

# PARLIAMENT OF KENYA

## THE SENATE

### THE HANSARD

Wednesday, 19<sup>th</sup> March, 2025

#### Afternoon Sitting

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

*[The Speaker (Hon Kingi) in the Chair]*

#### PRAYER

#### DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum?

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

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

*(The Quorum Bell was rung)*

Hon. Senators, we now have quorum. Clerk, kindly call the first Order.

#### QUESTIONS AND STATEMENTS

##### STATEMENTS

**The Speaker** (Hon. Kingi): Statement pursuant to Standing Order No.52(1). Proceed, Sen. Hezena.

##### INCREASE IN GANG ATTACKS IN SAMBURU COUNTY

**Sen. Lemaltian:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.52(1) to make a Statement on a matter of general topical concern namely the increased cases of gang attacks in Samburu County.

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In recent months, Samburu County has experienced a surge in violent criminal activities perpetrated by gangs, distinguishing themselves as bandits. This escalating insecurity poses a significant threat to the safety of residents and the stability of businesses. The several incidents of criminal attacks have been reported as follows—

(1) On 30<sup>th</sup> December, 2024 the Lake Oil Petrol Station along the Kisima-Maralal road was robbed. During the attack, a night guard sustained injuries, the property was vandalised and a staff member was assaulted;

(2) On 25<sup>th</sup> February, 2025 a shop in Kisima Town was robbed by armed gangs; and,

(3) On 9<sup>th</sup> March 2025, a businessman in Wamba Town was brutally attacked and killed. His two sons were critically injured and are currently receiving treatment at Wamba Hospital.

Mr. Speaker, Sir, it is deeply concerning that Samburu County remains severely understaffed in terms of police personnel thus leaving urban centres vulnerable to criminal activities. It is unacceptable that businesses are shutting down and residents are forced to live in constant fear due to the deteriorating security situation.

I, therefore, urge the Ministry of Interior and National Administration, along with all relevant security agencies to take immediate and decisive action to—

(1) Conduct thorough investigations into these criminal incidents and ensure all perpetrators are arrested and brought to justice.

(2) Deploy additional security personnel across the affected areas and the entire Samburu County while equipping them with the necessary resources to effectively combat violent crimes.

(3) Implement long-term security strategies to curb the rising cases of armed robberies, business attacks and other criminal activities. This should include enhanced coordination between security agencies and the local communities to improve crime prevention and intelligence gathering.

I thank you.

**The Speaker** (Hon. Kingi): Statement pursuant to Standing Order No.53(1).

Proceed, Sen. Hezena

#### DEVASTATING FIRE OUTBREAKS IN ELBARTA PLAINS, SAMBURU NORTH CONSTITUENCY

**Sen. Lemaltian:** Mr. 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 devastating fire outbreaks in Elbarta Plains in Samburu North Constituency, Samburu County.

The Elbarta Plains is a critical grassland ecosystem that has historically supported thousands of livestock and wildlife. It is one of the last remaining intact land cover areas in Samburu County and serves as a vital refuge for pastoralists during droughts. The recent wildfires have destroyed vast swathes of land, severely threatening livelihoods, biodiversity and regional stability.

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Mr. Speaker, Sir, multiple fire outbreaks have been recorded, beginning with a blaze on 1<sup>st</sup> February, 2025 in Lbaa Oibor, which spread rapidly to Lderendei, destroying over 1,000 acres. Subsequently, fires erupted in Ltirim Loldrkesi on 7<sup>th</sup> February, 2025 burning for four days. Again, on 13<sup>th</sup> February, 2025 affecting Sikira Plain, Lkangura Loregel and Marti Plateau, with flames raging for eight days consistently.

In March, fires continued, with an incident on 4<sup>th</sup> March, 2025 burning for five days from Naagis to Lomirog Hill. Another fire broke out on 7<sup>th</sup> March, 2025 in Noosidan and Ltepes. In total, more than 30,000 acres of crucial forage have been lost.

Mr. Speaker, Sir, despite prompt reporting to the County Disaster Department and information sharing with the local community, there was no effective response due to inadequate disaster preparedness in the region. Security agencies were notified and efforts were made by the Grevy's Zebra Trust (GZT) along with conservancy rangers to control the fires, but they were overwhelmed.

In the Statement the committee should-

(1) Investigate the causes of the fires, including potential natural factors or human activities such as arson, land disputes, or illegal practices.

(2) State whether there are plans to enhance security measures to facilitate community participation in disaster mitigation and to establish a regional disaster response unit equipped to handle wildfires

(3) Assess disaster preparedness and recommend the establishment of mobile fire units, regional fire stations, and aerial firefighting support.

(4) Implement fire prevention and emergency response training for local communities and conservancy rangers.

(5) Propose legislative measures to improve wildfire response, inter-agency coordination, and disaster mitigation strategies.

I thank you.

**The Speaker** (Hon. Kingi): Proceed, Sen. Alexander Mundigi.

TARMACKING OF SIAKAGO-SOKO-KAMUMU-KANYUAMBORA  
ROAD IN MBEERE NORTH SUB-COUNTY

**Sen. Munyi Mundigi:** Mr. 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 tarmacking of the Siakago-Soko-Kamumu-Kanyuambora road in Mbeere North Sub-County, Embu County.

This road serves as a crucial economic corridor for the residents of Mbeere North and its completion is vital for the economic growth of the region. The construction of the road, which covers an approximate distance of 35 kilometres commenced in 2021. However, in 2023, the project was re-tendered and to date, only 3kilometres have been constructed.

In the Statement, the Committee should address the following-

(1) State the estimated cost for the construction of the above-mentioned road and clarify the reasons for the inordinate delay in completion of this road following the re-tendering in 2023.

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(2) Explain why the contractor is not on site and give timelines within which the Ministry is planning to complete the road.

**The Speaker** (Hon. Kingi): Sen. Beatrice Ogola.

POOR LIVING CONDITIONS OF POLICE  
AT NDHIWA POLICE STATION

**The Speaker** (Hon. Kingi): This Statement is deferred.

*(Statement deferred)*

Sen. Kinyua, proceed.

ALLEGED SHORTAGE OF CERTIFIED SEEDS  
AT KENYA SEED COMPANY LIMITED

**Sen. Kinyua:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the shortage of certified seeds at the Kenya Seed Company Limited. In the Statement, the Committee should address the following-

(1) The current shortage of certified maize seeds at the Kenya Seed Company Limited.

(2) The measures in place to ensure the availability of seeds in the view of approaching planting season.

(3) The availability and quality of other certified seeds at the said company.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Githuku, you have two Statements. You may proceed to read both.

STATUS OF COMPENSATION FOR VICTIMS OF  
HUMAN-WILDLIFE CONFLICT IN LAMU COUNTY

**Sen. Githuku:** Thank you, Mr. 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 compensation status of the victims of human-wildlife conflicts in Lamu County. In the Statement, the Committee should-

(1) Provide a report of all human wildlife conflict claims from 2022 to date, including details of the nature of claims, incident date, claim submission date, amount claimed and payments date.

(2) Present an update of all paid and pending claims, reasons for non-payment and expected timeline for settling outstanding claims.

(3) Specify the standard duration of claim settlement and outline measures to be taken against the Kenyan Wildlife Service (KWS) if payments exceeds the stipulated period.

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(4) State any measures the Government has put in place to curb the rising incidents of human-wildlife conflicts in Lamu County.

DEVELOPMENT EXPENDITURE IN LAMU COUNTY  
FOR THE FIRST HALF OF FY 2024/2025

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Finance and Budget regarding the development spending in Lamu County for the first half of the financial year 2024/2025. In the Statement, the Committee should-

(1) Identify the specific factors that have contributed to Lamu County's small development absorption rate of less than five per cent, detailing any administrative, financial or logistical challenges that hinder development in the first half of the Financial Year 2024/2025.

(2) Provide a detailed breakdown of the development budget allocated for Lamu County in the Financial Year 2024/2025, specifying approval estimates, actual disbursement and expenditure levels.

(3) Disaggregate the unspent development funds by sector, identifying affected projects and budgetary allocation and the implications of delays in non-implementation.

(4) Assess the implementation status of the County's Annual Development Budget Plan (ADBP), detailed project milestones, deviation from the planned timelines and collect measures undertaken, highlighting any projects that have been delayed or abandoned.

(5) Outline the fiscal and administrative strategies the County Government has adopted to ensure absorption in the second half of the Financial Year 2024/2025, including monitoring frameworks and accountability mechanisms and submit supporting documentation to the Senate.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Joe Nyutu.

INSECURITY AND ALLEGED MISCONDUCT OF  
POLICE OFFICERS IN MURANG'A COUNTY

**Sen. Kinyua:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the insecurity and misconduct of certain police officers in Murang'a County.

In the Statement, the Committee should address the following-

(1) The circumstances surrounding the death of Ms. Joychister Muthoni, a Grade 8 pupil at Wambwe Primary School that occurred in Wambwe Village, Mathioya Constituency on 7<sup>th</sup> January, 2025, including the actions being taken to expedite the investigation into the death and ensure that the perpetrators are apprehended and brought to book.

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(2) The intimidation and arrests of Ms. Ejidia Wairimu, Ms. Lucy Murage and Ms. Nancy Njoki on 25<sup>th</sup> February, 2025 following their comments in media regarding the death of Baby Ezra Wamaitha from Maragua Town and overall rise in insecurity in Muranga County, explaining the measures put in place to safeguard the constitutionality-guaranteed freedom of expression.

(3) The disciplinary action taken against Mr. James Wahome, who was recently transferred from Kanyenyaini Police Station in Kanyenyaini Ward, Kangema Constituency, following multiple complaints by some residents who reported being assaulted and brutalised by police officers on diverse dates between 30<sup>th</sup> December, 2024 and 7<sup>th</sup> January, 2025.

(4) The status of compensation of the victims of assault and brutality perpetrated by Mr. James Wahome.

I have asked the question on behalf of Sen. Joe Nyutu, the Senator of Murang'a County.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Abass Sheikh.

#### OUTBREAK OF KALA-AZAR IN WAJIR COUNTY

**Sen. Abass:** Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee of Health regarding the outbreak of Kala-azar in Wajir County. Kala-azar is a severe and potentially vital disease that is transmitted by sandflies. It thrives in conditions of poor housing, malnutrition and weakened immune systems. Several cases have been reported in Wajir County, including death. We are soliciting for urgent medical, logistical and financial interventions to prevent further fatalities and contain its spread.

The control of pandemics, disasters and emergencies is the responsibility and functions of the national government. The counties do not have testing kits. Kala-azar requires a special kit for identification. However, two weeks ago, the same issue has been raised by my colleagues and it has already spread to Turkana, Mandera and Wajir. This disease might spread to the rest of the country.

In the Statement, the Committee should-

(1) Identify the underlying factors contributing to the outbreaks and outline mitigation measures to prevent further spread, including the distribution of treated bed nets, fumigations and community cessation on preventive measures.

(2) Provide details on whether the Ministry of Health has deployed a medical emergency response team to assess the situation, providing emergency treatment and enhance surveillance.

(3) Clarify whether essential medical supplies, including antihistamine drugs, rapid diagnostic kits and IV fluids have been dispatched to the affected health facilities.

(4) Outline any initiative fostering collaborations between the Wajir County Government and the national Government to strengthen referral systems, ensure timely case management and reduce mortality rates.

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(5) State the plans in place to prioritise funding for neglected tropical diseases, such as Kala-azar to support long-term prevention and control efforts in the region.

**The Speaker** (Hon. Kingi): Senator Mohammed Chute, you may proceed.

LAND OWNERSHIP AND UTILIZATION  
BY KENYA PRISONS SERVICE

**Sen. Chute:** Thank you very much, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1), to seek a statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of land ownership and utilisation by the Kenya Prisons Service.

In the Statement, the committee should address the following-

(1) The total acreage of land owned by Kenya Prisons Service in respective counties, specifying the number of parcels with ownership documentation and those without documentation.

(2) The measures put in place to expedite the issuance of title deeds for the parcels without ownership documentation, including the timeline for issuance of the title deeds.

(3) The acreage and location of parcels of Kenya Prisons Service, land that has been allocated for the Affordable Housing Programme, disclosing the number of housing units to be developed on each parcel and the identities of the respective developers.

(4) The acreage and location of parcels of KPS land that have been illegally occupied and encroached upon, stating whether KPS has taken steps to reclaim this parcel of land, and if so, provide an update on the progress;

(5) The measures put in place to prevent further encroachment or illegal occupation of Kenya Prison Service land.

Thank you very much.

**The Speaker** (Hon. Kingi): Sen. (Prof.) Tom Ojienda, you may proceed.

**Sen. (Prof.) Tom Ojienda Odhiambo, SC:** Thank you, Mr. Speaker, Sir. I have three Statements, and the first Statement is on the welfare of National Government Administration Officers in Kisumu County.

WELFARE OF NATIONAL GOVERNMENT ADMINISTRATION  
OFFICERS IN KISUMU COUNTY

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Mr. 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 welfare of the National Government Administrative Officers in Kisumu County.

Chiefs, Assistant Chiefs, Deputy County Commissioners (DCCs) and other National Government Administrative Officers play a crucial role in maintaining law and order, implementing government programs and enhancing service delivery at the grassroots level. However, concerns have been raised regarding their working conditions, remuneration, housing, medical cover, retirement benefits and participation in

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cooperative saving schemes such as Savings and Credit Cooperative Organisations (SACCOs).

In the Statement, the committee should-

(1) Provide a report on the current terms of service for Chiefs, Assistant Chiefs, Deputy County Commissioners and other national Government administrative officers in Kisumu County, including details on salary scales, allowances and retirement benefits.

(2) Clarify the access to affordable housing, particularly whether the government has any initiatives to provide decent accommodation for these officers within the county.

(3) Explain if enrolment to their respective SACCOs is mandatory, specifying the number of officers benefiting from the cooperative savings and loan schemes.

(4) Provide information on the medical insurance cover available to these officers and their dependents and state measures in place to improve their working conditions, including transport facilitation, office infrastructure, and access to legal protection while performing their duties and lastly,

(5) Table a report on the specific challenges faced by the national government and administrative officers in Kisumu County in the execution of their mandate, along with the government's intervention in addressing these issues.

#### SAFETY OF OMBEYI DUMP SITE IN MUHORONI SUB-COUNTY

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment, and Natural Resources regarding the viability, suitability and safety of Ombeyi Dump Site in Muhoroni Sub-County, Kisumu County.

The Ombeyi Dump Site has raised significant concerns among residents due to its impact on agricultural activities, air quality and the environment.

Section Three of the Environment Management and Coordination Act (EMCA) guarantees the right to a clean and healthy environment, while Section Eight of the same Act prohibits hazardous waste handling and disposal. The law further mandates safe waste management practices to prevent pollution and environmental degradation.

The Ombeyi Dump Site has failed to comply with the waste management regulations outlined in EMCA. Additionally, Article 186(1) of the Constitution of Kenya 2010 read together with Part 2(g) of the Fourth Schedule, assigns the responsibility of waste management, including refuse removal, dump site and solid waste disposal to the county government, in this case, Kisumu County.

In the Statement, the committee should-

(1) Establish whether adequate public participation was conducted before designating the Ombeyi Dump Site as a waste dumping ground.

(2) Provide the Senate with an environmental impact assessment (EIA) report, conducted before and after the site was established.

(3) Outline measures taken by the county government to address health risks, such as respiratory issues caused by air pollution, as well as contamination affecting crops, specifically sugarcane and water resources.

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(4) Specify the alternative waste management strategies in place to prevent air, soil and water pollution, and clarify whether there are plans to rehabilitate affected farmlands and mitigate environmental damage.

(5) State whether the county government has plans to establish a waste-to-energy or recycling plant and provide timelines for its implementation.

Mr. Speaker, my last Statement is on flood response mitigation in Kisumu County.

FLOOD RESPONSE MITIGATION  
IN KISUMU COUNTY

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Mr. 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 flood response mitigation in Kisumu County, particularly in the areas affected by recent flooding in Nyando Constituency and vulnerable regions in Kisumu County.

In the statement, the committee should-

(1) Provide an update on actions taken by both national and county governments to address the impact of recent floods, including efforts to relocate and support displaced families.

(2) Provide information on the ongoing nutrition programme for flood-displaced victims, supported by UNICEF and the French Embassy, including details on the number of beneficiaries, specific interventions provided, and the expected duration of the programme.

(3) Explain measures being implemented to prevent malnutrition among children and pregnant women in affected flood areas, including access to food, healthcare and clean water.

(4) Provide details on any additional funding and support being mobilized to explain the nutrition programme and announce flood disaster prevention.

(5) Describe the coordination mechanisms between the county and the national government, as well as humanitarian organisations to ensure efficient disaster response and relief distribution.

(6) Explain the strategies for long-term flood mitigation and climate resilience in Nyando and other flood-prone areas of Kisumu County, including measures to prevent current displacement and food security.

**The Speaker** (Hon. Kingi): Hon. Senators, I will allow comments on the Statements for period not exceeding 20 minutes. So, if you get an opportunity to speak, keep it under three minutes.

The Hon. Senator of Vihiga County, Sen. Osotsi, please proceed.

**Sen Osotsi:** Thank You Mr. Speaker, Sir. I would like to support the Statement by the Senator of Kisumu County, on the issue of conditions of working for police officers. We have talked about this matter for quite some time now in the public discourse and even in this House.

It is, therefore, important that attention be given to it. We have seen rising cases of suicide among police officers and insecurity, which are attributed to the morale and the quality of working environment that the police are exposed to.

I hope that the relevant Committee will look at this matter keenly and recommend measures so that we can have our officers living in the right environment and that will help them provide the security that we need.

Mr. Speaker, Sir, the second Statement that I would like to comment on is by the Senator of Lamu County, on the issue of development budget spending for his county. I would like to associate with that Statement and the other statements that the other Members have raised on the same matter. However, allow me to raise a concern. We have had a significant number of Senators raising similar Statements on the issue of budget, pending bills and general financial matters in our county, which are directed to the relevant Committee on Finance and Budget. However, there are other committees also dealing with the same matter of pending bills and such things. We are going to confuse ourselves on this matter of pending bills, taking into account that the Senate Minority Whip, Sen. Olekina, came up with a good motion which this House passed.

In addition, the relevant Committee of Finance and Budget has also been handling this matter of pending bills. It is confusing if we allow other committees to start working on the same matter and inviting the same county governments to appear before them. We will get confused. I therefore would like to suggest that we uphold the Motion that we passed here on the matter of budget and pending bills and work towards its full implementation.

Mr. Speaker, Sir, I support and would like to associate myself with those Statements.

*(Sen. Madzayo spoke off record)*

Mr. Speaker, Sir, the Senate Minority Leader is looking unusual today; he looks like a Sheikh. I do not know what has changed. Perhaps he should tell us whether he has changed his religion from Christianity to---

**The Speaker** (Hon. Kingi): Sen. Veronica Nduati, please proceed.

**Sen. Veronica Maina:** Thank you, Mr. Speaker, Sir, for the opportunity to comment on the Statement which has been brought to this House by Sen. Joe Nyutu from Murang'a County.

It is my hope and prayer that, when the Committee on National Security, Defence and Foreign Relations retreats to consider the insecurity that has been happening within Murang'a County, the investigations or whatever process they undertake, are going to unfold the circumstances surrounding the death of Ms. Joy Chista Muthoni, a Grade Eight student at Wambwe Primary School, that occurred in Wambwe Village, Mathioya Constituency, on 7<sup>th</sup> January, 2025.

Mr. Speaker, Sir, I hope and trust that the perpetrators are not walking free in Murang'a County and posing a risk to other students or other people within the county. It is my hope and prayer that when the Committee handles this matter, it will be given the attention that it deserves, especially noting that it is a minor who was involved and the

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perpetrators are adults. The best interest of those pupils in Wambwe Primary School and in other primary schools in Murang'a and other counties, would demand that proper investigations are done and they are made public, and that the perpetrators are brought to book.

It is also pathetic to note that some bloggers or people who posted circumstances surrounding the death of Baby Wamaitha in Maragua Town, including Ms. Ejidia Wairimu, Ms. Lucy Murage and Ms. Nancy Njoki, on 25<sup>th</sup>, just because of expressing their views within the media, were put under arrest.

I would say this is a shame because if one person has lost a baby, Baby Wamaitha, a child has died out of circumstances surrounding insecurity and violent action from perpetrators. It is very shocking that the police officers dared to arrest Kenyans who had expressed their distaste and disgust at the violence that was meted out on a very young baby who was not only killed on that day, but was also defiled and put in a well.

I hope when the Committee retreats, these issues are going to be treated with a lot of seriousness, the kind of seriousness that they deserve and that answers will be given to the House.

Mr. Speaker, Sir, finally, it is unfortunate that one police officer, Mr. James Wahome, who was actually---

**The Speaker** (Hon. Kingi): Please give the Hon. Senator one minute to conclude her remarks.

**Sen. Veronica Maina:** Thank you, Mr. Speaker, Sir. This police officer was actually working in a police station which is next to my mother's house, Kanyanyiane Police Station. I watched some of the videos where this police officer walked to a bus stage and literally beat people up with a very huge cane, and clobbered anybody who did not give him the money he was demanding for. I watched those videos.

When the Committee retreats, we want to know whether the police service has a psychosocial support unit, because he did not even look like he was on his normal day, a sane moment. He seemed to have been going through another set of--- I do not know what the doctors would call it, but we want to know whether the police service actually has a psychosocial support, because transferring such an officer does not give answer to Kenyans.

You cannot transfer trouble from one police station to another police station. That must be handled and the help that is needed for such an officer must be given. We would like to hear what kind of a structure the police have put in place, because the welfare of our police officers, has been demanding attention from their housing to their welfare. We have had very many police officers shooting one another in police stations. I do not know what kind of frustration they are going through.

Mr. Speaker, Sir, however, if it is about salaries, housing, welfare and how they are being treated by the public, it is high time that the report that was given by the former Chief Justice (CJ) Justice Maraga, is made public, and the implementation of all the dissolutions that are put within that report are also looked into, so that we do not just have reports without implementation of the action that is laid down in that report.

So, we would like to hear---

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**The Speaker** (Hon. Kingi): Sen. Olekina, please proceed.

**Sen. Olekina:** Thank you, Mr. Speaker, Sir. I rise to contribute to two Statements. One Statement which is really baffling is the Statement raised by the distinguished Senator from Wajir County

Two weeks ago, the distinguished Senator of Marsabit County raised the same Statement on this Kala-azar. Kala-azar is a very dangerous disease. We only used to hear about Kala-azar from India, and it is associated with poverty. That means there are serious underlying issues that are affecting our people in the north, like the issue of poverty. If the Ministry of Health does not take serious concern, it will spread rapidly, even to those other areas of Kisumu County, where the distinguished Senator of Kisumu was raising a Statement about the dangers of floods. Kala-azar will end up there.

Mr. Speaker, Sir, we need to be serious on this matter. It would be sad for us to hear that statement again being raised. I would like to request the Ministry of Health to move expeditiously, and the two county governments to work together in order to deal with the issue of this disease.

The second issue is that of insecurity in Samburu. The distinguished Senator of Samburu and the Deputy Minority Whip raised that issue last week. Today, the Nominated Senator from Samburu, Sen. Hezena, has also raised the issue of serious insecurity in Samburu County. If we keep on talking about these things and we do not take action, people are going to suffer.

It is about time that the Ministry of Interior and National Administration takes serious action. I also request the two Chairs for the Committee on Health and the Committee on National Security and Foreign Relations to move to the departments and Ministries. Let us not go through the secretariat and send these statements, but we should take action.

Mr. Speaker, Sir, I was very impressed yesterday with the Speaker when he saw people protesting outside and he directed two of our colleagues to go and receive that petition and deal with it. This is the only way. As leaders, when we become proactive, it will be the only way that we can resolve these problems. Therefore, the issue of Kala-azar is a time bomb. The issue of insecurity in Samburu is another one. If we do not deal with it, we will be counting casualties.

I thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Mungatana.

**Sen. Mungatana, MGH:** Thank you, Mr. Speaker, Sir, for giving me the opportunity to comment on the Statement by the hon. Senator of Kisumu, on the question of floods. Many times when we talk about floods, we talk about floods mitigation, then we go up to that point where people are requesting for support, and then we end the story at the point where people are saying thank you for the support. However, the monies that are utilized to fund these activities are never investigated or reported. For example, the committee that was formed in Tana River County to spearhead fundraising has never reported how much money they raised, how much money was disbursed and who was involved in those contracts. The national Government was also involved in the massive distribution of relief food and non-food items. Again, these were never disclosed. The funds that were utilized were never disclosed.

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Other international bodies like the Kenya Red Cross Society (KRCS) and the World Food Programme (WFP) as well as others, came in to support us and we are grateful. However, the finances and the monies that were put towards the floods mitigation measures and support were never disclosed. The Committee should also investigate, call the relevant people involved and the organizations, in order to find out what monies were utilized. This is because, if this does not become the way to operate, then every time we have disasters like floods, we will be having people who take advantage and floods will become a way to earn money and to make people rich, instead of dealing with the problems that are there.

**The Speaker** (Hon. Kingi): Sen. Sifuna.

**Sen. Sifuna:** Thank you, Mr. Speaker, Sir. For me, the Statement by the Senator of Lamu is most critical. We are halfway through the term of this Parliament and the term of everyone who was elected in 2022. The entire discussion for the remainder of the period should be about development and development-spending.

Here in Nairobi, we got some curious information from the Controller of Budget (CoB) that the County of Nairobi City had spent zero on development in the last financial year. I am happy that the Committee on Devolution and Intergovernmental Relations chaired very ably by Senator of Wajir, Hon. Abbas, has scheduled a conversation with my County Government, so that we go through every single coin that has been pushed through this Senate to the County Government of Nairobi City in the two financial years because we want to be told where this money has gone.

Mr. Speaker, Sir, there should be nothing else to discuss. Although I share the concerns by Sen. Osotsi on the confusion on which committee handles which matter, I am more than pleased to have these governors appearing in all of our committees. This is because Sen. Abbas will focus on development spending and fiscal responsibility will be the duty of the Committee on Finance and Budget. We need to have these conversations. If we do nothing else for the remainder of the term, let us have that conversation on development spending. If you look at the report of the Auditor-General, many of our counties are spending much higher amounts on recurrent expenditure. People are doing up to 60 per cent and nothing is happening on the development side.

There was also a very interesting conversation on the national Government spending in our counties. Whereas everybody is clear on how much money goes to their counties through devolution, we are not clear on how much money the national Government spends in our respective counties. I would want the Committee on Finance and Budget to also focus on that. We would like to know of the entire amount of money, the Kshs2 trillion that is reserved to the national Government, how much has been spent in my county on roads or on education for instance. This is because I saw the President around and most of the projects he was launching were projects that were either undertaken by the County Government or by the National Government Constituencies Development Fund (NG-CDF) through Members of Parliament (MPs).

Mr. Speaker, Sir, we want to know how much money of the national Government share has been spent by the Ministry of Youth Affairs, Creative Economy and Sports, Ministry of Tourism and Petroleum or the Ministry of Lands, Public Works, Housing and Urban Development, how much money of the national government share in our

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individual counties. That is the only way we can ascertain that there is equity in the spending of national resources, remembering that the national Government will borrow without any reference to the county governments or this House.

Mr. Speaker, Sir, we have no sight over that spending. That spending will be spent however they want, but when it comes to payment, all of us are on the hook. Therefore, this is a conversation we should focus on for the remainder of the term.

**The Speaker** (Hon. Kingi): Sen. Chimera.

**Sen. Chimera:** Asante, Bw. Spika kwa fursa hii. Ningependa kuchangia kwa ile Taarifa ya Seneta Joe Nyutu kutoka Murangá, kuhusu kifo cha yule Bi. Joyster Muchina. Kwanza, ninapeana rambirambi zangu kwa familia ya mwenda zake kwa kupoteza maisha yake kupitia mikono ya watenda kazi wetu wa usalama.

Ni kinaya kuona wale maafisa wa polisi ambao wanafaa kutupea usalama kama wananchi ndio wako mstari wa mbele kutoa maisha ya binadamu wetu. Hatua ile ya maafisa wa polisi kujihusisha na maswala ambayo ni ya kigaidi inafanya wananchi wetu wanapoteza uhai na hio si sawa. Kwa hivyo, ninapeana ilani kali sana kwa maafisa watakaopatikana kwa swala hili.

Bw. Spika, ninachukua fursa hii kuzungumzia kudorora kwa usalama pale Kaza Moyo eneo bunge la Kinango. Utapata maafisa wa usalama, hususan maafisa wa GSU, wanahangaisha wananchi wetu pale Kaza Moya kiholela. Wananchi wamepigwa vita na maafisa wetu wa usalama. Vile vile, wengine wamejeruhiwa na wengine kupoteza uhai wao kwa sababu ya swala la maafisa wa usalama kudhibiti usalama.

Naomba Kamati ya Usalama ifanye kazi yake kwa undani sana. Afisa atakayepatikana na hatua yeyote, Kamati hii ichukue hatua kali na ishikane na lile shirika la Independent Policing Oversight Authority (IPOA) ili maafisa hao wa usalama wapelekwe kortini na waachishwe kazi. Hii itakua funzo kwa maafisa wa usalama wengine kuwa sio vyema mwananchi wa Kenya leo hii apoteze uhai wake kupitia kwa mikono ya maafisa hawa.

Ninampongeza Seneta Joe Nyutu kwa kuleta taarifa hii hapa Bungeni na nina imani kwamba Kamati hii itafanya kazi ambayo itasaidia Wakenya wote na kuhakikisha kwamba hatua kali zimechukuliwa dhidi ya maafisa hawa wanaokosa nidhamu na kupoteza maisha ya wananchi wetu mikononi mwao.

**The Speaker** (Hon. Kingi): Sen. Faki, proceed.

**Sen. Faki:** Asante, Bw. Spika kwa kunipa fursa hii kuchangia kwenye Kauli iliyoletwa Bungeni na Sen. Abass, Seneta wa Wajir. Amezungumzia masuala ya ugonjwa wa Kala-azar. Ugonjwa huu umeingia katika Kaunti za kaskazini.

Wiki iliyopita tulizungumzia Kaunti ya Marsabit, hivi sasa tunazungumzia Kaunti ya Wajir. Zamani, afya haikuwa imegatuliwa. Ilikuwa ni shida kupata wataalamu wa kupambana na majanga kama haya kwa muda mfupi. Kaunti zetu hazijafanya mipango yoyote kuhusiana na magonjwa kama haya. Inakuaje ugonjwa unaingia, wananchi wanafariki, sio mmoja bali wawili watatu. Ripoti ya magazeti ilisema kuwa watu kadhaa wamepoteza maisha yao kwa sababu ya ugonjwa huu. Ni ugonjwa ambao unaweza kutibiwa na kuepukwa wakati wananchi watazingatia usafi ili kupambana na masuala kama haya. Ni muhimu Bunge hii iangalie ni vipi kaunti zinapambana na majanga.

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Hakuna mandalizi kwenye kaunti ya kupambana na majanga kama haya ambayo yanatokea mara kwa mara na kupoteza Maisha ambayo tungeokoa.

Tulipopambana na janga la COVID-19, kaunti nyingi zilijitayarisha na kujenga vyumba vya wagonjwa mahututi. Hivi sasa tunashikwa na magonjwa madogo madogo kama haya ambayo yanaweza kutibiwa na kuepukwa iwapo kaunti zetu zitakuwa imara katika kuangalia afya ya umma katika maeneo yao.

Pia ningependa kutoa maoni yangu kuhusiana na Kauli ya Sen. Githuku, Seneta wa Lamu. Kauli ni kuhusiana na ulipaji wa ridhaa kwa watu wanaoadhiriwa na masuala ya kushambuliwa na wanyama pori katika maeneo yetu. Hili limekuwa ni donda sugu. Juzi tulipata fursa ya kukutana na waziri. Tumemwambia kuwa tungependa kupewa orodha ya wale ambao wamelipwa kuanzia mwaka wa 2020 mpaka leo ili tujue kama malipo yanatolewa kulingana na wale ambao waliumia zamani ama malipo yanalipwa kulingana na wale wanajua maafisa wanaolipa. Kuna watu wengi walioshambuliwa na wanyama na wengine wamefariki na familia zao hazijapata ridhaa. Wengine ni vilema na familia zao hazijapata ridhaa. Ni muhimu Waziri aweze kueleza na atoe ---

**The Speaker** (Hon. Kingi): Sen. Faki, I will allow you one minute.

**Sen. Faki:** Asante Bw. Spika. Kisha tujue ni vipi wanafanya malipo haya. Kuna wengine ambao wamepeleka madai gushi, wamelipwa wakati wale ambao wanastahili kulipwa bado wanangojea na hawajulikani watalipwa lini.

**The Speaker** (Hon. Kingi): Sen. Okenyuri, proceed.

**Sen. Okenyuri:** Thank you, Mr. Speaker, Sir. I wish to support the Statement by Sen. (Prof.) Tom Ojienda on the general welfare of national Government administrative officers.

These are the eyes of the Government at the grass-roots. They encounter challenges day in and day out. Take, for instance, the case of local assistant chiefs and chiefs. Initially, there would be security in their areas of operation. Right now, the chiefs and assistant chiefs are left with the swag cane, which they carry around in all the meetings they engage in.

As a country, we need to prioritise their welfare. They need regular training, so that they are conversant with recent happenings in terms of conflict resolution. We also need more security, especially in the border areas. Sometimes these officers are attacked by criminals who are hostile towards whatever they are doing, which is largely affecting their work, especially in the fight against illicit brew.

Also, I would like to comment on the Statement by Sen. Joe Nyutu on the Grade Eight young child who was killed. We are losing the future of this country. Every day, you read the statistics in the national newspaper of children who are either being molested or trafficked or children who are being sold, even before they get to know what is in for them in this country.

I also wish to comment on the Statement on dumping. The issue of dumping is largely affecting county governments across this country. Low sanitation causes disease outbreaks, which would otherwise have been prevented if we had avoided disposing of waste products. So that we have a population that is responsible enough to avoid dumping, the Government should ensure that we are providing it in marketplaces or places where we are likely to encounter dumping places for disposing of waste products.

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Finally, there is the issue of the welfare of police in this country. We cannot expect police officers to provide security, as they live in a sorry state. We need to also treat them as other officers serving in public service in this country.

**The Speaker** (Hon. Kingi): Sen. Githuku, proceed.

**Sen. Githuku:** Thank you, Mr. Speaker, Sir. I wish to associate myself with the Statement by Sen. (Prof) Tom Ojienda of Kisumu County regarding the flooding in Kisumu County.

As we draw near to the rainy season, it is imperative that the Government implements measures to support and help the people of this country. We have seen in different instances that some people really suffer during the rainy season.

We once had a problem in Lamu County, where many people were displaced, their properties destroyed and there was no compensation. The Government is supposed to take care of them because they are taxpayers. The national Government must help these vulnerable people in the event of such a disaster.

I also wish to urge the county governments, especially the governors of the 47 counties. In most instances, the governors hide in the coats of the national Government. Sometimes, the governors leave the disasters to be dealt with by the national Government, whereas they have a kitty that is supposed to help the citizens in the event that the disaster strikes.

If the county governments can see to it that they also chip in, in terms of helping members of the public that they represent in different parts of this country, funds allocated for disaster can be used effectively, and the citizens of this country can enjoy the fruits of the devolution.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Miraj, proceed.

**Sen. Miraj:** Asante Bw. Spika kwa fursa hii ili niweze kutilia pondo Kauli iliyoletwa na Seneta wa Murang'a, Sen. Joe Nyutu, kuhusiana na maafisa wa polisi ambao wametumia mamlaka yao vibaya.

Pale kwetu kwenye Gatuzi la Mombasa, kuna mwanamke mmoja katika eneo la Likoni aliyepigwa risasi akiwa ndani ya nyumba yake. Tunaweza kutoa matukio ya kisanga hicho. Cha kushangaza ni kwamba mpaka sasa, hata baada ya kujua kuwa kulikuwa na utepetevu kwa upande wa askari yule, hakuna fidia ambayo imepeanwa kwa jamii, kufuatiliwa kwa jambo lile au anwani yoyote kuandikwa katika kituo cha polisi chochote. Mume wa mwendazake alienda katika kituo cha polisi akanyimwa nafasi ya kuandika taarifa ya kifo cha mke wake.

Naendelea kutamaushwa na mazungumzo haya. Kuna maafisa wa polisi wanaopeana usalama katika Kituo cha *Central Police* kilichoko mita 100 kutoka Uwanja wa Makadara Grounds kule Mombasa. Cha kushangaza ni kwamba watoto wanaorandaranda mitaani walipiga wananchi mawe msimu huu wa Ramadhani, ilhali hakuna hatua yoyote ilichukuliwa hadi baada ya lisaa limoja. Hiyo inaashiria kwamba wananchi wa Kenya wako peke yao kwa sababu hakuna mtu wa kuwaangalia na kuwalinda.

Nikimalizia, tunaelekea msimu wa mvua nyingi. Kwa hakika, alivyozungumza Seneta wa Lamu, ni kweli kwamba Serikali ya Kitaifa, serikali za magatuzi na hata

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National Government Constituencies Development Fund (NG-CDF) bado zina pesa ya kusaidia waathiriwa. Kuna hazina hizi zote za pesa. Kwa nini watu wasikae pamoja?

Rais ameonyesha mfano mzuri wa kuweka viongozi wote pamoja. Kwa nini tusishughulikie maeneo kama Links Road kule Nyali ambayo tunajua miaka nenda miaka rudi kwamba mvua inaponyesha kupita kiasi maji hayapiti? Kwa mfano, tunapozungumzia kuwatahadharisha wananchi kupitia kaunti, hatuzungumzii tu kuzibuliwa kwa njia za majitaka. Tunazungumzia pia wale watu watakaopeana huduma ya kwanza kupewa vifaa. Kwa kuwa tunajua kwamba maji mengi yanaingia katika maeneo fulani, tunafaa kuwa na shule ambazo zimetayarishwa kupokea waathiriwa wa majanga kama yale.

Tunaomba sisi kama Seneti tusiwe---

*(Sen. Miraj's microphone went off)*

**The Speaker** (Hon. Kingi): Proceed, Sen. Hezena.

**Sen. Lemaletian:** Mr. Speaker, Sir, mine is a request. If you deem it fit, kindly refer my Statement on the gang attacks in Samburu County to the relevant committee, which is the Standing Committee on National Security, Defence and Foreign Relations, given that it is a different matter from what Sen. (Dr.) Lelegwe had raised last week. This is about attacks in the towns.

**The Speaker** (Hon. Kingi): When you rose to make your request, you requested your matter to be taken to which committee?

**Sen. Lemaletian:** To the Committee on National Security, Defence and Foreign Relations.

**The Speaker** (Hon. Kingi): So be it.

Yes, Sen. Chute.

**Sen. Chute:** Mr. Speaker, Sir, I want to contribute on the three Statements. The first one is the Statement that was requested by the Senator of Lamu. The problem facing all the 47 counties in this country is that some governors claim to have about 35 to 36 per cent of money on development. However, if you go to those counties to see what they have done, it is less than five per cent.

You will find it written all over, including in the newspapers, that a certain county is using 40, 30, or 15 per cent of the budget on development, but in actual sense, development budget is less than 10 per cent. I am talking specifically about North-Eastern counties. Marsabit County was position one at 36 per cent. I have a Statement in that regard.

If you look at what is happening in Marsabit, we are even at six per cent. I support what the Senator of Lamu has brought. I would like the committee concerned, which is the Committee on Devolution and Intergovernmental Relations, to look at development projects in all the 47 counties.

Mr. Speaker, Sir, let me also contribute to my friend's Statement, the Senator of Wajir, Sen. Abass Sheikh. Last week, I raised the issue of Kala-azar. When I asked my friend whether he had any issues in Wajir, he said no. Today, he told me that his people are dying. According to him, almost 15 people have died. Turkana County has similar

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problems. If you look at what the Government is trying to do, they are trying to vaccinate animals to a tune of 22 million head of cattle. Why do you spend that money on animals? Why do you not spend that money on people because they are dying? With the Broad-Based Government now, I think we have better eyes, better ears and also better stomachs. Let us think of how we are going to start caring about human lives.

Thirdly, Mr. Speaker, Sir---

*(The amber light on the timer was switched on)*

Mr. Speaker, Sir, I request to be added one minute. Thirdly is the issue of Kenya Wildlife Service (KWS). I raised the issue of compensation sometime back. If you go to KWS, they will tell you the money is supposed to be paid by the National Treasury---

**The Speaker** (Hon. Kingi): You have 30 seconds to conclude.

**Sen. Chute:** If you go to the National Treasury, they will tell you that the documents are with KWS. This is my request to the Committee. Please, invite KWS, the National Treasury, and even leaders from the 47 counties. Let them come and say what has been paid, what has not been paid, and what has been diverted to other uses, so that we can know because families are suffering. Some lost their fathers, uncles, sisters, and mothers. Let us take this matter seriously, so that we solve this problem once and for all.

Thank you very much, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Eddy, proceed.

**Sen. Oketch Gicheru:** I thank you, Mr. Speaker, Sir, for this opportunity. There was a Statement requested by the Senator of Kisumu on viability, sustainability and safety of Ombeyi Dumpsite in Muhoroni Sub-County, Kisumu County.

Mr. Speaker, Sir, many times you are very lenient and you allow us to discuss issues as a House and in the committees without your hands in them. I also know your leadership capability sometimes in convening meetings that we refer to as *kamukunji* in this House to discuss matters of national importance as well as matters that affect the House. This is a crisis Statement.

Have you imagined how we deal with waste management in our counties? In Migori County where I come from, there is no dumpsite or any strategy for managing waste. There is no any infrastructure for managing waste where 1.2 million people are living. The kind of diseases that we see emerging in our counties today, including air pollution, consuming crops from sewerages and open defecation and the kind of lifestyle diseases that we face today, are because of lack of waste management.

I want you to imagine our hospitals and all our health facilities. Think about the amount of clinical waste from health facilities. Have we ever thought about where clinical wastes go to? If there is clinical waste from any hospital in our counties, where does it go to?

Mr. Speaker, Sir, even as you commit this particular Statement to the Committee on Health, I want to prick your conscience to convene this House to have a *kamukunji*. As a House, it is high time we discussed the issue of waste management in our counties and devised a strategy that calls upon our governors to invest in health matters, the same way we have dealt with the issue of pending bills in the counties. As we send money to the

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counties, waste management should be a priority in our counties. I support this Statement, but call your attention to it more than just a commitment to the committees.

I thank you.

**The Speaker** (Hon. Kingi): Very well, Sen. Mutinda.

**Sen. Tabitha Mutinda:** Thank you, Mr. Speaker, Sir. Allow me to start by commenting on the Statement by the Senator of Kisumu County, the Senior Counsel, regarding the issue of floods, which also touches on the critical matter of waste management.

The essence of having a devolved Government at this particular time, from when the decision was made, was to ensure that we have counties that are beautiful towns and very accommodative to our people. We are in the rainy season and from the previous happenings, we have seen the damages that also come with the heavy rains, which end up causing high levels of floods. If this waste management is not well done at this time, we will leave our people at risk. We will end up having high costs, because we are dealing with the crisis, instead of having a preventive measure at this moment.

When it comes to rain, we have issues that range from our people not being able to have mobility because the roads have been completely damaged and flooded. We also have issues of waterborne diseases that arise and affect the young to the old. Therefore, these are matters that the counties should provide the strategy management that they have, and also put competent people who are qualified to deal with disaster management. The question of putting someone who is not knowledgeable in waste management is affecting counties.

Mr. Speaker, Sir, allow me to also touch on the Statement by the Senator of Murang'a, Joe Nyutu, that talks about the young soul of a Grade Eight student, Ms. Muthoni, from Muranga County. Where we are as a country is so sickening and saddening. The last few weeks we saw a rogue pastor from Nakuru County, who has put churches across these different cities and is molesting boys. As parents and as a nation, we have trusted the church. However, you find that a rogue pastor would be subjecting young children to molestation.

We want justice for Ms. Muthoni from the relevant committee of security. Justice needs to be served for this young soul, for Christ's sake. A girl who has chosen to go to undertake ---

**The Speaker** (Hon. Kingi): You have an additional minute to conclude your remarks on the Floor, Senator.

**Sen. Tabitha Mutinda:** I will now touch on the issue of the police from this Kanyenyaini police station, According to this Statement, after his hullabaloo and after he had gone crazy and started beating everyone, what the institution did was to transfer him. The question is very simple. How do you transfer one problem from one area to the other? Are we solving this problem? What should have happened and should still happen is that this particular officer should be taken for mental health services and counselling. We cannot remove one problem from one place to the other, putting in mind the kind of problems that we have such as femicide, yet we have young boys and girls.

Mr. Speaker, Sir, we request that the recommendation from the Committee on National Security, Defence and Foreign Relations should be that this officer should serve

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as an example. Officers are not bad. I have just come from seeing a patient who was rescued by a very good police officer and taken to the nearest hospital without looking at any other thing.

There are very good police officers in this country and we appreciate them. Nonetheless, even those who undergo challenges - because challenges are there - are also our brothers and sisters. He should be taken to the nearest health centre for medical processing before he is transferred to his next place of work, so that he undertakes treatment the way it is required.

Finally, people have a right to communicate and express their freedom. It cannot be that when people express their freedom on concerns, then they are subjected to punishment. What happened to Ms. Lucy Murage and Nancy was wrong, as the Senator had already put about baby Ezra when they were voicing out how this baby was killed.

Mr. Speaker, Sir, that was young soul again. Which future generation are we working for? Which laws are we setting for the young generation if the same institutions cannot be responsible for our young people? Where will our children go?

With those many remarks, we hope that the Standing Committee on National Security, Defence and Diaspora Affairs will fast-track these issues. Also, let us speed up the reports on Statements so that there is action.

**The Speaker** (Hon. Kingi): Proceed, Sen. Madzayo.

*(Loud consultations)*

**The Senate Minority Leader** (Sen. Madzayo): Asante, Bw. Spika. Naomba uweze kunitetea kutokana na watu ambao wananiingilia wakati nimesimama.

**Sen. Wambua**: On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Wambua, what is your point of order? Take a seat, Senator of Kilifi.

**Sen. Wambua**: Mr. Speaker, Sir, you know Sen. Madzayo is my boss. When I walked in, I was hardly able to recognize him. I am just rising on a point of order for you to clarify whether Sen. Madzayo is properly dressed for the mission he wants to undertake in this House.

**The Speaker** (Hon. Kingi): Sen. Wambua, religious attire is one of the dress codes that is allowable under the Speaker's Rules.

Sen. Madzayo, proceed.

**The Senate Minority Leader** (Sen. Madzayo): Bw. Spika, nataka kuunga mkono Taarifa iliyotolewa hapa na ndugu yetu Sen. (Prof.) Tom Ojienda wa Kisumu. Ni kweli kwamba hapa Kenya, hususan pande za Kisumu na maeneo ya Nyando, hutatizwa sana na mafuriko. Zaidi sana wananchi hupoteza maisha yao.

Bw. Spika, tukizingatia vile vile hali ya mafuriko, wakati wa mvua ukifika hakuna hata siku moja tumeweza kuona Serikali yetu ya Kenya Kwanza ikiweka kipaumbele mambo ya mafuriko. Kitu tunaona tu ni kwamba wananchi wengi wanasombwa na maji wakati wa mafuriko, wengine wanafariki na hata wengine kutolewa katika maeneo ambayo yako chini kule walikoweza kujisitiri kiamaiisha kama nyumbani

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kwao. Hatimaye wale watu wetu wakaweza kuchukuliwa na kuwekwa katika maeneo ambayo yako juu kidogo na mto huko chini.

Miaka mitano hivi ama sita, nakumbuka kwetu katika Kaunti ya Kilifi pia tulikuwa na janga hili la mafuriko. Wakati mwingi tukipatikana na janga kama hili, inakuwa shida. Watoto na kina mama na wazee ndio wanapata taabu. Hii ni kwa sababu maeneo wanapoishi na kuita nyumbani yanasombwa na maji. Mifugo na hata kuku wanachukuliwa na maji na wanaenda, halafu hasara inakuwa kubwa sana.

Bw. Spika, ingekuwa vyema ikiwa Serikali inaweza kujiandaa na kujitayarisha vizuri wakati huu ambao mafuriko yanatarajiwa kuja. Ukienda upande wa Bunyala, utaona kila mwaka ujao na uchao, kila tukiendelea mafuriko kule yanaua watu na kufurika maeneo fulani. Kwa hivyo, katika Taarifa hii ningependa sana maeneo yote katika nchi ya Kenya kuchunguzwa ili kuonekana kule ambako kuna uwezekano kuwa na mafuriko ambayo yanaweza kuletea wananchi taabu, kuwaondoa manyumbani kwao na hata kupoteza mifugo yao.

Wakati mwingine makaburi yanaoshwa na mafuriko. Kwa hiyo, kuna umuhimu wa Serikali kujiandaa ili izingatie mambo ya mafuriko msimu unaokuja wa mvua.

Asante, Bw. Spika.

**The Speaker** (Hon. Kingi): Sen. Abass, proceed.

**Sen. Abass:** Thank you, Mr. Speaker, Sir. I want to contribute to the Statement asked by Hon. Chute on land ownership and utilization by the Kenya Prisons Services (KPS). It is very unfortunate that public land is disappearing in this country. The rate at which public land is disappearing is so worrying.

When people see idle land, they develop a lot a desire to grab it. However, that land is meant to do agriculture, training the inmates and get food from there to subsidise the little money that the Government is giving the Service. The land is never idle, but a Kenyan who makes little money wants to grab every land.

Hon. Speaker, I want to inform the House that the other day we were in the Committee of Agriculture, Livestock and Fisheries and I was shocked that someone grabbed the 20 acres of land belonging to Kenya Veterinary Vaccine Production Institute (KEVEVAPI) in Limuru. The land is 151 acres. They went to court, but instead of getting back the 20 acres, the court ruled that they forfeit the entire land of 150 acres. Where are we going in this country? The Judiciary is there, but people are grabbing land and the courts are not protecting the public land. The Ethics and Anti-Corruption Commission (EACC) must come out and reclaim back the public land.

I also want comment on the issue of insecurity and misconduct of police officers in Murang'a County. This country has a problem. The police officers are supposed to be disciplined forces and be the best example. However, today we experience haphazard shootings, people being killed, kidnapped and children and women being mishandled in police custody. It is a very unfortunate situation. There is a need to take action. Most of these police officers who misbehave are transferred either to Wajir, Mandera, Turkana or Samburu. That is why there is no law and order in those places. They work by the law of the jungle and can do anything they want. The police officers in this case should not be transferred, but disciplined or sacked or taken back for training.

I thank you.

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**The Speaker** (Hon. Kingi): Sen. Onyonka, proceed.

**Sen. Onyonka:** Thank you, Mr. Speaker, Sir. First, I would like to commend Hon. Chute for bringing this substantive issue. All of us do not know what to do. Private land is being taken over by private individuals and companies, like Hon. Abass has said, and when somebody goes to court to sort out the issue, the courts are not delivering fair judgement.

I wish that the Standing Committee on Lands Environment and Natural Resources will handle this. The Government should take this very seriously and understand the implications of it. We do not want to encourage anarchy in our country. Let there be fairness, justice and all the things that Kenyans want.

The second issue I want to contribute on is the case brought by Sen. Hezena on the attacks that are happening in Samburu County. In her Statement, there are three incidents that have happened. One was in December, 2024 at the local Lake Oil Petrol Station at a place called Kisima-Maralal Road. The second one was at a place called Isima, where there was a raid by gangs. The third one is where a businessman was killed.

The Cabinet Secretary for Interior and National Administration should seriously consider this matter because this is not the only issue on what is happening internally that has been brought out. Kenyans have the capacity. The security forces can do their job. Can we make sure that people are safe and our country is operationalised?

Finally---

**Sen. Oketch Gicheru:** On a point of information, Mr. Speaker, Sir.

**Sen. Onyonka:** It is okay, Mr. Speaker, Sir. Sen. Eddy can inform me.

**The Speaker** (Hon. Kingi): Sen. Eddy, you may proceed to inform your colleague.

**Sen. Oketch Gicheru:** Mr. Speaker, Sir, Sen. Onyonka was not here in the morning, which is the basis of my information to him. When the Cabinet Secretary for Defence appeared, the Senator of Meru County was on record indicating that there is some semblance of peace that has been found in that region. I wanted to inform the Senator of Kisii County that what the Senator of Meru implied is not true. Therefore, as he contributes, he should further the thought that we have not had enough peace in Samburu as well as Baringo. This problem is still going on. As we contribute to this Statement, we need to fight and make sure that it is dealt with once and for all.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Onyonka, if you find that information useful, you may take it. If not, you may proceed with your remarks.

**Sen. Onyonka:** Thank you, Mr. Speaker, Sir. Sen. Eddy, I did not find that information useful, but I accept the data you have given me.

Finally, the human-wildlife conflict in Lamu County is another matter that needs to be handled with care and urgency because this is not the first time it is happening. I believe that the committees responsible will interrogate this matter as soon as possible. If not, the small incidents you see happening will degenerate and end up becoming some of the big issues that affect our country.

I thank you so much for giving me the opportunity to vent on this issue.

*(Applause)*

**The Speaker** (Hon. Kingi): Sen. Wambua.

**Sen. Wambua:** Thank you, Mr. Speaker, Sir. I would like to make a comment on the Statement brought to the House by Sen. (Prof.) Tom Ojienda on the matter of the suitability and safety of Ombeyi dump site in Kisumu County. There is a reason the drafters of the Constitution, in the Fourth Schedule, Part II, assigned the responsibility of removal of dumps and solid waste to county governments.

As I thank Sen. (Prof.) Ojienda for coming up with this Statement, it is my considered view that as the Committee retreats to look at this Statement, this matter is weightier than being canvassed in a committee. In my own view, perhaps the Senator would have considered bringing a Motion in this House on this matter. The issue of waste disposal and management in our counties has reached alarming levels. There is this old adage that every waste that has been generated in our country should be recycled for people to get products from the recycled solid waste. However, we refuse to think slightly deeper than that and realise that not every waste is biodegradable. Secondly, we have hospitals, dispensaries and health centres scattered all over our counties and nobody looks into the issue of clinical waste management.

*(Applause)*

Mr. Speaker, Sir, a few minutes ago, I had the misfortune of getting a story from a parent of a child who went to a dumpsite in a county - I do not want to mention the county now - and came back home with pieces of what looked like rotten flesh, which actually could have been human flesh.

The issue of waste management in counties, both solid and liquid, is a matter for which I would urge the Committee on Health - if that is where this Statement will end up - to consider developing a Motion that will set a process for every Senator to go back to their counties and do a review of how waste in those counties is being managed and we come back here, the 47 of us, and discuss waste management in our counties.

There is a problem in waste management in our counties, and that problem cannot be cured through a statement, though this is a move in the right direction.

Mr. Speaker, Sir, I support.

**The Speaker** (Hon. Kingi): Hon. Senators, before I allow the Clerk-at-the-Table, to call the next Order, allow me to pass this Message.

## MESSAGE FROM THE NATIONAL ASSEMBLY

### REJECTION OF SENATE AMENDMENTS TO THE GAMBLING CONTROL BILL, (NATIONAL ASSEMBLY BILL No.70 OF 2023)

Hon. Senators, I wish to report to the Senate that I have, pursuant to Standing Order No.46(3), received the following Message from the Speaker of the National

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Assembly regarding the decision of the National Assembly on the Senate amendments to the Gambling Control Bill, (National Assembly Bill No.70 of 2023).

The Message, dated Wednesday 12<sup>th</sup> March, 2025, was received in the office of the Clerk of the Senate on Wednesday 12<sup>th</sup> March 2025.

Pursuant to Standing Order 46-4, I now report the message-

Pursuant to the provisions of Standing Order No.41(1) and 148(b) of the National Assembly Standing Orders, I hereby convey the following message from the National Assembly.

WHEREAS, on Wednesday the 6<sup>th</sup> of December 2023, the National Assembly passed the Gambling Control Bill, (National Assembly Bill No.70 of 2023), and thereafter referred the Bill to the Senate for consideration in accordance with Article 110(4) of the Constitution;

AND WHEREAS on Tuesday the 8<sup>th</sup> of October 2024, the Senate considered and passed the said Bill with amendments and referred it back to the National Assembly in accordance with the provisions of Article 112(1)(b) of the Constitution;

FURTHER, WHEREAS on Thursday 16<sup>th</sup> of January 2025, the National Assembly negatived a Motion on consideration of the Senate amendments to the Gambling Control Bill, (National Assembly Bill No.70 of 2023), thereby committing the Bill to Mediation Committee in accordance with the provisions of Article 112(2)(b) of the Constitution;

NOW, THEREFORE, in accordance with the provisions of Article 112 of the Constitution and Standing Orders No.41(1) and 148(b) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate and seek the appointment of nine Senators to a Mediation Committee to consider the bill in accordance with Article 113 of the Constitution.

CONSEQUENT to the said decision, the Speaker of the National Assembly appointed the following members of the National Assembly to the Mediation Committee to consider the Bill in accordance with Article 113 of the Constitution-

- (1) Hon. Daniel Wanyama, CBS MP
- (2) Hon. Omboko Milemba, CBS MP
- (3) Hon. CPA Kuria Kimani, CBS MP
- (4) Hon. (Dr.) Jaco Kosgei, MP
- (5) Hon. Dominic Letipilla, MP
- (6) Hon. Kwenya Thuku, MP
- (7) Hon. (Dr.) Ariko Namoit, MP
- (8) Hon. Mark Nyamita, MP
- (9) Hon. (Dr.) Irene Kasalu, MP

Now, Hon. Senators, consequent to Article 113 of the Constitution and Standing Order No.166(2) of the Senate and in consultation with the Senate Majority Leader and the Senate Minority Leader, I have appointed the following Senators to the Mediation Committee:-

- (1) Sen. Wakili Hilary Sigei, CBS MP
- (2) Sen. Catherine Muma, MP
- (3) Sen. Alan Kiprotich Chesang, MP

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- (4) Sen. Eddy Gicheru Oketch, MP
- (5) Sen. Julius Murgor Recha, CBS MP
- (6) Sen. Issa Juma boy, MP
- (7) Sen. Beatrice Akinyi Ogola, MP
- (8) Sen. Raphael Chimera Mwinzagu, MP
- (9) Sen. Esther Anyieni Okenyuri, MP

The Mediation Committee will attempt to develop a version of the Bill that both Houses will pass and table its report in both Houses of Parliament.

The House is so guided.

Next order, Clerk.

## MOTION

### ADOPTION OF REPORT ON THE 2025 BUDGET POLICY STATEMENT

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the 2025 Budget Policy Statement, laid on the Table of the Senate on Wednesday, 12<sup>th</sup> March, 2025, and pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order 186 (7) of the Senate, approves the 2025 Budget Policy Statement.

*(Sen. Ali Roba on 13.3.2025)*

*(Resumption of debate interrupted on 18.3.2025)*

*(Division)*

**The Speaker** (Hon. Kingi): Clerk, do we have the requisite number?

*(The Clerk-at-the-table consulted the Speaker)*

Hon. Senators, this order is deferred.

*(Motion deferred)*

Next Order.

**MOTION****ADOPTION OF REPORT ON THE 2025 MEDIUM-TERM  
DEBT MANAGEMENT STRATEGY**

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the 2025 Medium Term Debt Management Strategy, laid on the Table of the Senate on Wednesday, 12<sup>th</sup> March, 2025.

*(Sen. (Dr.) Khalwale on 18.3.2025)*

*(Resumption of debate interrupted on 18.3.2025)*

**The Speaker** (Hon. Kingi): Now, hon. Senators, at the interruption of debate, Sen. Daniel Maanzo had the Floor with a balance of 13 minutes. He is not in the House, and therefore the Floor is open.

Senator Faki, you may proceed.

**Sen. Faki:** Asante Bw. Spika kwa kunipa fursa hii kuchangia Mjadala wa Ripoti ya Kamati ya Fedha na Bugeti ya Bunge hili kuhusiana na mipango ya kuthibiti madeni katika mwaka 2025/2026.

Hatuna habari nzuri kuhusiana na deni katika nchi yetu kwa sababu, deni limepanda kutoka trilioni kumi nukta mbili tokea Juni mwaka jana mpaka trilioni kumi na moja kufikia Januari thelathini na moja mwaka huu. Deni hili limeongezeka likiwa ni pamoja na deni la nyumbani la karibu trilioni tano nukta sita na deni la kimataifa la kutoka nchi za inje ambalo ni trilioni tano nukta nne.

Katika mipango kama hii iliyoletwa mwaka jana, Hazina Kuu walikuwa wamependekeza kwamba ijapokuwa deni limepita kile kiwango kinachostahili, yaani asili mia hamsini na tano ya mapato ya nchi, wanayo mipango ya kuipunguza polepole kufikia mwaka 2027 deni hili litakuwa limefika katika kiwango cha asili mia hamsini na tano ambacho ndicho sheria ambayo tuliipitisha mwaka juzi inanavyosema kuhusiana na deni ambalo liko nchini.

Mwelekeo ni kuwa hivi viwango vya deni hili havitapungua mpaka mwaka 2030. Na kwa sababu hiyo ndiyo kuletwa Mswada wa Marekebisho ya Sheria ya Fedha (Public Finance Management Act). Kuna mapendekezo ya kuibadilisha ili ule muhula wa kuhudumu uanze wakati sheria itakapobadilishwa kuliko vile tulipitisha mwaka 2023. Kwa sababu hiyo, tunaendelea kuchukua deni na deni na jambo hili litaweza kuathiri vizazi vijavyo. Deni hii ambayo tunaichukuwa sasa, mara nyingine hata Hazina Kuu haiwezi kueleza pesa zile zimetumika kivipi. Kwa mfano, jana tulipokuwa na mkutano wa Kamati ya Fedha na Bajeti, Waziri John Mbadi aliielezea kamati kwamba mnamo tarehe 22.8.2022 kulichukuliwa deni.

Kabla ya Serikali hii kuingia mamlaka, kulichukuliwa deni la bilioni kadhaa, nafikiri ni shilingi bilioni kumi na moja. Waziri, hakuweza kueleza deni hii ilitumika kwa mambo gani katika nchi yetu. Kwa hivyo, deni zinachukuliwa lakini hatuoni miradi yoyote ya kiserikali ambayo inafanyika.

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Vile vile, kuna madeni ambayo yamechukuliwa lakini miradi haijaanza. Asubuhi ya leo Waziri wa Maji, Usafi wa Mazingira na Unyunyuziaji alisema hakuna pesa za kulipa ridhaa kwa wale ambao ardhi zao zinachukuliwa kwa hizo miradi za maji. Ukiangalia katika Wizara ya Barabara na Uchukuzi, kuna miradi mingi ambayo imeanzishwa kupitia kwa ufadhili wa wahisani wetu lakini Serikali haijalipa ridhaa wale ambao ardhi zao zinachukuliwa ili barabara hizo zijengwe.

Takriban Shilingi bilioni mia mbili zinahitajika kulipa ridhaa kwa wale ambao ardhi zao zinachukuliwa ili miradi hiyo iweze kufanywa. Kwa hivyo, utapata kuwa pesa zimekopwa na zimekaa katika account lakini hakuna kitu ambacho kinafanyika. Pesa ziko katika benki lakini hakuna mradi unaoendelea kwa sababu serikali haijaweza kuwalipa ridhaa wale ambao ardhi zao zimeadhiwa na miradi hiyo.

Vile vile, kuna zile pesa ambazo zinalipwa na Serikali kama commitment fee. Pesa hizi zinalipwa lakini hakuna kitu ambacho kinafanyika. Kwa hivyo, tunaendelea kulipa madeni ilhali hiyo miradi ambayo inatajikana kufanyika, na iliyofadhiliwa na pesa hizo haijafanyika na kuonekana kuna mazao yanapatikana katika miradi hiyo.

Mhe. Spika, jambo lingine ni kuwa Serikali inavyokopa ndivyo ambavyo inazuia wafanyi biashara nchini kwetu kukopa na kufanya biashara zao na kupata faida ili waendeleo kulipa kodi. Ikiwa serikali inashindana na wafanyi biashara katika mabanki kukopa pesa, serikali itakopa zaidi kuliko wafanyi biashara kwa sababu serikali iko na *security* ama idhibati ya kutosha kuhakikisha kwamba huo mkopo utalipwa. Hata hivyo, kuna wale ambao wanakopa kama wafanyi biashara wa kibinafsi. Wengine wamechukua mikopo kufanya miradi ya county. Hivi sasa, serikali za county hazilipi. Vile vile, wengine wamechukua mikopo kufanya mikopo ya serikali kuu, ilhali Serikali Kuu hailipi hayo madeni.

Kwa hivyo, ufadhili katika benki hizi utapendelea zaidi wachukue mikopo ya serikali kwa sababu wana uhakika kwamba deni zao zitalipwa, kuliko mtu binafsi ambaye ni mfanyi biashara na hivyo basi biashara zitakufa na hatutaweza kukusanya kodi ya kutosha ya kulipia mikopo hizi.

Mhe. Spika, jambo la mwisho ambalo ningependa kuzungumzia ni kwamba, ijapokuwa Serikali Kuu ina nafasi ya kukopa, serikali za kaunti hazina nafasi kama hiyo ya kukopa. Ikiwa atataka kukopa lazima apitie kwa Hazina Kuu na kupata ruhusa ya kukopa, huku mara nyingi ikiwa ni shida kukopa. Kwa hivyo, tunasema kuwa, kwanza Serikali lazima ipunguze matumizi yake. Si lazima wajenge masoko au nyumba za wastani ili wananchi wapate nyumba hizo, yaani affordable housing. Si lazima tufanye sasa. Kwa sababu Uchumi wetu hauwezi kubeba miradi hiyo yote na tuweze kupata maendeleo ambayo itatuwezesha kusonga mbele.

Mhe. Spika, tukiangalia katika sehemu nyingi, miradi hii ya affordable housing imekwama, kwa sababu ya ukosefu wa pesa. Hata wengi wa wale wafanyi biashara wa kibinafsi ambao waliekeza katika miradi hii wameshindwa kuuza nyumba hizo kwa sababu hakuna pesa mifukoni mwa Wakenya. Wakenya wengi hawawezi kudhibiti malipo ambayo yanatajikana kulipiwa kila mwezi au kila mara kwa mara ili waweze kuziweka nyumba hizo.

Mhe. Spika, kuanza Jumatatu, Jumanne, labda hadi Jumatano, kuna kurasa zaidi ya kumi katika magazeti ambazo zinaonyesha kwamba mali ya Wakenya inauzwa kwa

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sababu ya ukosefu wa kulipa madeni ambayo wanachukuwa. Kwa hivyo, hakuna haja ya kujenga nyumba hizi halafu zibaki mahame, na mwishowe popo na wanyama wengine wahamie ndani na kuishi katika nyumba hizi ilhali Wakenya hawawezi kumiliki hizo nyumba.

Mhe. Spika, Serikali Kuu inaingilia kazi za kaunti. Unaskia kunajengwa soko na serikali kuu Mjini Mombasa, ilhali soko ile inapaswa kujengwa na Kaunti ya Mombasa. Kilifi wanajengewa masoko na ardhi za kaunti zinachukuliwa na Serikali Kuu kujengwa miradi ambayo serikali za kaunti zinaweza kufanya. Tulipata experience kama hii wakati Serikali Kuu ilipokuja kujenga Mama Ngina Water Front. Walisema sisi tutajenga halafu tutaipeana kwa Serikali ya Kaunti ya Mombasa. Wakati huo Waziri wa Utalii alikuwa Mhe. Balala.

Baadaye, title deed ya Mama Ngina Water Front ilipotoka ilipelekwa National Treasury kwa sababu imekeza katika mradi ule wa Mama Ngina Water Front. Title deed sasa imetoka na imerudi tena katika ofisi ya Gender. Sasa tunapelekwa huku na kule kama kupiga mpira, wakati tunadai haki hiyo. Kwa hivyo, miradi hii yote ambayo Serikali Kuu inapanga kufanya, inafaa ifanywe na serikali za kaunti. Kama kuna pesa za kufanya miradi hii haiwezekani kwamba upande mmoja wanazuia pesa kuja kwenye kaunti. Tulipigana hapa katika kujadili Division of Revenue mpaka tukaenda meditation kwa sababu Serikali ilikuwa haina pesa za kutosha. Walitungezea shilingi bilioni tano peke yake kwa zile ambazo walikuwa wamepanga kupeleka katika kaunti zetu.

Naona mwaka ufuatao kutakuwa na mvutano sana kwa sababu Kamati yetu ya Fedha na Bajeti imependekeza bilioni mia nne na sitini na tano. Hapo kutakuwa na mvutano kwa sababu Serikali Kuu haiko tayari kupeleka pesa hizo katika kaunti. Hata hivyo, tukiangalia miradi ambayo serikali kuu inataka kufanya, kama vile masoko na nyumba, pesa hizi zikikusanywa pamoja ni nyingi kuliko zile ambazo tumependekeza zipeleke katika kaunti zetu kama mgao wa 2025/2026.

Kwa kumaliza, naunga mkono hii ripoti ambayo imeletwa na Kamati yetu ya Fedha na Bajeti. Tujaribu kuhakikisha ya kwamba tunaiweka Serikali mahali pake kwa maswala ya mikopo. Kuna mikopo mingi ambayo inachukuliwa.

Tulipofungua Bunge, niliona ripoti ya madeni ya nchi ililetwa lakini hatujapata fursa ya kuijadili kwa sababu tulikuwa tunajadiliana na maswala ya Budget Policy Statement pamoja na Medium-Term Debt Management Strategy. Lakini, baada ya hapo tutaingilia maswala hayo ya deni kwa sababu deni ndiyo inatukwaza zaidi sisi Wakenya katika kupata maendeleo ambayo tunastahili kupata katika nchi yetu.

Asante, Mhe. Spika, kwa kunipa fursa hii.

**Sen. Mungatana, MGH:** Mr. Speaker, Sir, I would like to thank you for giving me an opportunity to also debate this Report on the 2025 Medium-Term Debt Management Strategy.

It is possible for Kenya to be debt free. It is not a dream or a wish. It is possible. In the world, there are examples of countries that have managed to control their spending and manage their finances to the extent that the debt to the Gross domestic product (GDP) ratio has become insignificant, such that these countries have been declared debt-free.

Mr. Speaker, Sir, an example that is always given is that of Hong Kong, the sultanate of Brunei and the country known as Timor-Leste. These countries have done something that is doable even in Kenya. Even within the continent of Africa and despite the fact that we have so much debt as a combined continent, there are countries that have managed to secure their financial management systems to the extent that, the debt to GDP ratio has become very small that we laud them as countries that are almost heading towards debt-free status. The Democratic Republic of Congo (DRC) here has a six percent debt to GDP ratio. If you look at Namibia, it has a 22 percent GDP to debt to GDP ratio. The country known as Sao Tome and Principe has a debt to GDP ratio of 32 percent.

So, what is this telling us? It is telling us that even Kenya, with the correct approach and with the correct strategy, can become one of those economies that will be celebrated in the continent of Africa as being able to head towards a debt-free status. I therefore commend the Committee of Finance and Budget, led by Sen. Ali Roba, for the fact that they have sat down and looked at possible ways in which we can manage our debt.

As stated by previous speakers on this matter, we are not in a good place as a country. In fact, the report shows that we have continued to depend largely on domestic borrowing in this country, which has continued to squeeze credit that would have been available for traders, and would have helped to stir economic development.

*[The Speaker (Hon. Kingi) left the Chair]*

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

Mr. Deputy Speaker, Sir, having said all that, people should not imagine that debt is a bad thing. Debt is a very important tool for economic development, but it has to be sustainable. It has to be managed in a manner that will give results that are intended.

Prof. Njuguna Ndung'u, our former Cabinet Secretary in charge of the National Treasury and Economic Planning, has explained this very well, even in his academic writings, that debt in itself is not a bad thing, but are we managing it well? Are we doing well as a country?

Like the previous speaker said, our public debt stock has risen so much. As of January, 2025, the total public and publicly guaranteed debt stock in Kenya was standing at Kshs11.02 trillion. This is projected to rise further and we are told from the report that by June, 2027, it is projected that this public debt and the publicly guaranteed debt will go to Kshs13 trillion. Are we doing well in terms of managing our debt? I believe we have a problem and that is why today, I am very proud of the report and the recommendations made by our Senate Committee.

Mr. Deputy Speaker, Sir, the debt in itself, the debt stock and the servicing have great costs. In Kenya, these costs continue to rise with the rise in the stock of public debt and the publicly guaranteed debt. I believe the recommendations that have been put need to be implemented at the highest speed possible. Some of these recommendations have to do with transparency.

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If you look at that report, it says that the National Treasury, the Central Bank and the CoB should fully automate the withdrawal of debt service payments from the Consolidated Fund by 31<sup>st</sup> May, 2025. Additionally, an inter-agency report on the implementation status of these recommendations should be submitted to Parliament 15 days after 31<sup>st</sup> May, 2025. This recommendation is saying that the withdrawal of the debt service payments are not automated.

Mr. Deputy Speaker, Sir, at least, they are not fully automated. Then what does this mean? It means that some monies can be withdrawn and they are supposed to be servicing debts or servicing the cost of debt and yet we are dealing with paperwork that is physical. This means and we all know that when matters are not automated and when there is human interference, there is a possibility of pilferage.

Mr. Speaker, this Senate report is telling us that there is no transparency even in withdrawing the money and making those payments. It is a shame. We have been independent for many decades now and it cannot be that part of the withdrawals for payments on servicing our debt are manual but this is what is suggested here.

I pray that by 31<sup>st</sup> May, 2025, we will receive a report in this Senate that will be telling us that they have automated that. This is because, when you leave it to human interference and human judgments, it will mean that this cost of debt is not what we are paying. Maybe, it is not really what is supposed to be paid. For the ones that are automated, we can always look at them and get a proper report. The one that is not automated, and yet withdrawals are being made from the Consolidated Fund, the National Treasury and from the central bank are manual.

Mr. Deputy Speaker, Sir, how can that be? I fully agree with this recommendation that the Central Bank must surely make arrangements to have these withdrawals become automated. There is also a lack of financial controls and the Senate sitting here has recommended that in order to enhance financial control, to improve the accuracy and timeliness of public debt statistics, and strengthen decision-making for greater transparency and accountability, the National Treasury should integrate the public debt management system with IFMIS by 31<sup>st</sup> May, 2025 and submit a report within 15 days of implementation.

Mr. Deputy Speaker, Sir, this suggests that the National Treasury has not integrated the public debt management system with IFMIS. When IFMIS was introduced to this country, it was touted as the system that would solve all the problems. In fact, the Integrated Financial Management System is said to deal with all issues related to government finances. It is strange, when you look at what is happening, that the public debt management system is outside the IFMIS. I have said previously in my statement that the previous recommendation is that it is not fully automated. Some of the payments of the monies in terms of interest or the costs of the loans we have taken are not automated.

So here you have non-automation, and then here we have, again, the public debt management system is not in the IFMIS. Is this by design? Or can we say it is human error? No, there is a problem there.

Someone must be benefiting, and these are the hideous characters. I have many times said that the National Treasury needs to be drained. How do you explain that? How

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do we have the IFMIS, the entire Government system, and the debt management system outside that?

Through this report, the Senate is telling the Republic of Kenya that there is a problem in the National Treasury. Something is not right. We are saying that this system of public debt management should be integrated by the 31<sup>st</sup> of May. A report must be brought here so that Kenyans can know what is truly happening.

There is also another issue of transparency here. To enhance transparency and accountability in the anticipated increase in domestic borrowing, the National Treasury should, within 60 days, establish a working committee to develop criteria for assessing the effective utilization of borrowed funds by Ministries, departments, and agencies and establish the registrar of Government securities in accordance with Section 55 of the Public Finance Management Act. Many times, even during the campaigns, the question of accountability, clarity and transparency around our debt has been a big political issue. Unfortunately, when we come into the office, it goes quiet. Why? I ask, why?

This working committee is supposed to develop the criteria for assessing the effective utilization of borrowed funds. Sen. Faki has said that money is borrowed, and then projects are not carried out because those borrowed funds have come, and then the component, the Government of Kenya, is supposed to pay off Persons Affected by Projects (PAPs), has not paid them.

So, the borrowed funds are in the coffers, but the project is not being carried out, and Kenyans do not see the benefit of this money. This Senate is proposing that we establish a working committee to establish criteria for assessing the effective utilization of borrowed funds. This is another issue that has hurt some of our countries. People borrow money and when they bring this money, they do mega projects. Unfortunately, there is no equity in how these borrowed funds are spread across this county.

Yesterday, somebody said here on the Senate Floor that he was shocked to learn that money was borrowed. These monies were supposed to benefit one county, which was supposed to build several hospitals and health centres, while his county got zero. For borrowed funds, we need equity. In fact, when this working committee starts working, they should tell us how much money has been borrowed, for example, Tana River County has benefited from these borrowed funds. We do not need to run for President to benefit from borrowed funds, which all of us are paying taxes for. This country needs to get out of this mentality that "it is our time to eat." We must develop equity for the rest of our country.

I have just been looking at how the money is being spread for these roads. A county like Tana River gets almost nothing, while other counties are dominating the entire money. Those monies are borrowed funds.

We are asking these working committees to be fair. They should publish the list. We should be honest in this country to heal the wounds that have created marginalized counties like Tana River. We must start being honest.

When we use the Government of Kenya to collect money, the benefits of that debt must be spread across the counties so that all of us, even when we are paying it from this generation to the next generation, we should pay to know that the US\$7 billion that was borrowed, we also benefited as a county on this percentage. These statistics are not there.

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We are just told the national debt is Kshs11.02 trillion. Nonetheless, you are not told how much of this Kshs11.03 trillion went to Tana River County. This country needs to start being honest. It must be fair to all of us. Otherwise, this Senate has recommended that a debt register be established that details the use of borrowed funds, including a specific breakdown of project finance through the proceeds of infrastructure bonds.

These recommendations are deep. I pray that our colleague Senators will see what I see. Timelines have been given for these recommendations to be activated and actioned. I pray that the National Treasury, the Central Bank and all those agencies that deal with finance will take the recommendation on this 2025 Medium-Term Debt Management Strategy seriously in 2025. For them, it is normal; they do not see it as a serious matter.

People sit there and put us in debt, quickly telling us how bad the situation is. For every Kshs100, we have to pay Kshs70 back for debt.

Yes, we are paying that Kshs70 shillings, but---

**The Deputy Speaker** (Sen. Kathuri): Thank you, Sen. Mungatana. Next is Sen. (Dr.) Oburu Oginga.

**Sen. (Dr.) Oburu:** Thank you, Mr. Speaker, Sir. I rise to contribute to this very important subject of debt management in our country. I must from the outset admit that there is no country which does not have debt. All countries, including the richest ones, borrow money. However, it is not a question of borrowing; it is the question of management; managing the funds that you borrow.

Most of the countries in our continent of Africa were classified by the developed world as Highly Indebted Poor Countries (HIPC) of the world. Kenya used to belong to that classification. We were Highly Indebted Poor Country of the world. When you are highly indebted and poor, the risk of investing in you and giving you debt or loans is high. Therefore, the tendency in the financial world is to make borrowed money very expensive.

If you make it expensive for poor countries, the result is that they will not pay. Consequently, they will default. This is why the international financial arrangement was made in such a way that if you fall under the HIPC, you would get cheaper loans with long grace periods of repayment. However, you still have to pay. Therefore, when you get access to such loans, you do not access the commercial window in the international markets.

Our country moved out of that bracket called HIPC. We were then classified as developing. Now, developing means we have access to the commercial window. That means we can borrow money from the commercial window. This is a very dangerous thing. When you are upgraded to access the commercial window, then it means that you have to be very careful. A lot of countries would like to give you money. They would like to give you money like the Euro bond but that is money which is to be paid in very short periods and these are people who are in a hurry to make money.

Therefore, we have to train our people when they do financial negotiations with these people. They are very smart and they have a lot of expertise in negotiating some of these loans. Some of the loans are skewed, even with policies that are there. Some of the policies were there when I was in the Ministry responsible. One of those policies stated,

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any loan which does not contain a 35 per cent grant within it, was not touched by our Government. I do not know whether this policy is still there or not. However, it was one of the things which was making it difficult for many people who just wanted to make quick money to be running for the government.

The other reason is that it makes it more difficult to negotiate cheaper loans in the long term with a longer grace period of negotiations. However, some of these people, the multilateral institutions that give cheap loans, are very sensitive.

There are a lot of projects in our country which have stalled, not for any other reason, but because of activism. Sometimes, there is a lot of activism. If there is an issue coming out that the people have not been properly consulted on some issues or even the issues of what you call aesthetics--- For instance somebody can claim that the project being implemented is on his land where he buried his grandfather and has such a great attachment to his grandfather. Therefore, the project is interfering with the enjoyment of that right to have his grandfather's grave. That alone is enough to stop a project. It takes more than a year to renegotiate and get that project back.

I can give you an example. In the Sondu Miriu project, there was some activism. Some people wanted their voices to be heard. They raised it when the project was already on. The Japan International Cooperation Agency (JICA) funders who were funding that project in Japan took that matter to the Japanese Parliament and said that the locals are complaining about the land. They have some attachment to this and they were not properly consulted. It took more than a year to renegotiate for them to come back. That happens with World Bank projects. I hope that some of these issues which sometimes occur are well taken care of by the implementers of these projects in our country, so that we do not get such delays in implementation. When you get delays in implementation, interest keeps on accumulating. Even for that period when the project is stopped, the interest will continue to accumulate and the Kenyan taxpayers will pay heavily for such incompetence.

We must look for alternative ways of development. We cannot concentrate on one way, which is just loans and raising taxes. We can raise taxes, we can get loans, but it might not be enough. There is a lot of money in private hands. We need to tap that money in private hands and use it for the development of our country. It is being done in America. If you go there, you find big highways. They are built by the private sector. They developed systems of Public-Private Partnerships (PPPs) for a long time. It took Kenya a very long time to develop policies which were acceptable to the private sector to start utilizing the PPP principle. It started here just about 10 or so years ago. This is an area which I would advise our people to use effectively as opposed to negotiating to raise our debt levels too high.

Mr. Deputy Speaker, Sir, the Public-Private Partnerships (PPPs) in infrastructure of roads, water, electricity and energy, generally, is something which is very handy, particularly in developing countries such as India. India has effectively used the PPPs and we should take that example. In Kenya, there was one which was not very transparent. Sen. Onyonka took the lead here in fighting for the rights of Kenyans to know what was happening because it was not all that transparent. Nevertheless, that is a lesson to us.

The PPP is not wrong. I do not think Sen. Onyonka was fighting against the PPP principle. He was fighting against the lack of transparency in the implementation of the project, so that people know they are getting value for their money. Those who can do the same thing are allowed to compete and participate in those projects.

I sincerely believe that if we develop this system, it will help us reduce our debt level. I also want to just commend Sen. Mungatana. He has stressed very much on keeping records and digitalising the management of debt. This is long overdue. This is something which started long ago when I was still there. I am quite surprised. There must be something somewhere on why this has not been done fully up to today. That is the way to go.

*(Applause)*

There must be people there who are either benefiting. I do not know why it has not been digitalised fully up to now yet it is recommended in the Report. That should be done by yesterday. It is something which should be completed. It is not something we should continue arguing about. All the offices which have been mentioned are there and it is their responsibility.

Otherwise, the Senate is going to make its recommendations which we hope will be implemented and not kept in the shelves. In Kenya, we are used to having very good ideas, but they are never implemented. We have better ideas than many countries around us. However, many countries even steal our ideas and implement them.

Mr. Deputy Speaker, Sir, there is a country here called Botswana, which is not rich. It only has some minerals such as diamond, but most of the land is just arid and semi-arid. It is mostly arid like our country with three-quarters aridity. They have cattle just as we do, but they have managed to develop their meat industry by protecting their livestock and exporting meat to countries which are near us.

Botswana has become so rich that they are funding the World Bank which gives us money. They have money which is kept and called money for the future. It is not touched for recurrent expenditure. It is kept in an account where it is reinvested in other institutions including the World Bank.

Therefore, with that kind of example, it means that there is something we need to do. We need to do more in our country to reduce our debt levels and make sure that our people do not bear big burdens when there are opportunities open to them. All that we need to do is to enable them so that they can earn money and do their things.

Mr. Deputy Speaker, Sir I do not want to contribute more to this. I thank you for the opportunity. I hope that our Report will be implemented and we shall be heard.

Lastly, there was a report here in Bunge some time ago by Hon. Elijah Mwangale, on the JM Kariuki report and he said there is a saying in Luhya that “the hyena was moving in the forest, he found a stone and he told the stone, please, hear me. I am talking to you and I am telling you to do the right thing. Stone, even though you are quiet, but I am sure you have heard.”

*(Laughter)*

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**The Deputy Speaker** (Sen. Kathuri): Thank you for that story. Next is Sen. Oketch.

**Sen. Oketch Gicheru:** Mr. Deputy Speaker, Sir, it seems that we were supposed to go to the other side where probably there will be some stones. However, I am glad you have come to me. I am certainly not a stone and I have heard about what Sen. (Dr.) Oburu has said. I am going to contribute more to what he said.

The Mid-Term Debt Management Strategy (MTDS) is fundamental to budget making. I do not know why we are losing the script as a House to the extent that we can pass a Budget Policy Statement (BPS) before we pass MTDS. The BPS gives us a focus on what the Government wants to raise in the coming financial year. It gives us a projection. For instance, the BPS for this year has given us a projection that is going to inform the Finance Bill that we want to raise about Kshs4.3 trillion.

There are gaps on where we are going to raise this money from. Therefore, where our ordinary revenue cannot help us raise that money, then it fundamentally means that we have to borrow. When we have to borrow, this is the suggestion that then comes with the MTDS.

Ordinarily, what we are passing here forms a foundation for passing the BPS. It forms a foundation for which as a House and as Parliament, we can take control over the limits with which the Government can borrow. This is not just my wisdom or the wisdom of the Committee but also of our laws.

The Public Finance Management Act (PFMA) Section 33, CAP 412A, requires that we look at the MTDS, so that we can come up with a legal framework from which the Government must think about a sustainable way of raising money. It is not only about the sustainable ways of raising money but also to look at the debt portfolio in such a way that it is going to inform what goes and what does not go into the BPS. This is in terms of the fiscal discipline of the Government.

I dare say, and I am not a prophet of doom, that if we continue this management between the MDTS and the BPS, we might wake up in the next financial year with another Gen Z protest. We are going to be forced to have a debt management strategy in the middle of a crisis, and then we are going to start talking about fiscal consolidation. This is not something that we must take lightly as a Parliament.

Through what we have proposed here from the Committee of Finance and Budget that I sit in, Parliament must come back and take control of the debt management in this country.

*(Applause)*

Mr. Deputy Speaker, Sir, you and I are children of debt. We are born out of debt. There are two poises going on here. There is a debt that we are born into as a country that we must manage. Then there is constrained fiscal space where the Government of the day must run and might go into public borrowing. If we do not participate in that process, it becomes a problem.

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I am, however, proud of this Senate. Immediately when we came to this Senate, we decided to review the Public Finance Management Act to come up with sustainable debt management. I remember we passed a law in this House that directed the National Treasury that if it is borrowing, we must first look at our debt portfolio and make sure that the Present Value (PV) to Gross Domestic Product (GDP) of our debt does not go beyond 55 per cent. That is what we passed in this House. However, between June last year and today, our debt bumped to Kshs10.58 trillion. The PV to GDP ratio is at 63 per cent as at now. Some theorists in the National Treasury might come and argue that it is not possible to achieve a 55 per cent PV to GDP ratio of our debt stock because of some numbers they keep on bringing to this House in the Budget Policy Statement (BPS). They say that is a target that can only be met in the Financial Year 2028/2029. I am not persuaded with this.

I am a student of the late President Hon. Mwai Kibaki's free primary school education. During his time, I never knew that I would become anything close to a Member of Parliament (MP) in this country. However, at that time, the PV to GDP ratio of our debt stock was at a whooping two per cent. That means there is something that has become rogue in this country. The debt of this country is not spent on development, but on the mouth of people in power. The money we are borrowing never gets anything done.

Mr. Deputy Speaker, Sir, how comes we are proposing to raise a variety of money to Kshs4.3 trillion in the current BPS? We want to burden the country again, that out of the Kshs4.3 trillion, the cost of our debt will be Kshs1.97 trillion. That means, if you round off that number, we are going to be paying Kshs2 trillion. We raised Kshs4.3 trillion to pay Kshs2 trillion in debt. Are we slaves in our own country? Are we fine being slaves in our own country?

We have the PFM Act that has guided us that in structuring our debt. We must also look at how we make our Domestic Debt Market (DDM) sustainable. Hon. Sen. Mungatana has indicated that our DDM is currently depressed, bleeding and haemorrhaging. The DDM is completely unsustainable.

*(Applause)*

Last year, I was in the Committee on Finance and Budget when we proposed that the only reason we will pass a BPS in this House is if the National Treasury will help the country go to a 50-50 situation, whereby the domestic debt will be 50 per cent and the external debt will take the other 50 per cent. However, on the report that we have heard now, we have 30 per cent for External Debt Market and 70 per cent for DDM. What are we doing as a House? Why do we sit and restructure debt and recommend certain numbers that can allow that we do not face crowding out of our businesses?

The Government has realised that despite the fact that DDM is the most expensive compared to the external market, it is a very easy capital to come by and get into your hands. It is very easy for money to come from Equity Bank or the Kenya Commercial Bank (KCB) or Family Bank and then go to the Central Bank of Kenya (CBK). Since there is no automation, you can quickly get your hands in some monies here and there and it gets lost somewhere. How is this possible?

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*(Applause)*

Looking at the Report that we have, we have been told as a Parliament, to be comfortable that our gross--- Let me get it because I do not want to say things that do not exist. This is what has been proposed, that we be comfortable with a gross financing ratio of 25:75. That means that 25 per cent is going to the external debt market and 75 per cent to the domestic borrowing market.

Last year, we said that that gross borrowing must be 50 per cent. How is it proposed to be 75 per cent now? The net financing strategy is 35 per cent to 65 per cent. This means that where Parliament has become comfortable in becoming a rubberstamp in this process, the Executive also becomes comfortable that they can increase the domestic debt borrowing because it is easy and quick money to get. They can keep on increasing it. That is what we have become. We are a mere rubberstamp in this process of budget-making.

When you increase the Domestic Public Borrowing, you are killing Keroche Breweries. It is not possible for Keroche Breweries to borrow and compete with the Government because the Government borrowing is going to be lucrative for the commercial banks. Today, you are killing Bata, Safaricom and choosing to kill all the businesses that I see thriving in this economy.

*(Applause)*

We have seen a number of our businesses closing down out of this borrowing. You want to raise a bigger deficit of about Kshs900 billion, which again has increased from Kshs700 billion last year. As you increase the cost of borrowing in this country and the risk associated with it in the domestic market, you are also increasing taxes on these businesses. The corporate tax, income tax and all the taxes in this country are making it virtually impossible to think about a start-up business. Businesses that could easily attract Kshs500 million cannot get those monies in our economy today. The reason being the structure of debt makes it not possible to get money to finance them in our economy. If you come to a start-up market, we do not have a thriving venture capitalist, who can backstop the idea of lack of credit in our commercial business.

I know there are people arguing that there is no country that does not borrow. Yes, even the United States of America (USA) borrows. That is true. USA has a debt. China and other countries borrow, but they borrow in their currency. The USA is comfortable with their debt.

If the worst happens, the USA will simply print their money and pay. However, when we borrow, we peg it to the Dollar and any adjustments in the global market economy will affect us. Therefore, our debt will continue piling. If we approve what the National Treasury is asking us without juxtaposing it with the BPS, by June this year, we will have a debt stock of Kshs11.07 trillion.

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Mr. Deputy Speaker, Sir, when I look at you, you already have grey hair and you have not paid the debt that you were born and found yet, in another three months, your debt stock as a country is going to Kshs11.07 trillion.

Let me remind you that even this number is not factual. It is not a number that you can be comfortable defending. This is a number that we are given by the National Treasury to defend its proposed ratio for borrowing.

**The Deputy Speaker** (Sen. Kathuri): Sen. Eddy Oketch, what is the relationship between my grey hair and debt management?

**Sen. Oketch Gicheru**: Mr. Deputy Speaker, Sir, that is a good question. The relationship is very simple. Since you were born, you are almost going towards your old age, you have been paying a lot of debt in this country that you do not understand, and that has not helped you.

I see you working very hard. Every day you are in this House to work for the nation. You are earning a meagre income, which again, 50 per cent of it must go to pay the debt. Now, I am imagining what will your children remain with.

You, you have worked as a donkey for this country and you have paid everything but now, what is going to happen to your children when you wake up in June and they have got Kshs11.07 trillion worth of debt? This is what I am crying about.

I sympathize with you, and I empathize with you. I hope that, as a House, you will see how serious this thing is affecting us to the extent that we must take control of the debt management process.

One thing that we must also insist on as a House, is that next time the National Treasury comes here, and before we consider the BPS, they must give us a scientific rationale of where they are coming up with these debt numbers. If you go to the National Treasury, they have got a different figure from the Office of the Controller of Budget; they have a different figure from the Auditor-General; they have got a different figure from the Central Bank of Kenya. Who is telling us the truth?

As I have told you, that entire debt stock, when it was borrowed, we were not explained to on what it was going to do. When it is now being consumed, we are not told what it is doing. I remember in the former regime, there was a deficit of about Kshs500 billion when it came, and from the Auditor-General's report, when you followed the Kshs500 billion, it was committed to infrastructure in one region. How do you borrow Kshs500 billion and then commit it to infrastructure in one region? How is it fair yet, the control of that infrastructure in Migori County, where I come from, does not concern that infrastructure?

I empathize with the Senator of Kisii County because he is always the most vocal about debt issues. Where he comes from, I did not see that money working in Kisii. I did not see that money in Turkana nor in Mandera. Even, where you come from in Meru, Mr Deputy Speaker, Sir, I looked at those numbers and I did not see that money in Meru. It was not there, Kshs500 billion. Today, when it comes to paying it, all of us must participate, and not just participate, it is equal distribution.

I pay the same amount of debt as the person from Tana River, who is labouring in back-breaking dust every single day, riding *boda boda* to make a living. Then out of that

dust, they must pay tax. They must pay an equal amount of money as other regions that have benefited from this debt.

We must take control. We must not leave this debt management conversation to the National Treasury. We must take full control. I am very proud of our Members of the Standing Committee on Finance and Budget because they have been very engaged. You have seen them staying in this House as much as they can to contribute to this House. I have seen Sen. Ali Roba, the Chairperson of the Standing Committee on Finance and Budget staying in this House till late hours, to give you a snippet of what is happening in this country.

I have seen the Vice-Chairperson, Sen. Tabitha Mutinda, staying in this House till late hours, so that she can give you just an idea of what we are struggling with in the Standing Committee on Finance and Budget to make sense to the Cabinet Secretary for National Treasury and Economic Planning. I have seen Sen. (Dr.) Boni Khalwale staying in this House to give you just an idea of why we must manage this debt, so that my fellow county men, people from Masangora, Isebania, Komusoko Nyamosenza and Macalder, who do not understand this burden, why it must come to them can get reprieved.

I hope that even as we pass this MDTS, the recommendations that have been forwarded by this amazing Standing Committee on Finance and Budget will not go in vain. We will not be confronted with the next MDTS that is brought to us based on our recommendations that were never adhered to. We cannot recommend that you go down on domestic borrowing; we cannot recommend that the Government goes down on fiscal deficit that they have to bring down, and then the next year, we are confronted with an increased fiscal deficit and increased domestic borrowing without Parliament knowing that increased under our watch. That must stop as I support the Committee on Finance and Budget for coming up with this Report.

I thank you for giving me this opportunity to contribute to this particular Motion.

**The Deputy Speaker** (Sen. Kathuri): Well spoken.

Sen. Onyonka Richard, you may proceed.

**Sen. Onyonka:** Thank you, Mr. Deputy Speaker, Sir. First of all, I would like to commend my colleagues who have articulated this issue as openly and as sincerely as we have been talking about it.

I thank Sen. (Dr.) Oburu Odinga for acknowledging that even when the model of Public-Private-Partnership (PPP) has been accepted as the *modus operandi* of how we are going to run our projects in terms of investments and all that we are supposed to do, even when the PPP issue has been a hot topic in Kenya--- It is my hope and wish that, yes, let us adopt the PPP model, but let us make sure that we are transparent, accountable, fair and equitable in trying to distribute the resources over our country.

Secondly, I want to thank my colleague, my young Senator, Sen. Eddy Oketch, one of the very able individuals in this House who has contributed quite a bit. I sit with him in the Standing Committee on Finance and Budget. I am proud of him. I am happy that he has raised quite some substantive issues, and many people may not see them.

My leader, my friend, my brother, Sen. Okiya Omtatah, Kenya will vindicate you. You have consistently raised these issues even before I came to the Senate. Some of us did not understand the weightiness and the importance of raising this issue. Sen. Omtatah,

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thank you for noticing that we need to separate the Central Bank of Kenya and the National Treasury from the Executive. That is, in fact, one of the challenges that we are going to face as a Committee, and we are going to interrogate this.

I also want to give credit to my brother, Sen. Mungatana. Thank you, Sir. Your experience and time have enabled you to analyze these issues impassionedly. I believe that what you have discussed will make Kenya a better place.

Mr. Deputy Speaker, Sir, the public debt management issue in our country is at a crisis level. The reason I say this is because, we have been looking, analyzing and discussing, what the cost of our debt. Why do we borrow so much money? Why is it that, in the last 10 years, close to 12 years, we have increased our debt by 100 per cent? When President Kibaki was the President of the Republic of Kenya, our debt was, by the time he was leaving, Kshs1.1 trillion. After that period, and you look at where we are right now, our debt is close to Kshs12 trillion.

The question that you ask when you sit in this House is, what is it that we need to do to make sure that this exercise, which I call an exercise in futility, where we are borrowing excessively, where we are borrowing domestically where the interest rates at which we are borrowing Government money is now at 12 to 16 per cent in some banks.

Allegedly, one of the loans was borrowed at 18 per cent, yet, we can borrow money globally at the cost of two per cent. We can actually reschedule Kenya's debts. All our debts can be rescheduled. We can go to the international money market and borrow at interest rates between two and four per cent, and pay out all our stock of debt, and make sure we begin afresh. These are the issues that I would want the Committee and this House to look at.

Secondly, Mr. Deputy Speaker, Sir, there was a basic operating standard procedure on how we used our borrowed money. What did we do? The money would come, normally the rates at which we borrowed was at 30-70 per cent, as Sen. Eddie has said. Domestically, we would borrow at 30 per cent, because when you borrow domestically, borrowing in commercial banks becomes more expensive for the ordinary business person or Kenyan. The banks will also not want to lend to ordinary business people because of the cost of risk, the risk of where a commercial enterprise might borrow money and not deliver. So, commercial banks will prefer to trade in bills, bonds, and stocks.

The Government is very comfortable with that because of what my brother, Sen. Eddy, and many other leaders here have talked about. When you go and negotiate with a commercial bank and you are borrowing a trillion shillings, and this commercial bank is actually giving you this money at a certain percentage, information and data gets to us where people in the Government will go and negotiate with some of these commercial banks, and they will even enable these commercial banks, after they have borrowed money for the Government, to allow the commercial bank to do overnight lending, where interest rates are undone. We never discussed these issues openly until recently when Sen. Okiya Omtatah started discussing them. Why do we borrow?

Mr. Deputy Speaker, Sir, we borrow because sometimes our budget has gaps. Previously, the Kenyan Government position, if you look at when Prof. George Saitoti was the Minister for Finance, come up to President Kibaki and move on, you will realize

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that we were borrowing when we would need a stopgap measure where we would borrow most probably 10 or five percent, or whatever the balance was, and then our budget would be balanced, and we would keep on moving as the economy was growing.

Now, we borrow for big projects. We borrow for those projects where billions and billions, not Kenyan shillings, but billions and billions of American Dollars are borrowed. As a result, the money that was supposed to deal with the basic issues of our governance and existence, for instance, the health sector, education, agriculture, and the very basic sectors of our economy that are to deliver for the Kenyan public, is taken to do big-time projects because that is where we get our kickbacks. That is where we generate our revenue by arguing and saying, “No, you do not have to spend any money in farming. Look for something big that you can do. That is where the money is shared and that is where we really do not have to work very hard about this because even if we borrow, we will be able to pay this money anyway.”

The problem is, soon, we are not going to be able to pay this money because we are at 68 percent. If by next year we are going to borrow another Kshs1.2 trillion like we did last year, the reality is soon we are going to be at 90 percent and then after that Kenya will just become like Thailand. We will not pay our debts back or pay salaries. The economy will just become an economy. It will become a supermarket. Essentially, what does a supermarket do? We become consumers. Then you do not have to worry about agricultural development and growth of the health sector.

In fact, we, as a people, will begin thinking about whether to take our patients to Rwanda, which is offering their health facilities better than we are, or are we going to educate our children in Rwanda where the children are going to school achieving the grades they want. The educational sector is actually teaching mathematics, yet in our country, we are now saying we do not even have to allow kids to learn maths.

Mr. Deputy Speaker, Sir, I would like to make a passionate plea to my colleagues in this House. The responsibility of fixing the mess we are in falls particularly on this House. Our country has a problem. We are not able to transform this country from a low-level, middle, low-income developing country into a mid-level, upper-level developing country. We are slowly going back to where we used to be, an underdeveloped country, a country that depends on its revenues so that it can govern itself on a daily basis. We are not going to be a country that invests on those sectors that are going to change the livelihoods of our people. We are not a country that is willing to tackle the issues that are important.

We must make the Central Bank of Kenya to be independent. We must make the National Treasury to become advisory, so that its responsibility is to advise the President on what the economic issues are on a micro and macro basis. What do we do with the interest rates? What are we doing with investments and savings? Why is investment in Kenya becoming a problem? Why are companies moving out? Once companies move out of your country to go and invest somewhere else, then you have less of your people getting jobs and generating revenue for themselves, and you have less of the Government taking taxes, and you cannot continue taxing people indefinitely.

Mr. Deputy Speaker, Sir, many of my colleagues have brought wonderful issues in this place. In this House, I am so happy with what is being discussed. We must ensure

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that the public debt management system is linked to the Integrated Financial Management Information System (IFMIS), as well as the own-source revenue systems.

How can you have a financial platform in your country that deliberately has been cut into sections, bits and pieces because it makes it easier for those who are cutting deals and making money out of these state resources to do it without it looking seamless, yet in reality, we are not seamlessly managing our debt and revenue, instead, we are seamlessly managing the stealing of those revenues and the resources?

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

*[The Temporary Speaker (Sen. Veronica Maina) in the Chair]*

Madam Temporary Speaker, I would like to insist that, yes, the automation must be done on even how the withdrawals of payments for the repayment of the debts that we have. As like Sen. Eddy Oketch has said, why do we not know what the debt stock in our republic is? You have the Auditor-General giving you a different figure and the Controller of Budget giving you a different figure. The other day, the Committee on Finance and Budget gave us a figure of Kshs12 trillion.

I believe that our debt right now is at about Kshs14 trillion. Can we get the Committee on Finance and Budget, and this House to make sure that all those four institutions are called and we are able to get a forensic audit done so that, historically, we can even know how much money we borrowed, where did the money go, who spent that money, all the euro bonds we have gotten and how much money has been used to pay debt as we speak.

It is very interesting that even when we are paying the debts, our debt never goes down. How can you pay Kshs800 billion of debt every year and yet the debt which you have of Kshs12 trillion never goes down? It means the debts are not being paid. It means money is being siphoned off from the international money market and we are told that this was collected so that we can go and pay our debts and yet in reality, what actually happens is that this money cannot be accounted for by any of our institutions that we have set up to guard what is happening in our country in terms of financial management.

So, Madam Temporary Speaker, I would like to plead with the Committee and Members of this House, since I can see we are now slowly beginning to have a critical mass---

Madam Temporary Speaker, let us make sure that we know how much we are borrowing, where the money goes and what we can do. In the process of achieving this, let us make sure that whatever money that we borrow is utilized fairly and equitably amongst all our counties. Let us make sure that Kenyans begin to trust the Government.

If we do not have an open government, even if the head of State sings from morning till evening, begging Kenyans to raise taxes for him, they will refuse. Why? Because they feel that we are not being open enough and we are not telling them the truth as to what is happening to their money and the money that is borrowed for the development for our country.

Madam Temporary Speaker, I would like to comment on another issue. I have watched what is happening in our country and I have seen this for quite a long time. The reason is I have been around for a while. Unless we change the way we behave, change the strategies that we use and change the social-political economic behaviour as leadership, we are taking our country in the wrong direction. Why do I say so? We have a country and you expect what runs the economy of this country is the private sector. The private sector - the small businesses, the big businesses, the mix between MDGs and when you put all these groups together, that is the engine that is supposed to drive our economy. However, right now in Kenya, our economy is being driven by the national Government. That is why everybody wants business in Government and do deals in Government. That is why in every transaction you see, everybody wants to own a piece of land owned by the Government. Every single transaction we are conducting today is actually about the Government.

How I plead with my colleagues here that we change that to the point where we agree that the private sector is going to be the driver and the engine that is going to change the country to the direction it is going, so that we have an economy that grows, the cake becomes bigger, we are responsible for how we use our donor funds, all the money that we borrow and how we use the taxes that we collect from Kenyans.

Madam Temporary Speaker, my honest observation and feeling is that we are failing on all those gaps. Therefore, I would like to say that let us follow up on what works and make sure that our GDP ratio to debt and to borrowing should come down to 50-50 per cent. Let us also make sure that when we borrow funds, we borrow externally because money is cheaper at the international money market. We can go 70-30 per cent as we have always been.

I heard Sen. (Dr.) Oburu Odinga mention, and it is true because of the institutional memory, he was in the National Treasury. There was a time when the Kenyan Government borrowed any money, 30 percent of that money would be grants and we paid 70 percent. The loans were concessional, long-term and were very soft. That is how you change and develop various sectors.

Finally, there has been this argument historically, which started about 10 years ago, that all the money we get, whether we borrow it internationally or domestically, we make sure that we use it for mega-projects; where you want to spend Kshs500 billion or Kshs150 billion. Kenya just needs us to fix the health sector, the education sector and make sure that we fix the basic roads, as well as make sure that there is an ease to do business; make sure that the Kenyan public appreciates that our education is running well and that we are funding university students well. Why can we not give free education to our poor people in this country?

Why, Madam Temporary Speaker? Kibaki did it. He was using Kshs72 billion to take primary, secondary and university students for free education. Right now, the Ministry of Education is given Kshs640 billion and we cannot give our children free education and yet, we borrow this money. We are spending Kshs640 billion on the education sector, and yet, we are not able to give free education to our students. You only get to hear all these things about who prints book or where the money is going.

For us to fix our country, yes, this House can come up with recommendations but unless we have structures and institutions that are going to be the defence mechanism we use to deter our bad behaviour, we will not go anywhere. Why? Sen. Omtatah, it has been nearly a week that we have not seen a scandal but you will notice every single time in our Republic, there is scandal after scandal after scandal about public money.

Madam Temporary Speaker, can we stop the abuse, misuse and wastage of public funds, so that we serve the Kenyan public with the dignity they deserve and so that we can leave a country that is better than we found it. My worry is, many of us may not see the contradiction of where we are. We are a country that has got a budget that can run between six to seven countries within the Eastern and Central African region. However, if you take the population we have of 50 million, the population of the six or seven countries I am mentioning is 300 million. How come we are not able to use the resources that we have to fix the mess we are in? That is why I keep saying, we do not need to borrow. The money we have is enough. Why is the money not enough? We keep on having ghost workers and we employ teachers, we do not know who owns them.

**The Temporary Speaker** (Sen. Veronica Maina): Time is up, Senator. Okay, half a minute, you finished the sentence.

**Sen. Onyonka:** Thank you, Madam Temporary Speaker. I just wanted to say that let us make sure there we have an open, transparent government, where we are accountable to each other, where we manage the resources of our country with prudence and respect and Kenyans will be always happy that we were in this House. I hope that this House, and the Committee on Finance and Budget will stand up for the Kenyans.

Madam Temporary Speaker, with those remarks, I second the Motion.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you, Senator. Sen. Okioti Andrew Omtatah, Busia County.

**Sen. Okiya Omtatah:** Madam Temporary Speaker, I thank you for the opportunity to contribute to this very important debate.

I will begin by referring to the Constitution, which is my Bible or my Koran, on matters governance. Article 220 of the Constitution provides for how our budgets have to be made, their content, timing and form. Within that particular section, it is clearly stated that our debts must be contained in the annual budgets that are made. The proposals to borrow and where money is to be borrowed from should be in the budget that comes to the Parliament every year. Contrary to that, Parliament has done something very strange and totally unconstitutional in this country, by enacting something called the debt ceiling in the Public Finance Management (PFM) Act. The concept of a debt ceiling has got history.

Before 1917, in the United States of America (USA), the Congress used to approve every debt that was borrowed by the Treasury for the executive in America. In 1917, when the USA joined the First World War, Congress began the idea of allowing their Treasury to borrow on need. That morphed into the culture where they began the so-called debt ceiling in an attempt to contain the appetite for money by the executive. Up to now, they have a Debt Act that was passed under Obama trying to address these issues, but they have not done that very well. So, we have borrowed the idea of a debt ceiling from the Americans. They did it out of an emergency situation and failed to return to the

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defaults that they used to have where Congress approved every debt. Now, we are trying to peg our debt on GDP.

First of all, it does not make common sense to peg our debt on GDP. We know that GDP is the totality of a state's productivity as estimated per year. Yet you repay debt; not from your percentage of GDP, but from your taxes. Debt must be tied to the capacity to raise taxes to pay it. This is why in Article 220 of the Constitution, there is a requirement - Article 220(1)(c) states that-

“Budgets of the national and county governments shall contain-

(b) Proposals for financing any anticipated deficit for the period to which they apply, and

(c) Proposals regarding borrowing and other forms of public liability that will increase public debt during the following year.”

When you look at our budget, Parliament always passes a balanced budget that conforms to those two provisions. That budget is contained in the Appropriation Bill. Each Appropriation Bill gives us the legitimate debt within the Republic of Kenya. I have examined our Appropriation Bills from 2017 to 2025 and established that Parliament only approved Kshs2,791,543,336,707. When you examine the debt register published by the National Treasury, you find that we have borrowed Kshs8,918,021,659,782. This means we have borrowed Kshs6,950,163,132,328 outside the law. We have also seen the other activity that happened.

The other day we were told that the Eurobond had matured. The Government was required to borrow extra money from the Eurobond market to offset what had become due. They borrowed a lot of money yet the Constitution, in Article 214, categorically states that the public debt is a direct charge on the consolidated fund.

The Public Finance Management Act II and the regulations forbid borrowing money to pay a debt. So, where does the Government get the power to do these kinds of things? I am referring to Sections 15(2)(c) and 50(3) of the Public Finance Management Act.

When we borrow money against the law, what are we trying to achieve? What evidence is there that the public debt for the Eurobond had not been paid off automatically as required by law as a direct charge to the consolidated fund, for which we would borrow further money?

Madam Temporary Speaker, as I proceed to submit, I also want to observe that of the odious debts that I have referred to, Kshs4,605,840,287,992 were incurred from 2014 to 2022 when President Uhuru Kenyatta was in charge. Under President Ruto, that is from 2022, when he took over, Kshs2,250,325,905,200 had already been taken outside the law. We have a programme-based budgeting process whereby when money is borrowed, it is tied to a project.

These trillions of shillings, more than six trillion, cannot be traced in Government documents. I have taken my time from October last year perusing thousands of documents that I got from the National Treasury, Central Bank, Control of Budget and all these people's websites, but I cannot trace where this money went.

I can see why the Kshs2 trillion that the Parliament approved is clearly seen where it went. However, this money cannot be traced to the economy. To make matters

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worse, not a single domestic debt has been approved by Parliament. Look at the Appropriations Act; there is none.

Somehow the executive does not implement the budget. When you look at the Statement of Annual Revenue and Actual Revenue and Net Expenditure, which is published at the end of every month, you encounter this animal called domestic debt. If you look at the budget, there is no domestic debt. Treasury bills are supposed to act like an overdraft. Where the KRA delays submitting enough money to the Government, the Government should issue Treasury bills to fill the gap. By law, Treasury bills must be paid within 12 months. They cannot become debt.

Madam Temporary Speaker, under the Public Finance Management Act, all borrowing must support a defined capital project or development project. Nonetheless, you will find that we are borrowing a lot of money from the domestic market without the approval of Parliament. Where does this money go when it is not even budgeted for? Why are we borrowing this money? This money runs in billions of shillings.

I wish our screens were working. I would have beamed my calculations onto that screen, so that Kenyans could see how they are being scammed in the name of taking public debt. I have done a graph, and you realise one of the interesting things is that our debt spikes every time we have a handshake.

This means that the mechanisms of oversight are lost. Every year since we have had a handshake, there has been a spike in reckless borrowing and reckless expenditure by the Government. I hope it does not happen today. I do not know whether we are allowed or not, but I would have loved to be projecting some of these figures on these screens that we have here so that all Kenyans can see exactly how we are being messed up and how we are being hurt.

Another painful fact is that the Ethics and Anti-Corruption Commission (EACC), which is constantly demanding more powers, has never audited our debt portfolio. I do not understand why they cannot just let the police, the Economic Crimes Unit of the Directorate of Criminal Investigations (DCI), do their work.

One of the things that has made our debt shoot up from 2014 is because Parliament amended the Public Finance Management (PFM) Act to allow for money borrowed to be kept offshore, contrary to Article 206, which requires that all money borrowed must be kept in the Consolidated Fund. Therefore, under the discretion of the Cabinet Secretary for the National Treasury and Economic Planning, they can borrow money and keep it in offshore accounts. That is one of the issues affecting us.

When you look at the total amount of debts that we have borrowed, many people discuss in terms of the actual figures borrowed. However, if you factor in the cost of the loans and interest on the loans, you get a shocking figure. Right now, we are standing at Kshs18 trillion when you take those factors in. That is totally unsustainable for us.

I have seen in this statement projections of paying Kshs1.7 trillion, Kshs2.7 trillion in debt and what have you. Those kinds of projections are not good for this country. There are existential threats to this country. You cannot have a budget of say Kshs3.7 trillion and spend Kshs1.7 trillion repaying debts. Only Kshs700 billion of the Kshs1.7 trillion goes to paying off the principal sum and Kshs1 trillion paying interest. That cannot work. It will sink this country.

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Madam Temporary Speaker, another issue that I would like to speak to is another form of debt. This is not necessarily public debt, but it is a debt to the public in the name of pending bills. Pending bills are a major scam. The scam masters have convinced everybody in this country that we abandon cash-based and go to accrual accounting. That is arrant nonsense. How do you do that?

A budget is passed by Parliament or county assemblies. Therefore, it is a law. How do you accrue from one law to another without referring back to Parliament? How do you carry a debt from year one to year two; when in year one, Parliament or a county assembly passed a budget and gave people power to collect funds? Therefore, they should deal with that case. We have the capacity to do an Appropriation Bill or supplementary budget where emergencies occur we may not have foreseen.

Governments are run on a cash basis, especially ours. It is anchored in the Constitution. When we shift to accrual basis, it is another monster that will eat up this country. We need to look at it in the face and ask how that will be achieved. Members of the Institute of Certified Public Accountants of Kenya (ICPAK) are hollering all over that. That is what happens in the private sector. Who told them that you can run a government like a private sector?

We implement budgets which are laws. There is no need of having a mechanism of accruing from one budget to another without going back to Parliament. I know there are countries which run on accrual basis, but it is not in their laws or constitutions.

There is a unique feature of Kenya's Constitution where we have Chapter 12 on Public Finance, which tries to cure mischief that has happened in this country since Independence whereby public coffers have never been respected. That is why we have that chapter in our Constitution prescribing what should be done.

When we move away from that and start saying that so and so does it or the majority are doing it, we should ask ourselves, what is in their constitution? Is it like ours? Why did we put it in our Constitution? What are we trying to cure?

Madam Temporary Speaker, I am aware that this House made some very grievous decision by passing a Motion saying that pending bills will be a first charge on the County Revenue Fund (CRF). On the logic, they said, Article 214 of the Constitution states that a public debt is a first charge on the Consolidated Fund. However, they read 214 Part I. They did not read Part II, which defines what a public debt is.

The Constitution of Kenya Article 214 (2) defines a public debt to be loans, guarantees for loans, expenses incurred and related matters to loans. How does a pending bill, where a county government has taken the Members of County Assemblies (MCAs) on a baseline study and they incur money that they cannot pay become a public debt? For instance, if you have contracted somebody to build a road and you do not pay him, you divert money to pay somebody else, how does that become a public debt? How does that become a first charge on the CRF?

We need to get serious. I am requesting that this Parliament sets up induction course for Members of Parliament (MPs) on the Constitution of Kenya, especially on Chapter 12. This will enable us to fully comprehend, as a House, what the architecture for handling public finances is. Going forward, we will be able to engage effectively and according to the book.

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Madam Temporary Speaker, with those few remarks, I thank you for the opportunity. I do not support the recommendations made because they are unconstitutional. I might be the only voice, but it does not matter. I do not support them. They are totally unconstitutional and they should go back and have a reverence to the Constitution.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you, Sen. Okiya Omtatah.

Proceed, Sen. Methu from Nyandarua County.

**Sen. Methu:** Thank you very much, Madam Temporary Speaker. I want to encourage Sen. Okiya Omtatah. You are not the only voice because you are a voice like that of Elijah Mwangale. Just like Elijah Mwangale, it is your work to tell the stone. Whether the stone wants to listen or not, it is up to it. However, you are not the only voice on this particular matter, especially on the recommendations that have been made by the Committee on Finance and Budget. I am with you.

I will not say that I support the recommendations that have been made by the Committee on Finance and Budget. More specifically, because I see them as a tap on the wrist of the Government. They are very moderate in terms of the recommendations that have been made on such a serious breach of the Constitution of the Republic of Kenya. They never want to go for the jugular or say it as is.

Sen. Omtatah, feel encouraged. It feels good to do the right thing. You have always been hand-tied in the past and you know. If this is how you have been feeling for the time that you have been speaking freely, we feel very good that you are now able to speak very freely without any baggage of being threatened by anybody that if you say this or that, this will happen. Thus, we are now able to speak very freely.

Madam Temporary Speaker, we, as a country, are staring at an extremely difficult and dangerous situation. What we are staring at is a threat to the sovereignty of the Republic of Kenya. Our national debt has grown to Kshs11.2 trillion regardless of the route we have used to arrive at that figure as has been stated by Sen. Omtatah. Looking at the amount of money that we, as a country, are expected to service our debt with, it tells you that the sovereignty of this Republic is at great risk.

The deliberate actions and steps that have been taken by President William Ruto's administration are putting this country in a hole. It will be extremely difficult for us to get out of this hole. Looking at all the recommendations and submissions that have been made by the seven bodies that gave their recommendations on this report, none of them has applauded President William Ruto. Everyone, including the Members of that committee knows that the country is not on the right trajectory.

If by June, 2025, our public debt service will be standing at Kshs1.95 trillion, it will be almost half of the national budget. If our budget for the next year will be at Kshs4 trillion and we are spending Kshs1.95 on servicing our national debt, that means for every one shilling that is collected, half of it is used to service loans.

Sen. Omtatah has told us external loans are supposed to finance capital projects. I would also ask like Sen. Onyonka always asks: What is this hole that never fills? If every year we are paying Kshs1.95 trillion, how come our national debt does not reduce? We



would also want to put to test part of the campaign promises by President William Ruto. Allow me to quote him. He said-

*“Watu wamekula pesa hii Kenya. Watu wamekuwa wanakopa pesa na kupeleka mahali pengine. Tukichukua hii serikali, hatutakuwa tunakopa. Serikali yetu tutaweka sawasawa na tutaokota kodi.”*

We need to put that statement to test.

In his first year, the former President, Hon. Uhuru Kenyatta had accumulated a debt of Kshs437 billion since he was sworn in in September, 2013 to September, 2014. What about our ‘angel’ who was supposed to correct that problem? President William Ruto had accumulated a debt of Kshs1.2 trillion in his first year. Since we are not borrowing this money for any other people, but the people of Kenya, we need to ask ourselves this question. Is it that the quality of life of the people of Kenya has improved since President William Ruto came to power?

Former President Uhuru Kenyatta with a debt of Kshs437 billion in his first year ensured our secondary school education was affordable and almost free. We need to then put to test the new administration of President William Ruto. Out of the Kshs1.2 trillion, how much has gone to making the lives of the people of Kenya better in his first one year in office?

We must all appreciate that in his first year of his presidency, taxes increased. He prevailed upon us to be very patriotic, press the pay slips and give as much as we could, so that we could support the national Government to stop borrowing. This was to ensure that we can develop and grow our own country using our own money. He said that if we are able to spare a shilling or two from our pay slip and pay taxes, then we would have a balanced budget.

Three years later, our deficit in our budget is now running to trillions of money. It is the first time that we are seeing this kind of a deficit in a national budget. Even if the President continue borrowing, the quality of the life of the people of Kenya will never get better. If you were to put that statement to test, one board of gypsum in 2022 when William Ruto became President was costing Kshs630. Three years into his presidency, it is costing more than Kshs1,000.

University education, by the time he became President of this Republic, it was at least Kshs44,000 per student every academic year. In his new University Funding Model, students are paying up to Kshs240,000 for one student in one academic year. He has made education extremely expensive.

It has become extremely difficult to be a Kenyan. That is why you hear every time people saying that they hold the freedom of their payslips because they cannot feel the impact of the taxes they are paying to this Government. They are not getting quality services from this Government. The general expectation of the people of Kenya is that we are supposed to get better services when our national budgets are growing.

When I was first elected as a Member of Parliament here, I was paying about Kshs2,700 for health insurance. However, I am paying Kshs37,000 according to the new arrangement that was brought by President William Ruto. If indeed I were to access healthcare and I do not need to spend my own money again, I would feel that it was worth it. However, what has happened, our health system has collapsed and we all know

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it. Every time we have harambees to offset medical expenses of our people. Our people are suffering in the villages. We are paying more, but we continue to suffer more. What has become of this country? Why is President William Ruto running down this country? We do not have any other country.

Mr. Deputy Speaker, Sir, I want to quickly run to one person who gave his memoranda to this particular committee. He said that we should try and reduce Government wastage or improve on the prudence in the way we use our national resources.

When President William Ruto came, he said that we are cutting on all wastage in Government. We were told that austerity measures are setting in. In Parliament here, we were told that we have to reduce our foreign and domestic travel. This is happening in Parliament. The way we travel now is not the same way we used to travel when we came in here. However, this does not happen with the Executive. Why is it that the State House budget keeps growing every financial year? It is not that he has new members of staff. It is not that he has new services or he is getting more guests so that his hospitality budget is increased. What was it in the State House that warranted repair? Was the roof leaking in State House that he had to spend billions of monies in a country where people are suffering on very basic issues like health? He had the money to ensure that he could repair almost all state lodges around the Republic. How many days can he sleep in even within one financial year? Why can he not do them progressively? Why would he then not do the State House in Nairobi and leave the rest and do them progressively?

He is renovating the State lodges in in Nyeri, Bungoma, Nakuru and Mombasa. I do not understand the urgency of renovating all these State lodges. Why does he want to live like a king when the rest of Kenyans are suffering? They are sleeping hungry. What joy does he gain in having the best palatial State House in the Africa? He says that he wants the State House of Kenya to be at the level of the White House of the United States. Is he leading people who have as much quality of life as the people of the United States? Why run down the health system in Kenya and then live like a king?

Madam Temporary Speaker, as we work on reducing Government wastage, I would like my colleagues to tell me why it is important that for every one project that has been commissioned, the President has to commission it five times. A lot of money was spent when the President was in Nairobi. You saw the kind of entourage when he was commissioning projects in Nairobi. Why was it extremely important for him to move in entourages of 50 Sport Utility Vehicles (SUVs), and mobilize people to come and clap for him?

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Sen. Methu, I know you have hearty contributions towards this Motion, but I would like to remind you of the provisions of the Standing Order No.101 on the content of speech because you are contributing to a report on debt management. However, the way your contributions are going, you are debating around the person and the conduct of the President for which you need to move a specific Motion.

So, you should confine yourself to the relevance of the report that you are contributing to. If the report in any manner points to the fact that it is the President that is doing the budgets and not the National Treasury, then you would move towards the line

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of argument you have taken. Under Standing Order No.101, you need to be cautious of how you contribute towards this, so that it is not about the debate on the person or the President.

**Sen. Methu:** Madam Temporary Speaker, I know you have the responsibility of protecting the President because he is your party leader and my party leader, for that matter. However, I am picking things straight from the report. I have actually gone to page---

**The Temporary Speaker** (Sen. Veronica Maina): Are you picking something on that report? Let me have the report.

Clerk, let me just have the report, so that we are on the same page.

*(The Clerk-at-the-Table handed the Report to the Temporary Speaker (Sen. Veronica Maina))*

What page did you indicate?

**Sen. Methu:** I am on page 30. It was the submission that was made by Mr. Aronyo Kevin. It is just a broad term. One of the things that he proposed is reduction of Government wastage. In my argument, I am trying to express my disappointment in terms of public wastage. I am not discussing the conduct of the President. President William Ruto is not State House. In fact, he is not the Accounting Officer of State House. The Accounting Officer of State House is the Controller---

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Methu, yes, that is why I have guided you understanding Order No.101. On page 30 of the report, I have not seen the mention of the President in any of those paragraphs.

**Sen. Methu:** I have not mentioned him in any of my arguments.

**The Temporary Speaker** (Sen. Veronica Maina): Do you need a review? You mentioned him several times. Please confine yourself to the Report here.

**Sen. Methu:** Okay. I know it is a bit uncomfortable, but you have to bear with things as they are, so that we move quickly.

Madam Temporary Speaker, that good gentleman made that particular observation. That, we need to ensure that we reduce Government wastage. In my opinion, it is not the priority of the people of Kenya now to have the best State House in the region. It may look beautiful. It is elegant and excellent. However, does it reflect the lives of the people of Kenya? Is it the same as to the quality of life of the people of Kenya?

There is a recommendation that has been made by the committee that I am agreeing with. The automation of the withdrawal of the debt service payment from the Consolidated Fund. The national debt has become an extremely opaque thing. You cannot tell how much has been paid and within what time.

For the pending bills in our counties, you will have a view because they are managed through the IFMIS. Therefore, you can tell that this was the date it was accrued and this is what has been done to it. Why not have the same, so that we can follow and understand how our national debt is flowing? We can then know how exactly this money that has been taken as national debt has been used.

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Madam Temporary Speaker, I was here before you interrupted and then you can guide on whether I am discussing the conduct of the President. Why would the State spend millions of monies so that the President can go and commission a project? I will give an example. For the three times President William Ruto has been in Nyandarua, he commissioned the Ndunyu Njeru-Geta-Kapteni Road. In one instance, he commissioned at the Kapteni side and the other time, he did it at the Geta side. I hear he will be going there in a week or two to commission it again at the Geta side.

Madam Temporary Speaker, how are we spending our money and how do we say that Kenya is broke and we are spending millions of Kenya for just commissioning projects? Why did we not see, even at one time, President Kibaki, one of the most celebrated Presidents of this Republic, on top of cars saying that *nimetenga, nimesema na nimefanya?*

Can the President just come quietly and commission a project that is complete? Why does he keep launching projects? Once he launches those projects and leaves, those contractors follow him. All the things he has promised in Nyandarua, he is coming to re-promise them again and yet, we are spending national money because he does not come alone. For the President to be in any a county, a lot of money is expended. I know right now, the President has new defenders.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Eddy, you have a point of order?

**Sen. Oketch Gicheru:** Yes, Madam Temporary Speaker. I understand where Sen. Methu is coming from, but the Standing Orders of this House are clear. At times you have ruled on that, but I know it makes more substance when a Senator raises it.

Standing Order No. 101 states-

(1) Neither the personal conduct of the President, nor the conduct of the Speaker or of any judge, nor the judicial conduct of any other person performing judicial functions, nor any conduct of the Head of State or Government or the representative in Kenya of any friendly country or the conduct of the holder of an office whose removal from such office is dependent upon a decision of the Senate shall be referred to adversely, except upon a specific substantive Motion of which at least three days' notice has been given.

Madam Temporary Speaker, the word I was looking for is 'adversely'. I find the Senator of Nyandarua being adverse because I am interested in what he is saying. I am interested when he says that the head of State has used millions of monies going to launch projects in his area which he has not used to launch projects in my area.

I would wish that he brings a substantive Motion to this effect because the MTDS is a very important part of conversation for us to manage debt. This debate about MTDS is not a debate on what the President is doing currently by launching projects. While that is a matter of interest for Sen. Methu, he is being so adverse in it that I am finding it juicy. I feel that he would execute it better when he brings a substantive Motion so that we can all participate.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Eddy, before we get to 6.30 p.m., I will be adding 10 more minutes to help us finalize this Motion and have the reply by Sen. Tabitha.

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**Sen. Oketch Gicheru:** Sen. Methu is trying to be adverse in his conversation. I do not have a problem with him pinpointing the projects that have been launched here and there. However, this needs a substantive discussion because it is not relevant to the debt management strategy. Most importantly, he mentioned numbers and projects that are being launched, not in my area, but I have an interest in that conversation.

Nevertheless, the Standing Orders require a substantive Motion. Therefore, I wish that you would rule him out of order until he brings a substantive Motion to this conversation. I thank you.

**The Temporary Speaker** (Sen. Veronica Maina): Let me dispense with this point of order first. Sen. Eddy already made a point of order. I will dispense with it first.

Sen. Methu, you have heard the issue raised by Sen. Eddy's point of order. I have guided you and given you direction on it. Do not proceed to that adverse mention of the person of the presidency until you bring a substantive Motion and give three days' notice. So that we do not waste time, I will give you a chance to finish your submissions and then we will proceed.

What is your point of order, Sen. Methu? Sorry, Senator Karungo Thang'wa. You look the same lately. You walk too closely. So, you really do look like real brothers.

**Sen. Thang'wa:** Madam Temporary Speaker, thank you for the opportunity. It will never cease to amaze me that the Senator of Migori is standing to defend President William Ruto on floor of this House.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Thang'wa, what is your point of order? Under which Standing Order---

**Sen. Thang'wa:** Madam Temporary Speaker, I rise pursuant to Standing Order No.105 on the responsibility of a statement of facts. It is sad, and I was hoping you could rule the Senator of Migori out of order.

*(Sen. Oketch Gicheru spoke off record)*

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Eddy, please maintain your silence. The Speaker is in charge. We will deal with it. Please maintain your silence, so that he can be heard. He is on his feet. Maintain your calm and cool.

**Sen. Thang'wa:** We are interfering with Sen. Methu's debates. The Standing Orders are clear. If there is an issue any Senator would want to be informed about or mentioned, there is a request for a statement. We cannot have the Senator of Migori asking the Senator of Nyandarua to tell him what the President is supposed to have done in Migori County. It is the prerogative or mandate of the Senator here to request a statement on the Floor of the House on programmes being launched by the President in other counties and not launching them in Migori County." However, do not defend the President here when Sen. Methu says that he has been launching programmes. Who is not seeing? They are not free.

Money is being used. People are being carjacked, and their bags are taken and stolen. Rule him out of order, so that we can give the Senator an opportunity because he is discussing the Medium-Term Strategy Paper. We must understand why the Government says there is no money yet there is so much misuse that we are telling our

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children we will give them *chapati*. We have finished all the development programmes. The only thing remaining is giving them *chapatis*.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Thang'wa, I do not know where you are driving us with that debate. Sen. Methu, I have not given you the floor, so resume your seat.

Sen. Thang'wa, the issue you are now raising is under Standing Order No.105. Nobody has requested facts. Sen. Eddy referred Senator Methu to Standing Order No.101 on the contents of the speech when the President's person is mentioned, an issue I had given guidance on. However, Sen. Methu still veered away from the speaker's directive.

So, once again, I want to rule your point of order out of order because it did not respond to the issues. I will allow Sen. Methu to proceed with his submissions, but should stick to the guidelines offered by the Speaker.

**Sen. Methu:** I do not know why Sen. Tabitha is eager to have me conclude.

Madam Temporary Speaker, what should not be in the content of my speech is the conduct of the President. The dictionary definition of "conduct" is; "a personal behaviour, way of acting, or bearing of a person." I have not discussed the personal behaviour of President William Ruto. I am only speaking about the office that he holds. So, that is quite different. As part of my argument---

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Methu, I guided you that that issue is dispensed with.

**Sen. Methu:** I am a well guided, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Veronica Maina): If you have any other issue beyond that, proceed so that your minutes can be spent.

**Sen. Methu:** I know why I am being disrupted, but I will still say what I want to say. We cannot keep saying that we borrow because we do not have enough. The reason we keep borrowing is because we, as a country, assume that we do not have enough.

Madam Temporary Speaker, now I am on the narrow path of not mentioning anybody. Tell me how a country which borrows money, because we do not have, can have a surplus to give students one million *chapatis* in a day? If you were to give it a price, for example, of Kshs20 per chapatti, that would make it Kshs20 million a day. In a week, if they were to go to school for five days, that would make it Kshs100 million a week. If they were to be there for a month, that would make it Kshs400 million. If you were to have them for a year, it would be Kshs1.2 billion. I do not know if that is correct.

If we have money for such, why are we borrowing? What justification do we have to continue borrowing when we are plundering the same resources? The people of Kenya would want to feel and see what the money is doing.

Borrowing is easy. However, the biggest burden is repayment which is placed on the people of Kenya. It is not President William Ruto or we in Government who repay the loans. The burden of repayment of our national debt is specifically on the shoulders of the people of Kenya. We should not spend money anyhow and expect the people of Kenya to continue clapping for us. The State is using millions of Shillings to mock its own citizens. A person in a village in Migori will see SUVs of the state going to launch one small project. I think we are mocking the people of Kenya. This is not what the people of Kenya expected from the leadership and regime that is ruling us now.

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Madam Temporary Speaker, I do not want to say more than that. I know what that consultation will lead to or how it will end up. Before I am rudely interrupted, let me stop there. Thank you.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you, Sen. Methu.

We have no further interventions from the Senators. So, I now request Sen. Tabitha Mutinda to reply. Sen. Methu, you have to stop confusing the whole House with your huge presence.

Proceed, Sen. Tabitha.

**Sen. Tabitha Mutinda:** Madam Temporary Speaker, I can see that we are behind time. I hope you will give me extra two minutes.

**The Temporary Speaker** (Sen. Veronica Maina): That is granted.

**Sen. Tabitha Mutinda:** Thank you, Madam Temporary Speaker.

I do not want to repeat myself. I appreciate all colleagues who have contributed to the MTDS that we embarked on as a committee. I thank my colleagues, starting with my Chairperson then my very good friend, Sen. Eddy, for the high commitment and the rest of my colleagues as well.

Madam Temporary Speaker, just to mention a few things. As a country, we sometimes go wrong by politicizing everything. The matter before us is very critical. Medium-Term Debt Management Strategy (MTDS) is a matter that every year as a House we prosecute. It is so sad at times when we do not see the bigger picture. These issues of debt are not personal, but are going to affect our future generations if we, as leaders, do not address them. It is our right to question expenditure. Let us tell each other the truth that one of our key responsibilities is oversight as MPs. The National Assembly overlooks the national Government and the Senate overlooks the counties.

Certainly, when we talk about these debts that are in place, it is our responsibility to get the audit reports, analyze them and give correct recommendations. Mwananchi has vested that mandate in us. The other time the President proposed a committee and due to politics was rejected. I am happy that the Ministry of Finance and National Planning has taken up and is ensuring that the Auditor-General can give both Houses of Parliament, a report on the level of debts, where we are with the debts on repayment and duration. Currently we are at 65 per cent debt of the PFM Act required mandate of 55 per cent of the GDP.

These are concerns that are all for us. It should not be deviated to individuals, then we lose the focus on how as a House, we should play our role. We should be focusing on ensuring that the Ministry of Finance and National Planning shows these Houses how it will ensure that it comes from 65 per cent to the 55 per cent which is within the PFM Act, as that is what is currently in law. As a House and a committee, we made recommendations, especially when it comes to the IFMIS. It should be a system that can ensure all debts such the pending bills are paid within the recommended time. We talked as a committee and said that by 31<sup>st</sup> May, 2025, any debt should automatically be paid using the Consolidated Fund, among many others.

Madam Temporary Speaker, because time does not allow, I thank all the stakeholders and the secretariat who have been able to support us.

With those many remarks, I beg to reply. Since we do not have the numbers, I request that you defer putting of the question to tomorrow as per Standing Order No.66 (3).

**The Temporary Speaker** (Sen. Veronica Maina): Thank you, hon. Senator. The putting of the Question is deferred to the next sitting of this House, which is tomorrow.

*(Putting of the question on the Motion deferred)*

### ADJOURNMENT

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, it is now 6. 43 p.m. and having concluded the business for which I extended the hours of sitting pursuant to Standing Order No.34(2A), the Senate stands adjourned until tomorrow, Thursday, 20<sup>th</sup> March, 2025 at 2.30 p.m.

The Senate rose at 6.43 p.m.