



**THIRTEENTH PARLIAMENT**  
**THE SENATE**  
**OFFICIAL REPORT**



**Fourth Session**

**Thursday, 4<sup>th</sup> December, 2025 at 2.30 p.m.**

# PARLIAMENT OF KENYA

## THE SENATE

### THE HANSARD

**Thursday, 4<sup>th</sup> December, 2025**

*The House met at the Senate Chamber,  
Parliament Buildings at 2.33 p.m.*

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

#### PRAYER

DETERMINATION OF QUORUM  
AT COMMENCEMENT OF SITTING

**The Deputy Speaker** (Sen. Kathuri): Clerk, do we have quorum?

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

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

*(The Quorum Bell was rung)*

Hon. Senators, we are now properly constituted.

*(Sen. Gataya Mo Fire and Sen. Seki walked into the Chamber)*

Sen. Mwenda Gataya and Sen. Seki, let us start the business.

*(Sen. Gataya Mo Fire and Sen. Seki sat in their places)*

Clerk, kindly read the first Order

#### MESSAGE FROM THE NATIONAL ASSEMBLY

PASSAGE, BY THE NATIONAL ASSEMBLY, OF THE ASSISTED REPRODUCTIVE  
TECHNOLOGY BILL, (NATIONAL ASSEMBLY BILL NO.61 OF 2022)

Hon. Senators, I have a Message from the National Assembly.

*(Several Senators walked into the Chamber)*

Senators at the aisle, you can get to your seats as fast as possible. Sen. Mundigi, kindly honour my magnanimity to allow you to sit.

*(Sen. Munyi Mundigi consulted loudly)*

Order, Sen. Mundigi!

*(Sen. Munyi Mundigi sat in his place)*

Hon. Senators, I wish to report to the Senate that pursuant to Standing Order No.46(3), I have received a Message from the Speaker of the National Assembly regarding the passage, by the National Assembly, of the Assisted Reproductive Technology Bill, (National Assembly Bill No.61 of 2022). The Message, dated Wednesday 3<sup>rd</sup> December, 2025, was received in the Office of the Clerk of the Senate on the same date.

Pursuant to Standing Order No.46(4), I now report the Message. Pursuant to the provisions of Standing Orders No.41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly.

WHEREAS the Assisted Reproductive Technology Bill, (National Assembly Bill No.61 of 2022), was published *via* the Kenya Gazette Supplement No.201 of 16<sup>th</sup> December, 2022 as a Bill proposing to provide for the regulation of assisted reproductive technology, to prohibit certain practices in connection with assisted reproductive technology to make provision in relation to children born of assisted to productive technology processes and for connected purposes;

AND WHEREAS the National Assembly considered the same Bill in the Committee of the Whole House on various dates and passed it with amendments on Tuesday 11<sup>th</sup> November, 2025 in the form attached here to;

NOW THEREFORE, in accordance with the provisions of Article 110(4) of the Constitution and Standing Orders No.41 and 142 of the National Assembly Standing Orders, I hereby refer the Bill to the Senate for consideration.

Hon. Senators, the Message was received with a request by the sponsor of the Bill in the National Assembly, Hon. Milly Odhiambo Mabona, MP, that Sen. Catherine Mumma, MP, co-sponsors and introduces the Bill in the Senate.

Standing Order No.163(1) requires that a Bill which originates in the National Assembly be proceeded with in the same manner as a Bill introduced in the Senate by way of First Reading in accordance with Standing Order No.144. Accordingly, I will at the appropriate time during this sitting, direct the Clerk to read the Assisted Reproductive Technology Bill, (National Assembly Bills No.61 of 2022), First Reading.

I thank you.

Next Order Clerk

## PAPERS LAID

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to lay the following Papers on the table of the Senate today, 4<sup>th</sup> December, 2025-

### FIRST QUARTER REPORT OF THE EQUALISATION FUND ADVISORY BOARD FOR FISCAL YEAR 2025/2026

Report of the Equalisation Fund Advisory Board on the 1<sup>st</sup> Quarter Report for fiscal year 2025/2026 on implementation of the Equalisation Fund.

### FINANCIAL STATEMENTS OF VARIOUS COUNTY ENTITIES

Report of the Auditor-General on financial statements of Lamu County Emergency Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Lamu County Climate Change Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Lamu County Bursary and Scholarship Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Lamu County Bursary and Scholarship Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Marsabit Municipality - County Government of Marsabit for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Marsabit County Referral Hospital - County Government of Marsabit for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Equalisation Fund - County Government of Garissa for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Garissa Level 5 Teaching and Referral Hospital - County Government of Garissa for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Equalisation Fund - County Government of Wajir for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Wajir County Referral Level 4 Hospital - County Government of Wajir for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kericho County Assembly Staff Car and Mortgage Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kericho County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kericho County Enterprise Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Nyandarua County Bursary Fund for the year ended 30<sup>th</sup> June, 2025.

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Report of the Auditor-General on financial statements of Nyandarua County Executive (State and Public Officers) Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Turkana County Executive State and Public Officers Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Turkana County Youth and Women Empowerment Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Turkana County Co-operative Enterprise Development Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Turkana County Climate Change Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Lodwar County Referral Hospital - County Government of Turkana for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Turkana County Youth and Women Empowerment Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Meru County Investment and Development Corporation for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Meru County Investment and Development Corporation for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Meru County Rural Water and Sanitation Service Company Limited for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Maua Municipality - County Government of Meru for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kanyakine Sub-County Hospital - County Government of Meru for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Embu County Climate Change Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Embu Level 5 Hospital - County Government of Embu for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Embu County Health Facility Improvement Fund - County Government of Embu for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Mbeere Sub-County Hospital - County Government of Embu for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Runyenjes Sub-County Hospital - County Government of Embu for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of West Pokot County Assembly Staff Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of West Pokot County Cooperative Development Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kapenguria Water and Sewerage Services Company Limited - County Government of West Pokot for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kapenguria County Referral Level 4 Hospital - County Government of West Pokot for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kisumu Lakefront Development Corporation - County Government of Kisumu for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements Central Rift Valley Water Works Development Agency - County Government of Nakuru for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Nolturesh Loitokitok Water and Sanitation Company Limited - County Government of Kajiado for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Makueni County State and Public Officers Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Trans Nzoia County Assembly (Members and Staff) Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kitui Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Murang'a County Climate Change Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Nandi County Facilities Improvement Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Vihiga County Executive Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Laikipia County Revenue Board for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Iten Tambach Municipality - County Government of Elgeyo Marakwet for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Chuka County Referral Hospital - County Government of Tharaka-Nithi for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Mumias Level 4 Hospital - County Government of Kakamega for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kibwezi Makindu Water and Sanitation Company Limited - County Government of Makueni for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Makueni County Sand Conservation and Utilization Authority - County Government of Makueni for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Loitokitok Sub-County Level 4 Hospital - County Government of Kajiado for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Mashuuru Level 4 Hospital - County Government of Kajiado for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Yatta Water Services Company Limited - County Government of Machakos for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Masinga Level 4 Hospital - County Government of Machakos for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Baringo County Education Bursary and Scholarship Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kilgoris Municipality - County Government of Narok for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Kitui County Climate Change Fund for the year ended 30<sup>th</sup> June, 2025.

Report of the Auditor-General on financial statements of Nakuru County Referral and Teaching Hospital - County Government of Nakuru for the year ended 30<sup>th</sup> June, 2025.

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

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

**The Deputy Speaker** (Sen. Kathuri): Thank you, Majority Leader.

*(Loud consultations)*

Hon. Senators, kindly consult in low tones. I could hardly hear what the Majority Leader was reading. Next is the Chairperson of the Mediation Committee on the Coffee Bill (Senate Bills No.10 of 2025).

**Sen. Munyi Mundigi:** Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today, 4<sup>th</sup> December, 2025-

MEDIATION COMMITTEE REPORT ON THE COFFEE  
BILL (SENATE BILLS NO.10 OF 2023)

Report of the Mediation Committee on the Coffee Bill (Senate Bills No. 10 of 2023).

*(Sen. Munyi Mundigi laid the document on the Table)*

**The Deputy Speaker** (Sen. Kathuri): Very well, next is the Chairperson of the Committee on National Cohesion, Equal Opportunity and Regional Integration. You have a Paper to lay, today, Sen. Chute.

**Sen. Chute:** Mr. Deputy Speaker, Sir, I beg to lay the following Paper on the table of the Senate today, 4<sup>th</sup> December, 2025-

REPORT OF KENYAN DELEGATION TO THE 6<sup>TH</sup> WORLD  
CONFERENCE OF SPEAKERS OF PARLIAMENT

Report of Kenyan Delegation to the 6<sup>th</sup> World Conference of Speakers of Parliament.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): You have another paper to lay.

**Sen. Chute:** I beg to lay the following Paper on the table of the Senate today, 4<sup>th</sup> December, 2025-

PROGRESS REPORT ON INQUIRY INTO THE EXTENT TO  
WHICH STATE AGENCIES REFLECT KENYA'S DIVERSITY

Further Progress Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on the inquiry into the extent to which state agencies reflect Kenya's diversity in the composition of their workforce.

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

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

Notices of Motion.

**The Deputy Speaker** (Sen. Kathuri): Chairperson, Mediation Committee, Sen. Mundigi.

**NOTICE OF MOTION**

ADOPTION OF REPORT OF THE MEDIATION COMMITTEE ON  
THE COFFEE BILL (SENATE BILLS NO.10 OF 2023)

**Sen. Munyi Mundigi:** Mr. Speaker, Sir, I beg to give notice of the following Motion-

THAT, the Senate adopts the Report of the Mediation Committee on the Coffee Bill (Senate Bills No.10 of 2023), laid on the table of the Senate on Thursday, 4<sup>th</sup> December, 2025, and that pursuant to Article 113(2) of the Constitution and Standing Order No.167(3) of the Senate, approves the mediated version of the Bill.

I beg to lay.

**The Deputy Speaker** (Sen. Kathuri): Very well.

Next Order.



## QUESTIONS AND STATEMENTS

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, we have several statements under Standing Order No.53(1). We will start with Sen. Hamida Kibwana.

### STATUS, ADMINISTRATION AND OPERATIONAL CHALLENGES FACING KADHI COURTS IN KENYA

**Sen. Kibwana:** Thank you, Mr. Deputy Speaker, Sir. I rise pursuant under Standing Order No.53(1) to seek a statement from the Standing Committee on Justice, Legal Affairs and Human Rights on a matter of national concern regarding the status, administration and operational challenges facing Kadhi courts across the country.

In the Statement, the Committee should address the following-

(1) The reasons the number of serving Kadhis has declined from 56 to 44 since the last recruitment in 2015 and whether there are plans to recruit additional Kadhis to address the existing shortage;

(2) The reasons behind the closure of more than 10 Kadhi courts, including in Kitale, Thika, Murang'a, Busia, Homa Bay, Migori and Faza and the measures in place to operationalise these courts;

(3) The steps the Judiciary is taking to address stagnation in the expansion of Kadhi courts, particularly in undeserved and Muslim majority regions;

(4) The status of infrastructural development for Kadhi courts and why many courts continue to operate from temporary or substandard premises not suited for judicial functions; and,

(5) Why the office of the Chief Kadhi does not have full administrative authority over the Kadhi's court system, including plans to review or restructure the framework to empower the Chief Kadhi to effectively oversee court operations.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): Next is a statement from the Senator for Migori County, Sen. Eddy Oketch.

That statement is dropped.

### DISAPPEARANCE OF KENYANS IN TANZANIA DURING AND AFTER THE OCTOBER, 2025 GENERAL ELECTIONS

*(Statement dropped)*

Next is Senator for Murang'a County, Sen. Joe Nyutu.

IMPLEMENTATION OF 2024 SENATE RESOLUTION ON  
PLIGHT OF ECDE TEACHERS IN MURANG'A COUNTY

**Sen. Joe Nyutu:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education on a matter of county-wide concern regarding the status of implementation of the Senate resolutions of 2024 on the plight of Early Childhood Development Education (ECDE) teachers, with the specific focus on Murang'a County.

In the Statement, the Committee should address the following-

(1) Whether the County Government of Murang'a has implemented the ECDE teacher scheme of service as recommended by the Senate;

(2) The number of ECDE teachers in Murang'a County absorbed on permanent and pensionable terms and how many remain on contractual casual engagement;

(3) The current salary scales and allowances for ECDE teachers in Murang'a County and whether they comply with the Salaries and Remuneration Commission (SRC) guidelines;

(4) The adequacy of budgetary allocations by the County Government of Murang'a for ECDE teachers' remuneration, professional development and welfare; and,

(5) Whether the individual teacher qualifications have been considered in determining placement, pay and wages and the framework guiding such determinations.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): Okay, next is the Senator for Tharaka-Nithi County, Sen. Mwenda Gataya Mo Fire, CBS, MP.

EXPLOITATION OF STRATEGIC MINERALS  
IN THARAKA-NITHI COUNTY

**Sen. Gataya Mo Fire:** Mr. Deputy Speaker, Sir, thank you very much. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and National Resources on a matter of countrywide concern regarding the exploitation of strategic minerals in Tharaka-Nithi County.

Mr. Deputy Speaker, Sir, on 9<sup>th</sup> October 2023, the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs declared 14 years as strategic. The declaration presents a unique opportunity for economic growth and development in Tharaka-Nithi County, which boosts the untapped deposit of three of the strategic minerals, namely copper, iron ore and lithium in areas like Maragwa, Marimanti and Kithiori.

In the Statement, the Committee should address the following-

(1) The projected timelines for commencement of exploitation of strategic minerals in Tharaka-Nithi County, including details on the budget allocation assigned for that purpose;

(2) Look at the framework in place to ensure that local communities benefit from such exploitation, including whether there are considerations to set up a mineral processing plant that creates employment opportunities for both locals and ensures that

mineral exploitation contributes to the socio-economic development of the country and its people;

(3) Explore the measures in place to mitigate the environmental impact of the mining activities in Tharaka-Nithi County; and,

(4) Look at whether there are any partnerships or investment commitments with local and international partners for the extraction of strategic minerals in Tharaka-Nithi County and whether there are plans to offer equity participation to miners from the local communities.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): Sen. Mo Fire, you cannot pronounce yourself as a holder of CBS and then direct me to recognise it.

**Sen. Gataya Mo Fire:** I did not direct you, Mr. Deputy Speaker, Sir. I only reminded the Chair.

**The Deputy Speaker** (Sen. Kathuri): Next is Senator for Marsabit County, Sen. Mohamed Chute, MP. According to my document here, you have no other title before the term MP.

Sen. Chute, you have four statements. You were very wise even when in primary and secondary school during closing day.

#### DELAYED DISBURSEMENT OF HUNGER SAFETY NET PROGRAMME FUNDS IN MARSABIT COUNTY

**Sen. Chute:** Thank you, Mr. Deputy Speaker, Sir. It is true, I have four statements.

I rise, pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Labour and Social Welfare on a matter of country-wide concern regarding the delayed disbursement of Hunger Safety Net Programme (HSNP) funds in Marsabit County.

Mr. Deputy Speaker, Sir, the hunger safety network programme was initiated by the Government as a flagging social protection intervention to cushion vulnerable households in arid and semi-arid counties, including Marsabit. This is against chronic food insecurity through a predictable cash transfer for close to a year. However, households in Marsabit County have not received their scheduled HSNP payments and this prolonged interruption undermines the programme's core objective and erodes the state's constitutional obligation to safeguard the welfare and dignity of its citizens.

In the Statement, the Committee should address the following-

(1) The reason for the nearly year-long delay in the disbursement of administrative, logistical or financial constraints;

(2) A detailed account of arrears owed to beneficiaries, specifying the number of missed payment cycles and total amount outstanding and the projected timelines for clearing these payments;

(3) The corrective measures and safeguards being instituted to ensure the timely and uninterrupted disbursement of the funds, particularly considering the geographical and socio-economic vulnerabilities unique to our County of Marsabit; and,

(4) The accountability mechanism in place to prevent similar lapses in the future, including monitoring, reporting and oversight responsibility by the Ministry and the implementing agencies.

Mr. Deputy Speaker, Sir, allow me to go to my second statement.

IMPLEMENTATION STATUS OF WATER STORAGE  
TANKS PROJECT IN MARSABIT COUNTY

**Sen. Chute:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee Land, Environment and Natural Resources on a matter of countywide concern regarding the implementation status of water storage tanks undertaken across all wards in Marsabit County under the approved budget for Financial Year (FY) 2023/2024.

The water storage tanks project was initiated to enhance access to safe and reliable water across Marsabit County, particularly in arid and semi-arid areas where households face chronic water scarcity. Despite budgetary allocation and procurement commitments, concerns have arisen regarding the distribution of water tanks and overall accountability in the project. The situation undermines the project's core objectives of improving the water situation in the county.

In the Statement, the Committee should address the following-

(1) Reasons for delay in the implementation of the water storage tanks project across our County of Marsabit, including whether challenges arose from budgeting, procurement, transportation or distribution process and how these factors collectively affected delivery to intended beneficiaries with a specific account of the 5,000-litre tanks allocated to a place called Losikiriachi in Loiyangalani Ward;

(2) A breakdown of the total number of tanks budgeted, procured, delivered and distributed in each ward, confirming the criteria used to identify beneficiaries and whether all intended households received the allocation;

(3) The unit cost of various tank sizes supplied, whether transportation and delivery were factored in and the extent of compliance with statutory procurement procedures, transparency obligations and due process requirement; and,

(4) The accountability mechanism in place, including certified contractual and financial documents such as awards, contracts with Bills of Quantities (BQs), acceptance letters, Local Purchase Orders (LPOs), Local Service Orders (LSOs), delivery notes, invoices, payment vouchers and other supporting records necessary to confirm transparency and responsibility.

Mr. Deputy Speaker, Sir, allow me to go to my third Statement.

RAID IN ISIOLO TOWN AND LOSS OF LIVESTOCK  
BELONGING TO MARSABIT COUNTY TRADERS

**Sen. Chute:** Mr. Deputy 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 on a matter of countywide concern regarding a raid in Isiolo Town on 15<sup>th</sup> November, 2025.

The raid which occurred in Isiolo Town at Beria Area opposite Isiolo County Referral Hospital resulted in theft of 130 head of cattle belonging to traders from Marsabit County. That incident has caused grave concerns among the affected traders namely, Abdi Tuse, Guyo Galgalo, Calcano Guyo, Tari Kuna and Dokata Elema. The incident raises serious questions about the adequacy of security measures in livestock markets and transit corridors as well as protection of livelihoods in the region.

In the Statement, the Committee should address the following-

(1) Whether the security situation in Beria area was adequately managed on the night of 14<sup>th</sup> November, 2025 and provide a detailed account of the events that transpired, including responses by security agencies;

(2) Whether investigations have been launched regarding the raid, the agencies involved, the progress made so far and whether any suspect has been apprehended;

(3) Measures being undertaken to recover the stolen 130 head of cattle and any immediate assistance or redress mechanism available to the affected traders; and,

(4) Whether the Ministry or relevant security organs have put in place steps to enhance security in Isiolo and Marsabit towns, particularly around livestock markets and transit corridors to prevent future attacks on traders.

Mr. Deputy Speaker, Sir, I have the final Statement for today.

#### STALLED AFFORDABLE HOUSING PROJECT IN NGARA, NAIROBI CITY COUNTY

**Sen. Chute:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transportation and Housing on a matter of countywide concern regarding the stalled Affordable Housing Project (AHP) located along Park Road in Ngara, Nairobi City County, with specific focus on the role, commitments and oversight responsibility of the Nairobi City County Government.

The AHP along Park Road in Ngara was launched in 2019 under the Nairobi City County Government and awarded to Jabavu Village Limited (JVL) with Chinese contractors was intended to deliver 1,500 units. Some units were purchased by Taqwa Savings and Credit Cooperative Organisation (SACCO) and individual buyers, but the location to the county government remains unclear. Despite multiple promises and completion dates being 2022, 2023 and October, 2025, the projects remained stalled, raising concerns about due diligence, contractual management, oversight and protection of public interest.

In the Statement, the Committee should address the following-

(1) The agreement between the county government and JVL, including project scope, obligations, land ownership, title deeds status and whether the land was used as collateral for any loan related to this project;

(2) Whether the county government was allocated any units, the number of such units, legal basis for allocation and criteria for distribution and the extent to which it has performed its oversight role;

(3) The reason for prolonged stalling of the project, including administrative lapses, failures of supervision, contractual non-compliance or gaps in coordination between the county government and the developer, stating whether penalties or safeguards were put into the agreement in the event of delays and whether any of these measures has been enforced; and,

(4) The action taken or proposed by the Nairobi City County Government to resolve the situation, including reviewing, enforcing, renegotiating or terminating the contract with a credible time-bound plan for completion and handover to the purchasers and beneficiaries.

Thank you so much, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Fair enough, Sen. Chute. Next is the Senator for Busia County.

COMPLIANCE OF RIARA UNIVERSITY WITH THE UNIVERSITIES ACT  
AND UNIVERSITY STANDARDS AND GUIDELINES

**Sen. Okiya Omtatah:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education on a matter of national concern regarding the compliance of Riara University with the Universities Act and the university standards and guidelines set by the Commission for University Education (CUE). In the Statement, the Committee should address the following-

(1) The findings of the latest evaluation of Riara University undertaken by the CUE pursuant to Section 5H and I of the Universities Act, including whether the University's governance structures align with the University's charter and whether the university is compliant with the Universities Act and the university's standards and guidelines with respect to qualifications of existing academic staff and overall staffing levels;

(2) Whether the extensions of the tenure of the current Chairperson of Council and the Vice-Chancellor of the University were done in accordance with the university's charter; and,

(3) Whether the University's academic staff recruitment and retention policy conforms to the CUE standards;

(4) The number of university staff whose contracts have been terminated since March, 2025, including whether due process was followed in each case.

I thank you, Mr. Deputy Speaker, Sir. I have a second statement.

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

ONGOING LAND DISPUTE AND IRREGULAR SURVEY ACTIVITIES IN  
ANGATA BARIKOI, KILGORIS, NAROK COUNTY

**Sen. Okiya Omtatah:** My second Statement is with regard to the ongoing land dispute in Angata Barikoi, Kilgoris in Narok County.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of county-wide concern regarding the ongoing land dispute and irregular survey activities involving a 6,300-acre parcel of land on which a long-established community resides in Angata Barikoi, Kilgoris, Narok County.

For decades, the residents of Angata Barikoi have relied on their land for livelihood, yet recent administrative actions, including land surveys, boundary demarcation and fencing have been undertaken without proper consultation, notice or participation and enforced through heavy security deployment that has disrupted farming and grazing. These actions raise serious concerns over compliance with Articles 10, 40, 47, 60 and 63 of the Constitution as well as the Land Act and the Community Land Act which demand transparency, public participation, fair administrative action and respect for the customary land rights.

In the Statement, the Committee should address the following-

(1) The legal basis for the demarcation, survey and fencing activities conducted on the said land;

(2) The identities and claims of individuals or entities asserting ownership of the 6,300-acre parcel, including the status of any titles or adjudication processes;

(3) The justification for the heavy security presence on the community land and whether such a deployment was sanctioned by the Ministry of Interior and National Administration;

(4) The extent of community consultation undertaken prior to the commencement of survey and demarcation activities;

(5) The roadmap for resolving the disputes in line with the Constitutional---

**The Deputy Speaker** (Sen. Kathuri): Are you done? Proceed and conclude.

**Sen. Okiya Omtatah:** The roadmap for resolving the disputes in line with the constitutional and statutory requirements ensuring community participation and the protection of human rights.

I thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Okay, thank you. Let us first have the Statement under Standing Order No.57(1) by the Senate Majority Leader and then we can take a few comments.

Senate Majority Leader?

*(Sen. Methu spoke to Sen. Cheruiyot)*

Order, Sen. Methu. What is exciting that you have made the Majority Leader today excited?

**The Senate Majority Leader** (Sen. Cheruiyot): No, I was talking to him about the importance of Wamuthende.

*(Laughter)*

## STATUS OF BUSINESS BEFORE THE SENATE

Mr. Deputy Speaker, Sir, I rise to give this Statement pursuant to Standing Order No.57(1) to present the status of business before the Senate. As you are aware, today is the last day of our sitting in accordance with the calendar for the Fourth Session. As we look forward to the coming recess, it is important that we reflect on our achievements as a House.

To this end, a total of 140 Bills have so far been published. Out of these, 12 have been enacted into law and one Bill was referred back by His Excellency the President for reconsideration. Twenty-nine Bills have been referred and passed to the National Assembly, but have not yet been concluded. Two Bills were referred back from the National Assembly with amendments and one Bill was defeated at the mediation level.

Mr. Deputy Speaker, Sir, 45 Bills are pending conclusion in the Senate. Thirteen of those Bills are undergoing concurrence. Nineteen were denied concurrence pursuant to Article 110 and three Bills were negatived while nine Bills were withdrawn by the respective sponsors. From the foregoing, the Senate still has a long way on concluding its legislative agenda. I urge that we redouble our efforts in the Fifth Session.

Members of the public continue to exercise their right under Article 37 and 119 of the Constitution by petitioning the Senate to consider matters within our authority. So far, a total of 75 petitions have been submitted, out of which 55 have been concluded and the resolutions therein transmitted to the respective implementing agencies. I commend the Standing Committees that have concluded and tabled reports on petitions, particularly the Standing Committee on Land, Environment and Natural Resources, for making significant strides in this respect.

With regards to Motions, 133 Motions have been filed, out of which 102 have been adopted while 24 are pending conclusion. However, hon. Senators will note that all pending Motions will lapse at the close of this session. Respective sponsors who wish to pursue the Motions will be required to file them afresh in the Fifth Session, next year.

With respect to Statements, Mr. Deputy Speaker, Sir, a total of 1,468 have been sought from respective Standing Committees, pursuant to Standing Order No.53(1), out of this, 1,026 have been concluded. I urge respective Standing Committees to use the coming recess to conclude the remaining Statements and make the reports thereon available to the respective Senators. Seventeen Statements have been made under Standing Order No.52(1) on various matters.

Senators continue to file questions on diverse issues affecting their constituents and the country at large. However, it is on record that the Senate is dissatisfied with the conduct of a number of Cabinet Secretaries for failure to honor invitations to respond to questions. This is a matter that I undertake to address with the Executive during the soon-to-be-announced Executive plus the Legislature retreat because it is important that Cabinet Secretaries know that they are accountable to the people's representatives and we do not take it lightly when they fail to come.

Mr. Deputy Speaker, Sir, we have tried, to be honest. I do not want to whine. I know that in this last part of the Fourth Session, almost 80 percent, if I am not wrong by my own calculation, all the Cabinet Secretaries that were supposed to come ended up



showing up, but we still have problems. People were writing letters a day or two before their appearance and sometimes for very flimsy reasons. We must still continue to be vigilant on this matter.

Additionally, the matter of follow-up on undertakings made by Cabinet Secretaries when responding to questions is vital in ensuring the implementation of these undertakings. To this end, I implore the Chairpersons of the various Standing Committees to ensure regular engagements with the Cabinet Secretary to ensure the implementation of such commitments pursuant to Standing Order No.52.

The Chairpersons are the face of the House before the Executive. They are the people we expect to follow up any commitment made by Cabinet Secretaries when they appear before this House. It is my hope that Chairpersons shall continue to do that so that this House can effectively dispense its mandate.

Mr. Deputy Speaker, Sir, I also bring to the attention of the House that we are in the final stages of signing the legislative policy agreement between the Executive and the Legislature on all these issues of operation and procedure so that they have a manual to follow. We should see how soon should they respond, so that it does not have to depend on the goodwill of myself, as a Majority Leader or the proximity to a Cabinet Secretary because of region, party or all these things. They should know that they are just dealing professionally with us as a House.

A total of 130 questions have been filed and out of these, 93 have so far been responded by the various Cabinet Secretaries. Two questions have been withdrawn, four questions were dropped, while 31 are pending reply by the various Cabinet Secretaries. It is important to note that just like Motions, Questions that have not been responded to will lapse at the end of this session.

Mr. Deputy Speaker, Sir, as the Chairperson of the Senate Liaison Committee you know this. Despite the fact that we may not be physically sitting as a House until mid-February, somewhere around mid-January, we normally open up for committees to begin transacting their various business with the permission of the Speaker, of course. When we do that, we will notify the House, so that if there are statements that people wish to seek, they can begin to file them as soon as the week we resume. I am sure you will guide us on that particular matter.

A hallmark of this session was the approval of the fourth basis of revenue allocation among county governments. It is difficult to imagine that it actually passed with very little drama, unlike the previous times. This is a critical finance instrument designed to distribute equitable share of national funds to counties in a fair, evidence-based and development-orientated manner.

More importantly, this formula will guide the county allocations for the next five years. Those that God will favour an opportunity to be in this House and do the fifth formula, we will continue to do that particular duty just like the fourth generational formula was agreed upon.

As we come to the conclusion of the Fourth Session, I would like to express my gratitude and by extension, that of the Senate Leadership to all the Hon. Senators for their unwavering dedication and commitment to serve the people of Kenya. This session has

been filled with robust debates, diligent committee work and the passage of crucial legislation that will shape our nation's future.

As we embark on a well-deserved break, let us remember that our responsibility as representatives of the people extends far beyond the walls of this chamber. As we embark on recess, take time to reconnect with your constituents, listen to their concerns and aspirations. It is through genuine engagement with the people that we represent that we will ensure our legislative decisions truly reflect their aspirations.

Mr. Deputy Speaker, Sir, one time when we were doing the Fourth Generation Formula and had this conversation, I undertook to collaborate with the Parliamentary Budget Office (PBO) to guide us in developing a scientific tool for measuring performance of our county governments. This was so that we do not have to wait on crooks such as the one that we see around this town, who occasionally issues statements, saying that a certain governor is the best, based on nothing.

I report to the House that we have concluded that exercise. I shall soon be writing to the Office of the Speaker requesting for permission and a date where we will present it before the Senators first. The Senators will then interact with them, see the performance of their county governments based on weighted indices and table the performance of their respective executives before their various county assemblies.

It is a formula that is informed by science and not political witch-hunt, so that county governments can know whether they are meeting their obligations. Subsequently, once the House has approved of that particular decision, we will share the same with members of the public.

Mr. Deputy Speaker, Sir, finally, as this may be the last time we see each other in this Session, I take this opportunity to wish you and, indeed, all the Hon. Senators, a happy Jamhuri Day, a Merry Christmas and a prosperous New Year 2026.

I thank you and lay this statement on the table of the Senate.

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

**The Deputy Speaker** (Sen. Kathuri): Thank you, Senate Majority Leader.

Hon. Senators. I have this message to convey to the County Assembly of Nyamira.

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

Senators, for the next 29 minutes, let us have Senators taking three minutes to make comments on the statements.

We will start with Sen. Okenyuri Esther Anyieni.

**Sen. Okenyuri:** Thank you, Mr. Deputy Speaker, Sir. I wish to support the Statement by Sen. Joe Nyutu by quickly mentioning that the plight of ECDE teachers is not just in Murang'a County, it is a challenge affecting most of our counties. What I do not understand is why we have not solved this issue once and for all.

When I went back to check on the available information, I found that the last Senate conducted a serious engagement with all the 47 governors and a report was tabled

in this House in March, 2022. Equally, on Sen. Nyutu's statement, I see that there was a Senate's resolution in 2024 and in 2025. We are still trying to address this through a statement.

I think we need to do something different because it looks like this issue keeps recurring without a permanent solution for it. ECDE teachers handle a very crucial aspect of children's development. Recently, I was looking at a research that shows that most of our children in school are just schooling, not learning. That should concern us leaders because, if keen interest is not being taken on the fundamental education of our children, we will then see the effects on how they comprehend issues and other very key aspects when they eventually transit to institutions of higher learning.

Mr. Deputy Speaker, Sir, I wish the Standing Committee on Education takes this seriously. They should go down into finding the recommendations of Dr. Milgo's Education Committee of 2022 and combine them with the Senate's resolutions 2024, so that we sort out this issue once and for all.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey Samson, proceed--- Wait, let us have Sen. Osotsi first then you will come next.

**Sen. Osotsi:** Thank you, Mr. Deputy Speaker, Sir. I wish to comment on two statements; the statement by Sen. Nyutu and the statement by the Senator from Busia County, Sen. Omtatah.

Let me start with the statement on the issue of ECDE teachers. Just like my colleague, Sen. Okenyuri has said, there are so many reports that this House has done regarding the plight of ECDE teachers. The plight is not just in the counties mentioned, but in many other counties, including my county, where to be an ECDE teacher is one of the quickest ways to die. These people are undergoing a lot of difficulties in terms of their remuneration and welfare. They even went to court and got orders on what needs to be done, so that they are treated well. In my own county, I am having this problem and I want to thank this House. When we added small counties more money, my County Government of Vihiga decided to put it into the education sector. However, the benefits have not percolated to ECDE teachers.

I would like to see a situation where ECDE teachers are paid well and also given their gratuity when they retire. So, this is a very serious statement. My concern is that we pass resolutions in this House, make recommendations, but those recommendations go unimplemented. I know this discussion has been here before, but there is need to have an implementation committee; a committee whose responsibility is to follow up on the implementation of resolutions that are made in this House.

We have been saying that committees should do it internally. However, sometimes, committees get overwhelmed. I think we need another committee that is going to look into all implementation issues in all the committees, so that we are able to keep an eye on all the recommendations that we give in this House. In fact, this Parliament, under the Parliamentary Service Commission (PSC), we need to have a monitoring and evaluation department whose role is to specifically ensure they monitor the implementation of the resolutions and all the laws that we pass in this House.

Other jurisdictions like India have a legislation on implementation of government assurances. We should begin to see that we have a Parliament that bites. Right now, we pass resolutions, we make recommendations and people do not bother. Cabinet Secretaries come to this House, they make assurances, but nothing happens.

You directed the Cabinet Secretary for Labour and Social Protection to deal with the matter of Vihiga regarding a girl who had been killed in Saudi Arabia. The Cabinet Secretary said that he would come back with a response in one week. It is now the end of the year and the Cabinet Secretary has not done anything. He has not even written a text message to me.

So, let us have an arrangement where people take this House seriously. One step is to consider the idea of having an implementation committee. This Parliament must have a proper department that is going to look into the issues of implementation of recommendations that we produce in these two Houses.

Mr. Deputy Speaker, Sir, on the statement by the Senator for Busia County on the issue of Riara University, this is very important. I would wish that the committee goes beyond just Riara University. We should look at all the universities in this country. We seem to have dropped our guard---

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey Samson, please proceed.

Kindly, Clerk, three minutes.

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, let me just quickly utilise my three minutes. One is to support Sen. Mohamed Chute on this statement. It is so sad that there are Kenyans and animals dying in northern Kenya because of hunger.

*(Technical hitch)*

**Sen. Cherarkey:** Let me repeat. It is embarrassing and shameful that 63 years down the line after Independence, our people in northern Kenya and livestock are still dying due to lack of food. Where I come from, we have abundant harvest in the North Rift. It is very shameful. I want to call out the governors of these regions; Marsabit, Mandera and Wajir. They have failed to manage the situation, yet under the budget lines, they allocate money for issues such as drought and other disaster issues.

I am embarrassed today. I was watching a live paid advert by Marsabit County Government of a cultural celebration, yet people are dying out of hunger. It is so shameful and embarrassing. They should have suspended that cultural event until this issue of hunger is resolved in northern Kenya. It is embarrassing that people are indulging in luxury, food and ceremonies, while there are Kenyans who are suffering.

That County Government of Marsabit must be called out, including its leadership led by the Governor. I want to appeal to the Government of the Republic of Kenya through the well-wishers and Kenyans for Kenyans to declare drought a national disaster in this country, so that we protect Kenyans in the northern region. They have been left to the dogs by their governors. They are buying property in Malindi and here in Eastleigh. From Wajir, Garissa, Mandera, Marsabit, they are buying high-end properties in this town and in Malindi, while their people are scavenging for food. They must be called out.

Secondly, on Angata Barakoi, I have a similar situation where my people were killed. They are almost three now. People are being harassed in Kimwani area over disputed land just like the case in Angata Barakoi. Why do Kenyans have to die? I want to ask people who are grabbing this land, you only need six by six to be buried, where will you take this land? The Bible has promised us the promised land. This is very unfortunate. They must be called out.

On this issue of Angata Barakoi, Kimwani land dispute, my people are living in dire straits. They are suffering. They are being arrested at Songhor/Soba, taken to Kapsabet Directorate of Criminal Investigations Officer (DCIO) for demanding for their right to occupy Kimwani, which belongs to them. I want to warn those grabbers that their time is up. We shall pronounce and even curse them as per our Nandi customs and culture. I promise that they will be--- We cannot allow the land---

*(The amber light was switched on)*

Just 30 seconds. We cannot allow that on the land that we fought for, through sweat and blood for 63 year. The *wazungus* killed us for it. Now the black *wazungus* are killing us for it. This must stop. Chairperson of the Committee on Land, Environment and Natural Resources, the ball is in your court and I know you---

**The Deputy Speaker** (Sen. Kathuri): Yes, what is your point of order, Sen. Faki?

**Sen. Faki:** Mr. Deputy Speaker, Sir, I heard the distinguished Senator for Nandi asking whether I have balls. I want to confirm to him that I have balls, serious balls, for that matter. So, he should never question whether I have balls or not. I always have my balls with me.

*(Sen. Cherarkey spoke off record)*

**Sen. Faki:** They are still balls and they work very well. That is why my son was admitted before you.

*(Laughter)*

**The Deputy Speaker** (Sen. Kathuri): Sen. Faki, I am not sure whether there is a match you are going to play that you need as many balls. I know you play football. Which other game do you play?

**Sen. Faki:** I am a footballer. Sen. Methu and the Majority Leader can confirm this. I was telling Sen. Cherarkey that to prove that I have balls, I had a son who was admitted as an Advocate of the High Court of Kenya before him.

**The Deputy Speaker** (Sen. Kathuri): Does he play football or rugby or netball?

**Sen. Faki:** My son plays football also.

**The Deputy Speaker** (Sen. Kathuri): Okay, thank you. Sen. Boni Khalwale, please proceed.

**Sen. (Dr) Khalwale:** Mr. Deputy Speaker, Sir, I rise to ride on the statement by Sen. Chute in respect of the 130 head of cattle that disappeared in Isiolo. This is a

statement that speaks to the role of the police. The police in Kenya seem to be serving private individuals, like the crooks who took these 130 head of cattle as if the matter is supposed to be countrywide. Today, the police have come to Ikolomani, Isulu, Bushiangala, Musali village and attacked the community because the community does not want foreigners to walk away with the gold in Ikolomani.

Mr. Deputy Speaker, Sir, I condemn this because it has resulted this morning in the loss of eight lives; seven young people and one police officer. Musali Secondary School has been razed down. The country should ask itself, who is pushing the private interest of a private investor called Shanta Gold Mining Company Limited? How could Shanta Gold be accorded all this special treatment by the National Environmental Management Authority (NEMA), a government organisation? Yesterday, the County Government of Kakamega, the Governor, convened a meeting for Shanta Gold, so as to prepare their entry today in Ikolomani.

Thirdly, the Cabinet Secretary for Interior and National Administration allowed police officers to go in the villages in Ikolomani and kill people. People are dead. I want to tell people that if it is right for the natural resource called Amboseli National Park to be given to the local people of Kajiado, then the natural resource called gold in Ikolomani should be given to the people of Ikolomani and Kakamega.

(Applause)

Mr. Deputy Speaker, Sir, the place we are talking about, where---

**The Deputy Speaker** (Sen. Kathuri): Do you wish to be informed by Sen. Osotsi?

**Sen. (Dr.) Khalwale:** Yes, you can inform me so long as I keep my time.

**Sen. Osotsi:** Mr. Deputy Speaker, Sir, I just want to add on what Sen. Khalwale is saying, that this company called Shanta Gold, it is not just creating havoc in Kakamega, it is also creating havoc in Vihiga, the boundary between Vihiga and Siaya.

People are not sleeping in their homes because they are being harassed by police, courtesy of Shanta Gold. Something has to be done about this foreign company that is being supported by the Government to intimidate our people.

**The Deputy Speaker** (Sen. Kathuri): So what have you informed him? What are you informing him?

**Sen. Osotsi:** I have informed him it is not just Kakamega, but also Vihiga.

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, do not take that opportunity for informing just to start debating or contributing to a statement. If you want to make a comment on that statement, I can give you that opportunity. So stop interrupting Sen. (Dr.) Khalwale, so that he can conclude.

**Sen. (Dr.) Khalwale:** Thank you, Mr. Deputy Speaker, Sir, for protecting me. I can only allow Sen. Cherarkey to inform me if he is going to use the opportunity to tell us who in Government is responsible, because he is in deep state.

The loss of lives! The people of Ikolomani! We voted for this Government. I led the community to vote for the Government, and they come to Ikolomani to kill our people? I refuse, and I tell you, nobody will intimidate me. You cannot defeat the people

of Ikolomani in defending their national resource. Kshs687 billion is far too much money for us to allow tomcats from Nairobi supporting foreigners to take over. We will not cave in.

**Sen. Wakili Sigei:** Mr. Deputy Speaker, Sir, I wanted to comment on the statement by Sen. Nyutu regarding the plight of ECDE teachers from Murang'a County.

*(Loud consultations)*

Mr. Deputy Speaker, Sir, please protect me from Sen. (Dr.) Khalwale and the team loudly consulting?

**The Deputy Speaker** (Sen. Kathuri): The issue is with the Majority Whip and Sen. Mundigi. They are close to you.

**Sen. Wakili Sigei:** The plight of ECDE teachers is not only confined to the County of Murang'a, where Sen. Nyutu highlighted specific areas and concerns. It is a fact that this House, though the Committee on Education has had a number of sessions with various county government representatives on the issue about the welfare, salaries, terms of service and general condition of ECDE centres in Kenya.

Several policy recommendations have been made by the Salaries and Remuneration Commission (SRC) and certain positions agreed between the Council of Governors (CoG) as well as the representatives of ECDE teachers, but very few counties, if any, have implemented those recommendations, including the salary increment.

I am aware that in the County Government of Bomet, a good number of teachers who are basically the ones setting the foundation of our education system, have never enjoyed the benefits of those policies. They also have never received their salaries on a regular basis as required. The infrastructure where they are working, the classrooms, equipment, materials, as well as the basics for purposes of training those children in the schools, have never been met.

Despite the resolutions that we have made in this House, we have not been able to achieve the position that we would have desired to support those young Kenyans who, we all say, are the future leaders of this country. If they do not get the proper basic education, they will definitely not be able to progress.

I urge the committee that will be dealing with this statement to ensure that they do not confine their inquiry and recommendations to the particular county. They should cut across to ensure that the rest of the counties have an opportunity to also get the statement and deal with the challenges they could be having.

Mr. Deputy Speaker, Sir, secondly, is regards the statement by Sen. Okiya Omtatah. Land disputes in this country is the biggest problem. The fights that we have do not also confine to one area. It is a fact that all matters land are very emotive. The Committee on Land, Environment and Natural Resources that will be expected to deal with the matter of Ang'ata Barikoi will not be expected to conclude on the matters across the country. It is one of the many.

There is a proposal that we are dealing with right now, as the Committee on Justice and Legal Affairs and Human Rights, on the timelines with which courts are expected to deal with land disputes.

*(Sen. Wakili Sigei was timed out)*

**Sen. Methu:** Thank you, Mr. Deputy Speaker, Sir, for this opportunity to contribute and give my comments on the statements that have been sought by my colleagues. I want to give my comments on the statement that has been sought by the Senator for Murang'a, Joe Joseph Ngugi Nyutu.

Mr. Deputy Speaker, Sir, you may not have got the memo that I am no longer a member of your Committee, the Liaison. I am now a member of the Education committee. This Statement has been sought in a Committee that I sit in.

I want to congratulate Sen. Wakoli, who is the new Whip. This politics goes all around like a wheel. It is a full cycle. This is because the person who moved the Motion to remove me from the committee that I was serving as chairperson was Sen. (Dr.) Khalwale and now he has been removed. This thing is just a full cycle. Everybody will get their time, and will be removed at the appropriate time. Just do what you can when you have the opportunity. When the grain is against, it is very brutal. That brutality has caught up with some of us and it will continue catching up with the people who continue serving here.

The Chairperson of the Committee on Education is here. I have had a very good time serving as a member. You know, the Leader of Majority was mocking me that they pushed me to the Committee on Education because it deals mostly with issues to do with the ECDE and I have young children.

I want to confirm to him that I have enjoyed. I have had a very good time serving as a member of this Committee. That de-whipping would even be more painful than the de-whipping that happened when I was leaving the chairmanship of the committee I was chairing.

I have heard the Senator for Vihiga County complain that sometimes committees are overwhelmed and they are not able to follow up on the implementation of reports that have been laid on this table. Even though this is tailored for Murang'a County, I must inform you that out of the 47 governors, about 24 governors have appeared before our committee to give a status update of how far they have gone in terms of the implementation of this resolution that was made by the Senate, in terms of absorption of ECDE teachers and implementation of their schemes of service.

So, therefore, it is my considered opinion that the Standing Committee on Education will go and---

**The Deputy Speaker** (Sen. Kathuri): Sen. Methu, you spent almost two minutes on your comment, and then you had no time to address the substantive issue you wanted to raise.

Hon. Senators, we have just four minutes to the close of Statement Hour. Maybe we can share these few minutes with Sen. Mungatana.

**Sen. Mungatana, MGH:** Thank you, Mr. Deputy Speaker, Sir. There is a very important point that was raised by the Senate Majority Leader in his statement. The cooperation between the Legislature and the Executive has never been institutionalised.



To hear that now there is, in fact, a plan so that a manual is being developed between the Executive and the Legislative bodies, this is a wonderful thing.

Many years ago, when I was first elected, there was a great gentleman called Norman Nyagah, who was a whip, and he used to attend Cabinet. There was some form of relationship between the Executive and the Parliamentary Service. In fact, in those days, the Leader of Government business was none other than the Vice-President and there was some form of good cooperation, but then somewhere along the line, things went south. The Majority Leader from the National Assembly and the Senate have taken over and somehow things have not been the way they should be.

The whip in the UK Parliament sits in Cabinet. Is it that important? So, if this manual is developed, we expect better cooperation between our Cabinet Secretaries and us. When we ask them questions, when we want answers, when we want them to be accountable, they should be here and on time. When we want them to be accountable within our committees, they are there, on time and they do not let us down, so that we can function effectively.

Finally, I wanted to comment on the statement by Hon. Sen. Okiya Omtatah. The universities, particularly private universities, have played such an important role in this country. Even as the Standing Committee on Education looks at the issues the Senator has raised, I take the opportunity to congratulate them for the role they have played.

In particular, I want to mention here the Great Lakes University for their announcement that they are going to set up a campus, the first private university campus, in Tana River County. It has never happened. So, I want us to appreciate what private universities are doing. We want specifically to lay out what the Great Lakes University is doing in Tana River County.

I thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Sen. Catherine Muyeka Mumma, you may proceed, but Senator, you know from where I sit, when we have like 10 Members from this side queuing and then we have only one Member who came last, the 11<sup>th</sup> Member to queue, it is very fair to give as many Members on this side to be fair, before we start swiping the signs.

Proceed.

**Sen. Mumma:** Mr. Deputy Speaker, Sir, I submit myself to the Chair, and I am fine with what you have done.

Mr. Deputy Speaker, Sir, I rise to comment on the statement by the Senator for Tharaka-Nithi County, Sen. Gataya Mo Fire, to the Standing Committee on Land, Environment and Natural Resources. The statement seeks that the committee takes an interest in the activities that are about to start taking place in Tharaka-Nithi County, where they have discovered the mines of copper, iron and lithium.

I would urge that the committee also take an interest in what is happening in Ikolomani today. A lot of violence has happened in Kakamega, where gold has apparently been discovered and a private company named Chantel would like to move in.

The manner in which this company has conducted itself in terms of public participation and consultation with the community has not been fully transparent. The

community in Ikolomani feels that they are about to be displaced without proper consultation and understanding of what is happening.

In June, the National Environment Management Authority (NEMA) actually gave a notice for public participation, but did not provide a report for the community to look into. When the community tried to access that report, it was only availed the day before the public participation, about three weeks ago and NEMA had to put off that exercise.

The exercise was put on hold for today and as we are speaking, as Sen. (Dr.) Khalwale puts it, we may have lost lives as a result of the confrontation. I do not know why the Government has to use excessive force to force public participation to justify a report that would bring in this investor.

I would want to urge that the committee look into the role of NEMA, whether NEMA can be independent instead of being an ally and an accomplice to those who are coming in. I think the committee and the Senate need to move on the issue of---

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, several Senators have actually expressed concern on Ikolomani, but you should know that there is no statement on Ikolomani. I wish the Senator for Kakamega County had moved with speed, even to ask a question to the Cabinet Secretary in charge of Environment and Natural Resources, so that this matter is addressed. This is just a supplementary issue from the statement by the Senator for Tharaka Nithi County, Sen. Gataya Mo Fire.

Sen. Mumma, I can see you are passionately concerned with what is happening in Ikolomani and also the Committee on the Land, Environment and Natural Resources can take up that issue and address it. If that is a live matter in Kakamega and the people have lost lives, the committee should also move with speed and get concerned with what is happening there.

The Chairperson, Standing Committee on Land, Environment and Natural Resources, you may proceed.

**Sen. Faki:** Thank you, Mr. Deputy Speaker, Sir. On Monday this week, we had a joint retreat with the National Assembly Committee on Land, Environment and Natural Resources and the Kenya National Human Rights Commission (KNHRC).

One of the issues was, again, from Ikolomani, where a young man complained that they were being harassed. They are being arrested, charged with frivolous offences, given very high bond terms, which makes them remain in remand for a long time, so that they can be frustrated in order not to pursue human rights issues that are arising in the area, as regards this mining company called Chantel.

Mr. Deputy Speaker, Sir, allow me to also comment on two Statements; one by Sen. Hamida and the other by Sen. Chute, on issues regarding water scarcity in Marsabit County.

Mr. Deputy Speaker, Sir, I will comment in Kiswahili on the issue of water.

*Mhe. Spika, nachukua fursa hii kuunga mkono---*

**The Deputy Speaker** (Sen. Kathuri): Sen. Faki, you are a seasoned legislator in this House. You cannot just switch to Kiswahili in that manner. In addition, I gave you an opportunity to just comment on the Ikolomani issue because you are the Chairperson of the Senate Standing Committee on Land, Environment and Natural Resources. So, you cannot sneak in and start commenting on other Statements.

**Sen. Faki:** I sought your permission. Allow me to make a few comments on the Statements by Sen. Chute and Sen. Hamida.

**The Deputy Speaker** (Sen. Kathuri): You had three minutes. I am surprised that the Clerks-at-the-Table have not noticed that you have spent more than three minutes.

**Sen. Faki:** No, the three minutes have not started yet. The first comment was on an issue concerning my Committee.

**The Deputy Speaker** (Sen. Kathuri): Please, use one minute or so to conclude.

**Sen. Faki:** The first comment was on an issue on my Committee which you asked me to comment on. So, the three minutes should be starting from now.

Kwanza, Mheshimiwa Naibu Spika, ningependa kuchangia kuhusu masuala ya upungufu wa makadhi. Hili ni jambo muhimu sana kwa sababu mahakama za kadhi ndio husikiza matatizo ya ndoa, talaka na uradhi kwenye jamii ya Waislamu.

Kwa hivyo, ukosefu wa mahakama ya kadhi katika Kitale, Thika, Murang'a, Busia, Homa Bay, Migori na Lamu ni jambo ambalo linatajikana lishughulikiwe kwa haraka. Hata Kaunti ya Mombasa pia ina upungufu wa makadhi. Kwa hivyo, tunaomba Kamati husika ya Haki, Sheria na Haki za Binadamui ya Seneti ivalie jambo hili njuga ili walitatie kwa haraka.

Mheshimiwa Naibu Spika, ningependa pia kuchangia *Statement* ya Sen. Chute kuhusu ukosefu wa maji katika maeneo ya Marsabit. Hili ni tatizo ambalo lipo hata katika Kaunti ya Mombasa. Leo kulikuwa na maandamano Kaunti ya Mombasa, katika mtaa wa Old Town, kuhusu suala la---

**The Deputy Speaker** (Sen. Kathuri): Naomba nikuongeze sekunde thelathini.

**Sen. Faki:** Mheshimiwa Naibu Spika, leo kulikuwa na maandamano katika mtaa wa Old Town, ulioko katikati ya Mji wa Mombasa. Ikiwa katikati ya Mji wa Mombasa kuna shida ya maji, je, hali itakuwaje kwa wanaoishi Miritini, Jomvu Kuu na Mwakirunge?

Kaunti zetu zimepewa jukumu la kuhusiana na masuala ya maji, lakini ukiangalia bajeti zao hazina uwekezaji ya masuala ya maji. Hili suala linahusu Kamati yangu. Namhakikishia Sen. Chute na watu Mombasa kwamba swala hili tutalivalia njuga na tihakikishe kwamba maji yanapatikana kwa wananchi wa Kenya. Hatuwezi kuwa---

**The Deputy Speaker** (Sen. Kathuri): Sen. Mundigi Alexander, please, proceed.

**Sen. Munyi Mundigi:** Asante, Bw. Naibu Spika, kwa kunipa nafasi hii ili niweze kuchangia Mjadala wa Seneta wa Tharaka-Nithi kuhusu masuala ya madini ya thamani. Waziri wa *Mining, Blue Economy and Maritime Affairs* angeharakisha hiyo pesa, ingesaidia hiyo *County* upande wa shule na *agriculture*.

Ningependa kusema kuwa, sio Tharaka-Nithi peke yake. Hata maswala ya madini ya thamani Embu County, Mbeere South, Kiangunguru Hill--- Imekuwa miaka miwili tangu Waziri wa *Mining, Blue Economy and Maritime Affairs* alipoenda huko akapata madini inaitwa *coltan*. Kama hiyo Wizara ingeharakisha, kaunti nyingi zingefaidika na hizo pesa. Tumeona kuwa katika ugawaji wa pesa ya kaunti, kaunti zingine zinauteseka na zingine zinafaidika. Kwa hivyo, tunaomba Waziri wa *Mining, Blue Economy and Maritime Affairs* afanye kazi pamoja na Waziri wa *Lands, Environment and Natural Resources* ili haya masuala yaweze kutatuliwa na vile vile zile kaunti zingine kama Tharaka Nithi, Meru, Embu County eneo ya Mbeere South, ziweze kufaidika. Kwa

hivyo, tunaomba haya maswali yaharakishwe ili watu wafaidike. Vile vile, serikali na county zitafaidika, na *economy* katika hizo county iwe nzuri.

Mhe. Naibu Spika, naunga mkono masuala ya Early Childhood Development Education (ECDE) iliyoletwa na Seneta wa Murang'a County. Sio tu Murang'a County, kaunti nyingi zinaateseka na watu wengi walisoma kuhusu mambo ya ECDE wanateseka. Tungeomba Kamati iangalie vile hao watu wataongezewa pesa na vile watakuwa wakilipwa pesa zao.

Bw. Naibu Spika, naunga mkono.

**The Deputy Speaker** (Sen. Kathuri): Last but not the least, the Senate Majority Leader, please, proceed.

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I would like to make a comment on the issue of Angata Barikoi. It is really unfortunate. This matter has gone on now for a while. I went there about three or four months ago. There was understanding between the residents and the Government that there will be deeper consultations until this matter is resolved with finality, because this conflict has existed for years. Many people have lost their lives.

On that day, together with the citizens, we were seated with the Inspector General and the County Commissioner, and they promised the people that we shall come for a consultative meeting, and we shall ensure that we reach an amicable solution between the communities that live there, so that this matter can be put to rest with finality.

I am even aware that these citizens have engaged the Ministry of Lands, Housing, Public Works and Urban Development. I was of the view that once this matter is concluded, everything should be laid to rest. Unfortunately, the last few weeks have been very difficult for the residents of Angata Barikoi. I have seen that there have been running battles and conflicts here and there, with very minimal support from the Government in terms of bringing down the conflict and ensuring that the warring parties are able to agree with each other.

Remember we lost five or six people at the time when I went. It is unfortunate that up to date, nobody has ever been tried for the killings that happened. As we sit here today, many more people are continuing to lose their lives based on this conflict.

I really want to plead with the Ministry of Interior and National Administration and the Ministry of Lands, Public Works, Housing and Urban Development and all the responsible Government agencies, to see to it that we conclude on this matter expeditiously, so that people do not have to fight. We do not want bloodshed in this part of the country or any part of the country whatsoever because these are things that people can sit down and agree on, particularly when there is a willingness. I can tell that there is a willingness among all the communities that have disagreed on this sticky issue.

Therefore, I want to use the Floor of this House to urge the Ministry of Lands, Public Works, Housing and Urban Development and the Ministry of Interior and National Administration to leave their offices in Nairobi, set foot in Angata Bargo, sit down with all the residents and the interested parties, reach an agreeable solution with all of them, and follow it through so that this thing of conflict, year-in, year-out, becomes a thing of the past.

I thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Thank you. That is the close of Statements Hour.

Clerk, please, call out the next Order.

## BILL

### *First Reading*

THE ASSISTED REPRODUCTIVE TECHNOLOGY BILL  
(NATIONAL ASSEMBLY BILLS NO.61 OF 2022)

*(Order for First Reading read - Read the First Time and Ordered to be referred to the relevant Senate Committee)*

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

## MOTION

ADOPTION OF PROGRESS REPORT ON DIVERSITY AND  
INCLUSIVITY IN STAFFING OF STATE AGENCIES

THAT, the Senate adopts Progress Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on an inquiry into the diversity and inclusivity in the staff composition of state agencies in Kenya, laid on the Table of the Senate on Thursday, 3<sup>rd</sup> October, 2024.

*(Sen. Chute on 02.12.2025)*

*(Resumption of debate interrupted on 02.12.2025)*

**The Deputy Speaker** (Sen. Kathuri): Clerk, confirm if we have enough quorum to put the question.

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

Sen. Wakoli, have your seat as we put the question, so that we can go to the next Order that we are concerned with. Have the privilege to seat on the Deputy Speaker's seat.

Hon. Senators, we have the quorum to put the question.

*(Question put and agreed to)*

Next Order.

## MOTION

ADOPTION OF MEDIATION COMMITTEE REPORT ON  
THE COFFEE BILL (SENATE BILLS NO.10 OF 2023)

**The Deputy Speaker** (Sen. Kathuri): Chairperson, Mediation Committee on the Coffee Bill (Senate No.10 of 2023), who is also the Chairperson of the Committee on Agriculture, Livestock and Fisheries and the current Senate Majority Whip, the Senator for Bungoma County.

*(Sen. Wafula consulted with the Clerk-at-the Table)*

With all the titles I have read, you must be organised.

**Sen. Wafula:** Thank you, Mr. Deputy Speaker, Sir. I beg to move-

THAT, the Senate adopts the Report of the Mediation Committee on the Coffee Bill (Senate Bills No.10 of 2023), laid on the table of the Senate on Thursday, 4<sup>th</sup> December, 2025, and that pursuant to Article 113(2) of the Constitution and Standing Order No.167(3) of the Senate, approves the mediated version of the Bill.

Mr. Deputy Speaker, Sir, I wish to appreciate Members of the Standing Committee on Agriculture, Livestock and Fisheries of the Senate, which I led up to late yesterday, for the dedication and commitment they showed to ensure that this Bill goes through. I also appreciate the Members of the National Assembly, led by their Chairperson, for burning the midnight oil to ensure that we reached a consensus on this Bill.

This Bill had various contentious issues that made us go back to the drawing board. One of the issues was Direct Settlement System (DSS), where the matter was in court and the court directed that it be shelved until next year. At that time, the national Government will conduct proper public participation to ensure that farmers and estate owners are given an opportunity to contribute and allow the Government to use any bank to channel funds to farmers.

Another element in this Bill is the Research Institute. The threshold for the management of the Institute has been raised because the country is setting the pace in coffee research. If Kenya is to gain a competitive edge over our competitors in East Africa and the world, it means that the management and the Chief Executive Officer (CEO) of the Institute must be sufficiently qualified and experienced to steer this Institute. The board of the Coffee Institute is equally mandated to oversee the management of the Institute.

We have various research centres across the country. This Bill, given life by the approval of the President, will ensure that the farmers of this country receive affordable seed, quality seed, extension services and that county governments are able to play their part to ensure that the coffee of this country is the best we can ever produce.

As we look at East Africa, we were in Uganda the other day, where they took us through how they are investing in the coffee industry. This gave us the impetus to move

with speed and ensure that the farmers of this country benefit. The farmers of Kenya have waited for many days for a moment such as this, when cooperatives will be given life through the Cooperative Bill. This will ensure that the management of factories and coffee cooperatives can work together to give farmers their dues.

The Coffee law will help regulate the coffee industry in Kenya, as it will ensure that producers and manufacturers comply with established standards and guidelines. This will improve the quality of coffee products and protect consumers from harmful and substandard products.

A clear legal framework for the coffee industry will make it easier for investors to understand the regulatory environment and make informed decisions about investing in the sector. This can lead to increased investment in coffee production and processing facilities, thereby creating jobs and driving economic growth.

The Coffee Bill (Senate Bills No.10 of 2023) contains provisions that protect domestic coffee producers from unfair competition from foreigners, foreign imports and middlemen. This will support local coffee production and ensure that Kenya's coffee industry remains visible, viable and sustainable.

The coffee industry is an important part of Kenya's agricultural sector. Promoting its growth and development will enhance food security in the country. This is especially important given Kenya's dependence on imported coffee and other food products. A well-regulated coffee industry will generate significant revenue for the Government of Kenya through taxes and other fees. This revenue will be used to support important social programmes and infrastructure projects.

The Committee, having reviewed the Coffee Bill (Senate Bills No.10 of 2023), recommends that the House approves the Bill with amendments as proposed in the Schedule in chapter five of this report.

The Committee is grateful to the Offices of the Speaker and the Clerks of both Houses for the logistical and technical support accorded to it in the execution of its mandate. We also express our appreciation to the Members of the Committee and the Committee Secretariat for their patience, sacrifice and enduring commitment to the assignment, which enabled the Committee to complete the task within the stipulated period.

It is now my pleasure, privilege and honour to recommend this Report to the Houses for approval on behalf of the Mediation Committee, pursuant to Article 113(2) of the Constitution, Standing Order No.150(1) of the National Assembly Standing Orders and Standing Orders No.161(7) of the Senate Standing Orders.

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

**Sen. Wafula:** I second.

**The Deputy Speaker** (Sen. Kathuri): You are moving the Bill?

**Sen. Wafula:** Hon. Deputy Speaker, I thank the Senate Majority Leader. His Members are active.

**The Deputy Speaker** (Sen. Kathuri): Did you pronounce yourself that you beg to move?

**Sen. Wafula:** Yes.

**The Deputy Speaker** (Sen. Kathuri): Please repeat.

**Sen. Wafula:** I beg to move. I ask Sen. Cherarkey to second.

I wish the coffee farmers all the best as we wait for the approval and signing of the Bill.

Thank you.

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, I congratulate my Majority Whip and the Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries, Sen. Wakoli. He is one of the few Senators who is experiencing a meteoric rise in this House. He came in through a by-election, became a Chairperson and then a Whip. His codes must be coming from somewhere that we do not know.

Somebody who is trying to chide me has nothing. He is a backbencher like me. So, I think my Majority Whip has ably---

*(Laughter)*

We did “Wamuthende” to them in Mbeere North. So he should be disciplined during this season.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, proceed and second.

**Sen. Cherarkey:** Thank you, Mr. Deputy Speaker, Sir. As I second, I want to thank the Majority Whip, who is also the Chairperson of the Committee on Agriculture, Vice-Chairperson, Sen. Mundigi and all Members of the Committee on Agriculture, Livestock and Fisheries for the good job that they have done.

I feel honoured and privileged to second this Bill because, one, you have to appreciate that coffee is grown in most parts of this country. Apart from Mount Kenya region, we have coffee in Bungoma. It is also grown in Kipkelion, Kericho County, where the Majority Leader comes from, myself, in Tinderet in Nandi County, in Meru, among many other counties.

Of course, I have mentioned Mount Kenya region. I thought you are a member of Mount Kenya caucus. The point I am trying to make is that coffee is one of the most important cash crops in this country and across the region.

You remember even during the era of 1970s and 1980s, Chepkube in Uganda. At that time, they were doing even US\$4 billion in terms of cash transactions. I was looking at the statistics as I beg to second, because this is just a mediated version of the Bill and allow my colleagues to contribute. If you look at 2023/2024, the coffee in Kenya had a turnover of Kshs39.9 billion. That is equivalent to over US\$292 billion. In the first nine months of 2025, we exported 49.5 million kilos of coffee.

It should come to the attention of the House that in the first nine months in 2025, we have exported coffee worth Kshs43.4 billion. That is a significant growth of 38 percent if the maths adds up.

Therefore, I want to agree that in honour of the coffee farmers who wake up every morning to fight the morning dew, who ensure that the coffee is harvested, who ensure that pulping is done, it is dried and processed--- I want to confirm to the House that three minutes ago, I was having my coffee which is locally made. Just three minutes, I had brewed coffee and I can tell you it is very refreshing. It is the most drinkable drink after the other drinks that are not juice and water.



I am happy that this mediated version of the Bill, as I second, is more of a cleanup. We had discussed this, it is more how to give the substantive issue, like cleanup on the issue of the role of county governments. Just for the benefit of the House, we are now strengthening the role of county governments in terms of running the issue of holding accountability on matters coffee.

We have the issue of research, which we have agreed in Clause 3 and the functions of the county governments. The reason I want to agree with this mediated version, in summary, is that under the Fourth Schedule, agriculture is devolved, but the policy standards remain with the national Government.

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

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

At least, Mr. Temporary Speaker, there has been a bipartisan relationship between the county governments and the national Government. Therefore, it is very important that even as the Council of Governors (CoG) and counties take this mediated version as provided for under Article 123 which shall be referred to the President under the Constitution, 2010 of the Republic of Kenya; the role of county governments has been defined.

Under Article 96, the role of the Senate is to protect the interests of the counties. I want to thank the Committee on Agriculture, Livestock and Fisheries led by the Majority Whip, that this is very important role that county governments have been given.

Three, I think the issue of direct sales, of course, was in the other part. The only challenge we face now is lack of seedlings. I want to appeal to the Ministry of Agriculture and Livestock Development to look at the issue of the seedlings. There is a new spirit in my county and across the country that people want to plant coffee because it is an important cash crop.

The issue of licensing has been given to the county governments and the national Government. Therefore, they become the regulator and ensure that in case of non-compliance in Clause 37---

There is also an important thing, which is the establishment of the Coffee Research and Training Institute of Kenya. We used Ruiru 2 and the other types of seedlings in terms of coffee. I am happy and thank the Majority Leader because we have now ensured that each crop has its own institute unlike the one that was run by one of his friends, the Agriculture and Food Authority (AFA).

I am happy that AFA has been dismantled because AFA was running rice, coffee, tea, cashew nuts and sugar. At least now, we have dismantled AFA to ensure that there is close attention to most of these crops that we discussed. So this Coffee Research and Training Institute of Kenya will be very important. I agree with the mediated version of the committee report.

Mr. Temporary Speaker, Sir, the issue of licensing will be brought to the county governments, among other issues. Even the Capital Markets Authority (CMA) and the Nairobi Stock Exchange (NSE) will get into place to ensure that coffee can be traded and

farmers get values. I am happy that the issue of catalogue has been sorted out. We have the warehousing receipting law that is in place.

The issue of licensing has been captured very well to ensure there are industry standards for quality. The Coffee Board of Kenya will collaborate with the licensing authority to ensure compliance to standard and quality across the nation.

On the Institute, the role of Parliament has been highlighted very clearly. Then there is the issue of definition of the apex which has been captured very well. Even in the board, we just used the Mwongozo Code that has been provided.

Finally, as I finish, the Cabinet Secretary must hold consultations because we do not want to create mini gods in the Ministry of Agriculture and Livestock Development. We want consultations when licensing. We should ensure that regulations within the coffee sector are put in place.

In this mediated version, the Second Schedule has been done very well. I am happy the issue of warehousing, pulping station license, coffee roaster license, coffee market agents license and trading license will be put in place.

As I finish, I want to pass my deepest condolences because two of my watchmen were killed in Chebonet and Maraba areas when coffee thieves struck in one of our coffee mills in Tinderet Sub-County; I think it is neighbouring Kericho.

I do not know what the Ministry of Interior and National Administration is doing about it and I want to send the Majority Leader. I thought we had agreed that we form an anti-coffee theft police unit, the way we have formed the anti-stock theft unit. I am aware in Meru and Isiolo, there is the issue of cattle rustling and people have died. I know Mount Kenya region also has a challenge of coffee theft. We should agree that we form a police unit to fight coffee theft. I will be burying two watchmen who died while protecting coffee mills.

We had agreed that this police unit specifically dedicated to fighting the theft of coffee should be put in place. I hope the Majority Leader - he is our contact with the Executive - will ensure the issue of coffee theft is finished. I think Kericho is safer. Maybe he will give us tactics on how to protect our coffee. We do not want to resort to bows and arrows to protect our coffee.

Finally, I am happy that under President William Ruto, the issue of tea has been resolved, although we have the issue of bonus and tea prices. I am happy the issues of coffee and sugar have been resolved under President William Ruto. For the first time under the Sugar Act, sugarcane farmers, including Sen. (Dr.) Khalwale are going to earn bonuses. Under the Bottom-up Economic Transformation Economy (BETA), we are now realising guarantee minimum returns. We have fixed coffee and sugar. I think the issue of cashew nuts was sorted out. We are now fixing the issue of tea. I am happy to be alive.

When he appeared before the National Assembly, the Cabinet Secretary for Agriculture and Livestock Development said we might get over Kshs100 in bonuses. I am happy that the Livestock Bill is being sorted. It will address the issue of cattle rustling and banditry. I know the Deputy Speaker of the Senate is sad because he lost a number of people because of cattle rustling and banditry. We pass our condolences to people who were affected.

Mr. Temporary Speaker, Sir, I am happy that under President William Ruto, most farmers' issues have been fixed. That is why our opponents do not have an agenda. Sen. Methu should take the message to most of his friends.

I am happy that the Media Council of Kenya (MCK) condemned his friend, that is the impeached former Deputy President, for attacking Stephen Letoo. They should do their politics without attacking and antagonising the media because we need a free media.

Mr. Temporary Speaker, Sir, having been the Chairperson of the Committee on Justice, Legal Affairs and Human Rights like you, I cannot allow any human right, including media freedom under Articles 34 and 35, to be undermined by busybodies who are a disunited opposition.

With those many remarks, I beg to second and thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Samson Cherarkey, for seconding this important Motion.

Hon. Senators, I will now propose the question.

*(Question proposed)*

Hon. Members, this Motion is available for contribution and debate. I will allow Members who have requested to contribute to it, starting with the Senate Majority Leader.

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I want to appreciate the Mediation Committee, though I appreciate them as I complain. Sen. Wakoli, you, guys have taken inordinately long. It is not the making of your own because mediation exercises are normally difficult. I personally had to intervene by calling and almost shouting at the Chairperson from the National Assembly, who kept on making excuses as to why they were not available to debate and talk about this exercise.

I must register my appreciation to this team that made it here and ensured that their effort is registered in the House this afternoon, which is the last day of the Fourth Session, that they sat with colleagues from the National Assembly, haggled over clauses and eventually now as we sit here today, we can say we have a mediated version of the Bill.

This Bill has stayed in this House for over two years. Our colleagues from the National Assembly have also taken a while to agree to some of the proposals in this Bill. Be that as it may, this Bill is transformational. This is a consequential legislation. Just like we passed the Tea Bill here in 2020, since then, farmers have continued to celebrate the industry of a legislative arm that listens to the pleas of farmers.

Mr. Temporary Speaker, Sir, when we passed the Tea Bill here in 2020, tea farmers, including those that you and many of my colleagues here represent, would wait for their payment sometimes up to 20<sup>th</sup>. We had to put it in law that you cannot take tea leaves from farmers and stay beyond 5<sup>th</sup> of the following month without paying them. Within one-and-a-half years of coming into this Parliament, we passed the Sugar Bill. As I speak, the sugar sector is better organised than what it was two or three years ago because I see a lot of activities.

In fact, if you go to my county, there is a centre called Kapsoit. That is where sugarcane and tea farmers meet. Back in the day, it is tea farmers who used to buy “one round” to the sugarcane farmers if you understand what I mean. Today, since sugarcane farmers are being paid weekly, we have mills that have roared back to life. It is now sugarcane farmers who are spoiling the town because of the good things that have gone into their pockets. That is what we mean when we say Bottom-Up Economic Transformation (BETA).

I am happy because as we sit here today, we are discussing the mediated version of the Coffee Bill. I have said in this House times without number that most of the time, the public rarely appreciates what the Government has done. It is not that they are not appreciative but they rarely voice it.

Sen. Mungatana, in the past one year that I have visited coffee-growing regions of my county, Kipkelion specifically and parts of lower Ainamoi, many times when farmers rise to speak, they thank the President. They tell me to go and tell the President that they appreciate what has been done in the coffee sector.

By the time he was taking office in 2022, many farmers were earning as low as Kshs20 or Kshs30 per kilo because cartels had taken over. Farmers did not even have where to deliver their coffee. Many public and corporate mills had closed shop because they could not meet their obligations. Many people had gone into other ventures. As I speak, one of the biggest requests that I receive from young people from parts of my county that grow coffee is to support them to set up a coffee farm because they are realising better prices, better market and assured pay.

We must appreciate what is being done in the rural economy of this country. That is why many of us were happy when the President spoke passionately about ramping up our agriculture, to ensure that we do not just have agriculture that is rain-fed, but we have more irrigation-based agriculture on farms across our country, so that we reduce importation of food. If you reduce that, it means that money that we would have otherwise paid to import rice, sugar, maize or dairy products, therefore enriching farmers from other parts of the globe, remains here in the country thus towering our rural economy. That is what this Bill is about.

Many times, people say many things in the social spaces where some of us spend and dwell most of our time until we forget that 70 to 80 per cent of people who vote for us to come to this House are actually rural-based. The biggest employer in this country is the agriculture subsector. Many people practice farming as a means and a source of livelihood. Therefore, we cannot claim to be the House of representatives if we do not speak to agriculture issues. This is the main reason we exist. Until the day we sort out all our farmers, including those that continue to complain such as dairy farmers---

Mr. Temporary Speaker, Sir, Bomet County that you represent in this House has one of the leading dairy producers in this country. However, they continue to struggle with off-takers. They have to take their milk all the way to Sotik where the New Kenya Cooperatives Creameries (New KCC) factory is. You understand that, for example, since the transition of the former Chief Executive Officer (CEO), farmers have stayed for two to three months now without pay. This is now the fourth month.

We must find a way. Until agriculture works, nothing else will work in this country because it is the largest source of livelihood for many of our people. We will ensure that we sort everybody, including carrot farmers of Nyandarua where Sen. Methu comes from. Every form of agriculture must work, so that our farmers can be proud to ply their trade.

I have shared an experience that I had many years ago when I visited one of the states in the United States of America (USA). We were about to board a plane when I saw a very interesting notice. It read-

“In this state, we queue without consideration to class, race, religion or sexual orientation, except military servicemen and women and farmers that feed us.”

If you come and you are able to demonstrate that you are one of the key farmers in that state, you do not queue with the rest of the passengers. Until we become a country that values farmers to that level, we cannot claim to be a country that listens to the cries of her people.

Mr. Temporary Speaker, Sir, there are many farmers who are still battling the issue of markets. That is one of the key things that is being addressed in this Bill for coffee farmers. To ensure that when they consolidate, the issue of marketing and licensing was one of the key things that led us to mediation. This is because, the mode of licensing agreements the National Assembly were proposing to our farmers was not going to work because we did not want a centralised licensing unit just here in Nairobi.

Why should my people in Kipkelion come all the way to Nairobi to be licensed, Sen. Wakoli? I must commend you in the Committee of Agriculture, Livestock and Fisheries who put your foot down and said agriculture is largely devolved. If we want to license our coffee farming units and the cooperatives, let it be done at the county level. I am happy that sense eventually prevailed.

I have seen a copy of the mediated version that was the finally agreed-upon position. That is the beauty of our Constitution, that it appreciates there are two levels of government. That is the beauty of this House. That is why, even if you gave me for free, to become Member of the National Assembly, I would never take it. I am proud to be a Senator because I know that the future of Kenya is devolution. If we protect devolution, if we ensure that it thrives the way this Coffee Bill is done by empowering our cooperative unions, then you are actually securing the future of our Republic.

Therefore, I thank Sen. Wakoli and the Committee on Agriculture, Livestock and Fisheries that made all those amendments that scuttled the plans that the National Assembly had on centralising many of these proposals in this Bill. You also made them to realise and appreciate that there are two levels of government. There is the county government and the national Government. We cannot turn a blind eye on the injustice that was about to be meted on the county governments.

Mr. Temporary Speaker, Sir, that is what we proudly do in this House every afternoon from 2.30 p.m. to 6.30 p.m. when we meet and speak, Sen. Omtatah. For the interest of the people that we represent in this House, you must be proud of yourself as a Senator. Anytime you stand up to the National Assembly and tell them; we are not about to get out of this town until the day it sinks into your heads that there are units of

government called the county governments, which are equal. They may not have as many resources as the national Government has, but they are governments just like any other and we, that have the power to legislate on their behalf and must never derelict on duty and leave them to struggle the way sometimes we do.

Therefore, I appreciate what is being done to our coffee farmers. I know that as we do this, it is under the full realisation that once we set up the licensing units, and the board for them, it is my utmost hope that the levy that will be collected will be used to better the lives of the coffee farmers and not anybody else. We passed a Sugar Bill here and we did not pay close attention to the stratification that was done on how the sugar levy funds are going to be used.

I hope Sen. Wakoli and, perhaps, this is more to Sen. Mo Fire because the regulations will come from the Ministry, that they will pay keen attention to ensure that 70 to 80 percent of these funds that are collected go back to first research to establish better markets for coffee and provide seed for our coffee farmers, so that we have as many people plant and earn from this trade as is possible.

You remember, Mr. Temporary Speaker, Sir, that we are on the race to 15 billion trees - the national rallying call that the President has given us, the target to achieve by 2032. I believe that planting more coffee seedlings like is being proposed here is one of the ways because coffee bushes are just forests like any other. Therefore, there are many reasons to support our coffee farmers and be appreciative of what this Bill has done.

The only thing that breaks my heart is that we made a request yesterday, Sen. Mungatana, to our colleagues to hang around to ensure that we conclude on this business, but they have deserted us, including people who represent coffee farmers. You will find them in funerals claiming how the Government has done nothing, as if William Ruto is supposed to come to this House and pass the laws. You know, we must be serious with how we take our duties also.

How can it be that when this mediated version was completed on Tuesday, because that is when these two committees agreed, the National Assembly were able to table theirs that same afternoon? I tried to get Sen. Wakoli to table ours that afternoon, but we were told that the clerk who was responsible had disappeared, I do not know to where. This is feedback for you, Chania, and the Clerks-at-the-Table.

Why is it that those in the National Assembly were able to conclude and table theirs the same afternoon? For ours, we had to wait until yesterday and yet, we had an Impeachment Motion and therefore we could not table the report. By yesterday afternoon, colleagues from the Assembly concluded on this business. Now, they will be proudly walking around in the village in Meru and telling you, Sen. Kathuri, that they have done their part. It is this Senate that is delaying us and you know how the National Assembly loves pulling those kinds of antics.

Mr. Temporary Speaker, Sir, I am disappointed by what our colleagues have done to us. I hope that should there be reason to have a Special Sitting I will list this as part of the business that we transact on that day hoping that many of the colleagues will have had the opportunity to speak to it. In fact, it is on that reason, that I want to yield the Floor, looking at the clock and knowing that we have barely an hour to conclude on this business before I come up to move the Adjournment Motion.

With those many remarks, I beg to support. I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): The Senate Majority Leader, while you were contributing on the benefits of the amendments to the law as regards sugar cane Bill, you said that the sugar farmers are the ones who are spoiling Kapsoit Market. I hope you meant that they are the ones who are recreating and supporting the economic activities and not spoiling.

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, No, I said that previously, if you go to Kapsoit and you know it very well, it is the tea farmers from Belgut, Kabianga and Sossiot and all that area, who will “spoil the table”. If you know what I mean.

As it is today, there is no bonus because we were paid only Kshs12 per kilo. We are now being taken care of by sugarcane farmers who come from Soin, Soliat and Kipsitet area because they are being paid weekly because of how well the sugarcane industry is doing currently.

**The Temporary Speaker** (Sen. Wakili Sigei): The beauty of the law that you passed in the House.

Hon. Senators, that was the Leader of Majority. It was for the benefit of Sen. Karen Nyamu. I needed to inform her that though she was ahead of the queue, hierarchy demanded that the Leader of Majority must contribute before her.

I call upon the Deputy Speaker to also make his comments to this Motion.

**Sen. Kathuri:** Thank you, Mr. Speaker, Sir, for this opportunity to also make a few comments on this mediated Bill.

When I was growing up in a village in Meru, we used coffee vouchers for our education. We used to take coffee to the factories and then we would be given money for school fees. Most of the people of my age and those who went to school in the 1970s and 1980s benefited. However, in the 1990s, things started going south. The coffee prices plummeted and there was no money for farmers. Where I come from, most of the farmers uprooted their coffee and went on to grow bananas and other crops that can give them good money. I am therefore happy that this time around, the current Kenya Kwanza Government has made sure that the coffee prices have now gone back to where we were.

In Meru, the highest coffee factory actually got almost Kshs150 per kilo in the last season. The lowest may be around Kshs60. Therefore, this is a revolution that has come back. As a coffee farmer and as the Senator representing coffee farmers, I am very happy that we are where we are. Coffee prices are now high and we are happy.

We have really waited for this Bill to be finalised and we intend for this Bill to be finalised by both Houses, so that the President can assent to it. This Bill has also dealt with the cartels in the coffee industry. We have farmers who are in the business from A to Z as processors, marketers and exporters; one person does all the business. I am happy that this Bill has made sure that we have the licensing regime. We have direct exporters in the exchange market who look for the market in the United States of America (USA) and other countries that take coffee.

Mr. Temporary Speaker, Sir, actually, Kenyan coffee is the best in the world market. People run for our coffee brand in the market. Unfortunately, in Kenya, we export berries, the green coffee to people out there who usually roast it and then market it

under their own brands. It will also be very good if value addition is encouraged, so that we export our coffee after value addition.

It will be very important if this Government can go to that notch for our people to process the coffee, package and sell it as Kenyan coffee. Sometimes when the prices are low, it is important for the Government to introduce a stabilisation fund, so that farmers can get a good price.

Yesterday, the Cabinet Secretary for Agriculture and Livestock Development mentioned that before 2027, farmers in the tea sector will be earning up to Kshs100 per kilogramme of green tea - the tea leaves that we take to the buying centres. That will be a revolution again. I thank the President and the Government of the Kenya-Kwanza for stabilising tea and now coffee and milk prices. I am happy that where I come from, the Government is supporting the Mt. Kenya Dairy Factory to have a factory that will give farmers their own animal feeds.

If we have stabilised coffee, tea and now milk, and we are now encouraging farmers to also do pyrethrum and cotton, then Kenya's economy is pure agriculture. Therefore, this has given us leverage to ensure that farmers are getting good returns.

Mr. Temporary Speaker, most of the coffee factories in Meru and other areas have incurred a lot of debts in the previous years when the coffee prices were down. There was a discussion that there will be a waiver for coffee debts. Many farmers and coffee societies are asking when that will happen because they have applied through the Ministry of Co-operatives and Micro, Small and Medium Enterprises (MSME) Development requesting for that waiver. Up to date, nothing progressive has happened. There is also the charity fund that was to assist them. I request the Ministry of Co-operatives and Micro, Small and Medium Enterprises (MSME) Development to make sure that these debts are waived, so that our farmers can benefit from what they are doing.

Another thing is that during the last regime, the previous Government introduced a support so that the coffee factories---I know where you come from in Bomet, Kericho and other areas, coffee factories are down at the moment. Even the trenches where they dry their coffee are dilapidated.

There was a discussion and the Ministry at that time allocated money from a donor grant to all coffee societies to modernise their factories. I do not know what happened to that programme. It is a discussion that I will request the Ministry of Agriculture and Livestock Development to give an update on. All coffee factories were to be given grants of up to Kshs100 million to revitalise their factories. That is another thing that can be addressed.

Mr. Temporary Speaker, Sir, I was happy that this rainy season, the New Kenya Planters Cooperative Union (NKPCU) is encouraging farmers to plant coffee. In the last one month, I think almost 150,000 seedlings were brought to Meru County by the NKPCU. I saw the Governor of Meru County with the Permanent Secretary (PS) for Co-operatives and Micro, Small and Medium Enterprises (MSME) Development giving seedlings to farmers. This should be encouraged. Coffee farmers should be encouraged to increase their acreage, so that they can get these proceeds.



As we discuss this; once we sort all the issues in the agricultural sector, we really need the Government to also address the plight of miraa farmers, especially from where I come from. Miraa farmers have been abandoned. They are just on their own. I was in Athiru/Gaitu Ward last weekend and miraa farmers there are crying that their children are not going to school. I was surprised that women were saying that they left their families because their husbands were not able to give them food. They were demonstrating that they are leaving their families because of the poor miraa prices and poor external markets such as in Somalia and other countries.

If at all we sort out all these other sectors, let the Government also look into the miraa sector and now, the livestock sector. As my colleague, the Senator for Nandi County said, where I come from, we have experienced a lot of banditry problems in the last two weeks. People from counties that border Meru County such as Isiolo, Turkana and Samburu have come to our county in droves. Every day, they are running away with hundreds and thousands of livestock.

Mr. Temporary Speaker, I have also addressed that matter in this House several times during the Kenya Kwanza Regime. The first time was when Prof. Kithure Kindiki was the Cabinet Secretary in the Ministry of Interior and National Administration. He came to this House severally to address the issue of banditry in the borders with Samburu and Isiolo counties.

The last three weeks, the Cabinet Secretary for Interior and National Administration was in this House to still address the same matter and yet, nothing is happening. We are only getting promise after promise. I do not know what happened to the banditry that was in West Pokot, Baringo and Samburu counties because today, those people are not crying as much as they used to.

Unfortunately or fortunately, for Meru County, we do not do cattle rustling; we are a very docile community, we are not aggressors. However, our neighbouring communities come to Meru where they say they are coming to the Automatic Teller Machine (ATM) where they just kill 10 people, for example, and run away with the livestock. That is what they call going to the ATM in Meru.

Mr. Temporary Speaker, where you sit, maybe you can also guide that Ministry in charge of security because, bandits can just come and kill 10 people in one day. The following day, they come again and kill another five people, including National Police Reservists (NPR) armed with Government guns. We are really suffering.

I stand before this House to request the Government of the Republic of Kenya, which we serve diligently and support as Meru Community, to come and help us address this matter in Meru.

Mr. Temporary Speaker, Sir, with all those remarks, I thank you for the opportunity. However, I really request the Government to look into Meru in another high, so that we can sort out the banditry issues in Meru County.

Thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Okiya Omtatah, proceed.

**Sen. Okiya Omtatah:** Mr. Temporary Speaker, Sir, thank you for the opportunity to contribute to this all-important Bill and the Report of the Mediation Committee. I stand

to congratulate the committee for having pulled off the mediation and having come to a point where the Coffee Bill is on its way to becoming a Coffee Act.

Coffee is one of the most important crops in the world. It is a global crop. One of the major commodities traded in the world commodity markets. Therefore, it has a global bearing. Coffee has been affected like any other crop by climate change and we have seen yields reducing. We have seen a loss of interest in farming by the youth because it is not profitable. So, as we pass this Bill, when it becomes law, I would like to see the Government come up with policies and regulations that encourage and reward coffee farming.

We must look at the tax regimes and incentives. We are talking of expanding this crop to other parts that are good for growing the crop, like Western Kenya, Nyanza and the like. When that expansion is done, let us have some proper regulations and discipline in the industry. Let us also have the farmer at the centre of this enterprise. How much does the farmer take home at the end of the day?

We have an agricultural industry that manufactures poverty. People toil and work very hard, but at the end of the day, it is the middlemen who make the money. The farmers do not make the money. I would like to see an improvement in coffee when this law is rolled out to ensure that the farmer is the focus of the Government. If there are cartel networks or any formations that relegate the farmer to the periphery and go away with the fat of their labour, such organisations or formations are deliberately dealt with and extinguished.

Agriculture is becoming very unattractive in this country. Critical and important as it is, it is becoming very unattractive because of the poor yields and returns that the farmers make. You have seen the challenges in the maize sector where farmers sometimes end up with maize that they cannot sell because when they try to sell it at what the market is trying to offer after dumping, it becomes a problem.

For coffee, I think we also need to go further and begin having proper brands of Kenyan coffee out there. We should stop being producers of raw material that benefits other people. Kenyan coffee is highly priced, but you find that the benefits of that coffee have not been realised.

I would like to see a situation where the Government deliberately comes up with a coffee brand that it can promote both locally and internationally, quality Kenyan coffee, just like the Ethiopian coffee. There is no reason why we cannot have Kenyan coffee that is properly promoted, branded and marketed.

There have been comments painting a very rosy picture about sugarcane. I do not know whether those comments were referring to Kenya or to another country, because my experience with the sugar industry is that there are major challenges in the sugar industry. The privatisation was basically a theft by those who are in good terms with whoever is or are controlling the state and were facilitated to take over land, coffee and industry. Monopolies are being created. Confusion is the order of the day in the sugar industry.

If you look at the management of the sugar industry, there has been a lot of environmental degradation. We look at people who are doing the factories, you do not see the roads being maintained the way they used to be maintained. I would have loved a

model that was there when Mumias Sugar Company was a blue-chip company whereby what was privatised was management, not ownership. I do not see a reason why there was a rush to do what was done without proper studies and proper public participation.

With the cases of Miwani, Muhoroni and Nzoia, all are facing confusion, many contractors who have been supplying those companies, especially Nzoia, have not been paid. They were just chatted out and the companies were handed over to new owners who have no regard for the people who have been sustaining these companies. So, painting a rosy picture here, as the Majority Leader and Sen. Cherarkey have done, is a bit dishonest to the people who are feeling the pressure or the impact of the reckless so-called privatisation of the sugar industry.

The whole programme was done in a very reckless manner. Public assets have been taken for so long. The land had proper leases and commitments that were supposed to be made. The dividends to the host communities that the likes of Mumias gave are now a pipe dream. Maybe because sugar is new in some areas, those areas are excited by this new crop. However, those areas that have been growing sugar in Nyanza and in Western Kenya have a sour taste in their mouth because the privatisation was aimed at enriching a few well-connected individuals who have invested in the industry. It was not aimed at benefiting the farmers.

If you look at the model that Mumias had when it was under Booker Tate, the purpose was to create an economic catalyst for the region. That is why the sugar industry had so many things then. When you go back to taxation, we still have a lot of taxes on sugar. The farmers are overtaxed and they hardly have enough to take home at the end of the day. Due to lack of options, people are farming this crop.

Then, of course, we have not yet dealt with the question of dumping sugar in this country, which has devastated the industry. I believe that the rosy picture that has been painted here cannot stand the test on the ground. Right now, there are Motions before the committees. I personally requested a Statement on privatisation. It has taken a very long time to get anything out of the Government. Up to now, the Cabinet Secretary has not shown up to try and own up to what they did.

Until that is done and a proper report is brought to this House from the Committee on Agriculture, Livestock and Fisheries on the privatisation of the sugar factories in Nyanza and Western, it would be proper for us not to jump ahead of everybody and begin lauding what is going on. Some issues are too important to be left to political sloganeering. It may be interesting to come up with a political slogan and maybe cheer and sing about things. However, we must realise that real people are being affected by some of these reckless policies that are being made. So, we must come in and look at it.

Going back to the coffee issue, I would like to see a policy where the Government addresses the question of pricing. How is it going to ensure that the coffee farmer, just like any other farmer in Kenya, the farmer in sugarcane or tea and all other cash crops, is protected from the fluctuations in the world market?

Is there any plan to have something like a coffee bank or where the Government can guarantee the farmers that it will take the crop at a certain price; ensure it can hold on to whatever merchandise and make sure that it gets proper markets for the farmers? Otherwise, if we leave the farmer exposed to market forces, the coffee enterprise might

turn out to just be another sad affair. We remember that it is not long ago that people began uprooting their coffee plantations in some parts of this country because of poor returns. We must avoid going there.

I agree with the seconder of the Motion that AFA was a big mistake. As we leave AFA, we are returning to the crop-specific acts. We now have the Sugar Act and Coffee Act. Let us take the opportunity to follow through and ensure that the Government implements this law in a manner that brings incentives.

We must also look at the products that come out of coffee. What are the other possible products that come out of coffee that can improve the earnings of the farmer? We have talked of coffee being like a tree and a forest. Can there be a connection between coffee plantations and maybe carbon credits? This is so that people who commit their land with coffee do not just wait for the berry, but can also earn from other things that are available globally. Those kinds of incentives and interventions, for me, would contribute to making this crop attractive; an enterprise that young people will find worthwhile investing in.

We have the Coffee Research Stations. An area that is very weak in this country is research and development. How are we to ensure we have properly resourced the research institutions to come up with smart crops that can deal with the changes in the environment?

Coffee thrives within certain environmental conditions which are being altered. How much are we going to dedicate to research and development to ensure that we develop the kind of strands of crop that can withstand the changes in the climate and remain profitable?

Finally, we also need to look at consumption of coffee. The average Kenyan takes tea. Tea was promoted as a thing for the local people, while coffee was for others. How do we also encourage the drinking of coffee locally and have a big enough local market to ensure that the coffee farmer thrives?

I would like to see policies come up to encourage the drinking of coffee as is done across the border in Ethiopia where there is a lot of coffee drinking. Locally here, we hardly see people taking coffee. When compared to tea, you will find that tea is almost taken without anybody asking about it. Coffee becomes the beverage that is taken by a certain category, at certain times.

I would like to see that encouragement come up, and maybe that should come up with our own local brands. We should not be having these foreign brands dominating our supermarket shelves. A local brand can be encouraged locally that could have the benefits and maybe we see what is going to happen.

Mr. Temporary Speaker, Sir, as we talk about this crop and other crops, I would love to see proper soil testing and environmental analysis and a crop map. Can we get a crop map for this country, where I can know that if I am in part A of Kenya, this is the kind of soil I expect, this is the kind of crops I can grow and these are the kind of inputs I may need to succeed in farming?

We have scanty information about this country in terms of the crops that can be grown where, at what time and with what kind of inputs. With the the rolling out of this thing, the coffee, let us invest also in outreach or extension services.

The research must go beyond just coming up with the crops. It should also come up with the analysis of soils and the climates that are available. This will ensure that we are able to get this country properly on the track to being a major coffee producer and major industry player globally in terms of coffee. We will also see that our youth look at farming as an option in terms of livelihoods because it is rewarding.

We should also invest in modern machinery and technologies for agriculture. Let us not maintain the back-breaking practices of farming, but move into some modern means of farming that employs appropriate technologies to push our farmers forward. I pray that the same be done for all the crops that are growing in this country. This country is being decimated by practices that are not good and mismanagement. I would pray that the people responsible for these crops take it upon themselves to ensure that they understand that they are dealing with livelihoods of people. Whatever they do should advance the prosperity of the farmer, and the prosperity of the country.

Sen. Mungatana would like to contribute, so I will be magnanimous. I congratulate the Mediation Committee.

I support.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Okiya Omtatah, the remarks are not few. You have done very well. You did 19 minutes out of 20 that are allowed to you, I believe.

**Sen. (Dr.) Mungatana, MGH.:** Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity to speak. I also thank the Committee that sought to mediate on the Coffee Bill (Senate Bills No.10 of 2023).

Every Bill that goes to mediation always becomes better than its original fashion. The text is always richer when the National Assembly and the Senate sit together through the Mediation Committee to make a Bill that has come either House better than its original text. I hope this is continued, especially for bills that are sensitive, that are coming from the agricultural sector.

This brings me to the question of what happened to our legislative move to amend the Constitution so that all, not just selective bills that emanate from the National Assembly, should be coming here at the Senate.

The reason is that as in this Coffee Bill now, the text that went into it finally had consideration for matters county. To hear that our coffee farmers were required to be coming to Nairobi for a centralised licensing process, that was ridiculous. However, I thank the mediation team for now making consideration for county centers. This means that the push that this Senate did to make sure that all the Bills come to the Senate is not for the sake of Senate, but of making sure that quality Bills such as this one come at the end of the day.

The second point I want to make, which is in regard to this Bill, is about research and development. This Bill has talked at length about coffee research and this is a brilliant development.

Kenya, through the National Research Fund and all other stakeholders, have aimed at getting two per cent of the GDP into research. If you look at the figures to date, Kenya is doing 0.8 per cent of the GDP.

Yesterday, I had opportunity to talk to the Vice-Chancellor of Kenyatta University and he told me, “even if you people can push it to one per cent, we will appreciate because research is what creates development. Research is what answers local questions. Research is what pushes innovation and pushes the country forward.”

I want to dwell on this question of research, especially because recently I also came out with a PhD degree and I know what it is to have research and funding. Many people who are brilliant minds are not able to carry out their PhDs or even their Masters programmes because there is no funding for Research and Development (R&D) in Kenya. Research and Development is critical for this country to make steps forward.

I want to congratulate His Excellency the President because during his State of the Nation Address, he talked at length about increasing the amount of money that is payable for research and development. He committed to increasing the money and I thank him because he is also a PhD holder. He was not conferred that through some other reason. He worked on it, and he knows the importance of research. So, I was very proud to see His Excellency the President taking up this matter of research and saying that the Government of Kenya now is going to put this thing as a priority and increase the money.

This Bill, in this mediated version, talks about the Coffee Research Institute. It talks about the various research centers that are set across the country. There are very many varieties of coffee and the research is going to cover from development variety, leaf testing, testing of the actual products and even disease control. This money, if it is put there, this Research Institute for Coffee is what is going to make Kenya's coffee stand out, out there.

I pray that with us, as Members of the National Assembly and the Senate having done our part, the people who are going to execute these ideas that were developed here are going to do them well. We need well-researched programmes and well-researched coffee products. Why? It is because we need value addition.

Value addition is critical. I want to tell this House and the Republic of Kenya, those who are listening to me, that Indonesia passed a law that you cannot export raw materials out of that country. You have to do value addition.

If there is a country or an investor out there who wants their products, they must come and put money there, so that the employment is created within their country, but more importantly, the value addition would make sure that the products that are coming out of Indonesia are going to be highly valued.

So, this brings me to the point about this Coffee Research Institute. I am saying that, yes, we need to do research. Yes, we need to fund this research and do it like yesterday because we need value addition on our coffee. We need the Kenyan coffee to have a brand such that when people hear about Kenyan coffee, they know what kind of a brand it is.

I was surprised. I sit in the Pan African Parliament on behalf of the Senate. When I was there in the last session, I heard people talk about Ugandan coffee, Ethiopian coffee and Kenyan coffee. I was surprised because in my mind, I thought that the Arabica coffee from Kenya was the best in the world, just to hear that even our neighbors are also doing a lot of research, putting a lot of money to compete with us.

So, this particular mediated version of the Coffee Bill and the fact that they are strengthening research, is a big win for coffee in this Republic. We need to put money in research. We need to make our coffee better than our competition, our neighbors and even across the continent, so that Kenya's coffee can be outstanding. I am glad that the mediation team, National Assembly and the Senate, were able to capture this issue in its entirety.

Mr. Temporary Speaker, Sir, I need to say one last thing, which is the third and final point. In as much as we celebrate this mediated Bill and as much as we celebrate that coffee now is going to be better managed, the law and the regulations that are coming out of this Coffee Amendment Bill are going to be better at making the industry function; I want to remind Kenyans who are listening to me and the Executive led by His Excellency, the President, that other counties also have other cash crops that need equal attention.

This country from Independence has been known to just talk about coffee, and then it goes to sugar and tea. Some time ago, they used to talk about pyrethrum. Many other crops exist, but they are not given the kind of support that this Government should be giving to those crops.

We saw the collapse of the cashew nut industry in the Coast. Kilifi Cashew Factory was employing hundreds of farmers who used to depend on that factory. In fact, every person would have their normal farm and they would have a cashew nut tree somewhere. The Government left it to die and many people went to cut their cashew nut trees. Now that business is over.

When we speak about how Malindi and Kilifi used to be the home for cashew nuts, our children cannot even associate us with cashew nut farming. Coconut growing in the Coast, I remember when I was in the “Lower” House, I pushed to the point where I got the Second Reading for the Coconut Bill.

I remember Hon. Sally Kosgey, the then Minister for Agriculture, coming to me to tell me, “we, as a government, want to take over this Bill because we have a bigger plan,” and she explained to me all manner of things. The hon. Minister then took over the Bill, but at the end of it, we only got an Executive Order setting up the Coconut Board. However, the law that came out, even after taking up my own law, did not give the coconut the support it needed.

Mr. Temporary Speaker, Sir, bringing it home, we have mangoes in Tana River County. There are many people who depend on them. There are many mango farmers along the River Tana who, for many years, have depended on that cash crop to educate and feed their children, and to live a life outside the normal other crops, which are for food, but mango was taken to be the crop that will bring you cash.

The mango farmers and everyone knew that when the season comes, the lorries would come to our farms in Tana River and take those mangoes to Malindi and they would be happy. School fees would be obtained, houses would be built and marriages would be conducted. It was a happy season. However, what has the Government done to support mango farmers in Tana River County? Zero.

None of all the efforts that we have made to speak to this Government and the previous ones, has yielded anything. It is sad that this Government has gone out of its

way and supported sugar, tea and coffee with regulations and legislations. It has supported coffee with this law and other laws, but has forgotten about the mango farmer in Tana River County.

Mr. Temporary Speaker, Sir, it is time that something be done. The one effort that was made was to create a factory through the Coast Development Authority in Hola. However, there was no infrastructure to support that mango processing factory. The President himself came and launched that factory. I was there. However, the infrastructure to support the farmers is non-existent. The Government has neither collected seedlings nor organized cooperatives. It is just traditional mango trees that are not even producing enough mangoes to sustain production over a long period of time.

Mr. Temporary Speaker, Sir, while I celebrate the coffee farmers, tea and sugarcane growing areas, we also want to express our disappointment at the fact that agro-based industries like the mango, has not been supported by the Government in any way in Tana River County. We need to be a country of equity. We need to be fair to this nation. We must not do what the colonialists did.

What the colonialists did was to support only what they called areas of high potential, where they themselves lived. They supported this so that they can export to Britain and earn some money themselves, but they forgot about the rest of Kenya. We must shun away from the Sessional Paper No.10 of 1965, which talked about segregating Kenya by saying places like Tana River County and other counties that are in the drier areas of this country must be ignored, while what they called potential areas, be developed. These were areas that were occupied by Europeans.

Mr. Temporary Speaker, Sir, more funding needs to go to support cash crops that will raise the standards of living of people in these other areas. Specifically, I am saying, for us to feel the same way that the coffee, sugar, and tea farmers are feeling, this Government must also invest in mango farming in Tana River County. It is doable and can be done. We have made proposals. We have been given promises, but our farmers are still waiting to see what this Government can do.

I know that the President is a person who, if he focuses on something, something will come out of it. So, I am using the Floor of this Senate to make an appeal on behalf of the people of Tana River County. Tana River is not about those big irrigation farms. We appreciate those big farms. However, those ones are not for locals. If you look properly, those who are investing in those big irrigation farms are not locals. The locals are growing the mango tree along the river basin. Those are the ones that have sent me here to say, Your Excellency. We need attention to the mango tree. We need to be assisted. Just like you have assisted the other areas and they are clapping for you and saying it is good, we also need to be assisted in the one cash crop that is there in Tana River County.

Mr. Temporary Speaker, Sir, if this cash crop is assisted to grow in the river basin of Tana River County, many people will become rich. The act of selling a mango for 20 cents, and then you come to Nairobi, you find the same mango going for Kshs100 or Kshs50, is exploitation of the highest level. The same way we are saying that we have gotten rid of the brokers in coffee, tea and sugarcane, is the same way the Government must come in, like it came in for these other crops, to assist the mango farmer in Tana



River County to get rid of the brokers and help the farmers to get the benefit of the work they do.

Mr. Temporary Speaker, Sir, the mango farmers do a lot of work, but there is no investment or help from the Government. So, I support this Bill, but with these feelings that must be taken; that, Kenya must start being fair. It must start looking at all other sections of this republic.

I thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Mungatana.

I now call upon Sen. John Methu.

**Sen. Methu:** Thank you, Mr. Temporary Speaker, Sir, for giving me an opportunity to also support this Motion. I am wondering whether I would pick up from where Sen. Mungatana left on the very good elaboration that he was giving about mangoes.

I do not know whether, Sen. Mungatana, you appreciate the fact that even though potatoes are not grown in Nyandarua alone, we are the largest producers of potatoes, and sadly, occasionally, in seasons that we are harvesting potatoes, like this season, 120 kilograms of potatoes sometimes retail at Kshs1,200, but when you come to Nairobi, you are buying one plate of chips at not less than Kshs500. You can imagine the number of plates that would come from 120 kgs. This is the pain of the farmer.

Mr. Temporary Speaker, Sir, I am very encouraged and would like to congratulate and laud the Senate Standing Committee on Agriculture, Livestock and Fisheries. I know many colleagues have conversed on this matter. However, I would also want to add my voice. Approximately 70 per cent of the people who are in this House have been sent by farmers. If we cannot speak and improve the agricultural subsector, there is no way we can grow our economy. There is no way we can say that we are taking Kenya to the levels of Singapore or take it to a First World if we cannot improve our agriculture.

Mr. Temporary Speaker, Sir, you come from Bomet, which is a leading county in production of milk. If your farmers cannot access market for their milk, which is extremely perishable, it does not matter how much they produce. It will not be important and helpful. The utility of that milk to the farmer will be very low. It is the same case especially for those who are unfortunate to produce perishable products.

Mr. Temporary Speaker, Sir, two or three weeks ago, I was extremely saddened that after a farmer had done so much work of taking care of their cow and delivering milk to the collection point, it could not be transported because vehicles could not leave. In deep places like Shamata in Nyandarua County, which is a leading producer of milk, farmers suffer simply because the roads are in a very bad state.

This should not happen in a country that speaks of going to the next level. I recall from my childhood, we were pushing tractors so that they could reach the collection point. There is no way we shall go to the next level, when the same story is happening 25 years later.

I wish to congratulate the Committee on Agriculture, Livestock and Fisheries, more specifically on the mediated version of the Coffee Bill (Senate Bills No.10 of 2023). This is because it represents progress, one step at a time, one crop at a time. We may not be able to address all crops at once, but if we address one, then we shall not have

to revisit it when dealing with the next. That is why I am encouraged that, having dealt with coffee today, tomorrow we shall move to the potato crop.

I am sure the Chairperson of the Committee on Agriculture, Livestock and Fisheries is aware that we already have a draft of the Potato Bill. It was introduced in this House by our first Senator, the Hon. (Eng.) Muriuki Karue. It was passed in the Senate, but unfortunately, did not see the light of day in the National Assembly. We shall keep conversing, working and pushing because if we cannot fix our agriculture, we shall not take pride in having served the people of Kenya as we are supposed to.

Mr. Temporary Speaker, Sir, as you sit on that Chair, ask yourself, how would our parents have taken care of us without agriculture? Most of them never had the opportunity to pursue education or secure white-collar jobs. My mother, for instance, tells me she was not able to go beyond the Certificate of Primary Education (CPE) of those days. Therefore, they could not achieve or secure white-collar jobs, yet, through agriculture, they were able to take care of many children.

I wish Sen. Thang'wa were here. He would tell you that he is number 13 in a family of 13. They were brought up by their mother simply because she had a few coffee bushes at home. This demonstrates that if we improve agriculture, we shall build our economy, take care of our families and move forward. This sector employs most of our people. Few of us will go into insurance, banking and similar jobs. The majority end up in either production or value addition of agricultural products.

Sen. Wakoli and your team, congratulations. This is what we want and these are the debates that should take priority. I am very happy that the Bill was read for the first time and we are now debating it. It is unfortunate that, as we approach 6.30 p.m., we may not be able to vote like the National Assembly. However, we shall have given our best. It was just introduced and we are already speaking about it.

Turning to the substance of the Bill, I am particularly encouraged by Clause 2, which provides that county governments will collect, collate and maintain a database to ensure ease of access to information on the coffee industry. What we suffer from, as Sen. Mungatana aptly observed, is the absence of research. In this time and era, we cannot continue moving haphazardly. We do not know which variety of coffee grows where or how we can improve the quality and other products.

Since the year 2000, about 25 years ago, the most celebrated potato variety grown in most potato-producing counties has been the Shangi. For 25 years, we have never improved that variety. Initially, it produced sufficient yields, but as the acidity of the soil has continued to rise, the yield and harvest have declined. If we do not invest in research, we shall not make progress, supply adequately, advise our farmers correctly or empower them.

The Chairperson of the Committee on Agriculture, Livestock and Fisheries recently informed me of a certain research carried out, including in your county of Bomet, on the quality of potatoes produced, yet county governments remain unaware. How do we intend to improve quality if we do not collaborate with our universities, which have the tools of research, to help us understand the quality of seeds we are planting and the produce we are harvesting? Instead, we only encounter sensational newspaper items. I am sure you were also shocked to read that farmers from Nyandarua

and Bomet County are allegedly selling poison to the people of Kenya. First, there are juicy and catchy issues that have been included, which are very misleading.

Mr. Temporary Speaker, Sir, I appeared before that Committee and gave my evidence. I know my people. I am a farmer. I produce potatoes and the potatoes that I eat at home are the same that I sell. I do not have a separate kitchen garden for potatoes meant for sale and another small garden for my own consumption. It is the same case for every farmer in Nyandarua County. I believe it is the same case for every farmer in Bomet.

Therefore, how do we vilify a farmer who has done everything possible to feed the nation, only that perhaps the pesticides they are using, without knowing the effects, may be problematic? Where does the farmer come in? How is the farmer supposed to know that? All these brands have been approved by the Government? When a farmer buys a brand from an agro-vet to fight an insect and after they have grown their crop, someone comes and says that they are selling poison. That is extremely unfair to the farmer. That farmer has done everything right.

There is no shortcut in potato farming. For the time that I have been a potato farmer, we have grown potatoes for four months. There has never been a pesticide that has shortened that period to give us an advantage. To then be accused of selling poison is unjust.

Therefore, we must push for research and innovation. We cannot continue using the old system of crop production and expect different results or higher yields. The inclusion on research is extremely good. It will help both the National Government and county governments in planning and allocation of resources.

Mr. Temporary Speaker, Sir, I sometimes wonder how it is that you see a governor of a county declaring one project this year, abandoning it the next year and moving to another project. There is a cure provided for in the County Governments Act, 2012. That cure is the County Integrated Development Plan (CIDP), which is supposed to run for five years. Out of the CIDP comes the Annual Development Plan (ADP).

Counties are supposed to align their ADP with the CIDP. There is significant input by citizens in the formulation of the CIDP. You consult them and ask their priorities and you record them in the five-year plan. That becomes your five-year plan for running the county. For example, in the county that I come from, in the first year the county government was giving super napier grass to farmers so that we can improve on animal feeds worth Kshs12.5 million. I cannot say that I have seen it being very successful, but be it as it may, that is such a good thought.

On the second year, instead of building on what we have started, we started growing apples. In my mother tongue - Sen. Githuku will help me because he also understands my mother tongue - it is called *Kafagoho*. So, I do not know whether that *Kafagoho* is an apple, but I think it is in the family of the apples.

That is another Kshs12.5 million. Instead of building this new project, the governor has now decided that we are not done with the super napier; now we have gone to apples. So, instead of going to the third year and building what we have done; we have now abandoned the Kshs12.5 million for super napier; we have abandoned the Kshs12.5 million for apples.

Now, there is something that they are calling crop promotion and I heard from the governor because he was speaking in the county assembly yesterday, that we now have a new revelation that Nyandarua is actually doing very well and can do very well in terms of coffee production.

First, we have never produced coffee and I would be very happy if Nyandarua would be said to be a coffee producer. Whatever we say must be backed up by facts. There must have been some research that informs why we actually believe that coffee can actually grow in Nyandarua.

We cannot just say because coffee grows in Laikipia, it can grow in Nyandarua; just because we neighbour Laikipia. Some people are saying it is growing in Laikipia. Many places that are very cold do well in production of tea. However, Kinangop is very cold, but we have never grown tea. We have always been growing potatoes. There must have been a reason why the potatoes were taken to Nyandarua and tea was taken to Kericho, whereas both places are very cold.

These sensational statements that you keep making, they must be backed by research. There must have been some research that informs your decision on saying that we now want to start growing coffee. By the way, it is not that we do not want to grow these crops that give quick money.

You know last week I was in Mbeere. Of course, you know what I was doing in Mbeere and I do not want to advance that story because I know many people will be very uncomfortable if I told you what I saw in Mbeere. That is a story that I will tell in the days to come.

I actually saw that in Sen. Mundigi's place, they grow something that is called *Muguka*. You will find that somebody is harvesting around 30 kilos of *Muguka* every day on a small piece of land of one acre and they are selling it at Kshs1,000 per kilo. That is Kshs30,000 every day in one acre.

If we can get that kind of money in Nyandarua, it would be good. It is not that we just want to plant potatoes and people buy them at Kshs1,200. We just want to grow *Muguka* if it can grow in Nyandarua, so that all of us can then eat *Muguka*. If *Muguka* is what will give our farmers money, that is what we want to grow. I see my time really moves. I used to actually think that time moves faster when I am speaking, but I confirmed that it is my thoughts that are always very broad.

Finally, as I wind up, the board shall, in collaboration with the respective county governments, establish capping centres in the counties for purposes of conducting coffee quality and capacity building.

With coffee, you get more money when you have better quality. The farmer should be advised that having tested your soil, this quality of coffee can actually grow on your soil so that you can actually grow coffee that is of very high quality.

For example, if you tell the farmers in Nyandarua to grow coffee, they will ask you: Which coffee are we growing? Are we growing Arabica? Which brand of coffee are we growing? We are just taking coffee bushes and growing them just for the sake of it. So therefore, in terms of quality, the board should be able to advise on the quality of coffee that we are growing.

In terms of continuity of what we do in government, because that is also something systemic that hurts our development as a country. I will give you a case in point and an example. When President Uhuru Kenyatta was leaving office, he built a potato cold storage which is approximately 60,000 metric tonnes in Ol Kalou. By the time he was leaving office, it was actually complete.

It was commissioned and launched by President William Ruto in December of the year that he was elected in 2022, but you know, the sad part is that not even one crate of potatoes has ever been frozen in that cold room. That thing now remains as a white elephant. An amount of Kshs600 million was spent.

You know, the day that he was actually launching it, there were potatoes inside. I do not want to blame him because I do not think he is the one who brought those potatoes.

By the time he left - if he was flying to Nairobi - the potatoes had already made their way back to where they had been brought from in market in Ol Kalou. By the time he got to Nairobi, the place had been closed. To this minute, three years later, nothing has ever been done on that particular project and yet it is complete. It was being commissioned because it is complete and it cost Kshs600 million. Apart from that Kshs600 million, there are other government finances that were used.

There is a tarmac road that goes to that particular facility. That tarmac has cost the taxpayer's money. How do you imagine the people feel when they see such kind of a facility and it does not help them? You can imagine 60,000 metric tonnes of potatoes.

The reason people buy our potatoes at a throwaway price is because they are highly perishable. You cannot keep them at home. It is not like maize which you can store and sell it when the prices improve. For potatoes, you have to sell them because in five days they go bad. The cold room facility was meant to help our people, so that they could store their potatoes there until they got good prices in the market.

There is another white elephant that is at my place called Midland. Just the other day, the President said that he wants to help the people of Njambini by building the county aggregation industrial park. He was there and it was launched. It was a very big ceremony.

I see the way you are looking at this red light. I know you want me to finish, but just to disappoint you, after he left, the trenches that were dug when President William Ruto was in Njambini for the launch of the County Aggregation Industrial Park (CAIP) nothing has happened to this minute.

You cannot blame the county because he was supposed to first give us his Kshs250 million. Even if the county had not done anything, at least we would be seeing something moving up and we would say that the completion of that facility would be done by the county.

Therefore, we must be serious to our farmers. We cannot just keep speaking. We cannot just come and sensationalise people; you come and tell the people that now, the people of Nyandarua, your challenge has been---

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Methu, your time is up and thank you for your contribution. Now, Hon. Members, there is no other Member who wishes to contribute to this motion.

I, therefore, call upon the Mover, the Senate Majority Whip, Sen. Wafula, to reply.

**Sen. Wafula:** Asante sana Mheshimiwa Naibu Spika wa Muda kwa kunipa nafasi hii tena kurudi hapa ili niweze kutamatisha kimukhtasari yale ambayo viongozi Maseneta wenzangu wametaja. Ningependa kuwashukuru Wabunge wa Bunge la Kitaifa na Bunge la Seneti ambao walikua katika kikosi cha majadiliano kupata mwafaka wa Mswada huu kwa sababu Wakenya wa pembe mbali mbali wamekua wakiufuatilia sana.

Vile vile, ningependa kuwashukuru wakulima wote kote nchini tulikotembea, wakiwemo wakulima kule Bungoma, Bomet na pembe zingine za nchi ya Kenya tulipokwenda na kuzungumza kuhusiana na Mswada huu.

Vile vile ningependa kumshukuru Sen. Methu kwa hoja ambazo amekariri na kudondoa kwa usanjari kuhusiana na changamoto za wakulima wa viazi nchini Kenya. Ningependa kukuhakikishia kwamba Seneti nami kama kiongozi wa upande wa waliowengi tutaifuatilia yale ambayo yanahusu wakulima wetu. Iwapo kuna miradi iliyozinduliwa na Serikali, tutasukuma ili ifanywe na vilevile serikali za kaunti zitekeleze wajibu wao kwa sababu kuamkuana, lazima mikono yote miwili ikutane. Serikali ya Kaunti ya Nairobi imenyoosha mkono wa heri njema kwa serikali ya kaunti yako. Tunataraji kwamba gavana vilevile atafanya vivyo hivyo.

Bw. Naibu Spika wa Muda, ningependa kuwashukuru Maseneta waliochangia Hoja hii, wakiongozwa na Sen. Aaron Cheruiyot, Kiongozi wa Waliowengi katika Seneti; Sen. Kathuri Murungi ambaye in Naibu Spika; Sen. Okiya Omtatah; Sen. Danson Mungatana na ndugu yangu Sen. Methu aliyezungumza muda mfupi uliopita. Nashukuru Sen. Methu kwa kusema kuwa kaunti lazima iwe na orodha ya wakulima ili wanapofanya ukulima kule mashinani, lazima magavana wawe na takwimu mwafaka ili waweze kupanga.

Kama Mwenyekiti, nilikaribisha magavana mbali mbali katika kamati yangu. Kuna gavana mmoja kutoka Bonde la Ufa ambaye tulijadili naye orodha ya wakulima ambao walipata pembejeo. Alikuwa ameleta orodha ya wakulima 6,000. Kupitia uwezo wangu na mamlaka niliyopewa, nilipomulika kurunzi kwenye majina hayo, nilibaini kuwa asilimia 94 yalikuwa gushi kwa sababu kulikuwa na majina ya watu ambao si wa kaunti hiyo. Wengine hawajawahi kufanya ukulima wa mahindi lakini walikuwa wameorodhesha kwamba ni wakulima wa eneo hilo.

Nakubaliana na Sen. Methu kwamba sisi kama Maseneta lazima tuwasukume viongozi wa kaunti kuwajibika kwa sababu fedha hizo sio zao binafsi. Lazima wawajibike na kufanya kazi. Ifikapo tamati, tutawaanika wale ambao wanapotosha umma kwamba wanatumia fedha ilhali wanafyeka kama nziye.

Bw. Spika wa Muda, Maseneta wengi hawako kwa sababu ya shughuli mbalimbali. Jinsi unavyofahamu, watasafiri kwenda kushiriki michezo ya mabunge ya nchi za Afrika Mashiriki katika nchi jirani ya Uganda.

Kwa kutamatisha, ningependa tupigie kura Mswada huu ili Rais autie kidole. Naomba tuahirishe kupendekeza swali hadi siku nyingine ambapo itifaki za Bunge zitaona ni bora kuitisha kikao ili tuweze kutamatisha. Hiyo ni kwa mujibu wa Kanuni za Kudumu za Seneti, Nambari 66(3), naomba kwamba swali litajwe baadaye au liahirishwe

hadi wakati mwafaka ili sote tuhusike na kuhakikisha kwamba Mswada huu unafika tamati ili wakulima wa nchi ya Kenya wapate haki yao.

Kwa hayo mengi, Bw. Spika wa Muda, nakushukuru na naomba kukomea hapo. Asante.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Wakoli. Pursuant to Standing Order No.66(3), your requesting to defer putting of the question is hereby granted. Putting of the question is deferred to the next sitting of the House.

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

In order for us to facilitate continuity of the business of the House, we will defer from Order Nos.11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

### MOTION

#### ADOPTION OF REPORT ON PETITION ON NON-PAYMENT OF OUTSTANDING TERMINAL BENEFITS AND MAZIWA SACCO DUES TO FORMER EMPLOYEES OF KCC LTD

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on a petition to the Senate by employees of the former Kenya Cooperative Creameries Limited (KCC) concerning non-payment of outstanding terminal benefits and Maziwa Sacco dues to former employees of Kenya Cooperatives Creameries Ltd, laid on the Table of the Senate on Thursday, 27<sup>th</sup> November, 2025.

*(Motion deferred)*

### MOTION

#### ADOPTION OF REPORT ON PETITION BY MR. TITUS NJOROGE ON HIS DISMISSAL BY AIC AND NON-PAYMENT OF ARREARS OWED TO HIM

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on a petition to the Senate by Mr. Titus Njoroge concerning his dismissal by the African Inland Church (AIC) of Kenya and non-payment of arrears owed to him, laid on the Table of the Senate on Thursday, 27<sup>th</sup> November, 2025.

*(Motion deferred)*

**COMMITTEE OF THE WHOLE**

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS  
TO THE METEOROLOGY BILL (SENATE BILLS No.45 OF 2023)

*(Committee of the Whole deferred)*

**COMMITTEE OF THE WHOLE**

THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILLS No.45 OF 2022)

*(Committee of the Whole deferred)*

**COMMITTEE OF THE WHOLE**

THE LABOUR MIGRATION AND MANAGEMENT (NO. 2) BILL  
(SENATE BILL No.42 OF 2024)

*(Committee of the Whole deferred)*

**COMMITTEE OF THE WHOLE**

THE TOBACCO CONTROL (AMENDMENT) BILL  
(SENATE BILLS No.35 OF 2024)

*(Committee of the Whole deferred)*

**COMMITTEE OF THE WHOLE**

THE COUNTY GOVERNMENTS ELECTION LAWS  
(AMENDMENT) BILL (SENATE BILLS No.2 OF 2024)

*(Committee of the Whole deferred)*

**COMMITTEE OF THE WHOLE**

THE NUTS AND OIL CROPS DEVELOPMENT BILL  
(SENATE BILLS No.47 OF 2023)

*(Committee of the Whole deferred)*



**COMMITTEE OF THE WHOLE**

THE COUNTY LIBRARY SERVICES BILL  
(SENATE BILLS NO.40 OF 2024)

*(Committee of the Whole deferred)*

**BILL**

*Second Reading*

THE WILDLIFE CONSERVATION AND MANAGEMENT  
(AMENDMENT) BILL (SENATE BILLS NO.46 OF 2023)

*(Bill deferred)*

**BILL**

*Second Reading*

THE WILDLIFE CONSERVATION AND MANAGEMENT  
(AMENDMENT) BILL (SENATE BILLS NO.49 OF 2023)

*(Bill deferred)*

**BILL**

*Second Reading*

THE KENYA NATIONAL COUNCIL FOR POPULATION AND  
DEVELOPMENT BILL (NATIONAL ASSEMBLY  
BILLS NO.72 OF 2023)

*(Bill deferred)*

**BILL**

*Second Reading*

THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL)  
(AMENDMENT) BILL (SENATE BILLS NO.1 OF 2024)

*(Bill deferred)*

**BILL***Second Reading*

THE CULTURE BILL (NATIONAL ASSEMBLY  
BILLS NO.12 OF 2024)

*(Bill deferred)*

**BILL***Second Reading*

THE COUNTY WARDS (EQUITABLE DEVELOPMENT) BILL  
(SENATE BILL NO. 20 OF 2024)

*(Bill deferred)*

**BILL***Second Reading*

THE LIVESTOCK PROTECTION AND SUSTAINABILITY BILL  
(SENATE BILL NO.32 OF 2024)

*(Bill deferred)*

**The Temporary Speaker** (Sen. Wakili Sigei): I ask the Clerk to call Order No.28.

Sen. Mungatana, you are taking this on behalf of the Senate Majority Leader. Proceed to move.

**MOTION**

ADJOURNMENT OF THE SENATE PURSUANT  
TO THE APPROVED CALENDAR

**Sen. (Dr.) Mungatana, MGH:** Mr. Temporary Speaker, Sir, thank you for giving me the Floor.

I beg to move under Standing Order No.31(1) that this House be adjourned for this Session.

I am saying this on behalf of the Majority Leader, Sen. Aaron Cheruiyot, that this has been a tremendously great session that this House has managed to do. Earlier on,

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specific number of Bills that were moved were mentioned, the number of Motions were also mentioned during this session. A number of our Bills also went to mediation. A number of our Bills were passed. A number of our Bills were assented to by His Excellency, the President.

I, therefore, take this opportunity to really congratulate this House for the work they have put. I know we have had our own difficulties and challenges, especially, when some of our Bills are processed here properly and passed to the other House and they take very long before they are put on the Order Paper. Sometimes, they are lost along the path. However, I thank hon. Senators who have always been present during the debates in this House; Senators who have worked very hard in their committees. I also thank all the committee chairpersons and their vice-chairpersons as well as hon. Senators who are consistently attending.

Mr. Temporary Speaker, Sir, I cannot forget to thank the secretariat of this Senate, the Clerk, and the management of the House through the Speaker for making sure the things were running properly during this Session. We appreciate the work that is done behind the back, so that this House can run smoothly. We appreciate the administration and the duties that are carried to make sure Senators in this House work appropriately.

We also want to thank our staff who have been helping the Senators with research, administrative work back in the county offices and even in the Nairobi offices. We really appreciate those members of staff who have been diligent and they have been helping us.

Mr. Temporary Speaker, Sir, it is now time to break for the long holidays. For us, like we have said and it was said this afternoon, it is going to be short because I am aware that in January, many committees will go back to work, although we are supposed to take a break until February. However, with the permission and leave of the Speaker, many of these committees will be sitting again.

In this House, the Speaker has given direction that the Committee on Energy needs to look at the agreements that were done for extraction of oil in Turkana. Those agreements need to pass through this House and the other House before they can be constitutionally executed because, those are mineral resources that are coming for the benefit of this country.

You will remember that during the State of the Nation Address, the President talked about intergenerational wealth and sovereign wealth. So, the Committee on Energy of the Senate, as ruled by the Speaker, must meet and within 60 days, complete all the work, including public participation and meeting all stakeholders.

I know Senators will have a short break, but they will come back. I take this opportunity to wish them a Merry Christmas and as we go home, and a Happy New Year. Go meet all our constituents, those who sent us here. Hon. Methu has said that majority of us were elected by farmers who now need to give us feedback on whether we have been pushing the appropriate messages in this House. I pray that Senators who have already started their leave will do as we have agreed here today.

Mr. Temporary Speaker, with those many remarks, I wish them good health. Let us take care of ourselves, so that we do not lose any of us to accidents and other risky things; let us all come back. I wish them GodsPEED.

I congratulate the new Member of the Senate who came in recently. He has replaced our departed colleague and so, the House is now complete. Although he is coming in for a short time, I know he will fulfil his mandate within the remaining time.

I wish all of us well, a Merry Christmas and a Happy New Year.

Mr. Temporary Speaker, I beg to move this Motion of Adjournment and call upon the Hon. Senate Majority Whip, the Senator for Bungoma County, Sen. David Wakoli, to second this Motion.

I thank you.

**Sen. Wafula:** Asante Bw. Spika wa Muda. Nashukuru Mheshimiwa Mungatana na Sen. Methu tulionao hapa. Nawashukuru wakenya kutoka pembe mballi mbali wanapo tusikiliza na kututazama.

Ningependa kuwaambia wakenya ya kwamba wasingekuwapo, Seneti haingeshughulikia mambo yao. Nawarai kwamba msimu huu wa likizo, waendeleo kutuza na kuchanganua maswala ibuka katika jamii; yale mambo ambayo Jumba la Seneti lapaswa kuzingatia ama kuwatetea ili waweze kujihisi wakenya na wafurahie matunda ya nchi ya Kenya.

Ndugu yangu Mungatana amesema miswada mingi tumepitisha na hoja nyingi tumejadili. Kilicho baki ni kushinikisha serikali za kaunti kwa sababu, kazi ya Seneti ni kusukuma serikali za kaunti kuwajibika na kuwatendea wakenya mema kwa sekta zote iwe ni kilimo, michezo, miundo mbinu au utamaduni. Wakenya popote walipo lazima waendeleo kudai na kusukuma ili wapate haki yao na gharama ya fedha zao.

Bw. Spika wa Muda, nachukua nafasi hii kuhakikishia wakenya kwamba, Kamati zote za Seneti, zikiongozwa na Kamati niliyokuwa naongoza ya Kilimo, tunawashukuru kwa sababu, pembe jeo zimekuja kwa mapema, mswada wa kahawa uko na hapa na fedha zinakuja kwa masaa yanayotarajiwa, sukari vivyo hivyo. Namshukuru pia Sen. Mungatana kwa kudai mambo ya maembe.

Tunawahakikishia wakenya ya kwamba, hatua kwa hatua, pole pole ndio mwendo. Heri kuchelewa kuliko kukosa kufika. Tunawahakikishia wakenya ya kwamba tutatembea aste aste kuhakikisha ya kwamba tunafikia malengo na matarajio ya kenya ili tuweze kufurahiya matunda ya nchi ya Kenya.

Kulingana na yale ambayo Mheshimiwa Mungatana ametaja, vile vile, nakubali kwamba vikao vitamatishwe hadi wakati mwingine patapo tangazwa kwamba vikao vimeitishwa kirasmi na Bunge la Seneti likiongozwa na Spika.

Nawatakiwa wakenya Krisimai njema, wasafiri salama, vijana wajiepusha na mihadarati na ngono isiyo pimika ili vizazi vijavyo viweze kuwa hai na afya ili tuendeleo kuwa wakenya ambao tunajali vizazi vijavyo.

Ukweli unazidi injili na naomba kukomea hapo.

Asante.

**The Temporary Speaker (Sen. Wakili Sigei):** Hon. Senators, before I propose the question, I also thank the Hon. Members of this House for the very great session we have had that is coming to an end today. It has been a session of great debates in the House. As Sen. Mungatana said, we have passed several Bills. We received a report earlier from the Leader of the Majority on the business that this House is consulted on for the season that is coming to an end today.

I want to thank all the Members, the entirety of the secretariat, led by the Clerk, for the support that has always been available to the Members of this House. I will not forget the viewers and the Kenyans in general who have, for the longest, served to give us feedback on what we do as a House. I wish them well.

I am aware that even though we are adjourning today, committees will continue doing the work, whether within or out of the country. I encourage them to continue doing what the people of this Republic asked them to do when they sent them to this House.

For those who are proceeding to the East African Legislative Assembly (EALA) sports in Uganda, I wish them success. I request them to shine in whatever discipline they are involved in the sports within East Africa and highlight the success stories that we always speak about in Kenya.

Lastly, as you embark on the holiday season, I wish you the very best. I wish you festivities that are full of success, both for those who are going to be with their families and those who are not going to be without their families for the season. I encourage you to spend as much time as possible with your families. I wish you all a Merry Christmas and a Happy New Year 2026.

*(Question proposed)*

Hon. Members, this being a Procedural Motion and with your concurrence, I know and I want to request that if there is any Member who wants to speak to it, we could, but if there is none, we just proceed to end that.

### ADJOURNMENT

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, there being no other business on the Order Paper, the Senate stands adjourned until Tuesday, 10<sup>th</sup> February, 2026, at 2.30 p.m.

Merry Christmas and Happy 2026.

The Senate rose at 6.23 p.m.