



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fourth Session

Tuesday, 2nd December, 2025 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 2nd December, 2025

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

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

PRAYER

DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING

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

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

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

(The Quorum Bell was rung)

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

ADMINISTRATION OF OATH

*(The Senator-Elect for Baringo County entered the Chamber
escorted by Sen. Munyi Mundigi and Sen. Veronica Maina)*

(Applause)

Sen. Veronica Maina: Mr. Speaker, Sir, it is my pleasure and privilege to introduce to you and the Senate, to the Senator-Elect for Baringo County, Cheburet Kiprono Chemitei, of the United Democratic Alliance (UDA), who won by over 55,000 votes in the just completed by-elections in Baringo County.

(Applause)

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The Speaker (Hon. Kingi): Thank you, hon. Senator.

Mr. Chemitei, you may now proceed to take the oath.

Mr. Chemitei, do you want to do affirmation or take the oath?

Mr. Cheburet Kiprono Chemitei: I will take the oath.

The Speaker (Hon. Kingi): Will you use the Quran or the Bible?

Mr. Cheburet Kiprono Chemitei: The Bible.

The Speaker (Hon. Kingi): Will you read in Kiswahili or English?

Mr. Cheburet Kiprono Chemitei: Kingereza iko sawa.

The Speaker (Hon. Kingi): Okay. Kindly give him a Bible.

You may now proceed.

The Oath of Allegiance was administered to Hon. Cheburet Kiprono Chemitei.

(Applause)

Hon. Senator, you are welcome to the Senate.

(Sen. Cheburet Kiprono Chemitei approached the Bar, bowed to the Chair and took his seat)

(Applause)

(Sen. Chute stood in his place)

Order, Senator for Marsabit. Take your seat.

(Sen. Chute sat at his place)

Hon. Senators, I will allow the Senate Majority Leader to pass a word of congratulations. I will also call upon Sen. Omogeni to also pass a word of congratulations.

Sen. Omogeni, you may proceed.

Sen. Omogeni: Mr. Speaker, Sir, I take this opportunity to welcome our newest Senator for Baringo to the House. He is taking the seat that was occupied by a man we really respected and counted on, our senior in the profession, the late Sen. Cheptumo. You know Baringo is a county that we respect. It produced our second President, Mzee Daniel arap Moi. We know that leaders from Baringo are great leaders.

We welcome you to this House. We are a House of a few brothers and sisters and we love each other. I do not doubt that you will flourish as a Senator in this House. We wish you well in your tenure. May you serve many tenures as a Senator of the great County of Baringo.

Thank you.

The Speaker (Hon. Kingi): Proceed, the Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I came to this House via a by-election. So, I know exactly what Sen. Chemitei feels. He is extremely

happy, elated, proud and blessed to have the opportunity to represent the people of Baringo County in this House.

On behalf of my colleagues, I welcome Sen. Kiprono Chemitei who is joining us to replace our departed colleague whom we held in such high esteem. He held the mantle of this House and led the Justice, Legal Affairs and Human Rights Committee (JLAHRC) and so many other things during the time that he served together with us here.

I have no doubt that young Sen. Chemitei joins us with great potential, which shall be sharpened in the next few days by interacting with colleagues, training from our very competent staff and learning from the many colleagues here who represent the different facets of life and different professional backgrounds. In no time, he shall be as good as all of us, if not better.

I have no doubt, in my mind, that the people of Baringo County made the right decision, sending us such a brilliant young man to join many other young people in this House who continue to fight and ensure that devolution succeeds in this country. Sen. Chemitei, take your time, relax, do not feel any pressure.

There is nothing or anybody that you need to impress in this House. You have already done what needs to be done. Take the next few days to learn. You do not have to speak in your first few days, but interact and learn from your colleagues, the staff, the Speaker and your constituents until such a time you feel that you will be comfortable to make your contribution.

Finally, I do not know why Sen. Eddy wants me to direct Sen. Chemitei to him. You know the President has given advice to Senator Eddy, which he has not fulfilled. Advice on people who are 25 and above and have not done some things.

(Laughter)

Mr. Speaker, Sir, I cannot direct Sen. Chemitei to Sen. Eddy on certain things, at least I know he can do better with others. With those many remarks, I welcome him and appreciate that the UDA and the broad-based team who scored seven out of a possible seven in the just-concluded by-election. That is just, but a warning shot to our competitors.

(Sen. Omogeni spoke off record)

Sen. Omogeni, we do not count Members of the County Assembly (MCA) seats here. We are in Parliament. You will discuss those in the county assemblies. Naturally, ruling parties face it very rough in mid-term elections, world over and UDA is no exception. Therefore, if UDA is doing this well during mid-term elections, I shudder to imagine what it will do come 2027. We shall do exceptionally well. The UDA and ODM, broad-based team, God bless Kenya.

Thank you.

COMMUNICATIONS FROM THE CHAIR**VISITING DELEGATION FROM THE NATIONAL REFORMS
TRANSITIONAL OFFICE OF THE KINGDOM OF LESOTHO**

The Speaker (Hon. Kingi): Hon. Senators, I would like to acknowledge the presence in the Speaker's Gallery this afternoon of a visiting delegation from the National Reforms Transitional Office of the Kingdom of Lesotho. The delegation is on a benchmarking visit to the Parliament of Kenya.

Hon. Senators, I request each member of the delegation to be upstanding when called out, so that you may be recognized in the Senate tradition.

- | | | |
|-----------------------------|---|--|
| (1) Hon. Richard Ramoeletsi | - | Minister of Law and Justice/Leader of Delegation |
| (2) Hon. Lira Ralebese | - | Principal Secretary, Ministry of Law and Justice |
| (3) Adv. Ntebaleng Morojele | - | Chief Executive Officer |
| (4) Dr. Mothae Maruping | - | Special Advisor, Economics Reforms |
| (5) Mr. Mzimkhulu Sithotho | - | Special Advisor, Media Reforms |
| (6) Adv. Sam Muganwa | - | Legal Drafter. |

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

I will call upon Sen. Osotsi to extend a warm welcome to this delegation.

Sen. Osotsi: Thank you, Mr. Speaker, Sir. I know you have chosen me because I am the Deputy Party Leader of the biggest party in Kenya, the ODM; a party that has been at the centre of the reform agenda in this country.

I take this opportunity to welcome the delegation. Namibia is a great country. Sorry, I meant Lesotho. You know they are immediate neighbours and they are almost the same people.

I welcome them to benchmark with us here in the Parliament of Kenya and other relevant institutions that promote reforms. We are privileged to have one of the most progressive constitutions, the Constitution of Kenya 2010.

I invite you to read our constitution, particularly the chapter on the Bill of Rights, to gain a deeper understanding of the progress Kenya has made in terms of constitutional freedom.

I welcome you to this Parliament. As you relate around, remember that Kenya loves you and will always stand with the other Africans as a Pan-African society.

Thank you.

LEADERSHIP CHANGES IN THE POSITION
OF SENATE MAJORITY WHIP

The Speaker (Hon. Kingi): I have a further Communication to make. Hon. Senators, vide the letter Ref: SEN/035/SBC/012/2025, dated 2nd December, 2025, I received correspondence from the Senate Majority Leader, Sen. Aaron Cheruiyot, EGH, MP, regarding changes in the Majority Party leadership affecting the Office of the Senate Majority Whip.

As you are aware, Standing Order No.22(5) provides as follows –

“A Senator elected under Paragraph (1) may be removed by a majority of votes of all the senators belonging to the Majority Party”.

Further, Standing Order No.22(7) states as follows-

“Upon a decision being made by the Majority Party or coalition under this Standing Order, the decision of Party or coalition shall be communicated to the Speaker in writing, together with the minutes of the meeting at which the decision was made-

(a) in the case of the removal of the Senate Majority Leader or the Deputy Senate Majority Leader by the Senate Majority Whip; and

(b) in the case of the removal of the Senate Majority Whip or the Deputy Senate Majority Whip, by the Senate Majority Leader.”

Now, hon. Senators, pursuant to Standing Order No.22(7), the said letter from the Senate Majority Leader was accompanied by the following documents –

(1) Minutes of the Majority Party meeting, dated 2nd December 2025, which is a record of the proceedings of the meeting, together with the resolutions.

(2) Duly signed lists of Senators who attended the above-indicated meeting.

Now, from the correspondence, the minutes indicate that a resolution was passed to remove the Senate Majority Whip, Sen. (Dr.) Boni Khalwale, CBS, MP, in accordance with Standing Order No.22(5). The minutes further indicate that the Majority Party elected Sen. David Wafula, Wakoli, MP, to serve as the Senate Majority Whip in his place.

Hon. Senators, Standing Order No.22(8) provides as follows-

“The Speaker, upon receipt of the decision, under paragraph (7), shall verify the correspondence received and deliver a communication to the Senate within three sitting days.

In this respect, I have verified the correspondence received and hereby communicate that the Majority Party has effected a change in the Office of the Senate Majority Whip. Therefore, the new office holder with immediate effect is Sen. David Wafula Wakoli, MP.

I thank you.

The Speaker (Hon. Kingi): Next Order.

PETITION**UNLAWFUL LAND RATES IN KAHAWA
SUKARI IN KIAMBU COUNTY**

The Speaker (Hon. Kingi): Hon. Senators, pursuant to Standing Order No.232(1)(a), I hereby present a petition that has been submitted through the Clerk by Mr. Dickson Miano, on behalf of other petitioners, regarding unlawful and unjustified land rates in Kahawa Sukari in Kiambu County.

As you are aware, Article 119 (1) of the Constitution states as follows-

“Every person has the right to petition Parliament to consider any matter within its authority including to enact, amend or repeal any legislation”.

The salient issues raised in the same petition are as follows:

THAT, the petitioners are residents of Kahawa Sukari in Kiambu County.

THAT, the petitioners are concerned about the excessive increase of land rates imposed by the County Government of Kiambu.

THAT, the County Government has implemented a 1,000 per cent increase in land rates, raising annual charges from Kshs10,000 to Kshs15,000. The increase is based on a 0.1 per cent valuation rate, which residents consider excessive, unfair and economically burdensome.

THAT, the residents were never notified of the intention to revise or increase the land rates. They further assert that the increase lacks proper legal and valuation basis as required by law.

THAT, despite the legal requirement for county governments to prepare a valuation roll and facilitate public participation, residents remain unaware of whether the roll was prepared as they have been unable to access it at the county offices. They do not know the basis for the land valuation and are not aware of any public participation conducted during its preparation.

THAT, the petitioners argue that the entire valuation and rate setting process violates constitutional requirements, particularly public participation, transparency and accountability. Multiple attempts to obtain information from the county offices have been unsuccessful.

THAT, the residents state that the services supposedly funded by the land rates, such as waste management, road maintenance and general infrastructure are poorly delivered or not delivered at all, making the steep increase unreasonable.

THAT, the residents approached the Kiambu County Government, the county assembly and the area leaders but have received no response and no action has been taken regarding this matter.

THAT, the matter is not pending in any court, legal or constitutional body.

THAT, the petitioners therefore pray that the Senate does the following:

(a) investigate how the County Government of Kiambu set the new rates and determine whether the increases are justifiable or lawful;

(b) obtain full details about the current Kiambu County valuation roll, including when and how it was prepared, who prepared it, when it took effect and where residents can inspect it;

(c) confirm whether public participation was undertaken during its preparation and provide supporting evidence;

(d) Investigate any enforcement actions taken or planned regarding the new rates;

(e) recommends that the previous rates of Kshs1,500 per plot remain in place until the County Government complies with the legal requirements of public participation, fair taxation principles and valuation processes; and

(f) initiates legislative intervention to streamline the process of setting land rates.

Hon. Senators, pursuant to Standing Order No.238(1), I commit the petition to the Standing Committee on Land, Environment and Natural Resources for consideration and in terms of Standing Order No.238(2)(a), the Committee is required, in not more than 60 calendar days, from the time of reading the prayer, which is today, to table its report in the Senate for consideration. The Senate shall, thereafter, consider the report of the Committee.

I thank you.

Next Order.

PAPERS LAID

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, Tuesday, 2nd December, 2025.

COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENT SCHEDULES FOR FY2025/2026

The County Governments (Additional Allocations) Cash Disbursement Schedules for Financial Year 2025/2026.

FINANCIAL STATEMENTS OF VARIOUS COUNTY ENTITIES

Report of the Auditor-General on financial statements of Wajir County Disaster Management Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Wajir County Climate Change Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Wajir Municipality - County Government of Wajir for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Garissa County Environment Restoration and Livelihood Improvement Agency for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Balambala Sub-County Level 4 Hospital - County Government of Garissa for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Mombasa County Consolidated Revolving Fund for the year ended 30th June, 2025.

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Report of the Auditor-General on financial statements of Mombasa Investment Corporation for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Baringo County Executive Mortgage Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Baringo County Executive Car Loan Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Baringo County Assembly Catering and Health Services Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Baringo County Older Persons and Persons with severe Disability Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kwale County Climate Change Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kwale Municipality - County Government of Kwale for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kakamega County Alcoholic Drinks Control Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kakamega County Health Services Fund for the year ended 30th June, 2025.

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

Report of the Auditor-General on financial statements of Laikipia County Development Authority for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Lamu County Youth Development Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Lamu County Executive Staff Housing Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Lamu County Disability Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Lamu County Alcoholic Drinks Control Fund (for the 16 months period) for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Lamu County Youth Gender and Social Development Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Lamu County Fisheries Development Agency for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Samburu County Executive Staff Mortgage (Members) Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Busia County Emergency Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Taita Taveta County Executive Car Loan and Mortgage Revolving Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Tana River County Disaster Risk Management Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Tana River County Ward Bursary Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kajiado County Emergency Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kajiado County Referral Level 5 Hospital - County Government of Kajiado for the year ended 30th June, 2025.

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

Report of the Auditor-General on financial statements of Municipality of Molo – County Government of Nakuru for the year ended 30th June, 2025.

Report of the Auditor-General on Kirinyaga County Empowerment and Development Fund for the year ended 30th June, 2025.

Report of the Auditor-General on Kirinyaga County Executive Staff Car Loan Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on Othaya Mukurwe-Ini Water and Sanitation PLC for the year ended 30th June, 2025.

Report of the Auditor-General on Nyandarua County Assembly Staff Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on Nyandarua County Assembly Members Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on Nyandarua Climate Change Fund for the year ended 30th June, 2025.

Report of the Auditor-General on West Pokot County Staff Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on Murang'a County Youth Fund for the year ended 30th June, 2025.

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

Report of the Auditor-General on Tawa Sub-County Level 4 Hospital for the year ended 30th June, 2025.

I beg to lay.

(Sen. Cheruiyot laid the documents on the Table)

The Speaker (Hon. Kingi): Majority Leader, approach the Chair.

(Sen. Cheruiyot approached the Chair)

Proceed, chairperson Standing Committee on Justice, Legal Affairs and Human Rights.

Sen. Wakili Sigei: Thank you, Mr. Speaker, Sir. I beg to lay the following Papers on the Table of the Senate, today, 2nd December, 2025-

REPORT ON THE COUNTY GOVERNMENTS (STATE OFFICERS REMOVAL FROM OFFICE) PROCEDURE BILL, 2024 (SENATE BILLS NO.34 OF 2024)

Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the County Governments (State Officers Removal from Office) Procedure Bill, 2024 (Senate Bills No.34 of 2024).

REPORT ON THE NATIONAL ASSEMBLY AMENDMENTS TO THE ELECTION OFFENCES (AMENDMENT) (NO. 2) BILL, 2024 (SENATE BILLS NO.28 OF 2024)

Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the National Assembly Amendments to the Election Offences (Amendment) (No. 2) Bill, 2024 (Senate Bills No.28 of 2024).

I beg to lay.

(Sen. Wakili Sigei laid the documents on the Table)

The Speaker (Hon. Kingi): Is the Chairperson of the Committee on Roads, Transportation and Housing ready to lay their Paper?

REPORT ON CONSIDERATION OF THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM BILL, 2024 (SENATE BILLS NO.43 OF 2024)

Sen. Miraj: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today, 2nd December, 2025.

Report of the Standing Committee on Roads, Transportation and Housing on its consideration of the Street Naming and Property addressing System Bill, 2024 (Senate Bills No. 43 of 2024)-

(Sen. Miraj laid the document on the Table)

The Speaker (Hon. Kingi): The Chairperson, Standing Committee on Health, please proceed, followed by the Chairperson Standing Labour and Social Welfare.

Sen. Mandago: Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, 2nd December, 2025-

REPORT ON CONSIDERATION OF THE KENYA HEALTH PRODUCTS AND TECHNOLOGY REGULATORY BILL 2022, (NATIONAL ASSEMBLY BILLS NO. 54 OF 2022)

The Report of the Standing Committee on Health on its consideration of the Kenya Health Products and Technology Regulatory Bill 2022, (National Assembly Bills No. 54 of 2022).

REPORT ON CONSIDERATION OF THE HEALTH (AMENDMENT)
BILL 2025, (SENATE BILLS NO.12 OF 2025)

Report on the Standing Committee on Health on its Consideration of the Health Amendment Bill 2025, (Senate Bills No.12 of 2025)

(Sen. Mandago laid the document on the Table)

The Speaker (Hon. Kingi): The Chairperson of the Standing Committee on Labour and Social Welfare, you may proceed to lay your Paper.

REPORT ON PETITION ON PEOPLE LIVING WITH INVISIBLE DISABILITIES

Sen. Murgor: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today, 2nd December, 2025-

Report of the Standing Committee on Labour and Social Welfare on the Petition by Ms. Patrice Lokwap, concerning people living with invisible disabilities.

I lay.

(Sen. Murgor laid the document on the Table)

The Speaker (Hon. Kingi): The Senate Majority Leader, you may proceed to lay the Papers on behalf of Sen. Mungatana, MGH.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, 2nd December, 2025-

REPORT OF PAP COMMITTEES AND OTHER PAP ORGANS
HELD IN MIDRAND, SOUTH AFRICA, 2024

Report of the Kenya Delegation to the Sitzings of the Pan-African Parliament (PAP) Committees and other Pan-African Parliament (PAP) Organs held at Gallagher Convention Centre, Midrand, South Africa on 13th September to 20th September, 2024.

REPORT OF THE PROCEEDINGS OF PAP HELD IN
MIDRAND, SOUTH AFRICA, 2024

Record of the Proceedings of the Fourth Ordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held at Gallagher Convention Centre, Midrand, South Africa on 28th October to 17th November, 2024.

(Sen. Cheruiyot laid the documents on the Table)

The Speaker (Hon. Kingi): Hon. Senators, for the convenience of the House and pursuant to Standing Order 45(2), allow me to rearrange today's Order Paper. We will

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move to handle business as contained in Order Nos.8, 9, 10, 11 and 12 before we resume the normal flow of today's Order Paper.

Clerk, you may proceed to call those orders.

(Sen. Okiya Omtatah stood at his place)

The Speaker (Hon. Kingi): Sen. Omtatah, kindly take your seat.

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, pursuant to Standing Order 27(6), the Senate –

a) records its thanks for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 20th November, 2025 and laid on the Table of the Senate on Tuesday, 25th November, 2025;

b) notes the following Reports submitted by His Excellency the President in fulfilment of Articles 132(1)(c)(1) and 240(7) of the Constitution, laid on the Table of the Senate on Tuesday, 25th November, 2025-

(i) The 12th Annual Report on all measures taken and progress achieved in the realization of National Values and Principles of Governance;

(ii) The Annual Report to Parliament on the state of National Security, 2025.

(Sen. Cheruiyot on 25.11.2025)

(Resumption of debate interrupted on 26.11.2025 - Afternoon Sitting)

(Question put and agreed to)

The Speaker (Hon. Kingi): Next Order.

MOTION

ADOPTION OF REPORT OF COMMITTEE ON HEALTH ON OVERSIGHT NETWORKING ENGAGEMENTS IN LAIKIPIA AND MERU COUNTIES

THAT, the Senate adopts the Report of the Standing Committee on Health on the County oversight networking engagements in Laikipia and Meru counties laid on the Table of the Senate on Tuesday, 11th November, 2025.

(Sen. Mariam Omar on 26.11.2025- Afternoon sitting)

(Resumption of debate interrupted on 26. 11.2025 - Afternoon Sitting)

(Question put and agreed to)

The Speaker (Hon. Kingi): Next Order.

MOTION

ADOPTION OF REPORT ON PETITION ON COMPENSATION OF SUGARCANE CROP DAMAGED IN PAP/ORIANG', SIAYA COUNTY

THAT, the Senate adopts the Report of the Standing Committee on Roads, Transportation and Housing on a Petition to the Senate by Mr. Francis Otieno regarding compensation for sugarcane crop damaged by the Department of Public Works, Roads, Energy and Transport in Pap/Oriang' in Siaya County, laid on the Table of the Senate on Wednesday, 12th November, 2025.

(Sen. Oketch Gicheru on 19.11.2025 - Afternoon Sitting)

(Resumption of debate interrupted on 27.11.2025 - Afternoon Sitting)

(Question put and agreed to)

The Speaker (Hon. Kingi): Next Order.

MOTION

ADOPTION OF REPORT OF COMMITTEE ON HEALTH ON OVERSIGHT NETWORKING ENGAGEMENT IN KILIFI COUNTY

THAT, the Senate adopts the Report of the Standing Committee on Health on the County oversight and networking engagement in Kilifi County laid on the Table of the Senate on Tuesday, 11th November, 2025.

(Sen. Wafula on 11.11.2025 - Afternoon Sitting)

(Resumption of debate interrupted on 27.11.2025 - Afternoon Sitting)

(Question put and agreed to)

The Speaker (Hon. Kingi): Next Order.

The Speaker (Hon. Kingi): The Senate Majority Leader, please proceed.

PROCEDURAL MOTION

RESOLUTION TO ALTER SITTING DAYS

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I rise to move the following Motion-

THAT, notwithstanding the Resolutions of the Senate made pursuant to Standing Order 32(4) on 19th February, 2025; 20th August, 2025; and 23rd September, 2025; on the approval of the Senate Calendar (Regular Sessions) for the Fourth Session, 2025, the Senate resolves-

(i) pursuant to Standing Order No.34(4)(b) and notwithstanding the provisions of Standing Order No.34(1) to commence its sittings for Wednesday, 3rd December, 2025, (morning sitting), at 9.00 a.m.;

(ii) pursuant to Standing Order No.34 (4)(b) to hold a sitting on Thursday, 4th December, 2025 starting at 9.00 am to 1.00 p.m.; and

(iii) pursuant to Standing Order 34(4)(a) to extend its sitting time for Wednesday, 3rd December, 2025 and Thursday, 4th December, 2025 (afternoon Sittings) until conclusion of business listed in the Order Papers of the day, in order to investigate the proposed removal from office, by impeachment, of Hon. Amos Kimwomi Nyaribo, Governor of Nyamira County.

Mr. Speaker, Sir, this is a Procedural Motion to allow us to sit in Plenary, as this House elected to do so last week, to listen to the matter that is before us, which is the County Assembly of Nyamira versus Governor Amos Nyaribo.

Mr. Speaker, Sir, I wish to make a comment. Colleague Senators, since you voted to sit in Plenary, it is my hope that you will actually be present. It is not fair to the parties to choose to listen to the matter, but often have no time to do so. I speak as someone who has suffered the unfortunate incident of having my county before the House.

The consequence of the vote you took last week is that you will sit in this House from 9 a.m. tomorrow until as late as necessary, depending on the business of the House. On Thursday, again, from morning until whatever time is required, should we get to Thursday.

I am accustomed to times when we have sat in this House even up to 3 a.m. to vote and to consider weighty matters. It is not a light matter when a county disagrees to the extent of agreeing to send a governor away. Therefore, I plead with colleagues to find the time to be sitted here by 9.00 a.m. tomorrow and have the patience to set all else aside until we conclude this business. That is the import of this Motion and nothing else.

I request the Senate Minority Whip, Sen. Ledama Olekina, to second. I thank you.

Sen. Olekina: Thank you, Mr. Speaker, Sir. I rise to second this Motion. Likewise, I do not wish to take a long time because this is a Procedural Motion. I also want to request all Members to be sitted here tomorrow. It is only fair that we act as jurors. Remember, it is the County Assembly that impeaches. Our job is to serve as jurors. We are supposed to look at the matters and see whether the threshold was met and whether the allegations can be substantiated.

Therefore, I kindly request that all Members be sitted here tomorrow. The people of Nyamira County expect us to deliver justice to the county government as well as the County Assembly. We are required to establish if indeed the impeachment followed the due process of the law.

Mr. Speaker, Sir, I second.

(Sen. Cherarkey stood up in his place)

The Speaker (Hon. Kingi): Senator for Nandi County, take your seat.

(Sen. Cherarkey resumed his seat)

(Question proposed)

Now, Hon. Senators, the Floor is open to debate. However, as the Senate Majority Leader and the seconder have said, this is a Procedural Motion. With your concurrence, I may proceed to put the question so that we dispense with it.

Hon. Members: Put the question.

The Speaker (Hon. Kingi): Very well. I will proceed to put the question.

(Question put and agreed to)

Clerk, we will resume the normal flow of the Order Paper. Therefore, we will proceed with Order No.6.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENT SCHEDULES FOR FY2025/2026

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2025/2026, laid on the Table of the Senate on Tuesday, 2nd December, 2025, and that pursuant to Section 17 (7) of the Public Finance Management Act, approves the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2025/2026.

The Speaker (Hon. Kingi): Chairperson, Standing Committee on Finance and Budget, you were to lay a Paper, subsequent to which you were to give a Notice of Motion. Since you have not laid your Paper, you cannot proceed with your Notice of Motion. We will therefore defer it. If the report is brought before the end of the day, we can still allow you to table it.

(Notice of Motion deferred)

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The Speaker (Hon. Kingi): Chairperson, Mediation Committee, has the same fate.

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

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 Tuesday, 2nd 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.

(Notice of Motion deferred)

ADOPTION OF REPORT ON PETITION ON DISMISSAL AND NON-PAYMENT
OF ARREARS OF MR. TITUS NJOROGE BY AIC OF KENYA

The Speaker (Hon. Kingi): The Chairperson, Standing Committee on Labour and Social Welfare.

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

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, 27th November, 2025.

The Speaker (Hon. Kingi): You had two Notices of Motion to give.

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

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

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, 27th November, 2025.

The Speaker (Hon. Kingi): Sen. Mungatana, proceed.

NOTING OF REPORT OF PAP COMMITTEES AND OTHER PAP
ORGANS HELD IN MIDRAND, SOUTH AFRICA, 2024

Sen. Chimera: Mr. Speaker, Sir, on behalf of Sen. (Dr.) Mungatana, I beg to give Notice of the following Motion-

THAT, the Senate notes the Report of the Kenya Delegation to the Sittings of the Pan-African Parliament (PAP) Committees and other PAP Organs held at the Gallagher Convention Centre in Midrand, South Africa on 13th September to 20th September, 2024, laid on the Table of the Senate on Tuesday, 2nd December, 2025.

NOTING OF RECORD OF PROCEEDINGS OF THE
FOURTH ORDINARY SESSION OF THE SIXTH PAP

Sen. Chimera: Mr. Speaker, Sir, with your permission, I beg to give Notice of the following Motion-

THAT, the Senate notes the Record of the Proceedings of the Fourth Ordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held at the Gallagher Convention Centre in Midrand, South Africa on 28th October to 17th November, 2024, laid on the Table of the Senate on Tuesday, 2nd December, 2025.

The Speaker (Hon. Kingi): Let us go to the next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Hon. Kingi): We will start with Sen. Hamida Kibwana.

Sen. Kibwana: Mr. Speaker, Sir, I have three Statements and I will move very fast.

SAFETY, QUALITY AND SUITABILITY OF
COOKING OILS IN THE COUNTRY

Sen. Kibwana: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Trade, Industrialisation and Tourism on a matter of national concern regarding the safety, quality and suitability of cooking oils consumed in the country and the truth behind how these oils are produced and processed.

There is a growing public concern about health risks posed by highly processed and hydrogenated oils particularly industrial trans-fats which are linked to heart diseases and other chronic illnesses. Although experts recommend healthier options such as olive, avocado, high oleic sunflower and canola oils, many products in the market undergo heavy industrial processing and labelling often remains unclear. Consumers, therefore,

cannot easily tell the source, level of processing or presence of harmful compounds in the oils, thereby exposing them to preventable health risks.

In the Statement, the committee should address the following-

(1) Measures that the Kenya Bureau of Standards (KEBS) has put in place to strengthen labelling rules so that every bottle of cooking oil clearly states whether the oil is chemically extracted, refined or cold pressed and whether it contains hydrogenated or partially hydrogenated fats;

(2) Whether regular testing is done---

(Sen. Cherarkey and Sen. (Dr.) Khalwale consulted loudly)

Mr. Speaker, Sir, kindly protect me from Sen. Cherarkey.

The Speaker (Hon. Kingi): Order, Sen. Boni and the Senator for Nandi. You may consult but, please, do it in low tones.

Sen. Kibwana: Thank you, Mr. Speaker, Sir.

(2) Whether regular testing is done on all locally produced and imported oils to detect contaminants, trans-fats, adulteration and undeclared blends, including data on the quantity and batches of oil seized or recalled for failed KEBS tests in the past three years and frequency of testing;

(3) Measures taken to align Kenya with global World Health Organisation (WHO) guidelines that require industrial trans-fats to be restricted to no more than 2 per cent of total fat content including plans to eliminate them from all foods, including streets and restaurant foods; and

(4) Plans to increase public awareness on which oils support good health, including nutrition and education campaigns targeting households, schools, hotels, manufacturers and street food vendors.

Mr. Speaker, Sir, I would like to go the second one.

LIFTING OF THE LOGGING BAN IN MAU FOREST COMPLEX

Mr. Speaker, Sir, I rise pursuant to Standing Order to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources on a matter of national concern regarding lifting of the logging ban in the Mau Forest Complex and its implications on the ongoing national initiatives to restore degrading forest landscapes, secure water catchments and strengthen climate resilience.

In the Statement, the committee should address the following-

(1) The job creation, revenue generation and other quantifiable socio-economic benefits of lifting the logging ban in Mau Forest Complex and contrast this with the adverse environmental impacts;

(2) Whether independent environment audits and strategic environmental assessments were undertaken before the ban was lifted, and if so, obtain key findings and recommendations;

(3) Whether the relevant county governments local communities' environment conservation organisations and experts were consulted before the ban was lifted, and if so, obtain evidence demonstrating that their input was considered;

(4) Measures in place to ensure that the renewable logging does not degrade the forest ecosystem biodiversity, water catchment and climate regulation functions to undermine existing restoration plans and programmes and obtain details on the total acreage of the areas open to logging vis-à-vis the restricted areas allowable annual cuts and annual restoration targets, including the number of specific trees seedlings to be planted; and

(5) Whether monitoring and enforcement mechanisms in place to prevent illegal logging have been reviewed in view of the fact that the lifting of the ban may provide cover for increased illegal logging activities and whether additional forest rangers and enforcement officers have been deployed to the forest.

Mr. Speaker, Sir, allow me to go to my last Statement.

LACK OF ICU AT PUMWANI MATERNITY HOSPITAL

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health on a matter of national concern regarding the lack of an Intensive Care Unit (ICU) at Pumwani Maternity Hospital.

Pumwani Maternity Hospital is the largest dedicated maternity hospital in East and Central Africa and a crucial referral centre for high-risk pregnancies. Life-threatening complications such as severe hemorrhage, eclampsia, sepsis and cardiac conditions frequently require immediate crucial care interventions. Without an onsite ICU, clinicians are forced to refer patients to other facilities resulting in dangerous delays and deterioration of patients during transfers.

In the Statement, the committee should address the following-

- (1) The reasons Pumwani Maternity Hospital still lacks a fully functional ICU;
- (2) The short-term measures in place to ensure emergency critical care for mothers and newborns;
- (3) The timelines and budgetary plans to establish an ICU at the facility; and,
- (4) Measures by the national and county governments to strengthen emergency obstetric and neonatal care in all Level 4 and 5 public hospitals.

Mr. Speaker, Sir, I thank you.

The Speaker (Hon. Kingi): What is it, Senate Majority Leader?

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I beg your indulgence and particularly Members of the House including Sen. Lomenen who is about to walk out. He was not any different even in school when we were classmates. That is Lomenen for you.

Mr. Speaker, Sir, the point I am trying to prosecute is this. We have just moved a Procedural Motion here that the business for tomorrow and Thursday are impeaching proceedings against the Governor for Nyamira County. We have an item on cash disbursements for additional allocations where we are waiting for the report hopefully so that we consider that business.

If we do not do it, technically today is the last day of sitting. Therefore, I request colleagues to bear with us. Do not leave the House and the precincts of Parliament because we must transact that business today. The import is that despite the fact that we passed conditional allocations to counties, they will not access that money until February, which will be a great travesty and a dereliction of duty in our part.

Mr. Speaker, Sir, I plead with our Whips to ensure that the Members stay but I also request you Members to stay in until we consider that business. Thank you for indulging me.

The Speaker (Hon. Kingi): Sen. Alexander Mundigi.

LABOUR RIGHTS AND WELFARE OF
KENYANS WORKING IN QATAR

Sen. Munyi Mundigi: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Labor and Social Welfare on a matter of national concern regarding labour rights and welfare of Kenyan nationals working in Qatar.

During the recent visit to Qatar, I met with Kenyan immigrant workers who raised serious concern regarding their welfare and working conditions. Among their major issues reported were; wages, disparities compared to other nationalities, unsafe working environment, exploitation by unlicensed recruitment agents and emotional distress among returnee workers which highlighted the lack of streamlined departure process, limited recognition of professional certification acquired abroad and inadequate support for community engagement and reintegration.

In the Statement, the committee should address the following-

(1) The measures the Ministry has implemented to safeguard the safety, dignity and legal rights of Kenyans working in Qatar and the returnees, including efforts to curb exploitation by unlicensed recruitment agents and prevent misuse of visitor visa in place of proper work permit;

(2) The extent of the Ministry engagement with the Qatar authorities to ensure fair wages, safe working conditions and address wages disparities affecting Kenyans in similar role compared to other nationalities;

(3) Steps taken to streamline pre-departure procedures just as the establishment of Qatar Visa Centre in Kenya and to support returnees through mental health concerning job readiness programmes and reintegration funds;

(4) Plans in place to support the creation of Kenyan diaspora skills development school in Qatar and to fast-track recognition of professional certification acquired abroad, particularly in sectors such as education, health care and aviation;

(5) The mechanism in place for involving diaspora representative in national policy consultations on labour migration, education and investment, and for monitoring implementation of diaspora forum recommendations;

(6) Whether the Ministry facilitates national celebrations---

(Several Senators consulted loudly)

The Speaker (Hon. Kingi): Order, hon. Senators. Sen. Seki and the Senate Majority Leader.

Sen. Mundigi, when the Chair is speaking, he is simply protecting you. Proceed now.

Sen. Munyi Mundigi: Thank you, Mr. Speaker, Sir,

(6) Whether the Ministry facilitates national celebrations, sports, and cultural events for Kenyans in Qatar and whether there are dedicated funds to support such an initiative;

(7) Whether the Ministry in collaboration with the other agencies has considered involving the tax burden borne by Kenyans working abroad and implemented safeguards against the fraudulent investment schemes targeting diaspora committees.

Sen. Alexander Munyi Mundigi, Senator for Embu County. Doctor

The Speaker (Hon. Kingi): Sen. Mutinda Tabitha. As you do your Statement, you will proceed to lay your paper and give Notice.

SHORTAGE OF DEXAMETHASONE AND SURFACTANT DRUGS IN PUBLIC HEALTH FACILITIES COUNTRYWIDE

Sen. Tabitha Mutinda: Thank you, Mr. Speaker, Sir. That is well noted.

Mr. Speaker, Sir, pursuant to Standing Order No. 53(1) I seek a Statement from the Standing Committee on Health on a matter of national concern regarding the shortage of dexamethasone and surfactant drugs in the public health facilities countrywide.

Mr. Speaker, Sir, dexamethasone is administered to pregnant women at risk of imminent patterned birth. The drug also accelerates fetal lung development and significantly improves neonatal survival rates. While surfactant is given to patternant neonates soon after delivery, it is critical in optimizing lung function and preventing fatal complications. The shortage of these essential drugs in public health facilities gravely undermines maternal and neonatal care, exposing vulnerable mothers and infants to preventable risk.

In the Statement, the committee should address the following two issues-

(1) The reasons for the shortage of dexamethasone and surfactant drugs in public health facilities countrywide as well as the steps being taken by the Ministry of Health to resolve this issue;

(2) The interventions being considered to guarantee sustained and reliable supply of dexamethasone, surfactant and other essential maternal health drugs in order to avert similar shortages in future.

I thank you, Mr. Speaker, Sir.

(Interruption of Statements)

PAPER LAID**REPORT ON COUNTY ADDITIONAL ALLOCATIONS CASH
DISBURSEMENT SCHEDULE FOR FY 2025/2026**

Mr. Speaker, Sir, I beg to lay the following paper on the Table of the Senate today, 2nd December, 2025.

The Report of the Standing Committee on Finance and Budget on the county additional allocations cash disbursement schedule for financial year 2025/2026.

(Sen. Tabitha Mutinda laid the document on the Table)

The Speaker (Hon. Kingi): Proceed to give notice.

NOTICE OF MOTION**ADOPTION OF REPORT ON COUNTY GOVERNMENTS (ADDITIONAL
ALLOCATIONS) CASH DISBURSEMENT SCHEDULE FOR FY2025/2026**

Sen. Tabitha Mutinda: Thank you, Mr. Speaker, Sir. I give Notice of Motion of the following report-

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2025/2026, laid on the Table of the Senate Today, 2nd December, 2025, and that pursuant to Section 17(7) of the Public Finance Management Act, approves the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2025/2026.

The Speaker (Hon. Kingi): Sen. Omtatah?

(Resumption of Statements)

**LAND DISPUTE BETWEEN KDF AND RESIDENTS OF MARIAKANI
AND TSANGATSINI LOCATIONS IN KILIFI COUNTY**

Sen. Okiya Omtatah: Mr. Speaker, Sir, this is a request for a Statement on the land dispute between the Kenya Defence Forces (KDF) and the previous owners of the land in Mariakani and Tsangatsini locations in Kilifi County earmarked for the construction of an army.

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 land dispute between the KDF and the previous owners of parcel number CR 73754/26010 in Mariakani and Tsangatsini locations in Kaloleni sub-county, Kilifi County.

In the 1980s, the Government earmarked the land for the construction of an army barracks and committed to compensate and relocate each affected family to Magarini Constituency where they would each be allocated land with a government-built house. However, only partial compensation ranging between Kshs500 and Kshs2,000 was ever paid

Consequently, the affected families continue to reside in the land as they await the promised relocation, even as they face constant threats of displacement, prohibitions against putting up permanent structures or burying their deceased relatives on the land.

On 1st September, 2025, the KDF issued an ultimatum requiring the families to vacate the land without consultation and without any arrangements for compensation or resettlement.

In the Statement, the committee should address the following-

(1) The historical ownership status of the land registered as parcel number CR73754/26010 in Kilifi County, including whether due process was followed in the acquisition of the land by the Government;

(2) The reasons for the failure by the Government to fulfil its pledge to relocate the previous owners of the land to Magarini Constituency;

(3) The timelines for the allocation of houses and land to the affected families in line with the Government's commitment or for payment in commensurate compensation; and,

(4) Whether the ultimatum requiring the families residing on the land to vacate could be rescinded and the families allowed to remain on the land without harassment or undue restrictions until they are fully compensated.

I thank you.

The Speaker (Hon. Kingi): Hon. Senators, we will come back to the remaining statements. Allow me to further rearrange today's Order Paper so that we handle a crucial business that needs to be concluded today. That is Order No.13, the Motion on the cash disbursement schedule.

(Interruption of Statements)

Clerk, proceed to call that Order.

The Chairperson, Standing Committee on Finance and Budget, proceed.

MOTION

ADOPTION OF REPORT ON COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENT SCHEDULE FOR FY2025/2026

Sen. Tabitha Mutinda: Thank you, Mr. Speaker, Sir. I beg to move the following Motion:

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2025/2026, laid on the Table of the

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Senate on Tuesday, 2nd December, 2025, and that pursuant to Section 17(7) of the Public Finance Management (PFM) Act, approves the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2025/2026.

Mr. Speaker, Sir, as I proceed, I would like to state that Section 17 of the PFM Act, Cap 412, requires that the Senate approves this particular Schedule. This is a Motion that either my Chairperson or I, have stood here each and every financial year to move. I will directly go to the main issue which is, how much is actually on this Schedule for disbursement. It is this approval that we shall do today that gives the counties more monies.

The disbursement amounts to Kshs70 billion which spreads across three key schedules. The First Schedule amounts to Kshs2.9 billion, being the total allocation of the unconditional allocations comprising of Kshs11.5 million from the court fines and Kshs2.9 billion from the 20 per cent share of the mineral royalties.

Mr. Speaker, Sir, the issue of minerals was in one of our normal discussions in the morning. On this schedule, we have Kshs2.9 billion that is a share of the mineral royalties. However, this is not an amount that we should be proud of because from where we sit as a country, royalties collected through mining should take care of this country. We should move away from borrowing and maximise on our mining. If 20 per cent amounts to Kshs2.9 billion, with more mining policies and structures, this country can generate more revenue through mining----

The Second Schedule is Kshs9.9 billion; the total conditional allocation from the national Government----

(Loud consultations)

If only Members could give me their ears because this is where we sometimes go to the ground and communicate to our people; the people that we represent here.

Out of the amount of Kshs9.9 billion, it is critical for Members to know that Kshs3.2 billion is monies for the Community Health Promoters (CHPs). We have always stood for CHPs when we say that governors are not paying them their dues. I confirm to this House that Kshs3.2 billion is what we are soon going to approve so that the CHPs can get their dues on time.

Mr. Speaker, Sir, another critical issue that this country has struggled with is the issue of our doctors. Today, in this Schedule, Kshs1.7 billion is for doctors' basic salary arrears. The key word there is the arrears. People have come out shouting, criticising and saying that arrears need to be paid. The health sector is very critical. That is why I am tabling before this House that Kshs1.7 billion is what has been approved for the doctors' basic salary arrears.

Mr. Speaker, Sir, a sum of Kshs449 million is for the county headquarters. Let me really appreciate my Committee Members, led by our Hon. Chairperson who is none other than the Party Leader of the United Democratic Alliance (UDA); Sen. Faki, Sen. Shakila, Sen. Boni, Sen. Eddy Sen. Essy and Sen. Mariam for their dedicated input in the Committee of Finance and Budget.

Why? It is in this Committee in this 13th Parliament that we have been able to bring together all sectors that include the public sector, the Ministry of Health and the governors themselves among other sectors from the five counties, that for the longest time, have never received funds for building their headquarters.

We have gone to counties such as Kakamega that has no proper chambers. In this year of 2025, we have been able to push and now, these counties are going to get their Kshs449 million to finish up on their stalled project of building their headquarters.

As I proceed, a sum of Kshs4.4 billion is for the County Integrated Industrial Parks (CAIPs). CAIPS projects have started and it is so sad when sometimes, Kenyans do not get value for their money. That is why, as much as it is their right, we have seen a few Kenyans coming out to say that this project amounting to a number of billions of shillings has stalled. Why do these projects stall? They stall because we do not allocate money for them until completion status. In that regard, as far as the CAIPs are concerned, the amount allocated in the Second Schedule is Kshs4.4 billion.

As I proceed, a sum of Kshs93 million is for the affordable housing levy. Clearly, we have seen how much housing investment has been put in place.

As I conclude, the Third Schedule is Kshs57 billion.

The Speaker (Hon. Kingi): Sen. Faki, I thought you are a Member of this Committee?

Sen. Faki: We are now dealing with a disbursement schedule. The Bill was already passed.

The Speaker (Hon. Kingi): Okay, proceed, Sen. Tabitha Mutinda. The more time you take, the more Members you lose. You can see the traffic, the movement and the impatience.

Sen. Tabitha Mutinda: Thank you, Mr. Speaker, Sir. I still beg my colleagues to bear with me. In a few minutes, I will be done. These are the conversations that the people we represent want to hear. It is important for community health workers to know that money has been disbursed.

As I conclude, a sum of Kshs57 billion is the total allocation for the county additional proceeds from loans and grants. That Schedule is attached to what I have tabled. You can see how much has gone to your specific counties. The Third Schedule is the Kshs22 billion from the proceeds of loans, as I have indicated, in 34, for single programmes. This shall only be accessed by counties after meeting the criteria performance appraisal that has been set.

With those few remarks, I appreciate the Secretariat of the Committee on Finance and Budget, led by the clerk, Mr. Gitonga, Madam Beverly, the team, the legal clerks and also pass the same regards to my colleagues in the Senate Committee.

I also take this opportunity because we will not be sitting again until February, 2026, to wish my Members of the Committee Merry Christmas and a happy 2026. Thank you.

The Speaker (Hon. Kingi): Who is seconding your Motion?

Sen. Tabitha Mutinda: I will request Senator for Mombasa, Sen. Faki, to second.

Sen. Faki: Thank you, Mr. Speaker, Sir, and thank you, Madam Vice-Chairperson, Sen. Tabitha. I rise to second this Motion to adopt the disbursement schedule for the County Additional Allocation Cash Disbursement Schedules for the Financial Year 2025/2026. We are almost half the financial year and our counties have been starved of this cash. The disbursement schedule gives predictability to county governments on when the resources will reach their accounts. Therefore, it is imperative that the Senate, as a watchdog, is alive to the fact that most of the time these monies are delayed in reaching the counties.

Secondly, on the issue of the donor-funded projects, for instance, the Financing Locally Led Climate Action (FLLoCA), at the moment, my Committee on Lands, Environment and Natural Resources is inviting governors to come and provide details of the projects they have done under FLLoCA. Many of the counties are reluctant to appear before us because most of the FLLoCA projects, which they allege to have implemented, are all phantom projects.

Mr. Speaker, Sir, as Senators, we need to be alive to these factors because of the amount of money that has been disbursed to FLLoCA. These are supposed to be climate-resilient projects that assist not only the counties, but also the country in meeting its commitments under the climate agreements.

Finally, on the CAIPS, we note that a sum of Kshs4 billion is being sent to the counties. However, the counterpart funding for these projects has not been provided in most of the counties. For instance, speaking for Mombasa, a sum of about Kshs125 million was disbursed in the Financial Year 2024/2025. However, nothing was allocated in the budgets of the County of Mombasa for the period 2024/2025 and even 2025/2026. So, we might end up with ghost projects and, therefore, there will be no value for money.

Mr. Speaker, Sir, I second. Thank you.

(Question proposed)

The Speaker (Hon. Kingi): Now, the Floor is open for debate. Hon. Senators, this is a matter that touches counties. Hon. Wakili Hillary Kiprotich Sigei, you may take the Floor.

Sen. Edwin Sifuna, Senator for Nairobi City County, please, proceed.

Sen. Sifuna: Mr. Speaker, Sir, it is a schedule. We respect the instruction that I have from the Minority side that we proceed to vote on the schedule. Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Boni.

Sen. (Dr) Khalwale: Thank you, Mr. Speaker, Sir. I am glad that you have paused the intention to put the question. Anything touching on devolution, specifically issues of funding, speaks to the core business of this House. I want to thank you for this opportunity and also to second the Motion.

As I do so, I wonder, why do we bring this schedule? Probably, we are playing into the hands of the National Treasury. The Constitution is very clear in Article 219 that the National Treasury shall release funds on time, so as to enable devolved units to work. It does not say the National Treasury should wait for instructions from anybody.

Mr. Speaker, Sir, when we give this kind of legislation, it is a good thing we are doing our work. However, to me, it is academic. We should use this Floor every day, reminding the National Treasury that the legislation we made, which indicated that funds should be there on or before the 15th day of the month, is sufficient.

Having said that, I want to request governors across the board, now the money is there, make use of it. We keep on seeing governors driving around in the counties. Some of them even use county fuel, like in Kakamega, for a special pick-up that carries two executive chairs; one for the governor at the funeral and another one on his left for his wife. I mean, we are not serious. However connected we are, as governors, that is not a demonstration of leadership.

I want to ask about this CAIPS. Why did governors agree to share responsibility with the government on this project when they had not factored it in the budget? Everywhere in the country, apart from a few places, including Likuyani in Kakamega, the CAIPs project stopped the day the launch was done. This means the governor was not prepared. He had not consulted his budget. Instead, he came to Nairobi to append his signature to policies that required financial ability. This should not be repeated going forward.

As I finalise, allow me to use this special opportunity to thank the people of Chwele, Kabuchai Ward, Kabuchai Constituency in Bungoma County and the people of Malava Constituency in Kakamega County for their demonstration of courage. The country might not be aware of what took place on the ground. This weekend we are going back to bury the people who were shot and killed. We are going to clear bills of victims of the violence that was there in that election.

I therefore congratulate and tell them that all is not lost. The future is bright.

Sen. Osotsi: Mr. Speaker, Sir, just like my Secretary General (SG), I was not prepared to contribute. Nevertheless, because the opportunity is there, I agree with Hon. (Dr.) Khalwale that this exercise of passing the cash disbursement schedules, both for shareable revenue and additional allocation, is basically an academic exercise, because the National Treasury never follows this.

It is sad that for the last three years we have been passing this schedule and our CHPs are not paid in time. For example, in my county, for CHPs, we passed Kshs43.8 million as additional allocation. Six months down the line, they have not been paid.

The delay starts with the National Treasury and then the county also delays their counterpart funding. The CHPs who are working very hard in our villages to help in managing primary healthcare, yet they are unable to receive their small stipend in time. We should have a mechanism; that is to the Committee on Finance and Budget, where Sen. Tabitha is doing a good job. I encourage her to also follow up on delays which we continue to encounter, particularly on additional allocation.

[The Speaker (hon. Kingi) left the Chair]

The Temporary Speaker (Sen. Abdul Haji) in the Chair]

Mr. Temporary Speaker, Sir, why should the disbursement of money from donors to the counties delay?

Second is on the mineral royalties. When I look in the schedule, none of the counties in the western region is receiving any mineral royalties. We have active mining of gold by some company known as Shanta Gold. They are crooks. I do not fear to say this. We have some work they are doing on the border between Vihiga and Siaya at a place called Ramula part of which is in Vihiga County. These people are harassing our people day and night. As much as we encourage development and investment for our region, we will not support anything that intimidates our people or forcefully get them out of their inheritance.

I also want to add my voice to the issue of the CAIPs. This project is becoming a white elephant in all the counties. Nothing is taking place in Vihiga, Kakamega and the others after the launch. Money was appropriated to this project, but county assemblies have not passed their counterpart funding. We are heading to 2027. However, there is nothing happening as far as CAIPs are concerned.

The relevant committees involved, in this case the Committee on Finance and Budget and the Committee on Trade, Industrialisation and Tourism must go to the ground. We have appropriated Kshs250 million per county. Some counties have even given their counterpart funding, but there is very little progress on the ground. The Committee must tell this House what is happening in our counties.

We are worried that this money may disappear like the others which have disappeared in the past. The idea of the CAIPs is a good one. However, I am worried that this project if not well oversighted and well managed, we may end up having white elephant projects in our 47 counties.

Mr. Speaker, Sir, I support this Motion on the disbursement schedule even if for academic reasons. This is because even if we pass it, they will not disburse this money within the timelines that are indicated in the report.

The Senate Majority Leader (Sen. Cheruiyot): I rise to under Standing Order No.110 to request that the Mover be now called to reply. I know this House very well. If it gets to 4.30 p.m. while we are still talking, we will not pass this schedule. Why do you want to talk and end up not passing the schedule? Let us pass the schedule, if people want to speak, there will be an opportunity for them later.

I request Sen. Sifuna to second.

Sen. Sifuna: Mr. Temporary Speaker, Sir, I second.

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, I want to assume that is the mood of the House.

Hon. Senators: Yes.

The Temporary Speaker (Sen. Abdul Haji): Very well. I have now read the mood. I call the Mover to reply.

Sen. Tabitha Mutinda: Mr. Temporary Speaker, Sir, I beg to reply.

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, pursuant to Standing Order No.84(1), I have made the determination that the matter affects counties. I will put the question after we have rung the Division Bell for five minutes.

Serjeant-at-Arms, please, ring the bell.

(The Division Bell was rung)

Serjeant-at-Arms, please stop the Division Bell, draw the bars and close the door.

(The Bars were drawn and doors closed)

Hon. Senators, please, take your seats. I now propose the question.

(Question proposed)

Hon. Senators, the voting will be electronic. Please, remove your cards.

Serjeant-at-Arms, please, check for any cards which are still in.

Serjeant-at-arms, can we proceed? Hon. Senators, you may now insert you cards and log--in again.

Hon. Senators, you may now proceed to vote.

(Voting in progress)

Sen. Abass, please, approach the dispatch desk.

(Sen. Abass approached the dispatch desk to vote)

DIVISION

ELECTRONIC VOTING

(Question, that the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2025/2026, laid on the Table of the Senate on Tuesday, 2nd December, 2025, and that pursuant to Section 17 (7) of the Public Finance Management Act, approves the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2025/2026, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Githuku, Lamu County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen.

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Omogeni, Nyamira County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Thang’wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

NOES: Nil

ABSTENTIONS: Nil

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, the results of the Division are as follows-

AYES: 29

NOES: Nil

ABSTENTIONS: Nil

The “Ayes” have it.

(Question carried by 29 votes to Nil)

The Temporary Speaker (Sen. Abdul Haji): Serjeant-at-Arms, you may draw the bar and open the doors.

(The Bars were drawn and doors opened)

Hon. Senators, we will now go back to Statements.

(Resumption of Statements)

The Temporary Speaker (Sen. Abdul Haji): There is a Statement by Sen. Eddy Oketch.

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

(Statement dropped)

The Temporary Speaker (Sen. Abdul Haji): Sen. David Wakoli, please, proceed with your Statement.

RECOGNITION OF EMMANUEL WANYONYI AS THE 2025 WORLD
ATHLETICS MALE TRACK ATHLETE OF THE YEAR

Sen. Wafula: Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.52(1) to make a statement on a matter of national concern, celebrating an extraordinary achievement by one of our nation's brightest sporting talents; Emmanuel Wanyonyi, who has been crowned as the 2025 World Athletics Male Track Athlete of the Year.

Mr. Temporary Speaker, Sir, at only 21 years of age, Emmanuel Wanyonyi has distinguished himself as one of the greatest middle-distance runners of this generation.

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The 2025 Season marked a truly exceptional year for him, defined by consistency, dominance and historic performances on the global stage.

He clinched the World Championship medal in Tokyo in the 800 meters, winning in a remarkable championship record of 1:41:44. This victory is on the back of his outstanding earlier triumph at the Paris 2024 Olympic Games, where he captured the gold medal with a stunning time of 1:41:19, making him the third-fastest performer in history.

Mr. Temporary Speaker, Sir, Wanyonyi's accomplishments did not end there. He went on to secure the 2025 Diamond League title and produced four of the six fastest 800-meter times in the world this year, cementing his status as the most dominant two-lap runner of the season. This personal best of 1:41:11 now places him joint second on the all-time list just behind Kenya's own David Rudisha, the world record holder. His award marks a rare moment where a Kenyan athlete edged out a sprinting megastar, Noah Lyles, in a major global category, reaffirming Kenya's continued reverence beyond long-distance races.

By winning this award, Emmanuel Wanyonyi becomes the third Kenyan man in history to be honoured as World Male Track Athlete of the Year, following in the footsteps of global icons, David Rudisha and Eliud Kipchoge, who went on to win the overall global award. His fearless front-running style, discipline and humility continue to inspire millions of young athletes across the country and reaffirm Kenya's global reputation as a powerhouse in athletics.

Mr. Temporary Speaker, Sir, Wanyonyi grew up in poverty, as part of 11 siblings in a small village in western Kenya and dropped out of school at the age of 10 to herd cattle in order to support his family. However, he was later discovered by teachers who helped him return to school and pursue his running talent. His story exemplifies that with resilience, determination and community support, one's background does not have to be a barrier to achieving success and gaining global recognition. His career has been marked by rapid rise, including winning the World Under-20 Championship in 2021, silver in the 2023 World Championship and setting a personal best that is the third-fastest 800-meter time ever.

Mr. Temporary Speaker, Sir, on behalf of the Senate of the Republic of Kenya, I wish to congratulate Emmanuel Wanyonyi for bringing immense pride and honour to our nation. His achievements remind us of the greatness that Kenyan youth can attain when talent is nurtured, supported and given opportunity to flourish. The Senate applauds his commitment, resilience and excellence, and encourages all relevant institutions to continue supporting athletes who fly our flag high on the world stage.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Sen. Mariam Sheikh, please proceed.

DEVELOPMENT OF PRIVATE LUXURY LODGE ON MIGRATION CORRIDOR OF THE MAASAI MARA

Sen. Mariam Omar: Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land,

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Environment and Natural Resources on a matter of national concern regarding development and operation of a private luxury lodge within a recognised wildlife migration corridor in the Maasai Mara ecosystem.

Mr. Temporary Speaker, Sir, the Mara River is a critical lifeline for wildlife and local communities, hence construction along its riparian zone threatens this fragile ecosystem through habitat disturbance, pollution and disruption of established migration routes.

Mr. Temporary Speaker, Sir, establishment of this facility together with associated land use change risk obstructing the great migration corridor, accelerating environmental degradation and adversely affecting water resource in the area. Furthermore, the report indicates that the attempt by Maasai elders to oppose the construction were met with a gag order, raising a serious constitutional and community right concern.

In the Statement, the committee should address the following-

(1) Legality, validity and circumstances under which approval permits or licences were granted to a private lodge in the migration corridor, a JW Marriott associated development on the Mara River, including whether the environmental impact assessments were conducted in accordance with the Environmental Management and Coordination Act;

(2) Whether the development complied with rapid reserve requirements, statutory set-ups, regulations and water Acts, Environmental Management and Coordination Act (EMCA) and application land use applied planning frameworks;

(3) The immediate action taken by the national Government and Narok County Government to address obstruction of the migration corridor and any environmental harm arising from the development;

(4) The extent to which meaningful public participation was undertaken, in line with the Articles 10 and 69 of the Constitution, and address the reports of intimidation and suppression targeting the community members; and,

(5) Accumulative ecological, cultural and socio-economical impact, the large-scale hospitality development within the Masai Mara ecosystem, outlining the long-term mitigations or preventive measures.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Sen. Catherine Mumma, please, proceed.

DISBURSEMENT OF THE ROAD MAINTENANCE LEVY FUND

Sen. Mumma: Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Finance and Budget regarding the disbursement of the Road Maintenance Levy Fund (RMLF). In the statement, the committee should address the following-

(1) Submit the total collection under the Road Maintenance Levy Fund (RMLF) for the last five financial years, from the Financial Year 2021/2022 to Financial Year 2025/2026, including the status of the collection to date;

(2) Indicate by way of tabular presentation, how the funds were disbursed and to which specific entities and projects or activities, stipulating the amounts disbursed to each project by county.

(Sen. Cherarkey spoke off record)

Mr. Temporary Speaker, Sir, would you kindly protect me from Sen. Cherarkey? I do not understand why he must always disrupt when people are speaking. The facts speak for themselves.

The Temporary Speaker (Sen. Abdul Haji): Sen. Mumma, it is okay. Proceed, you are protected. Allow her to be heard in silence.

(Sen. Cherarkey spoke off record)

Sen. Mumma: Mr. Temporary Speaker, Sir, he is continuing to disrupt and you are allowing him to do it. You are talking throughout. Are you a special person?

The Temporary Speaker (Sen. Abdul Haji): Sen. Mumma, it is okay. Sen. Cherarkey, allow her to finish---

It is true, Sen. Mumma, it was not him talking.

Sen. Mumma: He was, I heard him.

The Temporary Speaker (Sen. Abdul Haji): It was Sen. Methu. However, let us hear the Senator in silence.

Sen. Mumma: The Committee should-

(3) Share what legislative authority or mechanism, if any, the National Treasury used to release the RMLF collection to counties in June for the Financial Year 2024/2025 and yet the National Treasury was on record having stated that the RLMF proceeds cannot be disbursed to counties without a substantive law in place;

(4) Indicate the levels of violation of the Public Finance Management Act and related regulations in the administration of the RLMF; and,

(5) Advise on the appropriate legal framework or mechanism that should be established to guide on the fair and equitable disbursement by the National Treasury of the RLMF in a manner that respects the principles of the Constitution and devolved governance, in particular, to ensure that county governments equitably benefit from these funds.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator.

Hon. Senators, we will now allow comments on the Statements, starting with Sen. Paul Thang'wa.

Sen. Thang'wa: Thank you, Mr. Temporary Speaker, Sir. Yes, I was baptised as Paul, but I am known as Karungo Thang'wa, Senator for Kiambu County.

I wish to comment on the statement requested by Sen. Mundigi regarding the Kenyans in Qatar. I want to include---

The Temporary Speaker (Sen. Abdul Hajji): Sen. Thang'wa, let me interrupt you briefly. Hon. Senators, we will spend 20 minutes on the Statements. I kindly ask each speaker to be as brief as possible.

Proceed, Sen. Thang'wa.

Sen. Thang'wa: Thank you, Mr. Temporary Speaker, Sir. It is a matter of concern that Kenyans in the diaspora, especially in the Gulf, that is Qatar, Dubai and Saudi Arabia, have cried for too long. They have appealed to the Senate and the National Assembly that they are not taken care of when in these countries. They want us to compare with countries like the Philippines, where citizens are protected by their Government whenever they travel to these countries.

As I speak, I am deeply saddened by what is happening to Kenyans in Saudi Arabia. When they speak out, the Embassy of Kenya in Saudi Arabia sometimes appears helpless or unable to assist. A Kenyan, by the names Mr. Joseph Kiongozi, has been detained for simply saying that Kenyans are suffering in the streets. While he was detained, his wife died.

It is a very sad affair that the Kenyan is detained, the wife dies, their child is left without father and mother and the body of the wife is brought back to Kenya yet the Embassy is unable to explain why Mr. Joseph Kiongozi remains detained in a faraway country. He comes from Kakamega. His late wife came from Siaya. The women and men stranded in the streets, unable to get papers to return home, come from all over the country in different counties such as Vihiga and Kiambu.

As we consider this Statement by Sen. Mundigi on the issues of Qatar, let us speed up the process of finding out why Kenyans are suffering. We should not allow Kenyans to suffer simply because they were taken there through agencies that are unlicensed or uncaring. It is also very sad that this Committee---

Sen. Kibwana: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Pause his time. What is your point of order, Sen. Hamida?

Sen. Kibwana: Mr. Temporary Speaker, Sir, I was with my brother, Sen. Thang'wa, in Saudi Arabia. I understand his pain. I also went around. In fact, I went to Jeddah. I spent time at the Jeddah Office, where they showed me that they had sent about 12 Kenyans back to Kenya with their families. I have just asked the ambassador to send me the list of those 12 Kenyans.

Sen. Thang'wa: You are rising on what Standing Order?

Sen. Kibwana: I will tell you the Standing Order. I rise under Standing Order No.105.

The Temporary Speaker (Sen. Abdul Haji): Allow the Senator to speak. She said Standing Order No.105.

Sen. Kibwana: I am not even debating. I just wanted to clarify to Sen. Thang'wa that I went out of my way to go to Jeddah to check on this. I realised that the stories we were receiving from the ground were very different from what the ambassadors were discussing. These are two completely different issues. We need to go on that mission again with Sen. Thang'wa to inquire further. I will send you--

The Temporary Speaker (Sen. Abdul Haji): Sen. Hamida, you are giving more of information than a point of order.

Sen. Kibwana: Mr. Temporary Speaker, Sir, on a point of information then.

The Temporary Speaker (Sen. Abdul Haji): You should have requested Sen. Thang'wa. If there was nothing out of order, let us allow Sen. Thang'wa to proceed.

Sen. Thang'wa, conclude.

Sen. Thang'wa: Mr. Temporary Speaker, Sir, as a Senate, we need to form an *ad hoc* committee to travel to Saudi Arabia, Qatar and Dubai to save Kenyans. They are afraid to speak because if they do so, they are either be arrested, sent home or intimidated.

The Temporary Speaker (Sen. Abdul Haji): Sen. Thang'wa, do you want to be informed by Sen. Hamida?

Sen. Thang'wa: Mr. Temporary Speaker, Sir, I am done. Thank you very much.

(Laughter)

The Temporary Speaker (Sen. Abdul Haji): Okay. Sen. Ogola.

Sen. Ogola: Mr. Temporary Speaker, Sir, I rise to support the statement by Sen. Hamida regarding the state of lack of an Intensive Care Unit (ICU) at Pumwani Hospital. It breaks my heart and that of every caring leader and Kenyan that the status of Pumwani, a maternity-designed hospital that delivers over up to 500 children in a day, can go for a long time without an ICU. To me, it is not only evil, but also criminal. It is an act of genocide. Is it by design that Pumwani Maternity Hospital has no ICU? Despite the resources that this House gives to the counties, Pumwani Maternity Hospital has no ICU.

Somebody once said, and I concur with them, that no woman should die while giving birth. The lack of ICUs is a major cause of the deaths we have of women and children in Pumwani Maternity Hospital.

It is sad that when a mother who is not able to give birth naturally may end up requiring the assistance of ICU services, they have to be referred to other hospitals that could be far away. This is a matter that should have been attended to by the Committee on Health like yesterday. I can see in the House we have the Chairperson, Sen. Mandago.

Senator, it is a shame that we do not have an ICU in Pumwani Maternity Hospital. It is sad that there are basic drugs that cost as little as Kshs100 or Kshs150. However, when there are premature births, we lose such babies because a hospital or a facility cannot afford a drug that is as cheap as Kshs150 or even Kshs100, to support the lungs as the process takes place. Sometimes I wonder whether it is a sin for women to give birth. As a country, that must be a priority for us.

Mr. Temporary Speaker, Sir, as the Committee on Health goes to look into this, they must give us definite timelines within which the ICU will be availed. If 30 or 50 women give birth at the same time, which is the case at Pumwani Maternity Hospital because of the numbers, it is unfortunate if we have even five of them requiring ICU services, but they are not available and therefore they have to be referred to other facilities.

Kenyans, women and newborns do not deserve that. We must go ahead and measures must be put in place by this committee. They should visit Nairobi City County Government. As women, we will not accept that because all the lives that we have here, even the capital development of a country, begins with a mother and a child.

Mr. Temporary Speaker, Sir, as I support, I detest that kind of treatment because it is an act of injustice to women, Kenyans and the humanity.

The Temporary Speaker (Sen. Abdul Haji): Proceed, Sen. John Kinyua.

Sen. Kinyua: Bw. Spika wa Muda, nasimama kuunga mkono Kauli iliyoletwa na Sen. Mundigi kuhusu masaibu wanayopitia Wakenya katika nchi kama vile Qatar. Jambo hili limekuwa donda sugu kwa sababu kila wakati - nakumbuka hata katika Seneti iliyopita - jambo hili liliangaziwa kwa upana. Ni juzi tu ambapo Sen. Thang'wa alileta Kauli kama hii kuhusu masaibu ambayo Wakenya wanapitia kule Saudi Arabia.

Huwa tunaambiwa kuwa Wakenya wanapokwenda kufanya kazi katika nchi hizo, kitu cha kwanza wanapofika huko ni kunyang'anywa pasipoti zao. Wakenya wanapitia mengi katika nchi ya Saudi Arabia.

Kuna Mkenya anayetoka Nanyuki kule Laikipia anayeitwa Josephine Wanjiru Mumbi. Yuko Saudi Arabia na anapitia magumu ilhali tumeambiwa na Sen. Hamida kwamba kuna balozi ambaye anashughulikia na eti amerudisha Wakenya 12. Watu 12 ni wachache sana kwa sababu wengi wanakumbwa na matatizo. Pasipoti zao zinachukuliwa na ukiongea, unashikwa na kuwekwa ndani. Ni jukumu la Wizara inayohusika na mambo ya kigeni kuangazia suala hili. Isiwe kazi ya Seneti ni kuongea tu na hakuna jambo linalofanyika.

Naunga mkono Sen. Thang'wa alivyosema kuwa tunapaswa kuwa na jopo maalum la kushughulikia mambo hayo kwa dharura kwa sababu Wakenya wanapitia magumu. Wengine wanapata watoto na wananyang'anywa.

Niliona juzi katika vyombo vya habari kwamba kuna dereva wa tekisi aliyejipata matatani kwa sababu ni mgeni. Hiyo inaonyesha kuwa wanapitia mambo magumu. Wizara ya Mambo ya Kigeni inafaa kushughulikia Wakenya walio ughaibuni ili nao pia wajiskie kwamba ni Wakenya.

Bw. Spika wa Muda, vilevile ningependa kuunga mkono Kauli iliyoletwa na Seneta wa Bungoma, Sen. Wakoli. Nawapongeza Wakenya ambao wanafanya vizuri katika riadha. Kazi yetu isiwe tu kuwasherehekea wakifanya vizuri.

Kuna mmoja anayeitwa Emmanuel Wanyonyi na tunampongeza kwa kufanya vizuri. Hata hivyo, baada ya miaka kama mitano, vijana ambao walipeperusha bendera yetu katika nchi za kigeni na kutufanya kujulikana hatimaye unawapata wakiishi maisha ya uchochole hapa Kenya na hakuna mtu anawakumbuka.

Hatufai kuwakumbuka tu wakati wanapeperusha bendera yetu. Vilevile tunapaswa kuwapa mafunzo maalum kuhusu jinsi ya kuwekeza pesa wanazopata kwa ajili ya maisha yao ya usoni. Wengi wao ni vijana. Kwa mfano, Emmanuel ni kijana wa miaka 21.

Kulingana na Kauli iliyoletwa na Seneta wa Bungoma, alikuwa amewacha masomo. Baadaye walimu walimtafuta na kumpata. Kwa hivyo, anaweza kosa kujua jinsi ya kuwekeza na hatimaye maisha yake ya usoni yakamwendea segemnege.

Bw. Spika wa Muda, tunapaswa kufunza vijana wetu jinsi ya kuweza kujikimu katika maisha yao ya usoni. Kwa hivyo Kamati ya Leba na Ustawi wa Jamii inafaa kuangalia mambo hayo ili vijana wetu wasiishi kwa hali ya uchochole katika maisha yao ya usoni.

Bw. Spika wa Muda, nashukuru kwa kunipa fursa hii.

The Temporary Speaker (Sen. Abdul Haji): Sen. Osotsi, you have the Floor.

Sen. Osotsi: Mr. Temporary Speaker, Sir, I would like to comment on two Statements. The first one is the Statement by Sen. Mundigi on labour rights and the suffering that our people go through in the Middle East. Secondly is the Statement by Sen. Hamida on the lifting of the logging ban in Mau Forest.

Mr. Temporary Speaker, Sir, the suffering of Kenyans in the Middle East is an issue that has come to this House several times. Almost every week, Senators come here with Statements about their constituents who have either been killed, maimed or are stranded or something worse happening to them while in the Middle East. I wonder why we are not dealing with this matter with finality. Even in the National Assembly, there have always been issues around labour rights of Kenyans in the Middle East. We wonder why these issues continue to happen yet we have authorities in this country.

We have the Ministry of Labour and Social Protection and the Ministry of Foreign Relations and Diaspora Affairs and these things continue to happen. The real truth about what is happening is the bogus recruitment firms which facilitate the travel of these people to these countries and the Government knows who these firms are.

Mr. Temporary Speaker, Sir, some of them are owned by people in the Government, including Ministry officials. I dare say that, some of them are even owned by Members of the Committee on Labour in the National Assembly. I dare to say that.

The starting point is for us to face the bull with its horns and demand for a proper audit of these recruitment firms. Who are the owners of these companies? We can easily get that. Then we start from there and find out whether these companies are properly regulated and licensed by the Government. I am sure if we did that, then we can get somewhere in trying to resolve this problem.

Mr. Temporary Speaker, Sir, the second Statement is on the issue of the lifting of the ban on logging. It is interesting that Mau Forest was almost becoming a desert a few years back because of the logging that was happening there. It had to take the leadership of the late Orange Democratic Movement (ODM) Party Leader, Raila Amolo Odinga, to stand firm and say; he is prepared to go and cook *mandazi* in Kibera to protect that forest.

Right now, the water levels in Mara River and Lake Victoria have gone up and things have improved in the environment there. Now however, our Government tells us that they have a target to plant 15 billion trees. Even before they get to one percent of that target, they are telling us that we should allow logging in one of our biggest forests in this country.

What contradiction is that, you are saying one thing and taking away with another? These are the contradictory statements that we continue to get from the Government. I would to want to also question the wisdom around the lifting of logging in our forest when we have a target of 15 billion trees. Fifteen billion is not easy. You can imagine the world population is not near 15 billion, but we want to plant 15 billion trees.

If we really want to plant 15 billion trees, then we should not be talking about logging. We should protect the trees that we have and plant more so that we can achieve the target.

With those few remarks, I support the statements.

The Temporary Speaker (Sen. Abdul Haji): Sen. Samson Cherarkey.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, I will comment on three statements. One is by Sen. Alexander Munyi Mundigi, *Daktari*. I congratulate him for bringing home the Mbeere North Wamuthende Member of Parliament. He is becoming indomitable in politics.

The Temporary Speaker (Sen. Abdul Haji): Sen. Cherarkey, do you want to be informed by Sen. Osotsi?

Sen. Cherarkey: No, I have heard him sufficiently.

I will speak on this issue of Kenyans who are suffering in Qatar, Dubai, Middle East and the diaspora which is a serious issue. The Government formed a diaspora department. We need to summon the Principal Secretary and the Cabinet Secretary for Foreign and Diaspora Affairs to come and tell us what is happening.

If you look at 2024, Kenyans gave us foreign exchange revenue earner USD4.95 billion. That is around Kshs640.8 billion in foreign revenue. It has even surpassed tea and coffee, the traditional foreign exchange. That is sad.

I agree that we must form an *ad hoc* committee and with my expertise and experience, I am willing to be the Chairperson of that committee and deputised by Sen. Ogola, so that we fix this issue Kenyans are facing abroad. I also know that Sen. Osotsi will be a member.

Mr. Temporary Speaker, Sir, imagine the other day, I saw one Brian Kiplimo, a 26 years old who was working for Kabi Tax Company in Dubai and was getting sexual advances from a man. This was captured in that taxi. How do you do that? It is even immoral and unfair. A man making sexual advances towards Brian Kiplimo, the Ministry of Foreign and Diaspora Affairs must do something. We must bring Brian Kiplimo home.

Mr. Temporary Speaker, Sir, are you aware that no one has been prosecuted? You saw that video; where Brian Kiplimo was driving in Dubai and somebody was making sexual advances towards him. We must be told what happened. Brian Kiplimo deserves dignity and respect. That is the core of our Constitution, Article 27, on the right to human dignity.

Imagine you are there hustling. It is unfair in this era of many things like Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ). I feel for Brian. How can he stand before his family or even friends? The Principal Secretary for Foreign and Diaspora Affairs should be in Dubai fixing that issue. We cannot leave. They are giving us Kshs640 billion.

On the second statement on the issue of KDF, I agree because in Eldoret, we have similar issues. In 2021, in December on Christmas Day, three people were killed by KDF. No one has ever been prosecuted. On 26th November, 2023, four locals were beaten by KDF and no one has ever been prosecuted because of only land, in Kapchurum area in Kamagut Ward near the Recruit Training School (RTS) in Eldoret.

The KDF is part of Kenya and they are Kenyans. They are our sons and daughters. That land belongs to those people who come from Eldoret. We must ensure

NLC fixes this thing once and for all, so that we can receive justice for that KDF land in Eldoret.

Finally, on the issue of Pumwani lacking a functional ICU is embarrassing. It looks like nothing is working in Nairobi City County. I would like to challenge the Nairobi City MCAs. When they met the former Prime Minister, they agreed that in 60 days, the Governor would have fixed some of these problems. Imagine, Pumwani does not have a functional ICU. It is one of the biggest facilities in this town and city. Governor Sakaja has failed to provide that. I therefore challenge the MCAs to take action. The 60 days are over.

Mr. Temporary Speaker, Sir, health under Article 43 is a basic human right. Even in Garissa County referral hospital, in Nandi referral hospital, Nairobi does not look like anything is not working from roads, hospitals and to garbage collection. I challenge you, MCAs of Nairobi, the ball is in your court, 60 days are over, we are ready to do the needful and fix Nairobi once and for all, to call out Governor Sakaja's government which is not working.

I thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Sen. Jackson Mandago.

Sen. Mandago: Thank you, Mr. Temporary Speaker, Sir. I will comment on three statements.

The first Statement is by Sen. Mariam on the obstruction of the Great Migration Corridor by a private luxury lodge in the Mara River. I have had the opportunity to look at the videos of the wildebeest migration across the Mara River. It is saddening to note that this facility is built on the wildebeest migration corridor. It is evident when you see wildebeest running around within the hotel trying to cross the Mara River and you see hotel workers with sticks, spears, *rungus* and machetes trying to chase the wildebeest away from the hotel.

The committee should thoroughly investigate how this facility was licensed by the county government, how they leased the land for that development and how NEMA allowed, if at all they allowed, the development of that facility and what was the consideration.

Mr. Temporary Speaker, Sir, this is a classic case of multinationals trying to trample on the rights of the local communities. Maasai Mara is a national heritage. The Maasai community have co-existed with wildlife for the longest time without conflict. The committee must look at how this facility was licensed alongside other facilities. We must know that there is a rise of the number of facilities in the Maasai Mara which might affect wildlife conservation work.

Mr. Temporary Speaker, Sir, allow me to also comment on the Statement by Sen. Hamida on the issue of the Intensive Care Unit (ICU) facility. As a Committee, we shall definitely visit Pwani Maternity Hospital. However, we ask the Members to also note that a number of counties are facing the same challenges. There is need for every Senator to really check on what is happening within their counties.

On Sen. Mundigi's Statement on Kenyans in Qatar and other countries, I think it is not enough for us to just send workers to those countries. It is extremely important that the committee finds out from the relevant agencies whether we have bilateral labour

agreements that guarantee the safety of Kenyans when they go to work in those countries.

Finally, it is on the Statement by Sen. Hamida on the issue of lifting the ban on logging. I do not agree with that Statement because forests have what we call Forest Management Plan. When the products in the forest are---

The Temporary Speaker (Sen. Abdul Haji): Give him 30 more seconds to conclude.

Sen. Mandago: Mr. Temporary Speaker, Sir, I do not agree with that Statement because forests have what we call Forest Management Plans. When the products are ready, even when we do not log them, they go to waste. Those are billions of shillings; resources that need to be collected and used. The lift of the ban does not negate the fact that we need to plant 15 billion trees.

Mr. Temporary Speaker, Sir, I ask the Committee to check whether we have a clear Forest Management Plan on dealing with products that are ready for disposal in the market and how those areas that have been harvested are going to be replanted. I only do not support that Statement, but I support the rest of the Statements.

Thank you very much.

The Temporary Speaker (Sen. Abdul Haji): Hon. Mohamed Chute, proceed.

Sen. Chute: Thank you very much, Mr. Temporary Speaker, Sir. I am a Muslim by religion and thus, remind this House that when refugees fled from Somalia, they went to many places. Some went to the Arab countries such as Saudi Arabia, Dubai and even Qatar while others went to Europe and America. Those refugees who went to Europe and America were received very well. They got excellent treatment and hospitality while those who went to the Arab Muslim countries were humiliated, detained and deported. Some of them suffered heavily and others even lost their lives.

The Statement by Sen. Mundigi should be looked at by the committee. Let me also congratulate him for delivering the Member of Parliament (MP) seat in his county, although he sometimes calls me Shute. My name is Chute, not Shute.

Our President, His Excellency Hon. Ruto, has done a lot, even though people are going to Qatar through agencies. What we need to do as a committee, is look at why passports are confiscated once you go to Saudi Arabia or even Qatar and Dubai. The Committee should even visit Dubai, Saudi Arabia and Qatar to see how our people are suffering from food shortage and living in police like cells. They also take leave from work once in two years. What law is this?

They should go see and talk to them. These are Muslim countries; people who believe in Islam. These are people who pray five times a day and go to Hajj. I suggest that there should be an organisation led by Muslims - not the Supreme Council of Kenya Muslims (SUPKEM) - another institution that can organise the issue of labour---

The Temporary Speaker (Sen. Abdul Haji): Give him one minute to conclude.

Sen. Chute: Thank you, Mr. Temporary Speaker, Sir. There should be an organisation that can lead that process and see, how our people can get jobs in those Arab countries while looking at humanity.

As I conclude, we do not want SUPKEM to take charge because there are rogue leaders there. The Chairman has been using pistols and shooting at young boys and

girls. This is something very serious. We need to have an organisation that is going to take care of labour issues for people going to Saudi Arabia, Qatar and also Dubai.

Mr. Temporary Speaker, Sir, I support this Statement by Sen. Mundigi.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator. However, Sen. Chute, having listened to your submission, I am also aware that there are many Kenyans in Dubai and Qatar who are employed in very decent jobs and are not being mistreated. In Saudi Arabia as well, we have Kenyans working as senior managers.

Senator, as much as I agree with the Statement by Sen. Mundigi, we also have to be fair to these countries. It has nothing to do with religion if there are people who are being mistreated because religion does not teach people to mistreat other human beings. As a country, we need to be fair to these Gulf countries. Just as many Senators have submitted that we should have a policy to guide Kenyans in every country in this world.

Let us move on to the next Order.

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

Hon. Senators, we shall reorganise the Order Paper and go to Order No. 22. Clerk, read the next Order.

The Chairperson Standing Committee on National Cohesion, Equal Opportunity and Regional Integration, proceed.

MOTION

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

Sen. Chute: Thank you, Mr. Temporary Speaker, for this opportunity.

Allow me to table the report of the Committee on National Cohesion, Equal Opportunity and Regional Integration.

I am tabling this report, pursuant to Standing Order No.228. The Standing Committee on National Cohesion, Equal Opportunity and Regional Integration is mandated to consider all matters on---

(Sen. Chute consulted with the Clerk-at-the-Table)

Mr. Temporary Speaker, Sir, there are some corrections.

I beg to move the following Motion-

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, 3rd October, 2024.

Hon. Speaker, pursuant to Standing Order No. 228(1) - Appointment and Functions of Standing Committee - I would like to state that the Senate Standing

Committee on National Cohesion, Equal Opportunity and Regional Integration is mandated to consider all matters relating to national and inter-community cohesion, equalization of opportunities, regional integration and representation in the East African Legislative Assembly and the Pan-African Parliament.

The report highlights the response received from various stakeholders concerning diversity and inclusivity in the staff composition of state agencies in Kenya.

In compliance with Article 125 of the Constitution, Section 18 and 20 of Parliamentary Powers and Privileges, Act No. 29 of 2017, empowers the Senate and any of the Committees to summon any person to appear before it for the purpose of giving information. The Committee invited and met with many institutions, namely 29 state agencies, to respond to the inquiry.

I do not want to mention all the names because of time since they are 29. However, the Committee observed that in the state corporations, the major issues are the Persons with Disabilities (PWDs). The law says the minimum of up to 5 per cent should be PWDs in any organisation, institution or government agencies.

The problem with the 5 per cent is that many organisations have not met it. I think it is about not less than 95 per cent. If you ask what issues are there, everybody says all the institutions that came before us are talking about historical issues. An organisation will talk about historical issues. Our question is, when are these historical issues going to end? It will never end, because this country is polarised. Any CEO that comes in will try and see how he can help his own people or his own community. That is a major issue we have seen which is 5 per cent opportunity for PWDs, and we have only up to 5 per cent of the institutions who have employed opportunities for 5 per cent people with disability.

We have requested organisations to go out of their way and talk to organisations that are leading in issues for PWDs. They have said they will try, and we will see what will happen in the next one or two years.

The other issue is advertisement. The way they advertise is through newspapers and mainly through their systems, which is within the organisation. We have urged them to advertise, if possible, in local vernacular radio stations, so that it can reach as far as Marsabit, Mandera, Garissa, Turkana, Wajir, and many other sectors, cities, towns or counties in this Republic.

On the issue of ethnicity, two communities, mainly the Kikuyu and the Kalenjin, have dominated a larger percentage of the institutions in this country. Always, the institutions will blame historical issues. Historical issues have limits. I come from Marsabit County. If you look at Marsabit County today, we have 14 diverse communities, and only two communities are getting employed in this country. Although we have people with PhDs and young boys and girls who have finished their masters degrees, getting employment into those institutions becomes very difficult.

We are asking them to please diversify. Call for people to come for interviews. In some instances, somebody will come from as far as Moyale or Mandera to Mombasa for an interview, and then out of about 10,000, 5,000 or 6,000 people, they will pick only 100, and the rest will go back to their counties, having spent a lot of money and incurred a lot of expenses.

They need to go to all those counties, advertise and do the interviews in those counties, so that people can, without spending much money, get access to jobs. Why do you come from Mandera and you are asked to go to Mombasa or even Nairobi for an interview for that matter? So those are the things we have seen.

The other issue is the issue of minorities. Minority communities, if I mention some names, especially like Tharaka, people think Tharakas are Merus. Tharakas and Merus are different. If you look at the people they have employed, they say Tharakas and Merus are the same. No, they are not. Look at Elmolo, Rendile, Mijikenda. These are people who are supposed to be given jobs based on merits. Do they have enough education? Do they have degrees? Do they have a masters? Yes, they do, but it is not easy to access employment in this country.

Politicians also have played a major role in employing their own relatives. The other day, the National Cohesion and Integration Commission (NCIC) appeared before our committee. They employed 22 people without going through normal procedures. We asked them to redo the whole process. I thank the CEO because he has accepted, and that is what they are doing. We are asking this country to please diversify. Talk to people. Talk to young boys and girls. Give them an opportunity. Those are the things which we need this country and its management to look into.

The other issue is the issue of human resource instruments approval by the Public Service Commission. We have invited them before our committee, and they are going to come again on the issue of human resources. I think they are now doing better. These new commissioners are doing better than the ones who were there before. The Public Service Commission is seconding interns to some state agencies. This is not uniformly done.

I thank the President, Dr. Ruto, for giving opportunities to these young interns. About two weeks ago, the Permanent Secretary (PS) Housing and Urban Development told me they are going to employ thousands of interns into the issue of affordable housing. I was really impressed. We want to see uniformity. If you pick somebody from Marsabit or Mandera, mix them. Let them go to places, for example, from Mandera to Garissa, Nandi to Marsabit and all those things so that people can now interact. Young boys and girls can interact and even marry each other. That is something we want to see in this country.

I am happy to state that we have realized the two-thirds gender rule. We are very happy to report that today in Kenya, many institutions have complied with the two-thirds gender rule. We have seen, in counties, even your own county of Garissa, that some employed people are over 65 years old. They are saying that they are giving these people an opportunity to teach young boys and girls. That is an unjustified pretext. Why do you wait for someone to see his grandchild, who has gone to university, has a degree in engineering and you are 65, 70, 75, 76 or 78 years old? What are you doing there? We want the Senate to emphasize that the maximum age is 60 and 65 for people with disability. That should be maintained so that we give our youth an opportunity also to access jobs.

When we were doing this Report, we realized that there are some tribes that have sub-tribes amongst them, for example, the Kalenjin. If you say 'Kalenjin,' it is the larger

Kalenjin. So, there are some other tribes in the larger Kalenjin who are disadvantaged. We have noted; I cannot mention all the names. The Senators can look at our report.

The other issue is on the Mijikenda. They have got some nine sub-tribes. By the way, Kalenjin has 16. I think the Senator for Nandi can also talk about this. So, we are trying our best to see how these other sub-clans can also be factored in.

Let me take you to Abaluhya who have got 18 sub-tribes. Even the Somali, Mr. Temporary Speaker, Sir, because you come from the same community, we have 10 sub-tribes from the larger Somali community. I cannot mention all the names. The Swahili have 20 sub-tribes.

We sat and we recommended that-

(1) All state agencies familiarize themselves with the provision of the Constitution and other relevant laws regarding exclusivity in order to ensure compliance.

(2) The Public Service Commission (PSC) should, within one year, conduct an audit of the laws regarding inclusivity, identifying possible legislative gaps.

(3) The agencies should develop and implement progressive human resource policies approved by the PSC.

(4) State agencies should adopt and implement recruitment terms so that it can be uniformity.

(5) State agencies should comply with the directives given by the PSC and the State Corporations Advisory Committee (SCAC), so that they bring their heads together and see how they can manage the issue of employment without hindering each other's programme.

Sometimes an institution will tell the Committee that they have got approval from SCAC and another from the PSC. These should be dealt with if both parties can come together and solve that problem.

The other issue is how the state agencies should adopt proactive stakeholder engagement in the National Agenda and Equality Commission (NGEC). Currently, for someone who is in Mandera, Turkana, or Marsabit, to get access to a television or normal advertisement through newspapers is very difficult. We have urged them to advertise in the local vernacular stations. By so doing, definitely, so many youths will get access to employment.

As I said earlier, the reason these people do not want to go to vernacular radio stations is because before even they advertise, they have already made a decision that it should be on only the newspaper. This is because they know who will come for interview and be employed.

If we love this country, this Senate should emphasize on the issue of regional balance in this country. This Committee would like, if possible, to amend some laws. We have already told the institutions who want assistance from the Senate to bring forward the amendments and see how we can assist them.

Mr. Temporary Speaker, Sir, as I conclude, I thank all the stakeholders that came before our Committee. We had a very good conversation. As you remember, our Committee's first word is cohesion.

We talk to them nicely and tell them they are there because we want uniformity. We want to see how our youth, PWDs and women can get access to employment. We

have got a cordial relationship and discussed issues. Maybe in the next three to four years, this country will achieve management of employment structures.

Finally, let me also emphasize on one thing. Today, if you are a Kenyan, a young person who has just finished university, getting experience to join opportunities in institutions gets very difficult. After going through these investigations, we have realized that internship has helped our youth to get access to jobs because of the experiences required by institutions, even government agencies.

[The Temporary Speaker (Sen. Abdul Haji) left the Chair]

[The Temporary Speaker (Sen. Mumma) in the Chair]

Madam Temporary Speaker, it has solved the issue of “no experience”, or “how many years’ experience do you have?” As a country, today, if a young person seeks employment, they must know a politician. This must stop. People come to our offices every day, even mine in Nairobi for help to get these jobs. I ask them why they are not applying if they have the qualifications.

Madam Temporary Speaker, we need to have a discussion with PSC. In some instances, even every commissioner wants to bring their relative. When some of the Commissioners of the National Cohesion and Integration Commission (NCIC) were leaving office - I think in November - some of them even employed their own children. How can this happen?

How do you expect your son and daughter after finishing university, the 8-4-4 system, to ‘tarmac’ for another four or five years without a job? If you know a politician, you will get a job. If you do not know? This is a very serious issue and as a country, we should look at somebody's merit.

There is a young man who came from Marsabit. He finished his university. He passed very well. He has been applying for a job for the last two to three years but he cannot get access to employment because he does not have someone to push for his employment. Are we going to go that way? Are we going to continue that way? This must stop. That is why I want to tell the Senate today that as we table this report, please, let us give opportunities to our young boys and girls, regardless of who they know in the big offices.

Finally, let me take this opportunity to thank my Members, the clerks, whom we worked together with for all those months. I would also like to thank the Senate for giving my Committee on National Cohesion, Equal Opportunity and Regional Integration an opportunity to carry out this exercise.

I want to say we have learnt a lot. However, before I forget, our secretariat also, have been working very hard. For example, this morning, many Members were complaining they do not have quorum. I want to report to the Senate today that my committee has never missed quorum. The minimum we have always in our meeting are seven.

You have heard, this morning, Senators complaining about the issue of quorum, like the Committee on Justice, Legal affairs and Special (JLAC.) My committee has

never missed quorum. I attribute that to my hard-working Members and also the Chairperson.

I want to ask the Senate to adopt this report and ask Sen. Beatrice Ogola, to second this Motion.

Thank you, Madam Temporary Speaker.

Sen. Ogola: Madam Temporary Speaker, following in the footsteps of the Senator for Marsabit, who is a ranking Member of Parliament and the Chairperson of this Committee, I am privileged to second this report. In particular, I am privileged because it is a report that talks to the heart of every Kenyan and everybody.

As I second this report, I want to start by congratulating the new Senator of Baringo, who was just sworn in this afternoon. I had wished he would be here, but I would like to tell our new Senator and colleague that he is coming in against the footstep of a giant, the late Sen. William Cheptumo, who I was privileged to have worked with in the Committee on Land, Environment and Natural Resources.

Sen. Cheptumo was not only versed in his background, but he had a heart for all of us. I remember when I joined the Committee on Land, Environment and Natural Resources as a new Member of Parliament, he held our hands and we would consult with him. He was open with everybody.

So, we welcome the new Senator and in the same spirit, I would like to give him some advice that in this work, you must also know which side your bread is buttered. You must appreciate the people in your line of politics, your party which gives you an opportunity, and your party leader. Let me stop at that.

Madam Temporary Speaker, I second this report. The Committee looked at 29 state agencies. I want to believe that that was just a fraction of the entities that they should be looking at, because other than the state agencies, we also have both the public sector and the private sector.

I want to encourage the Committee as I second this report, that the chairperson must go ahead and not only look at the state agencies, but also look at the private sector.

The reason why I say this, is because we do not have private Kenyans. We only have Kenyans, whom we must ensure are treated well, are given opportunities, whether they are in the public sector or in the private sector.

This report talks about inclusivity. Inclusivity reminds us of our national values, as enshrined in the Constitution of this Republic.

I want to applaud the Committee for having taken their time, that when you address the issue of inclusivity and diversity, you will be solving a number of problems. You will be addressing the issue of peace and unity that our forefathers have kept on preaching to us.

When you include everybody, then you have a peaceful co-existence, you will have a united group and a motivated workforce that will finally lead to job satisfaction and everybody then gives their best.

The Committee is about equal opportunities. Kenyans are Kenyans in no order. If we address the issue of inequality in this country, we will be bringing in peace, as I have said. Inequality is a recipe for hostility and violence.

If I reflect back to the year 2024 and the occurrence of what later became to be known as the Gen Zs, when you look intensively at the challenges that the young people have, some of it is about insecurity.

We have young people who are graduating from institutions, but they are not secure. They are insecure. They feel that opportunities will not be granted to them in an equal manner. That is why I say inequality is a recipe for violence.

We probably need to do things right so that we give all Kenyans an opportunity. Think of it, as I second this report, and as we talk about diversity and we talk about inclusivity, probably this should even begin at our institutions of learning.

Equal opportunities must be given to different communities, irrespective of where they come from, so that at the end of it, we will be having graduates that have diversity. At the end of it, when employers go out to do recruitment, there will be an opportunity for everybody.

Madam Temporary Speaker, what are some of the measures that must be looked into? In the employment process, we must start to address the issue of diversity and inclusivity at all the stages of employment. The first thing, as adverts are made, they must take in the issue of diversity and give room for inclusivity. When the selection panel sits in all those agencies, whether private or public, they must take care of inclusivity and diversity. When they do the interviews, whether it is the Public Service Commission, the Judicial Commission, the Parliamentary Service Commission, or any other employer, they must, at that point ensure that there is diversity and inclusivity.

Lastly, Madam Temporary Speaker, in the process of making appointments, once interviews have been done, before the appointment letters are issued out, those aspects of diversity and inclusivity must be looked into so that we are able to solve this problem once and for all.

Madam Temporary Speaker, I am a teacher by profession. There was a time my former employer, the Teacher Service Commission (TSC), was doing employment and such factors as ageing were being taken into consideration. It only ensured that people were employed in terms of their years of graduation. That gave applicants or job seekers the confidence that they need. Everybody was assured that if Beatrice Ogola had been employed and she graduated in this year, then I would be next in line. So, there would be no need of panic, running to every other person.

The Mover gave certain examples and was emphatic about politicians. However, I would like to exonerate politicians like ourselves because of the expectations that we have from the public. Politicians equally are not employment bureaus, but they have to attend to everybody. Some of us, politicians, also have our children in our houses who are unemployed. However, if we went ahead to practice integrity and honesty in this country, and gave everybody an equal opportunity, we would be having a country that is peaceful and united, where we will come to what my late Party Leader, Raila Amollo Odinga, said and preached in his last few years about- "Think of your nation". Yes, think of your nation. Think as a Kenyan. Do not think as this tribe, crowd or community, so that at the end of it, our state agencies, private entities, county governments, the public sector and everybody will be giving an opportunity to all Kenyans.

Madam Temporary Speaker, there are also historical injustices that the Senator indicated about certain communities having a prevalence. These are people already employed. Two wrongs cannot make a right. So, the employment and state agencies must put in place measures that ensure that communities that have been disadvantaged are brought up to feel comfortable. I am talking about affirmative action. Can the agencies introduce affirmative action without displacing people already in employment so that communities feel like we all belong to this country? That brings us to the marginalized and minorities that feel discriminated. As a country, we must emphasize on our values.

Finally, Madam Temporary Speaker, let every Kenyan feel valued in this country. Let us preach unity and respect leadership that we have in this country because the leadership is a symbol of our unity.

Madam Temporary Speaker, I second.

(Question proposed)

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, please, proceed.

Sen. Cherarkey: Thank you, Madam Temporary Speaker, for this opportunity.

I have read the report and I am happy with it. In my opinion, this is the first Committee that has decided to confront the elephant in the room.

Madam Temporary Speaker, as a ranking Member of this House, this issue of employment, especially ethnic complexities in employment in our country, has been a very sensitive issue. I would like to thank Sen. Chute Mohamed Said, and the Senate Standing Committee on National Cohesion, Equal Opportunity and Regional Intergration for this wonderful report. I have read the report. It is simplified.

Madam Temporary Speaker, we neighbour each other in the Bunge Towers. I always see the Committee. It is one of the most active committees of our times. I am happy. Many people would not wish to talk about this issue of ethnic employment and public service. No one wants to confront the issue of political appointments or political correctness. I would like to pick up from where the seconder, my sister, Sen. Beatrice Ogola Nyar Homabay, has said on the issue of TSC. Let me begin from there.

Madam Temporary Speaker, I walk around and meet a 48-year-old, Primary One (P1) teacher who is yet to be employed, but one who graduated in 2024 or 2023 is employed. TSC must be called out. TSC is thinking to the highest heavens. I expect the directions you will give, that the Committee led by Sen. Chute, should go and look at the architecture and design of the TSC. I feel sad.

I know someone, 48 years old, from Nandi County, who has never been employed. When you employ them, they are about to retire. They have lost hope, yet you get people as young as 2024, 2025 graduands, who already have employment papers. The TSC must be called out. There is a problem with TSC. I know they do not have a substantive Chief Executive Officer (CEO), but I hope these are some of the things that can be corrected.

Looking at the dynamics of the TSC, majority are in the gap of 51 to 60 years, according to this report. The same applies to the Kenya Bureau of Standards (KeBS), and the Kenya Medical Supplies Authority (KEMSA). I saw, for instance, in regards to the

TSC, 51 to 60 years is almost 90,459. Where do you want young people to go? That is why they can only demonstrate. That is why they wanted to overrun Parliament.

I saw a feature on the *Nation Television* (NTV) where they captured your comments. I think it was by Paul Nabiswa, where you spoke eloquently that we must deal with this issue of the youth in this country. They must be given opportunities. How can we give opportunity if people at 60 years do not want to go home?

Madam Temporary Speaker, I know somebody who has only something in their eye and they want to be given Persons with Disabilities (PwD) status, so that they can be given five or six-years extension. Somebody tells you that he or she is a PWD, but you cannot see his or her disability, unless it is in areas that we cannot see.

We must be told why is KEMSA, TSC, Kenya Medical Research Institute (KEMRI) and majority of the employees of Public Service Commission in the country are older people. I do not have a problem with the older people. Let it go on record. The Constitution provides for their rights. In fact, Article 57 of the Constitution of Kenya, 2010, provides for older members of the society. We are not against this, but we want a gradual process.

I thank the former Cabinet Secretary for Public Service, Gender and Affirmative Action, Madam *shangazi wa taifa*, the former Member of Parliament for Malindi Constituency. She issued a circular, which I challenge the Chair of the Committee to look for. It said that if you reach 60 years, you must go home. It is there. However, I know many people in the Public Service Commission (PSC) who do not want to go home. If you did not build a house, you do not have a car and you did not plan for pension and retirement, it is not our problem. The country must move on.

I agree with the sentiments made by Nyar Homa Bay about Baba in Thika at a funeral that we must stop thinking along tribal lines. You must first think as a Kenyan. That is why I depart from the Committee's report that says the majority are Kalenjins and Kikuyus. These are Kenyans. They are not Kikuyus, Kalenjins, El Molo or Somalis. They are Kenyans and are in those offices on merit. We need to do an affirmative action, as the seconder and Sen. Chute have suggested. Let us see how we can do this.

We must also consider the population component. How do we address the issue of population? I know majority are Luhyas, but within the Luhyas, there are sub-tribes. Kalenjins have about 19 Sub tribes: Nandi, Tugen, Kipsigis, Njemps, the people from Mt. Elgon, Tiriki, who are in Vihiga and Nandi counties. The people from Vihiga have frustrated my people. They claim that they have not been employed by the County Government of Vihiga.

Madam Temporary Speaker, you also have almost 16 sub-tribes. I hope that when the Deputy Party Leader of the Orange Democratic Movement (ODM) becomes the Governor of Vihiga County, God willing, he will ensure the Tiriki, who are part of the Kalenjins, get opportunities in the Vihiga County Government. I was there when the late Hon. Raila Amolo Odinga gave him the blessings to be the Governor. I was in that rally. He will be the Governor. I will mobilise my people to ensure he becomes the governor. He will ensure the Tiriki get equal opportunities in Vihiga County Government. Since three wards in my county have Luhyas as the majority, when, I become the Governor of Nandi County, I will take care of them.

I will make only five points on the issue of PWDs. This is my third point. Almost all state agencies are below the required two percent. Article 54 (2) of the Constitution of Kenya, 2010 states that the state shall progressively ensure that at least 5 per cent of members in elective and appointive bodies are persons with disabilities.

Madam Temporary Speaker, we understand that if somebody was to move to court under Article 24, most of these authorities--- and this is the time the Chairperson of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration should be writing. I am just dispensing *pro bono* legal advice. The Authority is supposed to uphold and enforce the Bill of Rights. This means most of our public service agencies are unconstitutionally constituted.

In the last session, somebody moved to court to challenge the constitutionality of Parliament under the two-thirds gender rule. We are yet to comply. If the Chief Justice, Hon. Martha Koome, were bold enough, we would all go home because we have violated the Constitution in terms of elective positions and the two-thirds gender rule. The same applies to PWDs.

Madam Temporary Speaker, I do not see representatives of PWDs, yet all of us are elected, including you, to represent them. This is unfortunate. I would have expected the Chairperson of Standing Committee on National Cohesion, Equal Opportunity and Regional Integration in that report to call these committees out. I have seen they have been called out. However, punitive measures should have been taken, requiring compliance within 90 days or even within 24 months, with a report back on progress. My worry is that after this report is adopted, somebody can rush to court and challenge it on the issue of PWDs under Articles 23 and 54 of the Constitution of Kenya, 2010.

I was in Mombasa at the Government Building that houses Huduma Centre, where people obtain birth certificates, death certificates and identity documents. That building does not have PWD-friendly ramps. The Mombasa County Commissioner's Office, just like in Nandi, and most Government buildings, including ministries, do not comply with accessibility requirements for PWDs.

In the last session, I was temporarily a PWD and I know the pain that PWDs undergo in this country. I expected this report, since I was in that Committee, to direct that all Government-owned buildings must comply with PWD access requirements. The Public Service Commission appeared before the Committee on National Cohesion, Equal Opportunity and Regional Integration and I expected the report to include such directives.

Madam Temporary Speaker, I request your office to allow this Committee to conduct audits by visiting all 47 counties to check the status of both national and county government buildings and assess their accessibility for PWDs. I hope your office and the Secretariat are listening very keenly. That after Christmas and the New Year, the Committee on National Cohesion, Equal Opportunity and Regional Integration must go around the country and give us a report on accessibility for PWDs.

We thank the President for the Affordable Housing Programme. This is the part that Sen. Ososti has a problem. I was with Sen. Ososti and the President when we visited Mbale for the Affordable Housing Programme and he was happy about it. While we appreciate that the Government has employed 200,000 young people, I challenge the Committee on another issue. They should visit all affordable housing units and bring us

an audit on accessibility for PWDs in most of these high-rise buildings under the Affordable Housing Programme. That is when Kenyans will take us seriously.

Madam Temporary Speaker, you should direct that before we break for the next session, the Committee on National Cohesion, Equal Opportunity and Regional Integration should give us a compliance report on the Affordable Housing Programme to ensure access for PWDs in this country. We must take the issue of PWDs seriously.

This should be implemented even in hiring processes. I noted that Kirinyaga County Assembly have over 95 per cent from the dominant community, “*Andu a nyumba*”. Most of them come from this dominant group. You will find that they make the advertisements placed on *Inooro FM*, *Kameme TV*, *Kameme Radio* and *Mount Kenya Times*. They need to advertise in newspapers of national circulation so that everyone, including people from your home, can access the information.

I also suggest to the Committee to include County Aggregated Industrial Parks (CAIPS) in their visit. I wish Sen. Chute was listening. As they build these zones, they must ensure compliance with accessibility for PWDs.

Regarding the issue of access for youth under Access to Government Procurement Opportunities (AGPO), 50 per cent or most state agencies have complied with the 30 per cent allocation to young people. However, the problem I have is that, while I appreciate what the Committee has done, I wish they had called for CR12. Are you aware that some “youth” are 60 years old and still doing AGPO in most counties? They need to give us an audit. If they have checked, the 50 per cent of state agencies that have not complied with AGPO should explain why.

It is easy to complain, but difficult when we discuss elections. Guided democracy may be needed, for example, requiring that in nine constituencies, three must elect women. Similarly, in appointive positions or awarding tenders, affirmative and deliberate processes must be done. Therefore, I challenge Sen. Chute that some of these state agencies, if courts were to get hold of this report, most of them would be found in violation.

Finally, I appeal to Chief Justice, Hon. Martha Koome, that active cases should not be discussed outside the courtrooms. They were discussing with Members of the National Assembly about the National Government-Constituencies Development Fund (NG-CDF) case, so that they pass post-retirement benefits for the judges. We should allow prosecution of cases to be done in courts.

Madam Temporary Speaker, you and I who attended law classes appreciate that. Therefore, the Chief Justice should be called to order. She presides over a Judiciary funded by the taxpayers. Most of the time, the Judiciary is accused of corruption because of the issue of NG-CDF.

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

I know Chania is trying to take you to Standing Order No.101, but I will leave it at that.

Finally, is the issue of internship. We saw Junior Secondary School (JSS) interns demonstrating all over the country. Sen. Chute, can you save us? Parliament appropriated money to the Teachers Service Commission (TSC) to confirm 20,000 JSS interns to permanent and pensionable terms.

I urge the Committee to summon the TSC to appear and tell us why JSS interns are being told to renew their contracts, contravening Article 41 of the Constitution of Kenya, 2010. That also contravenes the Employment Act and the Labour Relations Act.

I have seen letters from the TSC circulating stating that the current interns must renew their contracts for another one year, yet they are being paid Kshs17,000. What can you do with Kshs17,000?

I know big boys in this town who take lunch worth Kshs20,000. Imagine being given Kshs17,000 to live in Nairobi, where you will you leave? Mukuru kwa Njenga, Mukuru kwa Reuben or Kibera? That is why marriages of young people who are starting families are breaking.

I talked to one of them and he told me that they no longer even have the energy to do as God commanded them to multiply. It is because when they think of Kshs17,000, they cannot rise to the occasion.

Madam Temporary Speaker, we must protect young people who are earning Kshs17,000 only. There is no medical cover, house allowance and transport allowance. They are given a stipend of Kshs17,000 and that is unfair to those young people.

Madam Temporary Speaker, you allowed us to process a Motion where you can mark a matter even when we are on recess. We should summon the TSC and ask them why 20,000 JSS interns have not been confirmed. If you do that, your future will be brighter the way it has always been.

Finally, on the issue of Public Service Commission interns, while Sen. Chute appreciated that many interns are being hired, these interns---

Madam Temporary Speaker, I would like to thank this House for agreeing with me and passing the resolutions to improve the stipend for the interns---

The Temporary Speaker (Sen. Mumma): Hon. Senators, I wish to call Sen. Cherarkey to order in terms of your reference to the Chief Justice in the manner that you did. You are aware that, that was inappropriate. I want you to withdraw that, so that it is expunged from the HANSARD.

(Sen. Osotsi spoke off record)

Sen. Osotsi, I am guiding Sen. Cherarkey who is familiar with Standing Order No.101. So, please do the necessary.

Sen. Cherarkey: Madam Temporary Speaker, I withdraw but the point has been made. Thank you for that indulgence.

The Temporary Speaker (Sen. Mumma): Not conditionally.

Sen. Cherarkey: Okay. I withdraw and leave it at that.

The Temporary Speaker (Sen. Mumma): Thank you, Sen. Cherarkey. You may proceed to finalise.

Sen. Cherarkey: I know Sen. Osotsi will assist me. My brother, I am your good neighbour.

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, proceed with your contribution.

Sen. Cherarkey: Finally, on the issue of Public Service Commission interns, it is the same thing where they get Kshs25,000. There is no medical cover, house allowance, transport allowance and other allowances because it is only a stipend.

Listen to me my brother, Sen. Chute. If you want the young people of this country to remember you forever, you need to be creative with your committee and direct that whenever the term of interns serving in the Public Service Commission expires after 12 months, they should be transited to permanent and pensionable terms so that we do not lose---

I am aware that there are many interns even in the Parliamentary Service Commission who are suffering. We fight for interns outside there but we have them in the Parliamentary Service Commission. Some of them have stayed for even seven years as interns or on contract yet this is a House that makes laws and should defend the welfare of the poor. Most of the subordinate staff in the Parliamentary Service Commission have stayed for even seven years without employment. What are we saying and what are we telling the country?

This is the epitome of representation of the welfare of the country. I want to challenge the Parliamentary Service Commission that the issue of people staying for more than one year on contract or as interns should stop. If we cannot hire them, allow the young people to go their way. Stop playing with their dreams! People want to settle, take loans and build their lives the way we are doing. We are creating *shamba la wanyama* where others are more equal than others.

I want to challenge the Committee on National Cohesion, Equal Opportunity and Regional Integration to start with the Parliamentary Service Commission. Regarding the Public Service Commission, you should come up with a directive so that our young people can be confirmed.

(The amber light was switched on)

Madam Temporary Speaker, seeing that the amber light has been switched on to indicate that my time is almost over, I thank you and support.

The Temporary Speaker (Sen. Mumma): Next is Sen. Godfrey Osotsi.

Sen. Osotsi: Madam Temporary Speaker, I would like to start by congratulating the Committee on National Cohesion, Equal Opportunity and Regional Integration---

The Temporary Speaker (Sen. Mumma): Sen. Osotsi, hold on please.

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

Sen. Osotsi, please proceed.

Sen. Osotsi: Madam Temporary Speaker, let me start by congratulating the Committee on National Cohesion, Equal Opportunity and Regional Integration for this

wonderful report that they have brought to this House. I would also like to say that the Chair of this committee, Sen. Mohamed Chute, has demonstrated to this House how a committee that had been seen to be useless and not much progress can be derived from it can be one of the most active committees in this House.

He has been innovative, coming up with issues. If we adopt the same spirit in all our committees, I think this Senate will go places. It is not just him but even Members of the committee. I can see Sen. Consolata and the Senator for Turkana are here. You are doing a good job and I like what you are doing. Please, go on like that.

Coming to the report, it is well done because they have looked at the details of diversity and inclusivity in our public sector. Looking at the issues of marginalised groups; ethnic balance; age, how many youth or older people are employed and the issue of Persons with Disabilities (PWDs). Of course, they have also focused on the youth. It is a wonderful report because they have looked at all the parastatals.

My only concern is that while reading through the report – Sen. Chute can guide me – I expected to see some of the most notorious institutions of the Government which have been blamed for violating the concept of diversity and inclusivity. They include the Kenya Revenue Authority (KRA), Kenya Police and the Military. I did not see much in this report and if it is not there, Sen. Chute, I will encourage you to do a similar inquiry in those institutions because we have had many complaints on lack of inclusivity in those institutions. I know in the last 12th Parliament, there was a report that was done on KRA and it was very shocking how we have a huge tribal imbalance in the human resources who have been deployed in KRA and the same also applies to the police. I urge the Committee to prioritize on those institutions when we come back from the long recess.

Madam Temporary Speaker, coming to the Kenya Police, it is very, very annoying that we take our youth for recruitment. They go to various constituencies, they are put through a strenuous programme and then they are left out. The list is just generated somewhere and people are paying money. When they started this current recruitment, they told us that this time it is going to be better than the other years.

I would like to tell you that the recent police and military recruitments were largely a scam. This is because, many of the deserving youth who were supposed to be taken in this recruitment were left out. Instead, we have people walking around with slots saying; we are going to give this number of slots to Parliament, we are going to give this number of slots to ministers. When are we going to do the right things as a country?

Madam Temporary Speaker, some parents have been paying money to people. Why not arrest these people? Sen. Chute, we would like you to come up with a Statement or your Committee to investigate the recent recruitment of the police and the military so that we know how many numbers were recruited in every county and the names of those people? We have people from other regions who do not stay in that county who have been recruited into the police.

This is where the problem starts. It starts with the recruitment process, when there is no fairness, then you will not have any inclusivity. Therefore, as we talk about this, we also need to look at our processes of recruitment and human resource management in our public institutions. Then we will begin to understand the problem even deeper.

Madam Temporary Speaker, all this is happening and yet we have institutions which we appropriate money to every year to help us ensure that the right thing is done in terms of inclusivity and diversity. We have the National Cohesion and Integration Commission (NCIC). These people, we only hear them when politicians make hate speeches. That is when you see them. What else do they do? They are supposed to be looking at matters like this, ensuring that we have inclusivity and equal opportunities for our people in all sectors of our country.

People like National Gender and Equality Commission (NGEC). What do they really do if they cannot ensure that the Constitution is complied in terms of the number of women who are supposed to be represented in these institutions? Do they have to wait for the Senate or Parliament to do a study like this for them to act? No, they need to do their own work.

Madam Temporary Speaker, I know you are one of the people who are involved in ensuring that this new Constitution is implemented. I would like to say that the independent commissions we have, have failed this country. They are not doing their roles. They are not independent. One of them is NGEC and others.

We have a body called the State Corporations Advisory Committee (SCAC). This is a body within the Government which is supposed to provide internal oversight. What do they do? They are the ones who are supposed to be capturing anomalies like this but now, we are here talking about inclusivity in a public sector.

Madam Temporary Speaker, the Committee has done a good job to look at the numbers in terms of tribe. The Luhya community where I come from is blessed because we have given birth to many children. We are blessed in terms of population. We are probably the most populated community in Kenya now. However, that is not reflected in our representation in public institutions.

If you look at the list that has been given, we are either number four or number five. The people who are above us are not even half our numbers. For example, the Kalenjins, they are topping in every list in every institution but they are not even half of the Luhyas. This is where we have a problem.

Madam Temporary Speaker, I know time is running out. One of the issues that us, as ODM, canvassed for in the 10-points agenda was the issue of inclusivity in public spaces. This report suggests that we are still very far from ensuring inclusivity.

I was saddened this weekend when I heard an individual standing up and say that we are 50 percent done with the 10-points agenda. That is the highest level of dishonesty. The 10-points agenda, if I have to rate it, nothing has been done.

If we talk about the National Dialogue Committee (NADCO), our youth died. We have talked about the changes that we need to see in our election processes. We have talked about opening servers and many other things. Nothing has been done. How do you now come and tell us that 50 percent has been done, when we get reports like this, where communities are marginalized and are under-represented?

I want to state this very clearly. We are saying that the 10-points agenda was not a Public Relations (PR) exercise. Those 10-points agenda must be implemented. The United Democratic Alliance (UDA) wherever you are, starting from your top leadership,

the Party Leader, you must know that in ODM, we are taking the issue of the 10-points agenda very seriously. The deadline is on March, 2026.

Madam Temporary Speaker, we know there is a committee that is supposed to review and give us a report. It does not even have a budget. I do not know how Zani's Committee is working. I do not know who is doing the report but we want this issue of the 10-points agenda to be taken seriously because that is the legacy we can give hon. Raila Amolo Odinga. We cannot lie to the people that we respected Raila Amolo Odinga and yet, the 10-points agenda he put his hand on, remains unimplemented.

Madam Temporary Speaker, I strongly support the efforts of Sen. Chute, the Chair of this Committee. He is unlike many of his colleagues who are on the Government side. When something is wrong, he will say, this is wrong. When something is right, he will say, this is right. This is how legislators should behave. We should not become sycophants because we are on the government side. If you are given the chair role, do your chair role very well to the satisfaction of the people of Kenya.

Congratulations, Sen. Chute, but I encourage you to venture in those other sectors which have not been...

The Temporary Speaker (Sen. Mumma): Sen. Osotsi, do you want to be informed by Sen. Wakoli?

Sen. Osotsi: You know Sen. Wakoli has just been promoted today. Let me give him that respect to inform me.

Sen. Wafula: Thank you, hon. Osotsi for accepting my information. It is to concur with the able Chair, Sen. Chute, that he ably chairs that Committee courtesy of the Government Kenya Kwanza. When you see him boldly tabling and discussing these matters on the Floor of the House, he is speaking what the Government thinks. The Government wants things to be equalised and communities to be given a fair share of the cake. Do not worry about the majority in the House, we are with you all the way.

Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Sen. Osotsi, proceed.

Sen. Osotsi: Thank you for telling me that. However, I am saying that because I know many on the other side cannot do what Sen. Chute is doing because of the fear of unknown.

Hon. Chute, continue doing the good job you are doing. I know you are doing it under a lot of pressure, but this is Parliament and that is how parliamentarians should do their work.

Madam Temporary Speaker, I support.

The Temporary Speaker (Sen. Mumma): I see no other contributors, so, I would like to call upon the Mover to reply.

Sen. Chute: Thank you, Madam Temporary Speaker.

Let me take this opportunity to thank Members who have spoken and contributed to this Motion today. They are Sen. Beatrice, Sen. Cherarkey, Sen. Osotsi and my two Members here, Sen. Consolata and Sen. Lomenen.

Before I reply, this House should take note of two institutions; the Public Service Commission (PSC) and the National Cohesion and Integration Commission (NCIC). These institutions are mandated to audit other institutions and yet, they have not

complied with so many things themselves. For example; the two-third gender role, persons with disabilities (PWDs) and minorities do not reflect the picture of this country.

As I thank my Committee, the Secretariat and the Senate, I want to talk about what Sen. Osotsi has spoken to. He talked about the Kenya Revenue Authority (KRA), the National Police Service (NPS) and the military. I assure this Senate that we are going to ask the KRA to come before this Committee. For the NPS---

The Temporary Speaker (Sen. Mumma): Hon. Senators, pursuant to Standing Order No. 34(2)(A), I will extend possibly with five minutes after 6.30 p.m. for the Mover to finalise the reply.

Sen. Chute: Thank you, I really appreciate Madam Temporary Speaker.

I thank Sen. Osotsi for the compliment he has given to my Committee. I truly thank him for telling this Senate and Kenyans that this is a Committee that previously had one meeting in three months. Today, I proudly say that I have Committee Members who are always punctual, hardworking and always with me. We have been having two or three meetings a day.

What Sen. Osotsi has said is very important. There is a problem the way the NPS employs. I assure the House and Sen. Osotsi, our leader, that we are going to ask them to come before the Committee where we are going to look at the latest employment and publicise it.

Yes, we have a problem. We live in these communities; we know what is happening down there. Unfortunately, young boys and girls from very poor families are being asked to pay up to Kshs700,000. When is this going to stop? How are we going to stop this? It is for this House to look into how we are going to stop this menace.

I thank Sen. Osotsi for challenging the Committee to invite the NPS and look at the latest and even previous recruitments. As he has said, the Luhya Community is the second largest community in this country. However, if you look at the percentage they are getting, it is very minimal. Why is it so? It is because of the historical problems we have had. Are we going to change this issue of historical problems? Let us not always have excuses of historical problems. We do not want those people who are already there to be asked to leave; no. What we are saying is that as much as you have historical problems, we now have current affairs, please, deal with them today. If we deal with those issues, I hope the issue of regional balance will be solved.

Madam Temporary Speaker, on what Sen. Osotsi said about people carrying slots; as a Committee, we do not know about that. However, I assure this House that we are going to do our thorough investigation and come up with conclusive results. This is work in progress; the number of organisations we had sittings together and interviewed are 29, however, we have had almost other 50 organisations. I assure this House that in February, we are again going to table a good report on the other institutions.

Having said that, I thank our Secretariat for being with us and I beg to reply.

Madam Temporary Speaker, I request that the putting of the question be deferred to a later date, pursuant to Standing Order No. 66(3).

The Temporary Speaker (Sen. Mumma): We have acknowledged your request and the putting of the question is deferred.

(Putting of the question to the Motion deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Mumma): Hon. Senators, it is now 6.32 p.m., and having concluded the business for which I extended the hours of sitting pursuant to Standing Order No.34(2)(A), the Senate stands adjourned until tomorrow, Wednesday, 3rd December, 2025, at 9 a.m.

Thank you.

The Senate rose at 6.32 p.m.