It is the only way and the only economic activity that people participate in, in the Todonyang area of Turkana County.

We were in Turkana County two years ago and you saw the hardship that those Kenyans have to endure, while trying to eke out a living. It is not your everyday place. It is what I call the forgotten corners of this country; places that devolution and strategic government interventions only, can bring them to be part and parcel of Kenya.

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Mr. Deputy Speaker, Sir, those people, by every deed and action, and each time acts such as this happen to them, it reminds them how far away from the centre they are removed. It also reminds us all, as we sit in the lofty seats of these Houses of Parliament, either in the Senate or the National Assembly, as we pass laws, do budgets, and share resources, to always remember that Kenya is a big country. Therefore, we cannot continue to only invest in certain sections of a country on account of only votes and population.

That is why this House, previously has stood firm when we discussed the third generation formula of revenue sharing, because we were intentional. The Senate is a House of equity. That is why, the Senator for Lamu County, who perhaps is voted in by a number equivalent to the votes that may be in just one ward in another county, has the same number of votes as the Senator for Kiambu and Nairobi City counties, who are voted in by other hundreds of thousands.

Mr. Deputy Speaker, Sir, one vote is one in this House, because we are a House of equity. That is why many regard us to be the upper House. We may not have the keys to the purse, but, at least, we have the passcode to making this country great through equalizing development and ensuring that resources are shared equally in all the corners of this country.

That, in this day and age, it can take this long to get news first out of what happened. The fact that up to now, we continue to struggle to establish where the rest of these other Kenyans are, tells you how much investment is needed in the border and frontier counties of this nation, to ensure that our citizens are protected.

Mr. Deputy Speaker, Sir, I would like to plead with our colleagues who sit in the National Assembly, those that have the power to budget, that, we must carry out modernization of our police service, so as to ensure that our police can quickly respond to such acts.

Second and most importantly, Mr. Deputy Speaker, Sir, we expect an apology from the Government of Ethiopia. We also expect a better communication from them on who these criminals are, and what led to them invading the territory of Kenya, and committing these heinous crimes.

Mr. Deputy Speaker, Sir, I do hope that other than that, this will serve as a lesson on the need to keep the corners of this country that are prone to these kinds of attacks where people from other countries attack us and our citizens end up losing life.

I plead that even the rest of the country gives this problem the kind of attention that would have been given if 22 people, God forbid, had been shot here in Nairobi. There is an unfortunate trend where life is only equated or given seriousness if it is here in the capital.

The other day when we were discussing about the challenges about people disappearing, those that live in the frontier counties and counties such as Turkana were wondering what you are talking about, because that is the occurrence they live with on a daily basis, and when many of their kins disappear, they never get to see them again. Therefore, I would like to challenge that let this not be allowed to be just another occurrence without proper justice being served to the people of Turkana County and them feeling that indeed their people have not lost their lives in vain.

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May it be the last of such occurrences that happen through serious intervention and investment into that particular region, so that our people do not die like flies.

I thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Next is Sen. Beatrice Ogola.

**Sen. Ogola:** Mr. Deputy Speaker, Sir, it is a sad day for this Republic. I, therefore, would like to add my voice to the fact that there is a lot of suffering in Turkana County. I feel with our brother, the Senator of Turkana County.

Kenya, as a nation, is a sovereign country. In this country, we have all grown and everybody knows that this is a country where we preach peace, love, and unity. What has happened in Turkana is not only a violation of Turkana as a county, but a violation of this peace-loving country that we have.

Mr. Deputy Speaker, Sir, in this Republic, we live with almost every other person that comes from this continent, and at no time, do we treat them with unjust and the kind of criminality we have seen in Turkana County. If we can lose over 20 people at the hands of a foreign country, it is a pathetic situation. We have no problem with countries that border this Republic.

Mahatma Gandhi once said that you hate the sin, but love the sinner. As we love the Ethiopians or whoever they are, the Government must come out strongly to indicate, show and demonstrate that we hate the sin and it cannot be encouraged.

The last time we were in Turkana County for the *Senate Mashinani*, we all saw the suffering that the people of Turkana undergo, and it cannot be fair that on top of the suffering and the harsh environment, then they lose their lives in the hands of foreigners.

Mr. Deputy Speaker, Sir, last year on June 25th when Parliament was invaded, the next day, we saw that the Army were all over this city taking care of everybody else. I expected that that is what we should be seeing in Turkana County.

Mr. Deputy Speaker, Sir, as I support this Motion, and feel with our brothers and sisters in Turkana Country, I hope this will never happen again, not only in Turkana County but to any other Kenyan in this Republic.

I call on none other than His Excellency, the President William Ruto, to take charge and ensure that the Turkanas are supported and protected. Most importantly, we are Africans that believe that when we lose one, we must be able to get the body and be at peace with the loss that we have. We must support Turkana County and the Government must ensure that the bodies of the 22 that have been killed, whether they are thrown in Lake Turkana or elsewhere, must be retrieved so that their loved ones are at peace with themselves.

Mr. Deputy Speaker, Sir, I condemn this kind of criminality and hope that the sovereignty of this country that preaches peace, love and unity to our countrymen and beyond is protected.

I stand with our brother, Sen. Lomenen.

**The Deputy Speaker** (Sen. Kathuri): Sen. Abass Sheikh Mohamed, please, proceed.

**Sen. Abass:** Thank you, Mr. Deputy Speaker, Sir. I want to join also Sen. Lomenen and the rest of the Members who talked. I send my condolences to the families who have lost their loved ones.

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As you are aware, this country has the longest borderlines with most of the neighbours, especially those that are unstable in Southern Sudan, Sudan, Ethiopia and Somalia. Most of these countries are unstable, and there is no proper law and order.

There are so many criminals roaming around with their sophisticated weapons. As a result, Kenyan borders have remained porous and unmanned for many years. We have very few officers in the field. Kenyan borders are not manned by Kenyan men and women of the Kenya Defence Forces and police officers, but by the locals. Therefore, it is high time that the locals also be armed especially in those areas, so they can be able to protect themselves, instead of telling them that they are having illegal guns and all these things. It is high time these rules be lessened, so they can be able to fight and repel the people who have invaded them.

Many lives have been lost in Turkana, Mandera, Wajir and everywhere. People are coming from borderlines with guns, raiding the animals, and therefore, we remain unprotected. I will request that we come up with a policy and a law that will take care of and arm the people of the borderlines, so they protect themselves.

We need to establish more border posts. Kenya has so many trained officers. We have the GSU, the Rapid Deployment Unit (RDU) and the Anti-Stock Theft units, which are well-trained. Unfortunately, most of those officers are now guarding the VIPs. The VIPs have taken half of the police officers in this country, right from the Presidency to the MCAs. There are so many.

Half of the Kenyan police are guarding the VIPs. It is high time that we come up with a policy to reduce the number of police officers who are protecting the VIPs. The VIPs can even use Private security guards like KK than having police officers. We have used so much money to train officers yet Kenyans are dying by the day, being killed by criminals. There should be a law that will reduce the number of police officers guarding the VIPs.

Our officers are poorly armed. They cannot match those criminals. Those guys have sophisticated guns, ammunition and money. They are selling even drugs to take care of themselves. Our officers are not paid their allowances. They live in bad places, they are not even getting their salary on time, they have no ammunition. They have nothing.

It is high time that we must also change our policy so that we will be able to protect ourselves. So, these people should be taken care of, they should be paid their allowances and salaries on time. Our officers are demotivated and they are staying in very harsh areas for a long time.

There must be a specific time to keep those officers in those places. Everybody should be able to rotate in time, so at least everybody will be motivated to stay at a certain place, at a certain time and with a certain kind of allowances.

Also on infrastructure, the roads are not passable. The roads are in very poor condition. Even if today you sent a vehicle to rescue those guys, they cannot make it to that place.

I was seeing the other day when the President was saying that he is building a 720-kilometre road to Mandera, some Kenyans were making jokes as if Wajir and Mandera are not part of Kenya. It is the same thing with Turkana.

So, I think it is high time that we must accept that those areas need to be developed. Kenyans cannot be rescued, especially in Turkana and Mandera, because of the road conditions. It is time that we give enough budget for those roads to be developed so that we can be able to save Kenyans because we are losing so many lives.

**The Deputy Speaker (Sen Kathuri):** Sen. Onyonka, you may proceed.

**Sen. Onyonka:** Thank you so much, Mr. Deputy Speaker, Sir. I stand here to also condole with my friend and colleague, Sen. Lomenen, because he is dealing with a very intricate matter that sometimes is quite surprising to many of us.

I grew up in this country of ours that we love, listening to how many times cattle rustlers were running all over the place, killing people in the far-flung areas of Kenya. I thought those were people who were very far away, and I did not even have to be concerned about what their lives had become.

As a Member who is very proud to be in the opposition, once again I am going to start asking the sitting government to explain to us why our people are being killed within our borders. I am going to be requesting that this House begin to interrogate and analyze what our responsibility is, as I have heard Hon. Sen. Ali Abass speak very ably.

Why do we not start thinking about the legislation that we need to make sure that we are now beginning to pass laws and change some of the laws that we have, so that if we have to create border points police posts, and police stations, then so be it?

Sen. Abass has also talked about border posts. The other day, as a Member of this Senate, we travelled to Mandera. I was shocked that Mandera is not a one-stop-shop border post between Kenya and Ethiopia even though you will hear that business is taking place, people are crossing over the border, and life has gone on normally.

I wish that the Government would take Turkana seriously, and look at all the challenges that the county is facing. It is very sad to lose 20 people, and on some figures, we are being told the people who died could be 40. To make matters worse, these were individuals who are being killed and thrown into Lake Turkana. It is inhuman, it is unfair, but I think we also need to be more responsible.

I agree with what Hon. Sen. Cherarkey said, where you find that the Cabinet Secretary for Interior and National Administration is saying that this is a very small incident. It is not. The death of one person, like the brother we lost in Haiti, is one too many. We do not want anybody to trivialize cattle rustling, inter-border and cross-border wars.

The truth is that we have the evidence, we have the people who know. I could use the Karamoja issue where we had the frequent war taking place between the Karamoja in Uganda and the Turkana in Kenya.

President Museveni, for the first time, made a wonderful decision of picking his wife, even when I disagree about us employing our relatives. Mrs. Museveni actually solved the problem between the Karamoja of Uganda and the Turkana of Kenya.

Hon. Lomenen, I wanted to say that our President could also pick Madam Rachel and even make her the Cabinet Secretary for Interior and National Administration if that is what could solve this problem. As a mother, she may understand, and I think the people might believe her more if she came in as a peace ambassador to make sure that

these cattle rustling and killing of Kenyans by outsiders and our open borders is something that we must stop as soon as possible.

With these remarks, I hope that the Government will move as fast and as quickly to interrogate this matter. The Government should even think right to come to this House and ask us to permit the Kenyan Defence Forces to go to those areas and try and make sure that we maintain peace permanently.

**The Deputy Speaker** (Sen. Kathuri): Thank you. Sen. Sifuna Edwin, you may proceed.

**Sen. Sifuna:** Thank you, Mr. Deputy Speaker, Sir. I want to take this opportunity on behalf of the people of Nairobi City County as well to convey our heartfelt condolences and commiserations with the people of Turkana through their Senator; Sen. hon. Lomenen, who has caused this Adjournment Motion for us to discuss the situation in Turkana.

As you know, I am a very proud Secretary General of the Orange Democratic Movement (ODM), a party that has a very strong presence in Turkana. In Turkana North, we are represented in the National Assembly by hon. Ekwem Nabuin, who was elected on an ODM ticket and his counterpart, hon. Ariko Namuit, who represents Turkana South. These two Members of Parliament have taken the liberty to brief the party on the situation in Turkana as they see it.

I want to go through some of the reports that we have got from our two Members of Parliament. I will be presenting this brief before a meeting of the organ of a party that is scheduled tomorrow.

First, it is clear that this attack was carried out by Ethiopian militia who are operating on the northern most tip of Turkana County. According to these two Members of Parliament, there are more than 30 fishermen who are missing and feared massacred inside the lake during that attack. They also confirmed to party that they are yet to retrieve the bodies because the Ethiopian side is not cooperating and unwilling to engage with them.

*[The Deputy Speaker (Sen. Kathuri) left the Chair]*

*[The Temporary Speaker (Sen. Wakili Sigei) in the Chair]*

Mr. Temporary Speaker, Sir, according to these two MPs, the foreign office in Kenya is failing the people of Turkana. There has been no involvement at all in terms of support by the Ministry of Foreign and Diaspora Affairs. This is very troubling. According to them, the Cabinet Secretary for Interior and National Administration, Hon. Murkomen, is present. The Cabinet Secretary for East African Community (EAC), Arid and Semi-Arid Lands (ASALs) and Regional Development Areas, Hon. Beatrice Askul, has been with them together with the county commissioner. However, there has been no presence whatsoever of the Ministry of Foreign and Diaspora Affairs.

This is a problem, especially because they have said that they would require cooperation of the Ethiopian Government and authorities for them to conduct search and rescue operations to retrieve these bodies and find the people who are missing.

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Our MPs have also told us that on the night of the attack, there was no network coverage; that somehow the network by Safaricom experienced an outage on the night of the attack, making it impossible for them to save lives. The argument by these two MPs is that if they were able to communicate the attack early, many lives would have been saved. Sen. Lomenen can also confirm this.

The two MPs and the Senator are currently there trying to calm our people down because there is growing frustration on the ground. Some people are calling for retaliatory attacks. If these leaders were not present to calm the temperatures down, it is going to be very difficult. We want the Government to move with speed, especially the Ministry of Foreign and Diaspora Affairs, to secure the necessary cooperation from the Ethiopian authorities for us to get our brethren who are missing in the lake.

Lastly, the report was that the National Police Reservist officers who were stationed in Turkana had no ammunition. The Senator can also confirm this. Sometimes when we raise these issues, people say we are being unduly critical. However, as a Member of the National Security, Defence and Foreign Relations Committee, I assure the people and the Senator of Turkana County that we are going to get to the bottom of these issues and the lapse in security that has led to the loss of lives.

Hon. Temporary Speaker, I have been asked to send a message to the Ministry of Foreign and Diaspora Affairs through the Prime Cabinet Secretary, Hon. Musalia Mudavadi. The people of Turkana want to see the same effort we have seen in other things, including the same sort of delegation that went to Addis Ababa from the Ministry being stationed in Addis Ababa again to be able to secure the cooperation of the Ethiopian authorities. This will ensure that we not only retrieve the bodies of our beloved ones who are still somewhere in the lake, but ensure that such a thing never happens again.

On behalf of the people of Nairobi, our party, my family and myself, I tell the people of Turkana that we stand with them. This is a county that is very close to my heart for---

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Sifuna, your time is up. I am very sure sitting from the Chair that the Honourable Cabinet Secretary for Foreign and Diaspora Affairs has definitely listened to the cries that have come from you on behalf of the people of Turkana. They should give it the attention that the other Ministries have given to safeguard the interest of our people. Thank you very much, Sen. Sifuna.

Sen. Okech Eddy, proceed.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I have an intervention. I know that the matter we are discussing is very important. We had sought an adjournment on this matter of Turkana, but I am realising that the House is literally empty. Therefore, I wanted to rise under Standing Order No.41. Perhaps, this could have been necessitated by the fact that some of our colleagues are at the funeral of our departed brother, Sen. Cheptumo.

I share the pain and losses that have been in Turkana. I hope we can find a broader solution based on what my dear friends and colleagues have shared, including what Sen. Sifuna has said. However, I wanted to ask whether due to the lack of quorum in this proceeding, you may consider invoking Standing Order No.1.

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If we do not have quorum, then perhaps we can revisit such conversation when the full House is here for the purposes of proper attention to such a matter of serious magnitude of state concern.

I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Eddy, the Motion on Adjournment pursuant to Standing Order No.37 seeks to adjourn the House. As it stands, the House is adjourned for purposes of this Motion. That is why we have sought for every other Member interested in contributing to it to do so within a limited timeline of five minutes. Therefore, you cannot rise under Standing Order No.41 on quorum because the House stands adjourned for purposes of the Motion.

I, therefore, rule you out of order. We still have Members who are interested in contributing and you were one of them. However, yours was an intervention. We have Sen. Peris Tobiko, Senator Seki, who is not in the House and Sen. Joe who want to contribute.

I will allow Sen. Peris Tobiko to speak to this Motion.

**Sen. Tobiko:** Thank you, Mr. Temporary Speaker, Sir. I rise to support the Motion brought by Sen. Lomenen. I sympathise and empathise with the people of Turkana County because of the agony they have gone through in the hands of foreigners. It pains a lot to lose Kenyans in ways that we should not lose lives. Of course, human beings are mortal and we will all pass on, but there are ways that lives must be saved and protected.

I stand to urge the Government to take quick action to bring to book the culprits of this heinous act. The Government should protect other Kenyans in Turkana County and take seriously the lives of all Kenyans. When a Kenyan dies in Turkana, it should be taken as seriously as it is in other areas. The life of every Kenyan is important.

It is sad that regions in this country have not been treated and supported equitably. I know this could be the feeling that Senator Lomenen has and a number of other people who come from these marginalized areas with no infrastructure and network that look like another country altogether. Kenyans have not been treated equitably. We all want to have the feeling of being valuable Kenyans. Dignify the life of every Kenyan. This is very sad.

Just like when I was speaking about the police officer we lost in Haiti. He was defending the image of Kenya in a faraway land, but when the body lands in Nairobi, unless you take it with a chopper to Kajiado, we have no roads to take that body. He was a Kenyan who stood in for the 43 million of us, protecting and defending this country's name and giving us a good international image, but there was no road to his home.

Will there come a time when Kenyans will be equal when we will all feel we belong? At the moment, we feel like there are Kenyans who continue to be marginalised.

It is sad. My brother, Sen. Lomenen, I feel it for the Turkana people because I know we go through the same things. In fact, whereas Turkana is in the far north of the country, those of us who are adjacent to Nairobi feel the same because roads go to other regions of this country, but no roads go to Kajiado and Turkana. There is no power, network, or water in these regions.

Can we all be treated as one country of equal people, one country of life that is equal and matters most for all Kenyans? Let the Kenyan Government work fast to relieve the pain of the Turkana people and bring justice to what has just happened.

Thank you, Mr. Temporary Speaker, Sir.

### ADJOURNMENT

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, you may rise. Having concluded debate on the Motion of Adjournment under Standing Order No.37, the Senate stands adjourned until tomorrow, Thursday, 27<sup>th</sup> February, 2025, at 2.30 p.m.

The Senate rose at 5.02 p.m.