REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 8, 2025 AT 9:30 AM

1. The Senate assembled at thirty Minutes past Nine O'clock.

2. The proceedings were opened with Prayer said by the Speaker.

3. **QUORUM OF THE SENATE**

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

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

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

4. **COMMUNICATION FROM THE CHAIR - VISITING STUDENTS AND TEACHERS FROM ACK MODING PRIMARY SCHOOL IN BUSIA COUNTY**

The Speaker conveyed the following Communication from the Chair;

"Honourable Senators,

I would like to acknowledge the presence, in the Speaker's Gallery this morning, of a visiting students and teachers from ACK Moding Primary School in Teso North, Busia County. The group comprises forty-four (44) students and seven (7) teachers, who are undertaking an academic exposition.

On behalf of the Senate and on my own behalf, I extend a warm welcome to the them and wish them a fruitful visit.

I thank you."

5. **NOTICE OF MOTION – ADDRESSING SYSTEMIC CHALLENGES AT THE BUSIA AND MALABA BORDER POSTS TO ENHANCE KENYA'S COMPETITIVENESS AND REGIONAL INTEGRATION**

(The Senate Majority Leader)

THAT, AWARE that the existing policy frameworks, including the East Africa Community (EAC) Customs Management Act, the EAC Common Market Protocol, and Kenya's National Trade Policy, advocate for the simplification and harmonization of customs procedures and the elimination of non-tariff barriers;

NOTING that the Busia and Malaba border posts are critical gateways for regional trade, handling a significant portion of Kenya's commerce with Uganda and other East African Community partner states thus the efficient operation of border posts is critical for national revenue collection, trade facilitation, and the economic well-being of the public and more so residents of Busia;

FURTHER NOTING that various challenges continue to impede operations at these borders, particularly at Malaba border, such as severe congestion, inadequate human resource, inadequate infrastructure including narrow roads and insufficient cargo scanners, and delays in customs processing due to duplication of roles and multiple agency checks, thus increasing the cost of doing business, leading to spoiling of perishable goods, and undermining regional economic integration efforts;

CONCERNED that there are several stalled projects namely the underutilized Mundika and Malaba trailer parks, 200-acre undeveloped parcel of public land at Ngelechom amongst others thus exacerbating congestion and representing a significant waste of public resources;

FURTHER CONCERNED that these persistent challenges undermine the goals of the East African Community (EAC) Common Market Protocol by impeding the smooth flow of goods, creating an unlevel playing field for Kenyan businesses, and hindering regional economic integration, thereby resulting in loss of potential revenue, business opportunities, and economic vitality for Kenya;

COGNIZANT that urgent and decisive intervention is required to streamline operations, modernize infrastructure, and harmonize policies to restore Kenya's competitive edge and fully realize the benefits of the East African Community;

NOW THEREFORE, the Senate resolves that-

(i) the National Treasury; the Ministry of Trade, Industry and Cooperatives; and the Ministry of East African Community (EAC), the Arid and Semi- Arid Lands (ASALs) and Regional Development, in collaboration with the Kenya Revenue Authority (KRA) and the Kenya National Highways Authority (KeNHA), to develop and present a comprehensive action plan within 90 days to address the infrastructure and operational bottlenecks at the Busia and Malaba border posts;

(ii) KeNHA and the KRA, to fast-track the expansion of access roads, increase the number of functional cargo scanners, and establish dedicated clearance lanes for perishable goods and transit cargo to decongest the border points;

(iii) the Ministry of Trade, Industry and Cooperatives; and the Ministry of East African Community (EAC), the Arid and Semi-Arid Lands (ASALs) and Regional Development, to intensify bilateral and EAC-level engagements with the counterpart Ministry to ensure full harmonization and realization of the One Stop Border Post (OSBP) concept; and

(iv) the Ministry Roads and Transport and the Kenya National Highways Authority (KeNHA) to prioritize and fast-track the completion of the supporting road and rail infrastructure, such as the dualing of the highway from Malaba to the interior, to ensure that gains at the border are not lost to domestic logistical bottlenecks.

6. **MOTION – ADDRESSING SYSTEMIC CHALLENGES AT THE BUSIA-MALABA BORDER POSTS TO ENHANCE KENYA'S COMPETITIVENESS AND REGIONAL INTEGRATION**

Order read;

Motion made and Question proposed;

THAT, AWARE that the existing policy frameworks, including the East Africa Community (EAC) Customs Management Act, the EAC Common Market Protocol, and Kenya's National Trade Policy, advocate for the simplification and harmonization of customs procedures and the elimination of non-tariff barriers;

NOTING that the Busia and Malaba border posts are critical gateways for regional trade, handling a significant portion of Kenya's commerce with Uganda and other East African Community partner states thus the efficient operation of border posts is critical for national revenue collection, trade facilitation, and the economic well-being of the public and more so residents of Busia;

FURTHER NOTING that various challenges continue to impede operations at these borders, particularly at Malaba border, such as severe congestion, inadequate human resource, inadequate infrastructure including narrow roads and insufficient cargo scanners, and delays in customs processing due to duplication of roles and multiple agency checks, thus increasing the cost of doing business, leading to spoiling of perishable goods, and undermining regional economic integration efforts;

CONCERNED that there are several stalled projects namely the underutilized

Mundika and Malaba trailer parks, 200-acre undeveloped parcel of public land at Ngelechom amongst others thus exacerbating congestion and representing a significant waste of public resources;

FURTHER CONCERNED that these persistent challenges undermine the goals of the East African Community (EAC) Common Market Protocol by impeding the smooth flow of goods, creating an unlevel playing field for Kenyan businesses, and hindering regional economic integration, thereby resulting in loss of potential revenue, business opportunities, and economic vitality for Kenya;

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(Senate Majority Leader)

Debate arising;

And there being no more Senators wishing to contribute;

Mover replied;

Before the Question was put, and the Deputy Speaker having ascertained that there was a Quorum, pursuant to Standing Order No. 84 (1), the Deputy Speaker ruled that the Motion does not affect Counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, AWARE that the existing policy frameworks, including the East Africa Community (EAC) Customs Management Act, the EAC Common Market Protocol, and Kenya's National Trade Policy, advocate for the simplification and harmonization of customs procedures and the elimination of non-tariff barriers;

NOTING that the Busia and Malaba border posts are critical gateways for regional trade, handling a significant portion of Kenya's commerce with Uganda and other East African Community partner states thus the efficient operation of border posts is critical for national revenue collection, trade facilitation, and the economic well-being of the public and more so residents of Busia;

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The Speaker, for the convenience of the Senate pursuant to Standing Order 34 (2A), adjourned the Senate at fifteen minutes past One O'clock, without Question put.

7. **SENATE ROSE** – at fifteen minutes past one O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, October 8, 2025 at 2:30 pm

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