



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Thursday, 5th March, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA
THE SENATE

THE HANSARD

Thursday, 5th March, 2026

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

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

PRAYER

**DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING**

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

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

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

(The Quorum Bell was rung)

Hon. Senators, we do have quorum now. So, we can proceed with today's business. Clerk, you may proceed to call the first Order.

(Sen. Cherarkey stood up in his place)

COMMUNICATION FROM THE CHAIR

**VISITING TEACHERS AND STUDENTS FROM NAROMORU
GIRLS HIGH SCHOOL, NYERI COUNTY**

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

(Sen. Cherarkey sat in his place)

Hon. Senators, I would like to acknowledge the presence, in the public gallery this afternoon, of visiting teachers and students from Naromoru Girls High School in Nyeri County. The delegation comprises one teacher and 32 students who are in the Senate for a

one-day academic exposition. On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful and enriching visit.

I call upon the Minority Whip to extend a warm welcome to the delegation.

Sen. Olekina: Thank you, Mr. Speaker, Sir. I would like to take this opportunity to welcome the students and teachers from Naromoru Girls High School. Naromoru has a rich heritage in Maasai Culture, and we have a significant Maasai presence there, so it remains home for us. I am happy that these very young students have come to Parliament to observe how we carry out business here. I encourage you to aspire to greater heights.

You are very lucky to have AI at your disposal now. The way we used to do things is completely different from the way you do things. It is an opportunity for you to learn and I encourage you to look at the HANSARD to see how we debate.

In Parliament, we have two sides; the side of the Government and the side of the minority. However, in most cases in Parliament, we tend to agree on how we can check the Government. I encourage you to learn more about Parliament. Take your time to visit every single part of Parliament, so that when you go back home, you can tell a story.

Thank you, Mr. Speaker, Sir.

NOTICES OF MOTIONS

The Speaker (Hon. Kingi): The Chairperson, Liaison Committee. Do we have any Members of the Liaison Committee? Sen. Faki.

NOTING OF REPORT ON THE ACTIVITIES AND OPERATIONS OF SELECT COMMITTEES DURING THE THIRD SESSION (2024)

Sen. Faki: Mr. Speaker, Sir. I beg to give notice of the following Motion-
THAT, the Senate notes the report of the Liaison Committee on the activities and operations of Select Committees during the Third Session, 2024, pursuant to Standing Order No.224 (2), laid on the Table of the Senate on Wednesday, 28th May, 2025.

Thank you.

The Speaker (Hon. Kingi): Chairperson, Standing Committee on Energy. Do we have any member of that Committee?

ADOPTION OF REPORT ON SHORTAGE OF SMART ENERGY METERS IN KENYA

Sen. Olekina: Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT, the Senate adopts the report of the Standing Committee on Energy on the inquiry into the shortage of smart energy meters in Kenya and the potential for their local manufacturing, laid on the Table of the Senate on Wednesday, 11th, June, 2025.

The Speaker (Hon. Kingi): Sen. George Mbugua? Minority Whip, you may proceed to give notice.

NOTING OF REPORT ON THE 3RD COMMONWEALTH PARLIAMENTARIANS
WITH DISABILITY - AFRICA REGION CONFERENCE
HELD IN LUSAKA, ZAMBIA

Sen. Olekina: Mr. Speaker, Sir, I beg to give notice of the following Motion on behalf of Senator George Mbugua, MP-

THAT, the Senate notes the report of the Third Commonwealth Parliamentarians with Disability (CPwD), African region conference held in Lusaka, Zambia from 24th February to 20th February, 2025, laid on the Table of the Senate on 7th August, 2025.

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

NOTING OF REPORT ON THE SITTINGS OF PAP COMMITTEES
AND ORGANS HELD IN MIDRAND, SOUTH AFRICA

Sen. Mungatana, MGH: Thank you, Mr. Speaker, Sir. I beg to give notice of the following Motion-

THAT, the Senate notes the reports of the Kenya delegation to the sittings of the Pan-African Parliament (PAP) Committees and other Pan-African Parliament Organs held at the Gallagher Convention Centre in Midrand, South Africa, from 13th September to 20th September, 2024 and 28th October to 17th November, 2024, laid on the Table of the Senate on Tuesday, 2nd December, 2025.

Thank you.

The Speaker (Hon. Kingi): Sen. Andrew Omtatah?
That business is deferred.

PROVISION OF COUNTY GOVERNMENTS'
IFMIS REPORTS TO THE SENATE

(Notice of Motion deferred)

Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Hon. Kingi): Statements pursuant to Standing Order No.52(1).
Sen. Hamida Kibwana.

PROTECTION OF FREEDOM OF WORSHIP IN
EDUCATIONAL INSTITUTIONS

Sen. Kibwana: Thank you, Mr. Speaker. I rise pursuant to Standing Order No.52(1) to make a statement on a matter of national importance, namely the protection of freedom of worship in educational institutions.

Mr. Speaker, Sir, a Grade 10 student at St. Mary's Lwak Girls High School, Ms. Samira Ali Ramadhan, has been compelled to halt her studies following a dispute over her right to wear the hijab in observance of her Islamic faith. The student's parents are said to have sought clarification at the point of admission on whether she would be permitted to wear the hijab and were assured by the school administration that this would be allowed. However, upon her reporting to the school, that position is said to have changed and the student was informed that she could not wear it.

Mr. Speaker, Sir, this matter raises two grave concerns. First, the question of integrity. Educational institutions are entrusted not only with the responsibility of imparting academic excellence, but also with the duty of modeling moral leadership, where commitments made at admission are reversed after fees have been paid and a student has already settled in school. Public trust is undermined and serious concerns arise about transparency, fairness and accountability.

Secondly, it raises a constitutional question. Article 32 of the Constitution of Kenya guarantees every person the right of freedom of conscience, religion, thought, belief and opinion, including the right to manifest a religion through practice and observance. The Constitution is supreme. Institutional rules, traditions or administrative preferences cannot override constitutional protections.

Mr. Speaker, Sir, this matter is not merely about one student. It goes to the heart of whether young people in Kenya can access education without being compelled to suppress their identity. It concerns whether parents can rely on representations made by school authorities. It also concerns whether our institutions reflect the pluralistic, inclusive and diverse society and visions under our Constitution.

I urge all educational institutions across the Republic to uphold integrity in their admission processes, to communicate their policies clearly and consistently and above all, respect the constitutional rights of every learner. Where accommodation is not possible, that position should be made clear at the outset. Where accommodation is possible, it must be honoured in good faith. Education must never be conditioned upon the surrender of constitutional freedoms.

Thank you.

The Speaker (Hon. Kingi): Sen. Consolata; that statement is dropped.

Sen. Kiprono Chemitei; that statement is dropped.

COMMEMORATION OF INTERNATIONAL
WOMEN'S DAY 2026

RECURRING DROUGHT - FLOOD
CYCLE IN BARINGO COUNTY

(Statements dropped)

Statements pursuant to Standing Order No.53(1); Sen. Catherine Mumma, proceed.

EXCLUSION OF KENYAN SIGN LANGUAGE FROM
GRADING OF 2025 KCSE EXAMINATIONS

Sen. Mumma: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Committee on Education on a matter of countrywide concern regarding the exclusion of Kenya's Sign Language (KSL) from the final grading of the 2025 Kenya Certificate of Secondary Education examinations (KCSE) for candidates without hearing impairment, despite the subject being taught, examined, marked and reflected on candidates' result slips.

In the statement, the committee should address the following-

(1) A comprehensive explanation of the policy, legal and administrative basis upon which KSL was excluded from the final KCSE grading for hearing candidates in 2025, including clarification on the respective roles of the Kenya National Examination Council (KNEC), the Kenya Institute of Curriculum Development (KICD) and the Ministry of Education (MoE) in approving, examining, and grading the subject;

(2) Reasons why candidates were allowed to register for, sit, be examined in KSL over the four-year secondary school cycle without any prior notification that the subject will not be factored into their final aggregate grades and whether this omission violated principles of the procedural fairness and legitimate expectation;

(3) To provide data on the number of candidates affected by the exclusion of KSL from grading, including those who narrowly missed university qualification, those whose grades would have improved with inclusion of the subject and those who are rendered and graded for having registered fewer than eight subjects;

(4) The measures being considered to address the academic, psychological and socio-economic impact of this decision on affected candidates, including whether re-computation of results, remedial grading measures or special placement considerations are being explored to prevent undue prejudice to learners; and,

(5) The policy position on the future of KSL as a KCSE subject, including whether it will continue to be offered to hearing candidates, the steps being taken to align curriculum design and examination regulations and the guidance being issued in schools, teachers, parents and candidates ahead of the 2026 KCSE cycle to avert similar uncertainty.

Thank you.

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

ILLEGAL LOGGING ACTIVITIES IN KIRISIA
FOREST, SAMBURU COUNTY

Sen. Lemaletian: Thank you, Mr. Speaker, Sir. I rise pursuant to the Standing Order No.53(1) to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of countywide concern regarding illegal logging activities, environmental degradation through murrum extraction and commercial harvesting of water from a public dam within Kirisia Forest in Samburu County.

Kirisia Forest is a critical water catchment area serving Maralal Town and its environs. Reports of logging, murrum extraction and the harvesting and sale of water from a public dam within the forest have raised concerns as to the illegality of these activities, possible involvement of public officials and compliance with environmental and conservation laws.

Further concern arises as to whether the lifting of the Presidential logging moratorium has been relied upon to justify activities that may fall outside lawful and sustainable forest management practises.

In the statement, the committee should address the following-

(1) The illegality of logging, murrum extraction and harvesting and sale of water currently taking place in Kirisia Forest, including details of all permits, licenses and approvals issued. The beneficiaries' scope, duration and conditions;

(2) Whether any Kenya Forest officers or other public officials are involved in or have facilitated the reported activities, including enforcement measures and accountability, action taken in respect for any unlawful conduct; and,

(3) Last but not least, the measures being taken to protect Kirisia Forest as a critical water catchment area, ensure compliance with environmental and conservation laws and the applicability of the lifting of the Presidential Logging Moratorium to the reported activities.

Thank you.

The Speaker (Hon. Kingi): Senator for Turkana County, the Hon. James Lomenen.

LOSS OF LIVES AND LIVESTOCK THEFT
THROUGH BANDITRY IN TURKANA COUNTY

Sen. Lomenen: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1), to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations on a matter of inter-county concern regarding loss of lives and death of livestock by bandits in Turkana County.

In the months of January and February, 2026, residents of Kakong'o and Kainuk villages in Turkana South Constituency and Lomelo, Kakiteitei, Kamuge, and Lopi villages in Turkana East have been attacked by bandits from the neighbouring West Pokot County. A total of 14 people have lost their lives and three others have been injured.

In Turkana South Constituency, more than 100 goats and 650 cattle were stolen, while in Turkana East Constituency, more than 1,500 goats and 500 cattle were stolen during the raids.

In the statement, the committee should address the following-

(1) Measures being undertaken by the Ministry of Interior and National Administration to apprehend and prosecute those responsible for the killings and deaths of livestock and to recover the stolen goats and cattle;

(2) Whether emergency assistance, including food supplies, medical care and other humanitarian relief has been provided to the affected communities that have been rendered destitute following the loss of their livelihoods;

(3) Weather plans are in place to compensate families who lost their loved ones during the raids;

(4) Long-term strategies being adopted to eradicate banditry along the border of Turkana County and West Pokot County, including launching of a joint disarmament and security operation in affected regions and maintaining heightened security presence in the region until the situation is fully under control;

(5) Measures to address the persistent water scarcity in Turkana County which compels residents to migrate to insecure areas in search of water and pasture during the dry season;

(6) Plans to recruit and deploy additional National Police Reservists, NPRs, to help restore and sustain peace and security in the region; and,

(7) Improvement of the road network in affected regions to facilitate easy movement by security personnel.

Thank you, Mr. Speaker, Sir.

Sen. James Lomenen, MP, Senator for Turkana County.

ONGEZEKO LA ADA YA KIBALI CHA KUFUNGA MITA ZA
KISASA ZA MAJI KATIKA KAUNTI YA KIRINYAGA

Sen. (Dr.) Murango: Asante sana, Mstahiki Spika. Ningependa kutoa taarifa kuhusu ongezo la ada za matumizi ya maji, ada za utoaji wa vibali na ufungaji wa lazima wa mita za kisasa, kwa kimombo, *smart metres*, na mamlaka ya rasimali za maji katika Kaunti ya Kirinyaga.

Ninasimama kwa mujibu wa Kanuni 53(1), Kanuni za Kudumu za Seneti, kuomba kauli kutoka kwa Kamati ya Ardhi, Mazingira na Mali Asili kuhusu ongezeko la ada za matumizi ya maji, ada za utoaji vibali na ufungaji wa lazima wa mita za kisasa na mamlaka ya rasimali za maji katika Kaunti ya Kirinyaga.

Mstahiki Spika, wakulima na wakaazi wa Kirinyaga wanatatizika kufuatia ongezeko kubwa la ada za matumizi na utoaji wa vibali vya maji, kando na kutakikana kufunga mita za kisasa kwa lazima na Mamlaka ya Rasimali za Maji (WRA). Hatua hizi zimezua wasiwasi mkubwa kuhusu mzigo wa kifedha kwa miradi ya maji ya kijamii na wakulima wadogo. Ikizingatiwa kuwa miradi hiyo imekuwa nguzo ya kutosheleza watu chakula, upatikanaji wa maji safi na ustawi wa taasisi za umma, mabadiliko haya

yameongeza athari ya kiuchumi na jamii hasa katika kipindi cha kiangazi ambapo mahitaji ya maji kwa mimea shambani na mifugo ni ya dharura.

Katika kauli hiyo, Kamati izingatie ifuatayo-

(1) Sababu ya kuidhinishwa kwa kanuni mpya za ada na mita za kisasa bila kuwasilishwa na kujadiliwa na Seneti na kubaini iwapo matakwa ya Katiba yalifuatwa kuhusu uwazi, uwajibikaji na ushirishwaji wa umma;

(2) Athari ya ada mpya za maji kwa wakulima wadogo, miradi ya maji ya kijamii na taasisi za umma, msingi wa kisheria wa kuongeza ada hizo na uwezekano wa kusitisha utekelezaji wa ada hizo ili ziangaliwe upya na umma ushirikishwe;

(3) Msingi wa kubadilishwa mfumo wa malipo kutoka kila robo wa mwaka hadi kila mwezi na kupendekeza kurejeshwa kwa mfumo wa malipo ya kila robo mwaka ili kupunguza mzigo wa kifedha kwa wakulima;

(4) Sababu ya kuwashurutisha wakulima na wakaazi wa Kirinyaga kufunga mita za kisasa kwa gharama kubwa; zingine ni nusu milioni, shilingi za Kenya na kupendekeza kusitishwa kwa sharti hilo na kuanzishwa kwa ruzuku ya Serikali ili kuhakikisha upatikanaji wa maji kwa gharama nafuu; na,

(5) Hatua za kulinda na kuendeleza miradi ya jamii iliyoanzishwa na jamii kwa rasilimali zao binafsi ili kuhakikisha upatikanaji endelevu kwa maji safi na kuimarisha usalama wa chakula na maisha ya wananchi.

Asante, Mstahiki Spika.

The Speaker (Hon. Kingi): Senator from Busia County, Hon. Andrew Omtatah.

FRAUDULENT RECRUITMENT OF KENYANS FOR JOBS ABROAD

Sen. Okiya Omtatah: Mr. Speaker, Sir, I request for a statement on the fraudulent recruitment of Kenyans for jobs abroad. I rise, pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Labour and Social Welfare on a matter of nationwide concern regarding the growing and alarming crisis of fraudulent recruitment of young Kenyans for employment abroad.

Across the country, unscrupulous recruitment agencies are advertising non-existent overseas jobs, collecting substantial fees from job-seekers and disappearing without securing employment, in clear violation of various labour and anti-trafficking laws. In severe cases, such deceptive practises have exposed Kenyans to forced labour, exploitation and even armed conflict. Victims suffer profound economic and psychological harm, often after selling assets or incurring debt, underscoring regulatory weakness, inadequate enforcement and poor inter-agency coordination that allow these unlawful practises to persist.

In the statement, the committee should address the following -

(1) A report of all recruitment agencies currently licensed to recruit Kenyans for employment abroad, indicating how many licenses have been revoked or suspended in the last three years, and stating the current status of each agency;

(2) Whether the National Employment Authority (NEA) maintains an up-to-date public register of licensed and blacklisted recruitment agencies, how frequently it is

updated, and the mechanisms in place to prevent unlicensed agencies, including those operating through social media platforms, from conducting recruitment;

(3) The legal limits on fees charged to jobseekers, the enforcement measures employed by the Ministry of Labour and the National Employment Authority to ensure compliance, whether recruitment agencies are required to use standardised employment contracts, and how the government verifies the authenticity of foreign jobs offers presented to Kenyans;

(4) The screening mechanisms established to detect and prevent recruitment practises that may expose Kenyans to forced labour, servitude, armed conflict, or exploitation in high-risk regions; and,

(5) The number of Kenyans identified as being in distress abroad due to deceptive recruitment over the past three years. The measures taken to locate, protect, repatriate, or offer consular assistance to them, and any bilateral agreements or diplomatic engagements in place to address cases of detention, exploitation, or hazardous working conditions abroad.

Signed, Senator Andrew Omtatah, MP, Senator from Busia,
24th February 2026.

Thank you, Mr. Speaker, sir.

The Speaker (Hon. Kingi): Sen. Consolata, you may make your statement pursuant to Standing Order No.52(1).

COMMEMORATION OF INTERNATIONAL WOMEN'S DAY 2026

Sen. Consolata Wakwabubi: Thank you, Mr. Speaker, Sir, for according me this opportunity to make a statement on the commemoration of International Women's Day, 2026.

I rise pursuant to Standing Order No.52(1) to make a statement on a matter of international concern regarding the commemoration of International Women's Day observed globally on 8th March every year.

The observance of this year's International Women's Day will be this coming Sunday. This year's theme as declared by the United Nations (UN) is “*Rights, justice, action for all women and girls*”, complemented by the global campaign ‘*Give to Gain*,’ which calls for collective generosity and collaboration to advance gender equality.

The International Women's Day is not only symbolic, but also a UN-recognised platform for assessing progress on the Sustainable Development Goals (SDGs), particularly Goal Five on gender equality. It is also noteworthy that the 2026 theme aligns with Kenya's constitutional and policy frameworks on equality.

Kenya has made notable progress in promoting women's representation through affirmative action measures anchored in the Constitution of Kenya, 2010, including the two-thirds gender principle.

Kenya has made great milestones that include increased women representation in Parliament and county assemblies, women's leadership in the judiciary and gains in education and health indicators. Indeed, affirmative action seats and the constitutional

two-thirds gender principle are critical achievements that must be safeguarded. However, challenges remain in full implementation and Parliament has a critical role in sustaining and expanding these gains.

Mr. Speaker, Sir, I acknowledge that there exist persistent gaps that include under-representation in elective positions, Gender-Based Violence (GBV), unequal access to economic opportunities and cultural barriers that hinder women participation. These challenges threaten to erode gains unless Parliament sustains momentum.

In this regard, I take this opportunity to urge my fellow parliamentarians to consider the following actions-

(1) Strengthen legal frameworks by ensuring full implementation of the two-thirds gender principle through enacting enabling legislation and closing gaps that undermine women's unequal participation in governance. We could also spearhead innovative legislative action by proposing gender-responsive laws in emerging sectors such as digital economy, climate change and green energy;

(2) Oversight and accountability measures that include exercising robust oversight over government ministries, agencies and counties to guarantee compliance with gender equality provisions and affirmative action policies;

(3) Advocating for adequate budgetary allocation to programmes that empower women economically, socially and politically; ensuring value for money in gender-focused initiatives;

(4) Capacity building and mentorship to be achieved through supporting initiatives that build leadership capacity among women and girls, mentorship programmes, training and civic education to sustain long-term participation; and,

(5) Public awareness and advocacy through the use of parliamentary platforms to champion gender equality, challenge discriminatory practices and promote inclusive policies that reflect the spirit of rights, justice and action for all women and girls.

Mr. Speaker, Sir, other initiatives for consideration are in the area of regional leadership, which can be achieved through positioning Kenya as a model in East Africa for implementing gender equality commitments as well as by requiring annual progress reports on gender equality from ministries and counties.

I conclude with a rallying note that parliamentarians are custodians of Kenya's constitutional promise of equality and that International Women's Day is a reminder to transform commitments into tangible outcomes for women and girls across the country.

Mr. Speaker, Sir, I thank you for the opportunity to make this Statement.

Signed, Senator Consolata Wakwabubi MP, Nominated Senator,
3rd March, 2026.

The Speaker (Hon. Kingi): Sen. Veronica, you can proceed to make a statement under Standing Order No.52.

NATIONAL ACTION TO SAFEGUARD FULL PARTICIPATION
OF WOMEN AND GIRLS IN KENYA

Sen. Veronica Maina: Thank you, honourable Speaker. This is a special Statement on the International Women's Day, 2026 on rights, justice, action for all women and girls.

Mr. Speaker, Sir, pursuant to Standing Order No.52(1), I rise to make a statement on matter of national importance, namely the commemoration of International Women's Day, 2026 and the urgent imperative for the renewed, structured and measured national action to safeguard the rights, dignity, security and full participation of women and girls in Kenya.

The United Nations has designated the 2026 International Women's Day theme as '*The rights, justice, action for all women and girls.*' This theme is both aspirational and urgent. It calls upon the states to transcend declaratory commitments and to institutionalise equality through deliberate legislative reform, firm enforcement of existing laws, dismantling of structural and cultural barriers and the adoption of measurable interventions that secure substantive; not merely formal, but equality for every woman and girl.

Mr. Speaker, Sir, as the Chairperson of the Kenya Women Senators (KEWOSA), I affirm that this theme resonates profoundly with our mandate to champion gender-responsive legislation, strengthen parliamentary oversight through a gender lens, advocate for the protection of women and girls from violence and discrimination and promote equitable representation in political and decision-making spheres.

Mr. Speaker, Sir, in execution of this mandate, KEWOSA convened on Tuesday, 24th February, 2026 and resolved to undertake targeted and preventative interventions to address violence against women and girls, including convening a multi-stakeholder engagement, bringing together relevant government agencies, civil society, law enforcement and development partners to develop coordinated prevention and response strategies, including a school-based outreach programme to enhance awareness on girls' rights, prevention of sexual and physical violence and youth empowerment as well as urging county government to establish and adequately fund safe houses for survivors of gender-based violence and also importantly, issuing a public statement to elevate national awareness, reinforce accountability and mobilize collective action.

The country continues to confront an alarming prevalence of gender-based violence across our counties, manifested through domestic abuse, sexual assault, economic deprivation, psychological harm, online harassment and most gravely, the rising incidents of femicide, the intentional killing of women and girls on account of their gender.

These are not isolated occurrences but indicators of systemic weaknesses in prevention frameworks, early warning mechanism, survivor protection, investigative capacity, prosecutorial diligence and societal accountability.

Mr. Speaker, Sir, violence and exclusion are equally evident within the political arena where women aspirants and leaders face intimidation, defamatory propaganda, cyber bullying, economic sabotage and threats intended to deter them from public office.

Such practices undermine democratic integrity, distort electoral competition and contradict the constitutional promise of inclusive governance. Sexism and political violence against women have no place in a constitutional democracy.

The Constitution of Kenya, 2010 is unequivocal. Article 27 guarantees equality and freedom from discrimination. Article 28 protects inherent human dignity.

Article 29 guarantees freedom and security of persons and Article 81(b) entrenches the two-third gender principle in elective and appointive bodies, yet the persistent failure to operationalise the two-third gender principle in Parliament constitutes a continuing constitutional violation and a democratic deficit that demands immediate legislative resolution. Women's participation in leadership is not discretionary, it is constitutionally mandatory.

Mr. Speaker, Sir, the former Deputy Chief Justice Nancy Baraza has advanced practical and reform-orientated measures to confront violence against women, including the establishment of specialised Gender Based Violence (GBV) courts, statutory recognition of femicide as a distinct criminal offence, mandatory gender-sensitive training for police officers, prosecutors and judicial officers, adoption of survivor-centred investigation and prosecution procedures, strict accountability for officers who mishandle complaints, expansion of safe shelters and provision of accessible psychosocial and legal support services. These proposals constitute a coherent and actionable roadmap that warrants urgent implementation.

Parliament must operationalise the two-thirds gender principle, strengthen the legal framework on GBV and femicide, and secure adequate ring-fenced funding for shelters, forensic services, legal aid and prevention programmes.

The National Police Service (NPS) must enhance rapid response mechanism, strengthen GBV desks, and enforce professional accountability. The Office of the Director of Public Prosecution (DPP) and the Judiciary must prioritise and fast-track GBV and femicide cases to end impunity.

County governments must invest in safe houses, public awareness, and women economic empowerment and society, including families, faith leaders, media and educational institutions must reject harmful norms, report violence and support survivors without stigma.

Mr. Speaker, Sir, violence against women is not a private concern, but a national crisis. Equality is a constitutional guarantee and justice is a binding duty of the State.

As we commemorate International Women's Day on Sunday 18th March, 2026, we must move beyond symbolism to measure reform, to effective enforcement and accountable leadership. The time for declarations has passed and the time for action is now.

Mr. Speaker, Sir, I thank you for giving the Kenya Women Senators Association (KEWOSA) an opportunity to present this Statement as a concerted effort to make sure that women are protected and that we end sexual and GBV in this tenure.

Thank you, Mr. Speaker, Sir.

(Applause)

The Speaker (Hon. Kingi): Hon. Senators, I will allow comments for not more than 15 minutes, starting with the Senator for Nandi, Sen. Cherarkey.

Sen. Cherarkey: Mr. Speaker, Sir, I want to comment about the Statement on increased water prices by the Senator for Kirinyaga.

I do not know how you can exercise Standing Order No.1 because the Water Resources Regulations, 2025 were passed. Under the Statutory Instruments Act, Section 11 and Section 19, Parliament is supposed to consider a particular instrument. I have seen that the Committee on Delegated Legislation did, referred by your clerk---

These regulations have been passed, but they are very punitive. So, I will need your interpretation in consideration with the Statutory Instruments Act.

Mr. Speaker, Sir, Sen. Madzayo, Sen. Maanzo, yourself and a number of Senators will understand the pain of water because you come from areas that are affected by drought. Can you believe, without even shame, water used for domestic purposes was increased from Kshs0.50 to Kshs2.50, which is over 100 per cent increment? Also, water for public purposes such as schools and hospitals was increased from Kshs0.50 to Kshs2.00.

Water for fish farming was nil, but it has been increased by Kshs0.10 per cubic metre. Commercial and industrial water, which is where we want to encourage industrialisation and commercialisation, was increased from Kshs2 to Kshs5 per cubic metre.

I am trying to say that we must nullify these regulations that are implemented by the Water Resource Authority (WRA), as per the Statutory Instruments Act. I will need your interpretation and ruling on the Water Service Regulation Legal Notice No.54 of 2025, Water Harvesting and Storage Regulation Legal Notice No.57 of 2025 and Water Resource Regulations Legal Notice No.58 of 2025.

I know Senators who are here might be people of means. They might not feel the pinch. However, Sen. Maanzo, Sen. Roba, Senator for Laikipia, Sen. Abass and yourself, your people are going to pay almost 200 per cent from Kshs0.50 to Kshs2.50.

Mr. Speaker, Sir, would it be in order, in addition to Sen. Murango's Statement, to direct the Committee of Delegated Legislation to give us a report on how it allowed a punitive regulation by the Ministry of Water and Sanitation? Water should be free, accessible and affordable. What are we doing, colleagues?

These are punitive regulations. We need your Solomonic Wisdom. I know you are always wise. You have been a Minister, a Governor and a Speaker. We are calling upon your Solomonic wisdom to nullify these regulations that will undermine Kenyans to access---

If Kenyans drink dirty water, they will get sick and the burden for treatment will go up. Therefore, I will need you to give guidance under Standing Order No.1

Finally, on the issue of banditry in Turkana, I sympathise and empathise with the people of Turkana and Samburu. Sen. Hezena brought a similar Statement. There is a problem with the Ministry of Interior and National Administration. We have given them

the budget which is the second highest budget allocation. However, when I warned Kenyans that the person leading the Ministry of Interior and National Administration was incompetent, they doubted me. But the danger of incompetence in the Ministry of Interior and National Administration is cost of lives. The danger in the Ministry of Roads and Transport was accidents or bad roads.

So, I challenge the Committee on National Security, Defence and Foreign Relations that the Cabinet Secretary for Interior and National Administration, Hon. Murkomen, must be called to order and be held to account and compensate Kenyans who have died because of banditry and insecurity in this country.

With those many remarks, I support these Statements by colleagues, and I yield back.

The Speaker (Hon. Kingi): Sen. Manzo, you have got three minutes.

Sen. Maanzo: Thank you, Mr. Speaker, Sir. I am in the Committee on Delegated Legislation. I have been there for 10 years in the National Assembly and now here. Good were the days when the late Sen. Cheptumo used to be Chairperson. Also at some time, the current Deputy Speaker of the National Assembly was the Chairperson.

Mr. Speaker, Sir, the biggest challenge we have with these particular regulations is because the stakeholders came and laid a very big protest. One of the issues is public participation. The advertisement, which is supposed to be on a widely circulated newspaper, usually uses *MyGov*, which is a pull-out and in my opinion, does not fall under that category.

So, in fact, we nullified the regulations twice, but when they came to the House, we were overturned. I think Members of the Committee grew weary and would now allow a situation like this to pass.

There is another solution. The stakeholders who are not happy should then go to court and annul these regulations. In fact, majority of the regulations brought by Government currently do not suit the bill. However, they somehow find their way into the market. This same law says after every 10 years, all regulations expire for this very good reason.

Mr. Speaker, Sir, there was an effort to amend the Act too and it failed. Now, there are over a thousand regulations which are charging illegal fees. We have actually directed our clerk in the committee to write to all these government bodies, so that they can appear before us and we can pronounce those expired regulations null and void, so that the Government can get busy and make fresh regulation as is required by law. I want to admit there is a problem and it must be sorted out.

I thank you

The Speaker (Hon. Kingi): Sen. Karen Nyamu, please proceed.

Sen. Nyamu: I want to make comments on the statement on exclusion of the Kenya Sign Language (KSL) subject from the final grading of 2025 KCSE.

I start by thanking Sen. Mumma for bringing this very important matter to this House because if indeed our learners studied KSL for four years, sat for the examinations and even saw the results in their results slip and the results do not count in the final score of KCSE, then that is really unfair.

Education policy is supposed to be predictable and very transparent. Our learners are not supposed to be finding out that after sitting for an examination, investing four years studying this subject that it will not count after all. Most importantly, KSL is not just another subject because it represents inclusion of a community that has suffered exclusion historically, the PwDs. So, it is upon us to make sure that we support this subject and being very clear so that we remedy this issue of exclusion of PwDs in accessing education.

I, therefore, support that we need a comprehensive explanation as to why these results did not reflect in the final KCSE grading. We also need steps taken to remedy that, so that we do not disadvantage our learners because of policy confusion.

The Speaker (Hon. Kingi): Senator for Kilifi County, Sen. Madzayo, please, proceed.

The Senate Minority Leader (Sen. Madzayo): Asante sana, Bw. Spika. Nataka kujiunga vile vile na Kauli iliyoletwa hapa na Sen. Hezena wa kutoka Kaunti ya Samburu. Ni jambo la kusikitisha kuona katika ule msitu wa Kirisia ambao upo sehemu ya Samburu ni msitu mkubwa unaofaa kuangaliwa vizuri sana. Lakini hivi kumetoka jabali fulani ambaye anafanya mambo ya kusikitisha hapo.

Kwanza, anakata miti. Pili, anachukua *murram* akifanya nayo biashara. Tatu, mtu huyu huyu anauza yale maji yaliyoko katika ule mto pale ndani ya msitu wa Kirisia. Jambo la kusikitisha zaidi ni kwamba huyu mtu anafanya bila hata wasiwasi ya kwamba kuna polisi, askari ama serikali ambayo inatajikana kuangalia kwamba vitu kama hivi haviwezi kufanywa bila kupata leseni ya biashara kama hiyo.

Ni jambo la kusikitisha kuona kwamba Maralal Town inakosa maji na usafi kwa sababu ya mtu mmoja au wawili wanaofanya biashara hiyo. Ingekuwa vyema ikiwa hatua itachukuliwa haraka iwezekanavyo kuona ya kwamba wale wakaaji wanaoishi sehemu hizo za Samburu pande za Maralal na zengine ambazo zinatimia maji haya haya yaweze kuangaliwa vyema, ili kupatikane afya na usafi mwema.

Kitu kama hiki kinatendeka kule Kilifi maeneo ya Marereni. Ni jambo la kusikitisha kuona kwamba leo katika Kilifi Kaunti kunaweza kuwa na ukosefu wa maji. Ukiangalia pande za Ganze na Magarini, ni hali ya uhaba wa maji. Haya yote ni mambo ya kusikitisha kwa sababu yale macho yanayotoa maji kutoka kwa ardhi yanaanzia kule Marereni. Lakini ukiangalia watu wenyewe wanaoishi kule Marereni au Magarini, hawafaidiki na yale maji. Hili ni jambo la kusikitisha ikiwa mimi ni mmoja wa wale watu ambao wanatajikana kufaidika na ule mto wetu wa Marereni.

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

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

Lakini ukangalia sasa, unafungwa halafu utaona maji yatatoka kule yataenda *straight* mpaka upande wa Mombasa yakiwa yanapitia pale Kilifi. Ni jambo ambalo linahitaji kuangaliwa vyema kwa sababu ikiwa watu watakosa maji na lile jicho la kutoa maji liko pale, tutavunja ile *pipe* ili watu wa Kilifi wapate maji.

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(Sen. Madzayo's microphone was switched off)

The Temporary Speaker (Sen. Veronica Maina): Okay, one minute only for you to wind up this comment.

Sen. Maanzo: Tunasema kuwe na mipango mwafaka ambao watu wa Kilifi hawatakosa yale maji. Wao pia wapate ili hata kama maji yataenda chini, yasaidie ndugu zetu ama waweze kupata pia wao, itakuwa ni sawa. Hatuna shida na hiyo. Lakini kuwakosesha kabisa ni jambo ambalo Serikali lazima iangalie kwa umakini sana na hii Kamati ichunguze zaidi.

Asante.

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

Sen. John Kinyua, please proceed.

Sen. Kinyua: Asante, Bi. Spika wa Muda, kwa kunipa fursa hii. Kwanza kabisa, nataka kuchangia kauli iliyoletwa na Sen. Murango kuwa maji ni uhai. Ada hizi ambazo zinatozwa maji kwa sababu zinaonekana zimeongezwa maradufu, inakuwa ni vigumu sana kwa Wakenya kuweza kulipa hizi ada. Kutoa ada ya maji kutoka sumuni mpaka shilingi mbili na sumuni ni kiwango kikubwa kwa sababu ni zaidi ya asili mia moja.

Watu wanaona kuwa maji yatakuwa ni ghali zaidi. Unapata watu wanaweza kuanza kuoga na maziwa badala ya maji kwa sababu maziwa ni ya bei rahisi kushinda haya maji ambayo tayari yanaonekana hapa.

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

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

Wakenya wanapaswa kujumuishwa wakati haya mambo yanafanyika. Hii ni kwa sababu Katiba ya Kenya imeweka wazi ya kwanza Wakenya wajumuishwe umma, wasomesha, waulize maswali na waweze kusema.

Bi. Spika, ripoti ya pili ambayo nataka kuiunga mkono, kuna taarifa iliyoletwa na--

The Deputy Speaker (Sen. Kathuri): Samahani, Bw. Kinyua, mimi sio Bi. Spika.

Sen. Kinyua: Pole. Ninaomba msamaha. Wakati, niliwacha ni Sen. Veronica alikuwa ameketi kwenye kiti.

Bw. Naibu wa Spika, nataka kuchangia taarifa iliyoletwa ya siku ya wanawake duniani. Taarifa iliyosomwa kwa makini na Sen. Consolata na vile vile kiongozi wa *Kenya Women Senators Association (KEWOSA)*, Sen. Veronica Maina. Ni vizuri tujue kwamba akina mama ni kiungo muhimu sana. Wakati ambapo tunasema siku yao ambayo inatarajiwa kuja tarehe nane iweze kusherehekewa, inapaswa kuwajumuisha kwa mambo yote ambayo yanaendelea.

Akina mama wanapaswa kujumuishwa kwa sababu wako katika mstari wa mbele katika maendeleo. Kunasemekana ya kwamba ukimsomesha mwanadada, umesomesha jamii, ukimsomesha mwanaume, basi wanasema wenyewe.

Ni changamoto kwa KEWOSA. Nimekuwa nikiangalia taarifa zao nyingi na nawapongeza kwa yale mambo mnafanya. Lakini vile vile, ningependa kuwauliza,

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nilipokuwa nikiangalia runinga, naona kuna wasichana ambao wamefukuzwa shule. Sijaona mkitilia huo mkazo pengine mlipie wawili au watano. Mkifanya hivyo, mtakuwa watu ambao wanafanya mambo ambayo ni mazuri.

Kuna taarifa ambayo ililetwa na Seneta wa Kaunti ya Turkana. Majukumu ya serikali yoyote ni kulinda mali na maisha ya wananchi. Utapata mtu ambaye yuko Laikipia kaskazini anasumbuliwa na majangili na majambazi ilhali tuko na serikali. Hiyo ndiyo inafanya watu waseme ya kwamba, “tulichagua serikali lakini bado tunasumbuliwa na majambazi.” Hao watu basi wanauliza, “serikali iko wapi?”

Asante, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Madzayo, the Senate Minority Leader.

An hon. Member: He has already contributed.

The Deputy Speaker (Sen. Kathuri): I can see you on the system.

Let us hear from Sen. Mumma.

Sen. Mumma: Thank you, Hon. Deputy Speaker, Sir. Allow me, in the few minutes, to comment on the Statement by the Chairperson of Kenya Women Senators Association (KEWOSA).

First, I want to commend the KEWOSA Executive Committee for the good job that they are doing and for their recognition that this week is special for women, not just in Kenya but internationally. I ask all Senators to join all those who want to campaign against Gender Based Violence (GBV).

KEWOSA had planned to host all the Senators in a dinner, but we have been disrupted by the death of our colleague in the National Assembly. We were going to ask the Cabinet Secretary for Interior and National Administration to consider GBV as a safety and security issue. With that, they are to lay enough strategies to protect women in politics and children who are defiled at very high rates.

You must have seen in the media a story of a nine-month-old child defiled in Busia and a nine-year-old child impregnated in Homa Bay. We have many other children being defiled all over the country. This is not acceptable. It is demonic. It is an internal security issue. We are calling on the Office of the President and the Ministry of Interior and National Administration to treat this as a matter of urgency and deal with it.

Allow me to speak to the issue of the Committee on Delegated Legislation in the remaining minutes.

I think the Committee on Delegated Legislation is sleeping on the job. I will put it as it is. We have passed a few regulations that violate the Constitution on the basis that there was effluxion of time and the Committee could not look at some of those issues. What Sen. (Dr.) Murango is talking about, increasing the cost of water in this country, amounts to violation of Article 43 of the Constitution which talks of free access to water because it is a human right.

Parliament must not abuse the opportunity to delegate its role in lawmaking. We must represent our people well by ensuring that their rights are protected. We must not cede the parliamentary role to make laws to the Executive. We should not allow the Executive to sneak in what they want to do by bringing levies that are not acceptable.

Thank you, Mr. Deputy Speaker Sir.

Sen. Kisang: Thank you, Hon. Deputy Speaker, Sir. I want to comment on the statement by the Senator for Turkana County. I commend the Ministry of Interior and National Administration for what they have done along Kerio Valley. The people of Kerio Valley could not sleep or farm in the last several years, but we have had peace in the last one year or so. We have had peace and Ministry of Interior and National Administration has done a wonderful job.

I request the Cabinet Secretary in charge of the Ministry of Interior and National Administration to do what he did in Kerio Valley at the boundary of West Pokot and the Turkana counties. I say this because Sen. Lomenen has brought a statement that over 14 people have been killed in the recent past. The Ministry has done a good job along Kerio Valley and we ask them to do a similar thing in the boundary of the two communities for peace to be restored in that part of Turkana.

Remember, last week, we approved the field development plan and the investor together with the National Land Commission (NLC) are on the ground. Very soon, they will embark on transporting and exporting the crude oil from South Lokichar. If the insecurity continues, there will be a problem in that region. That is why we urge them to take quick action as we also commend them for what they have already done.

I dispute what Senator for Nandi County said. He said that they are not doing a good job, but are sleeping on the job. I do not know why he left. The Cabinet Secretary, Hon. Murkomen, has done very well in the short period that he has been in that Ministry. He has done a wonderful job. That is why I want him to do the same in Turkana. He has also done similar job in Samburu and they are now enjoying relative peace. The same has also been done in Laikipia that Sen. Kinyua talked about.

The second Statement that I will comment on is the one on International Women's Day which is on Sunday. That is a special day. Sen. Mumma has said they had planned to have dinner for all of us. I want to urge them to push the dinner to next week. It is not too late. They can treat us on Monday or Tuesday after the International Women's Day. It is important.

The women are doing a great job. As it is said, if you educate a woman or a girl child, then you are educating the whole nation. We support them and want them to go for elective positions. They should not be asking for two-thirds in elective positions. The population of women in this country is over 50 per cent. I do not know why they do not elect themselves when we go for elective positions after every five years. They need to style up and sensitise the women for them to choose women leaders.

The Deputy Speaker (Sen. Kathuri): Very well. We will now hear from the Deputy Speaker Emeritus, Sen. (Prof.) Kamar.

Sen. (Prof.) Kamar: Thank you very much, Mr. Deputy Speaker, Sir. The first statement I want to comment on is the one from Sen. Lemaletian on logging, murrum harvesting and water issues.

In my other life, I am a soil scientist. I have seen the pictures that Sen. Lemaletian has on where the murrum is being harvested inside a forest. This is illegal. So it is not even about whether it is legal or illegal. One cannot harvest murrum in a forest. The minute one destabilises the forest that much, the ecosystem changes and it is very difficult to rebuild soil that can carry a forest.

As the committee interrogates this statement, they should interview the Cabinet Secretary in charge of afforestation. One can approve logging to be done, but when removing the logs, they are to only remove the logs, retain the topsoil, then go and replant the trees. How will we get the 15 billion seedlings on the ground if we destabilise the soil to the extent that it cannot even carry anything? It is important that carry this interrogation seriously.

The other statement I want to touch on is the statement from the two Senators, Sen. Consolata Nabwire Wakwabubi or Sen. Connie, as I call her, and Sen. Veronica Maina on the issue of women. The celebration of the 70th Commission on the Status of Women (CSW70) is coming. Even as we celebrate, we must ask ourselves: what is the status of women in Kenya? There are areas we must examine. Taking a report from Kenya to the CSW70 in New York is one story. The other story is the actual status of women in Kenya.

I was happy to hear the Cabinet Secretary for Health say that they will pay attention to the issue of mortality of child and mother at birth. Currently, deaths of women at the point of giving birth have risen. What happened? We pushed away the traditional birth attendants and shifted to hospitals, but we have not hired the right number of nurses to take care of that. We must ask ourselves about the status of women in their own rights because the Bill of Rights gives us many privileges.

Mr. Deputy Speaker, Sir, I support the statements.

The Deputy Speaker (Sen. Kathuri): Very well. Deputy Minority Whip and the Senator for Nairobi City County, Sen. Sifuna, proceed.

Sen. Sifuna: Thank you, Hon. Deputy Speaker. As you know, as the Secretary General (SG) of the Orange Democratic Movement (ODM) party, I am the patron of a programme in the party that we call---

The Deputy Speaker (Sen. Kathuri): In my records, I recognise you as the Deputy Minority Whip. You have many titles.

Sen. Sifuna: There is a story I was trying to tell you. Please, freeze my time. As the SG of ODM, I am the patron of a programme called "He for She" at the party. It is meant to encourage women in ODM to participate in politics. I am proud to report that last time we had conversations with an organisation called Westminster Foundation. Out of that conversation, we secured funding for women aspirants in the 290 constituencies to pay for their registration fees and nomination fees. This is part of the programme we are undertaking to remove obstacles for women in leadership.

The statement by the Kenya Women Senators Association (KEWOSA) reminds us that the International Day of Women falls on the 8th of this month, which is Sunday. That date is significant because as SG of the ODM, I know that on the 7th of this month we expect a final comprehensive report on the implementation of the ten-point agenda signed between the late Hon. Raila Odinga and the Hon. President William Ruto.

It is not by coincidence that I have given you the story of what ODM has tried to do to enhance participation of women in politics. It is not coincidence that the first point in the ten-point agenda is implementation of the two-thirds gender rule. Baba made it clear in that document that we have spoken about women in leadership and the two-thirds gender rule for too long. He said that we must now establish a framework to ensure its

implementation. I know the Memorandum of Understanding (MoU) off-head because I wrote it.

What the women of this country expect on the 7th when we receive the final implementation report is to see that framework put in place by the committee implementing agenda number one. I speak on behalf of the women of this country because I am a son to a woman and a father to a young girl. I say on their behalf that those who argue the ten-point agenda is long-term and will take fifteen years must know the women of Kenya are tired of waiting for implementation of the Two-Thirds Gender Rule. I make it clear that on Saturday we expect a framework for implementation, not stories.

The women of this country will bear me witness that if such a framework exists, you do not need an expert to tell you. All of us will see it. I tell my deputy in the party, the Hon. (Dr.) Agnes Zani, who is chair of that implementation committee, that women will not accept stories on the 7th. No extension of deadline. Give us the framework committed to by the President and the late Raila Amolo Odinga. We want action in accordance with the theme of this year's celebration.

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Mwinyihaji Mohamed Faki.

Sen. Faki: Asante sana, Mheshimiwa Naibu Spika, kwa kunipa fursa hii. Kwanza, naunga mkono taarifa iliyoletwa na Senata wa Kaunti ya Kirinyaga, Sen. (Dk.) Murango. Kanuni zilizoongeza bei ya maji katika Kaunti ya Kirinyaga hazikuletwa Seneti. Mara nyingi kanuni hizi hujadiliwa kwa Bunge la Kaunti ya Kirinyaga na kupitishwa kuwa sheria. Hata hivyo, kama Seneti, tuna jukumu la kuita wahusika ambao ni WARMA na kamati ya bunge husika na waziri wa masuala ya maji pamoja na gavana wa Kirinyaga. Tutafuatilia suala hili kuhakikisha bei ya maji imepunguzwa na wananchi wanapata maji bila shida.

Maji ni tatizo sehemu nyingi. Jumatatu, nilipata fursa ya kutembea kaunti ya Kilifi nikaona shida kubwa ya maji. Wiki iliyopita nilileta taarifa kuhusu uhaba wa maji na umeme katika Kaunti ya Mombasa lakini bado hakuna maji ya kutosha hadi sasa. Kila unapouliza unajibiwa kuwa bomba la maji limepasuka au maji ni kidogo na wanangoja mabawa ya maji yajae ndio wagawe maji. Kwa miezi minne, Kaunti ya Mombasa, hususan maeneo ya Changamwe, hayapati maji kisawasawa.

Mwisho ni kuhusu siku ya wanawake duniani ambayo itasherehekewa tarehe nane mwezi huu. Naunga mkono taarifa ya Sen. Wakwabubi Consolata na Sen. Veronica Maina. Ijapokuwa tunasherehekea siku hii siku ya Jumapili, kina mama wengi bado wanakumbwa na matatizo. Mambo ya maji bado ni tatizo. Wamama wengi wanatembea muda mrefu kutafuta kuni za kupikia chakula. Wasichana wengi wananyimwa nafasi za kusoma ili wapate elimu na wajitegeme katika maisha yao. Hizo zote bado ni changamoto wanazopata wamama wetu ilhali tuna katiba inayozingatia usawa wa mwanamke na mwanaume.

Ni lazima maseneta, kupitia KEWOSA, wahakikishe wametembea katika kaunti zao kwa muhula uliobaki. Hata kaunti ambazo hazina maseneta wanawake, wanaweza kuzitembelea waangalie ni mambo gani wanaweza kufanya ili kupunguza dhulma na

matatizo wanayopitia kina mama. Gender Based Violence (GBV) bado ni tatizo katika kila kaunti. Hivi tunavyo---

The Deputy Speaker (Sen. Kathuri): Umfanya vizuri sana Sen. Faki. Naona imetosha. Naomba tumusikilize Sen. Wakwabubi.

Sen. Faki: Mheshimiwa Naibu Spika, naomba dakika moja nimalizie hoja yangu.

The Deputy Speaker (Sen. Kathuri): Haya malizia basi.

Sen. Faki: Naona wanachama wa KEWOSA wanafanya kazi nzuri. Naomba warudi mashinani hasa kwa zile kaunti ambazo hazikubahatika kupata maseneta wanawake. Kaunti ya Nairobi ina maseneta wanne wanawake ambao wanaweza kutembelea kaunti zile. Niko na wawili: Sen. Asige na Sen. Miraj, ambao wanaweza pia kutembelea kaunti nyingine. Wahakikishe kwamba wanasukuma kaunti zetu kufanya miradi ambayo itasaidia wamama moja kwa moja.

Asante, Naibu Spika, kwa kunipa fursa hii.

The Deputy Speaker (Sen. Kathuri): Sen. Wakwabubi Consolata, please proceed.

Sen. Wakwabubi Consolata: Thank you, Mr. Deputy Speaker, Sir.

Allow me to donate my time to Sen. Tabitha Mutinda.

The Deputy Speaker (Sen. Kathuri): You cannot donate. If you have nothing to say, then we will go to Sen. Osotsi Godfrey. You were not replying to a Bill or Motion, because that is when you have your minutes to donate. In the circumstances, you are not able to donate.

Sen. Osotsi, if you are not ready, then we will go to Sen. Shakila.

Sen. Osotsi: Thank you, Mr. Deputy Speaker, Sir. I am ready. I wish to comment on two statements.

I would like to start with the statement by the Senator of Kirinyaga County on the issue of various levies on water consumers. This is a very serious issue. In the Senate Committee on County Public Investments and Special Funds (CPISFC), we deal with this matter of water service providers. One of the challenges that we have noted is the escalating cost of water, which is attributed to high tariffs, which are attributed to unreasonable charges. We have a number of charges which are being charged on water by the Water Resources Authority (WRA) and Water Services Regulatory Board (WASREB). All these charges are quite unreasonable.

One wonders why counties should be made to pay charges to sustain national regulatory bodies like Water Resource Management Authority (WARMA) and WASREB. In my opinion, this is a matter that the relevant committee must look at in depth, so that we manage this major problem in this country. Organizations like WARMA and WASREB heavily rely on regulatory fees targets water companies in our counties, when they should actually be financed from the National Exchequer. So, this statement is important. I wish to encourage the committee to try and get as much information as possible. They can even consult my committee, because we have extensive information on the on the issues that have been highlighted in this statement.

The second statement that I wish to support is by Sen. Hezena on the issue of an individual who is exploiting the forests in Samburu County, mining murram and doing all manner of things that are degrading the environment. I wonder why the Kenya Forest

Service (KFS) has allowed cartels and a couple of people to exploit our forest resources, even in places which ideally are semi-arid like Samburu County. Why would one be allowed to exploit forest resources in a semi-arid area like Samburu? If anything, these forests should be protected from exploitation. So, that is another important statement

Mr. Deputy Speaker, Sir, even as we are talking about climate change and conservation of our forests, we must also rein in on rogue people, some who even work under Kenya Forest Service, to exploit our forests. So, that statement is also very important.

Lastly, Mr. Deputy Speaker, Sir, allow me to also congratulate the women for the--

(Sen. Osotsi spoke off record)

The Deputy Speaker (Sen. Kathuri): No, men are also around.

Hon. Senators, we were to conclude the comments on statements. I had given up to 4.00 p.m, but then I have four Senators who have been queuing to do this. Therefore, I will give just two minutes to each of the four Senators, starting with the Sen. Shakila Abdalla.

Sen. Shakila Abdalla: Asante Bw. Naibu Spika.

Naomba kuchangia kauli iliyoletwa na Mheshimiwa Hezema kuhusu mazingira. Uhifadhi wa mazingira na misitu ni jukumu letu sote, lakini zaidi ni kwa wizara husika.

Ikiwa mfanyakazi ama kiongozi fulani wa wizara husika ndiye mfanya biashara mkubwa wa biashara haramu ya kukata miti katika misitu, kuuza mbao na kuchimba *murrum*, hiyo ni hatia kubwa sana na ni biashara haramu. Anafaa achukuliwe hatua za haraka zakidharura. Vile anaendela kuuza maji ya bawa ambayo ni ya kila mwananchi wa hio sehemu, lakini yeye ameyafanya ni kama maji ni yake na anayauza kwa bei ghali kwa wananchi.

Bw. Naibu Spika, mazingira ni muhimu sana. Kwa mfano, msitu wa Boni *Forest* Lamu, umemalizwa na wananchi wanaokata miti ili wachome makaa. Tunaomba Serikali na wizara husika ichunguze hayo maneno na ichukue hatua kwa wahusika wa biashara haramu kama hizo ambazo zinaharibu mazingira na kumaliza misitu katika nchi. Hiyo ndio sababu mvua imepotea, kiangazi kiezidi na wanyama kufariki. Haya yote ni kwa sababu ya misitu kukosa kuhifadhiwa na kukatwa kiholela kwa sababu ya biashara haramu zinazoendelea nchini.

Bw. Naibu Spika, ningependa kuzungumzia kuhusu Siku ya Dunia ya Kina Mama. Ninegepanda kuwaambia wananume kuwa kuinuka kwa mwanamke hakumaanishi ni kuanguka kwa mwanamme, bali ni kuinua ubinadamu. Kwa hivyo, wanaume msilogope mkiona wanawake wanaendelea au kuinuka. Muwape *support*, muwashike mikono, na muwe nao pamoja kwa sababu hatuko hapa---

The Deputy Speaker (Sen. Kathuri): Ningependa kama unataka kuchangia kuhusu Siku ya Dunia ya Kina Mama uanze na hiyo kauli ili usiombe muda baadaye wa kuchangia mambo ya kina mama. Ipe fursa ya kwanza.

Sen. Okoiti Andrew Omtatah, please proceed.

Sen. Okiya Omtatah: Mr. Deputy Speaker, Sir, thank you for the opportunity to comment on the statements on the Floor.

I will begin with the statement by Sen. Hezena, on the illegal mining activities. I condemn, in the strongest terms possible, these activities that are being done mainly by Government agencies and yet they are the people charged with the responsibility to protect these assets. Anybody going in there will not be allowed. So, the scam is inside the Ministry, and it needs to be addressed from inside and those culpable should be taken to task. You cannot afford to have Government agencies who are charged with protecting assets being the ones spoiling the assets. Therefore, I strongly support that.

Kenya is generally a water-scarce country. We can hardly meet our water needs. Playing around with water towers and minerals is not allowed by law and that law should be enforced. Let us have proper protection of the environment and our natural resources.

I would like to comment on the statement by Sen. Wakwabubi on the International Women's Day. First of all, I want to thank her very much for having used the words “gender principle,” as opposed to “gender rule”. The word “gender rule” was smuggled into our legal framework by the Supreme Court of Kenya in a very shameful ruling that it made. That has been the cause of confusion. A principle was converted into a rule and we have had a problem.

The women problems in this country are tied to access to things like energy. The other day, in my county, I encountered very many women who had eye sight problems. Their sights were failing. When they were taken to the doctor, they were told that the cause was using firewood for cooking.

(Sen. Okiya Omtatah's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): Sen. Mutinda Tabitha, please proceed.

Sen. Tabitha Mutinda: Thank you, Mr. Deputy Speaker, Sir. Let me first appreciate my two colleagues, Sen. Veronica Maina, the Chairperson of KEWOSA, and Sen. Wakwabubi Consolata, for these two great statements regarding International Women's Day. In advance, I wish all women a beautiful International Women's Day. I also congratulate all the women in this House who have made it to this particular House, as far as leadership is concerned.

I continue to congratulate and urge that we continue championing the issues of women, many of which have been mentioned. The issues that we have been talking about, like Female Genital Mutilation (FGM) and early childhood marriages, are pertinent.

I want to state today, and I did say earlier, that the girl child has been empowered, something that we appreciate because we focused on it. However, we have really left the boychild behind. I would love the theme for International Women's Day this time around, to be how to bring the boy child to that standard. The boy child in the market today, in this space we are, is not in a position to reach the standard of a woman in society who has been very much empowered.

I heard one of the Senators, Sen. Faki, saying that as women Senators, we need to move across the country. I want to state that we have been moving across different

counties. Just last year, as we were closing the year, through the Chairperson, we went to the great county of Busia and we did a lot. During the Senate Mashinani, we did a lot from our own personal initiative, supported by the Clerk of the Senate.

Mr. Deputy Speaker, Sir, quickly, I would also like to touch on the statement by Sen. Hamida, regarding this student in Grade 10, Ms. Samira Ali, who has been denied her religious rights of wearing the hijab. It is wrong and unconstitutional. There is freedom of worship. Principal Secretary, Mr. Bitok, categorically stated that this student should not be denied her rights to attend school and also adhere to her religious requirements of wearing the hijab.

We have been across schools---

The Deputy Speaker (Sen. Kathuri): Sen. Hamida Kibwana, you may proceed.

Sen. Kibwana: Asante, Bw. Naibu Spika. Yangu ni machache. Ningetaka kuwapongeza Sen. Veronica Maina na Sen. Wakwabubi Consolata, kwa kuleta mjadala wa mambo ya wanawake duniani.

Kusema kweli, wanawake wanaweza na wamekaa kidete kuonyesha kuwa hata hapa kwenye Seneti wanaweza. Nakumbuka tulipoinzisha KEWOSA. Mimi nikiwa mwenyekiti, tulianza na kuwasaidia wanawake wafungwa ambao walikuwa wamefungwa kwa miezi michache. Tuliweza kuhakikisha kuwa wametolewa. Pia, tuliweza kuwatoa wamama ambao walikuwa na watoto wachanga. Tuliweza kuwatoa takriban wanawake mia moja na themanini. Kusema kweli, hayo yalikuwa baadhi ya mafanikio makubwa ya KEWOSA wakati huo.

Namshukuru, Sen. Veronica Maina kwa kuwa ameendelea kuonyesha ya kuwa nafasi ya wanawake hapa Seneti ni kubwa kupitia KEWOSA na pia kwa kazi ile inayoendelea nayo.

Wanaume wakikosa wanawake hapa katika Seneti, huwa wanaanza kuwatafuta. Hivyo ni kuonyesha kwamba sisi wanawake tumechukua nafasi kubwa. Kwa hivyo ninashukuru. Mambo haya ya *two-third gender rule*, naomba yaendelee kwa sababu nafasi ile wanawake wamechukua hapa Seneti imekuwa kubwa.

Nakubaliana na Sen. Faki ya kwamba sisi wanawake ambao tuko kwenye *delegates*, tunafaa tuende mashinani kuwasaidia kufanya kazi ya kujenga taifa. Hapa katika Seneti wanawake wamejaribu sana. Ukiangalia *statements, Bills*--- Sifahamu Bills huitwa aje kwa lugha ya Kiswahili.

The Deputy Speaker (Sen. Kathuri): Last but not least, Sen. Joe Nyutu, you may proceed as we now go to the next Order.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir, for this opportunity. I also rise to make a comment or two; first, on the statement by Sen. Andrew Okiya Omtatah, the Senator of Kenya from Busia County, on recruitment agencies for jobs abroad.

This is a matter of national importance and I am particularly concerned that the Cabinet Secretary for Labor and Social Welfare has led these recruitment drives. I personally was able to finance two young men who needed to get jobs as drivers. This was an opportunity that had been announced by the Ministry of Labor and Social Welfare. To this date, and that was 2024, the young men are yet to get any job despite the fact that they spent huge amounts of money on medical tests and many other things like passports.

I think it is a matter that the committee should look into with a lot of seriousness, because we cannot afford to have people who actually carry out fraudulent recruitment with the blessings of the Ministry. I wish the Cabinet Secretary would come before the committee and talk about that particular incident, because we cannot exploit the already suffering Kenyans.

Mr. Deputy Speaker, Sir, finally, I would like to speak to the statement by Sen. Hamida Kibwana on a student who was not allowed to wear a hijab. We have the freedom of faith and religion in our Constitution. This is a matter that has been there before.

I remember there was such a case at the Kenya High School one time, and the courts ruled that students should be allowed to wear their religious outfits. Schools cannot be allowed to have the power to regulate what religion students who join their schools will adhere to. So, this is a matter that needs to be made very clear and the Cabinet Secretary for Education should also come in and remind the principals that they do not own these schools and these schools must respect the freedom of worship for every other student.

I want to be---

The Deputy Speaker (Sen. Kathuri): Okay, very well, that is the end of the comments on the statements. We will go to the next Order.

Clerk, you may proceed.

BILL

Second Reading

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

(Sen. Cheruiyot on 25.02.2026)

(Resumption of debate interrupted on 04.03.2026 - Afternoon Sitting)

The Deputy Speaker (Sen. Kathuri): This is the resumption of the debate, which was interrupted for a few minutes yesterday and Sen. Peris Tobiko had a balance of 10 minutes.

Sen. Tobiko, you may proceed and prosecute your contribution.

Sen. Tobiko: Thank you, Mr. Deputy Speaker, Sir. As I was contributing to the issue of the Culture Bill yesterday, I mentioned a number of issues. I was referring to the Maasai culture. I said we have a very rich culture that has transcended almost into the national sphere because many Kenyans right now are using the Maasai dresses as their national outfits.

I had also mentioned that the Maasai community has cultural events that are recognized by the United Nations. One of them is the *Enkipaata*, where boys prepare to be initiated into manhood. It is a huge event and has attracted a lot of attention worldwide. I had also mentioned that we have the *Eunoto*, what the young Morans wear

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when transitioning into young elders. Finally, we have another one called *Olng'esherr*, won by the elders who retire to *wazee*, if I may use the Kiswahili word. That is retiring from active involvement in community issues apart from advisory role. Let me also mention that communities have common ancestry that gives people a sense of identity, belonging and pride.

In the Maa community - I believe also in many other communities in this country - we have clans which are part of the order aimed at organising a community in certain aspects. A number of people have used clans politically but that should not be the case. Clans were meant to organise societies so that you marry from a certain clan. However, you cannot marry your sister or brother from within your clan. Clans were meant to assist when a member of a clan needed communal assistance.

We have good cultures and traditions that need to be protected. Of course there are harmful traditions that we need to let go. In this House, people have spoken about FGM. Those are some of the things that are not helpful at all and we must let go.

Mr. Deputy Speaker, Sir, I want to tie my contribution to the issue of the International Women's Day. Let me say, on the Floor of this House, that I am proud of my community because we have come a long way.

The Maa community has given women a chance in leadership. It is viewed as one of the very conservative communities. I can tell you that as conservative as we are, our men, women and young people have respected women leaders. Today, the Maa community can take pride, for electing women in some constituencies because these were not just women representative seats. In fact, if you tell me to go for the woman representative seat, I will not do that because my community has given me a chance to contest against men in a constituency and I have won, not once, not twice.

After being the first woman to be elected, the Maa community has elected three other women. These are Hon. Naisula Lesuuda, Member of Parliament (MP) for Samburu West, Hon. Sarah Korere, MP for Laikipia North and Hon. Agnes Pareyio, MP for Narok North, whose position used to be held by the Maasai kingpin, Mzee Ole Ntimama. That shows that the Maa community has made strides in terms of giving women an opportunity. I hear people say that Maasai women cannot elect a woman governor. Who said that? My community has been electing women and they will elect women governors and a woman president because they value their women.

Mr. Deputy Speaker, Sir, let me also take this opportunity to correct a notion that has been there in the Kenyan society about our culture. Since I was in high school, I used to hear people say that when a man puts a spear outside a *manyatta*, it means that the Maasai women belong to every man. That is not true. That was meant to give a visitor his position in the society.

Sen. Cherarkey, when you visit the community and ask who your agemate is, you will be shown his *manyatta*. That does not mean that you go and take his wife. It means you can be given accommodation and food. Let people not try to explain traditions and cultures that they do not know. That is why, in my community, we do not have street children because everyone gets accommodated in the society, including the poor. You will never meet a poor Maasai man or woman in the streets because we have a way of taking care of our own. We take care of our poor and even young people. We take care of

each other in the categories that the society has given to accommodate everybody. We take care of a visitor when they come because we can place them somewhere.

Mr. Deputy Speaker, Sir, I seek to support. Thank you very much.

The Deputy Speaker (Sen. Kathuri): I was enjoying listening to debate about the Maasai culture and what women do. I even thought that you would ask for more time. I was tempted to give you more time so that I listen to you.

Let us now listen to Sen. Veronica Maina.

Sen. Veronica Maina: Thank you, Mr. Deputy Speaker, Sir, for giving me a chance to speak to this very interesting Bill, the Culture Bill 2024. I thank the originator of this Bill. Initially it was from the National Assembly then it was moved by our Senate Majority Leader. I think it is a brilliant Bill. I am actually surprised that it took us this long to draw the Culture Bill, 2024.

I am surprised because if there is anything Kenya would have needed even before this Bill was enacted, it is this Bill. Why do I say so? It is because Kenyans are very proud of their cultures. We disagree on certain things about how we deal with the tribes but every grouping is very proud of its culture.

If we have the geniuses who drafted this Bill, the same geniuses should show Kenyans how we can draw some resources out of it because if there is something that we have not utilised in this country, it is the beauty of the cultures that are in Kenya. If I may remind you. To avoid being too selfish because I will come back to the Kikuyu culture, let me begin with the Turkana culture. I want to thank the Senate for having a programme called Senate Mashinani because it made me get to Turkana County where I came face to face with the beautiful culture of the Turkana people.

Mr. Deputy Speaker, Sir, you may remember the dances that we watched and I was amazed by the dress code that we had in Turkana. I believe you are one of the people who dressed a regalia of the Turkana Community which was so beautiful inside the county assembly. I loved the belt and the attire because of the beading. It would be shameful if the Turkana dress is phased out before our children see it. We were also entertained by Turkana dances. I later learnt that they always win during music competitions in the whole republic.

You can see the beauty. When you see the beading that is done by the Turkana women, I do not even think Turkana beads and necklaces can be compared to any beads or necklaces we get from top shops in New York or London. I think Turkana has a much more superior brand than what we get out there in Fifth Avenues styles and fashions or Paris styles and fashion.

When we come down to the Maasai culture, we still find the same beading and weaving. One-and-a-half years ago, I had the great opportunity to support the older women who weave the kiondos in Murang'a County. They make sure that the kiondo does not become extinct or taken over by the Chinese modernisation and factories.

Mr. Deputy Speaker, Sir, if you see the kind of art these women come up with and the baskets that they are weaving, there should be no reason for any single supermarket in the Republic of Kenya to sell a paper bag to any Kenyan. Ideally, all of us should use that basket. We gathered about 2,000 women who had weaved very beautiful baskets with all

kind of tapestry and made very superior baskets to the plastic paper bags that are being sold in the supermarket.

It is a high time that we made use of this Bill to ensure that we manifest the culture that is the art, the language and the beauty of everything that has come around the ecological and geographical space. The common ancestry defined by the community is utilised towards ensuring it pays back for the richness it displays in terms of beauty, uniqueness and the God given gifts to different African people to manifest such gifts and rich culture.

We are aware that we have had tourism supported just by international tourists coming to see who the Maasai people are, how they live and how a manyatta looks like. I believe that with this legislation, we should support existence of a culture that is strong, respectful and which makes a difference to the livelihoods of the people within our continent and nation.

Mr. Deputy Speaker, Sir, it is a sheer pleasure for me to read the interpretation section of this Bill, that is, Clause 2 which provides this;

““Art” means the physical manifestation of the internal creative impulse influenced by culture and expressed in the forms of literature, performing arts, culinary arts, media arts or visual arts”

It then goes further to say;

““cultural property” means property which on religious or secular grounds is specifically designated as being of importance for archaeology, prehistory, history, literature, art or science and which belongs to the following categories-

- (a) rare collections;
- (b) products of archaeological excavations;
- (c) elements of artistic or historical monuments;
- (d) buildings and architectural designs;
- (e) objects of ethnological interest;
- (f) original works of art and engravings;
- (g) rare manuscripts;
- (h) archives;
- (i) articles of furniture; and
- (j) musical instruments”.

It has also defined cultural heritage as;

““cultural heritage” means –

- (a) tangible cultural heritage including-
 - (i) movable cultural heritage;
 - (ii) immovable cultural heritage; and
 - (iii) underwater cultural heritage”.

Mr. Deputy Speaker, Sir, maybe this Bill will put sense in all of us to know that there should not be much achievement in condemning buildings that are sometimes so old and carry the history of our people. We must retain certain artefacts, buildings and architectural designs just as seen in Rome.

When you go to Rome today, you will see certain architectural designs that when you are given the date when that building was done, you will wonder how the old men

and those earlier architectural designers managed to design a building to a level which can compete effectively today with our current architecture.

Culture could be a way through which we will also discover God in the creation. When you see what was designed in Rome maybe 200 or 300 years ago, you will be shocked to compare the earlier architects with the architects in today's world. That is when you will clearly see that God had gifted them with a gift which could even have been superior to what we have today. Hence, the need for us to preserve the cultures and the architectural facts to prove that nature can gift human beings in such a marvellous way. We know that if we allow the destruction of this cultural heritage and cultural artefacts, we will never be able to glance into the history.

Mr. Deputy Speaker, sir, I remember a visit we made to the Danish Parliament. There was a painting shown on the wall and could not be removed. We were given the story of the painter and it went like this: When the painter was asked to paint the Parliament, he gave a condition that if they accepted, that painting would not be removed from Parliament. They even signed a contract to that effect and because they understood the contractual obligation, he proceeded to paint.

Unfortunately, he went and painted little snails, little snakes, little frogs and little animals that are not very interesting. When they came around to inspect the building, they noticed that there were little animals such as snakes in the painting. When he was questioned as to why he had done that because they even wanted to withdraw the contract, he said that it is because the people who work in that building are very much like the little animals he had painted on the wall. He told them that since they had signed a contract, they could not remove the little snails and little snakes. Today, that stands as evidence of the artwork that was done many hundreds of years ago in the Danish Parliament. That shows the creativity that was there then and the literature of how that artist compared politicians then, over 300 years ago, and how they compare today.

I congratulate the Mover of this Bill because of the genius in it. There are many cultures in the Republic of Kenya. Every time I attend a *ruracio* function in Kikuyu land; the dress code, the instructions given to the young man and the kind of rites that the lady who is getting married goes through during that function, amazes me.

Mr. Deputy Speaker, speaking of the past; I will single out one culture that we need to emulate and even retain within our Republic; the African culture honour. One of the things that I have not seen restated in this Bill is the culture of honour. If you could ask me, the one item that I would want retained and protected by this Bill would be the culture of honour for the young and even the older people.

We need to find a way of amending this Bill, so that it allows us to retain the culture of honour. We know the African culture had this tradition where they honoured the elders who knew their place and did the right thing. They gave them so much honour such that a long time ago when I was very young; if I boarded a matatu and I had a seat, I would cede the seat to an older person who walked in and could not manage to hold onto that place that we used to hold on to. I hope you remember that place that we used to hold on to.

Unfortunately, that culture of honour is gone. You will find a pregnant woman queuing somewhere. She is the last in the queue and nobody is giving her precedence to

be served first in that queue. There should be a way we can introduce that specific clause so that it is official that the culture of honour and any other useful culture to the people of Kenya is retained.

I believe it would be the right thing to do so that we tell the world that if they want to understand the culture of honour to our elders, authority and schools, if we had that culture, we would have fewer schools burning, we would have fewer older people complaining about their children and their young ones, you would have less fights in the families because the pecking order would be very clear.

I also want to speak about cultures that are harmful. In this day and time, when we are just about to celebrate the International Women's Day, we must also admit that there are some cultures, within African setup, which are very harmful. Maybe we need to mention the FGM, cultures that are harmful, cultures that put women in jeopardy, cultures that are grievous which hurt women and children. Those are not even cultures.

Those are acquired behaviours that have gone overboard and we want to say any culture, even the one I hear people saying regarding wife-beating, and Hon. Sen. Okiya Omtatah could give us more light into this--- There are some cultures somewhere within the Republic of Kenya that say, to prove that you love your wife, you must slap her, beat her or do something like that. Those are cultures that are not acceptable and nobody should invent such a culture in the name of this Cultural Bill.

This Cultural Bill should define the dos and the don'ts. Any culture that demeans, indignifies, pushes women to the corner is not acceptable and should not be allowed to trend as African culture. Let me remember this lady in Kisiiland who went for the funeral of the husband whom they had separated. She did the honourable thing by taking her children to go and give their father a befitting final rite. When she got there, somebody insisted that she had to fulfil a certain culture of throwing soil into the grave and when she declined to do that, you remember the videos that circulated. She was chased into the bush and was beaten up. I think they almost wanted to bury her. The chiefs were there, the administration was there, the church was there and it was a very shameful. That was a shameful culture that was being perpetuated.

Therefore, when this Bill is enacted, we do not want to hear cultures that are oppressive to women, cultures that indignify women, being vended that this is how women should behave or this is how women should act. We are not refusing cultures that are correct, cultures that are good. We want to bring out the art. We want to also tell the international community, if you want to know where the first human being was discovered, it is in the Republic of Kenya in Turkana County.

If you have not visited Kenya, you are yet to see where your forefathers came from. We welcome you to Kenya; a country with rich culture, a country with lovely people, a country with warmth of hospitality, best cuisines within the African continent, the gateway to East Africa and the best nation to begin visiting in the Continent of Africa. This is where you find the blend of African culture in all its beauty, elegance, warmth, hospitality and a welcoming spirit.

I support this Bill and to ask the Mover of this bill to ensure that we have entrenched the culture of honour so that our country can go to a different level and we

can protect the good that is in the African culture and discard anything that is retrogressive.

Thank you, Honourable Speaker.

The Deputy Speaker (Sen. Kathuri): Very well, next is Sen. Okoiti Andrew Omtatah.

Sen. Okiya Omtatah: Mr. Deputy Speaker, Sir, thank you for the opportunity yet again to contribute to this Bill on culture. It is an important Bill and I congratulate the sponsor. However, I pray that the Bill will be expanded to suit modern days. Culture is the way people give meaning, understand and operate in their environment and the way they live.

In my constituency, at Kakapel Hills in Teso North, we have the prehistoric cave paintings; the only ones that have been known in this part of the world, the Indus caves. When you go to that cave and you look at those prehistoric cave paintings, you will notice that the people were reproducing their way of life at that time. They are reproduced the animals and whatever they were doing in those prehistoric days. They have got symbols that are yet to be deciphered that are in those rocks.

I want to look at that aspect of culture, not as an invitation to look at the past, but an invitation to engage with the present and to look at the future. Clearly, I want to look at science and technology as a core component of culture. Today, much as it is impressive to look at the past, to look at the traditional dances, to look at all those things, and traditional and indigenous knowledge, we need to embrace science and technology as the cornerstone of our culture today.

The people who come, maybe 200 years down the line should look at us and see in us the capacity to survive and to have engaged effectively in the global economy. Culture should not be a question of traditional dances, a question of traditional dress, or traditional food, and other museum pieces. Culture should go beyond the museum and embrace the modern world and the current challenges that we have.

What kind of culture are we going to engender with this Bill? I pray that the Bill goes beyond inviting us to look into the past and to look at how we are engaging with the modern day. It always hurts me. I am a published playwright. I have written many plays which are published, but I am not happy that other than the National Drama Festival, we do not have an equivalent that draws similar attention in science and technology. I would like to see science and technology becoming the culture of this country, whereby we move away from magic and superstition and take on ourselves a culture of weights and measures, of prediction, of interrogation, of enquiry, so that we can carve ourselves a space in the modern world.

I would not celebrate Maji Maji rebellion; where people said that bullets could turn into water when they did some dances. I would not celebrate that because it resulted in their being crushed and killed. Culture should give us the capacity to produce those guns, to produce the capacity to master the elements of nature and harness them in such a way that we solve our problems.

I request the sponsors of the Bill to expand it to ensure that we understand our engagement with the environment. It should not just be an invitation to celebrate our past that may be glorified or not, but it must be an invitation to carve out a niche for ourselves

in the global world of today. We must anchor science and technology at the centre of our experience.

Mr. Deputy Speaker Sir, look at the cave paintings in Kakapel. I look at the technology of making ink that can last all those generations and the technology of painting that the prehistoric people. In the absence of engaging with the modern challenges through science and technology, we might find that we are inviting ourselves to celebrate a past that, beyond telling us where we came from, may not be telling us where we are going.

Our culture today is such that we are using smartphones, driving vehicles, doing kidney transplants and engaging in so many things that rely on science and technology. Unfortunately, of all those things, we consume 99 percent, without contributing to their production.

The people of Gwedegei, who lived in Kakapel Hills painted their environment, what they were doing and how they were surviving. Today, if I was to go on a hill to paint about my experience, for posterity, I might lack paint that is original. If I painted a smartphone or a pair of glasses, the science and the technology in those things would not be something I own.

I would like that in this Bill; we expand the understanding of culture as a way of engaging with our environment in the modern times. If we have to look behind, we should look at the past to learn about engaging with the future; about conquering the environment. There is the use of the word environment but maybe the better word would be ecology; in particular, existing properly in our ecology.

Mr. Deputy Speaker, Sir, I plead with the Mover of the Bill to expand its scope and to revise it. Important as it is, it is inviting us to look back without challenging us to look forward. As we look back, we must look forward. We must create a culture of producing what we consume. If you have learned anything from the past societies it is that they were virtually not dependent on others.

It should encourage consuming what we produce, our autonomy, ability to manage our societies and to engage and conquer our environment. It should maybe also enable us to participate effectively in the ecologies that we find ourselves in, so that we do not look at culture as something that is caught in a time warp, as if we are looking at a movie of the past or engaging in a play of the past.

I would like to see that we create sustainable economies, a culture of rule of law, obeying the law and being stable. If we look at African traditional religions, we are told that the purpose of morality was to create a ritually neutral society; a society that did not need rituals to survive and which could allow life to be transmitted. We must come back and ask ourselves, how are we running our modern states? Is the culture within the Kenyan state a culture that allows life to thrive, or is it a culture of death? What values are we imparting in our society, right from the school, the curriculum? If we are able to develop a society whereby, we want to make the rule of law supreme, we want to ensure that we can procreate and pass on life, then we must be beginning to engender a culture of consequences.

Mr. Deputy Speaker, Sir, If we are to look into our traditional societies, let us look at what values they were and how we can borrow them for the modern world. Let us

not look at our culture in terms of our past and only celebrate the attire, music and other things that we look at and wonder about. If it is going for indigenous knowledge, let us invest in that. Let us modernize it and bring science and technology to engage with those herbs so that we are able to produce tablets and capsules and dosage for treating particular illnesses. Let us invest in research and development so that our cultures can be of value in the modern day.

Mr. Deputy Speaker, Sir, we can have the museum pieces for entertaining other people, for whatever it may be and to remember whatever it is. Sen. Maina spoke about the Kiondo as a product. Somebody in China looked at it, added a bit of science and technology using synthetic fiber, began mass production, incorporated it and ran away with it. Could we do that? Could we get a place for science and technology in our cultural experience so that we modernise our experience? We can modernise what our forefathers engaged in with the way other people of the world have done. We can modernise the experience, infuse and mainstream science and technology through research and development and come up with expositions of a culture that is not an invitation to the past but one that uses the past to move into the future, challenge the future, and to try and conquer the future.

Let our culture in Kenya be one of satellites. Let us have a culture of trying to be modern. Trying to be modern does not mean that what our forefathers did was not modern. It was modern in their days but we have got concepts such as modern and postmodern, and stuff like that.

Let us also be able to engender that kind of experience, to live on earth as global citizens, and mainstream a culture of production, manufacturing, value addition and proper banking. Let us move away from the shylock banks and get banks that can help us invest and grow this economy.

The culture part for me is a big area. The Bill has scratched the surface. If it is a Bill being done in the 21st century as this one, then it must invite us to develop a culture that allows us to carry our weight in the global economy and environment. It should not be a culture that invites us to look at the past that is no longer relevant in our days. The fabrics of the past and what we have may not be relevant today. Let us proceed forward and compete for our space with the Americans, Europeans, Arabs, Persians, Chinese, indigenous peoples across the world and many others so that our nation, which we pride as the cradle of mankind, can thrive and be at par with any other country and civilisation.

Civilisations come and go. No civilisation is static. We cannot try to argue that the Kenyan civilisation is static and stuck in the post-colonial days. Kenya has a civilisation of today and tomorrow. Yesterday is gone. Let us borrow what is of value from it. Let us know that the challenge to be on this earth is about today and tomorrow. Let us mainstream science and technology. Let us invest heavily in research and development.

I would like this Bill to provide for proper provisions of research and development and into the past indigenous sets of knowledge and technologies and see how we can benefit from it. If it is medical or whatever it is, let us see how we can benefit from the modern economy and use it like the Chinese and Asians have done with their indigenous knowledge. They have been able to modernise their medicine. Today, they package it in capsules, syrups and tablets with clear dosage. They have clear ways of

diagnosing illnesses. Let us modernise our knowledge and experience. Let us create a modern Kenyan civilisation that the ages who come after us will be proud of us.

With those few remarks, I support the Bill and pray that its sponsors expand it to the modern era.

Sen. Mumma: Thank you, Mr. Deputy Speaker, Sir, for the opportunity to speak to this Bill which is very important for this country. It seeks to implement the requirement in Article 11 on culture. It is a Bill that is long overdue and is seriously required. This is because this is one function that is shared between the national Government and county government but one that Parliaments, since 2013, have ignored in terms of putting in place the legislative framework to implement Article 11. Therefore, I commend the Mover of this Bill and the fact that it recognises that the national Government as well as county governments have a role in implementing matters relating to culture.

I would not want to add on to what people have already said. However, I want to speak to other aspects that may very well enrich this Bill. I hope the Mover of the Bill, who is not here today, can be given the HANSARD and consider adding in other aspects that would ensure that the implementation of the law, when it eventually passes, will actually be meaningful. Otherwise, the Bill will look like a good law that we passed, but we may not see the its impact a few years down the road.

Article 7 of the Constitution speaks about language. There is no way you can speak about culture without speaking about language. I would have wanted to see the Mover of this Bill provide something about language in the implementation of matters culture. We have discussed here once the issue of getting vernacular languages to be taught in our schools.

A few of us Kenyans, who are married to somebody from a tribe that speaks a different language, have children who speak both languages. For many of us, because we take the easier route of communicating in Kiswahili or English, the children are not able to speak the vernaculars. If you cannot speak the vernaculars, you will never be able to appreciate the culture of your people.

Mr. Deputy Speaker, Sir, if I can use your example, assuming your daughter is not able to speak Kimeru, she would not be able to have a good conversation with her grandmother or great-grandmother, who is, herself, the transmitter of the knowledge about the Meru people. So, I would have wanted to see a few clauses implementing Article 7 and seeking to enforce the use of vernacular language.

I have said before that we should encourage, even within Nairobi, to have as many schools to teach vernacular languages. One can teach up to four vernacular languages, another one, other languages. That would ensure that our children, even the ones in the urban areas, have an opportunity to learn the vernaculars. If they had the opportunity to learn the vernaculars, they would appreciate the culture better.

Mr. Deputy Speaker, Sir, culture also speaks to heritage. The Bill has spoken to matters heritage without going deeper to see how we can ensure that our culture and heritage are preserved. I would have liked to see a clause that speaks about museums and how we will invest in museums as a way of keeping the historical record of our culture and so on.

I would have recommended that the Mover considers a fund being set up to link the history departments of our universities to the different communities so that we can have the histories of the different communities being recorded and kept.

Mr. Deputy Speaker, Sir, you are not listening to me. You are being disrupted by the other Speaker. I am making a very important point here

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

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

How are we going to preserve our knowledge? It is not through traditional dances. We need an actual record. When you go to Asia, you actually go to places where you can see a record of culture. We need to fund our history departments in the different universities to assist us to do that recording.

We are talking about over 53 communities. Some of them, like the one I come from among the Luhya, has 16 sub-communities. Among the Kalenjins, a few more sub-communities. We will need a way to support these communities to have a record of their cultural heritage put within museums so that the culture is not just recorded for the community. This way, a child going to any university can go to the library or a museum and learn about the Turkana, Kikuyu, Maasai and so on.

We do not resource our universities on research very well. This would be a good opportunity to support the universities to be able to do this kind of thing.

Madam Temporary Speaker, culture is not just about the dance and the dress. There are many other things and if we choose to record, I foresee for instance, I think the lady Senators whom I have spoken to will recall that last year I tried to recruit them so that we can all find the traditional women within our communities to have a meeting with them for them to tell us what sex education looked like in their communities.

I was interested in getting to know what sex education looked like because the Ministry of Education has refused to allow sex education to be taught in our schools on the guise that this should be taught by parents. It is something that should inherently be taught from the communities or it should be taught by the church.

Madam Temporary Speaker, you and I know that is not happening. So, if we recorded to find out what sex education looked like among the Luo or Kikuyu, picking from these communities, we will be able to construct a good curriculum that we can say are the key things we have picked from our own communities which we would want to be taught to our children.

I would urge that our history departments, I go back to that, be facilitated to help us to do such recordings. There is also the recording of our cultural medicine. I would like to tell colleague, Sen. Omtatah, that our culture was embedded in science. So, science is not about the future. The other day I gave a colleague here who had a very bad cold, something called *mwonyi* from Kakamega Forest and---

The Temporary Speaker (Sen. Veronica Maina): Sen. Mumma, are you a certified herbalist to dish out herbals to your colleagues?

Sen. Mumma: Madam Temporary Speaker, I am not a certified herbalist, but I have always been given this *mwonyi* and it works. It does not have to come through America or the Centre for Disease Control (CDC) for me to be treated by it. So, we had science, it is just that science has not been recorded. If we record it, we will be able to say, these were our medicine, this was the medicine for that and it will help to enrich the research that we have in our medical schools.

If we recorded even recipe books, I tell you, if you eat *shirietso* and *ugali*, you would love it. Right now, if I ask you what *shirietso* is, you will not tell me what it is. *Shirietso* is a vegetable among the Luhyas which is becoming extinct because we have decided to be modernised, we want to eat broccoli.

The Temporary Speaker (Sen. Veronica Maina): Sen. Beatrice, what is your intervention?

Sen. Ogola: Madam Temporary Speaker, we most likely need an interpreter in the House, as Sen. Mumma continues to dispense the presentation because there has been use of a number of words that we do not understand, but we feel are very useful to us. Some of the words that she has used in my community would not be words that you would use in public, but now she has used them. I am not able to get their interpretation. She needs to translate for us some of those words.

The Temporary Speaker (Sen. Veronica Maina): Sen. Mumma, you must use understandable and comprehensible parliamentary language for the likes of Sen. Beatrice to understand what *shirietso* stands for. I equally am suffering the same consequences as Sen. Beatrice. I just had you liberally use the term *shirietso*. I come from Mount Kenya region; we do not have such a term. Can you use English to describe, even if you use broccoli to describe what *shirietso* is close to? Something that we can comprehend and follow.

Sen. Mumma: Madam Temporary Speaker, Hon. Beatrice's complaint and your complaint just make my point. That if we set a fund aside and allowed Masinde Muliro, Department of History, to do a book that says these were the vegetables among the Idakho and these were the ones among the Isukha, you will get to know what *shirietso* means. That is the point I am actually making.

When we establish the museum, there is one point I would like to make. The National Museum of Kenya should give us accurate information about the national events. After some of the Mau Mau veterans took a case to the UK and were compensated, the British Government redeployed back some information in our archives.

If you look in those archives, you would find that the Mau Mau is erroneously felt as though they are people from one community. However, when you see the list of the people who fought for *uhuru* in this country, that list has so many other people from other communities that have never been celebrated because one community has decided to celebrate their own, other communities have not done similarly.

It is not to fault any community, but the impression given to the children who are coming up is that Mau Mau was about one community, when that is not true. Mau Mau had a list, if you go to that archive, if it is properly resourced, our children will be able to go to the national archives and see the hundreds of other people who fought for *uhuru* in

this country. I think this is a basic law, but as is, it is not able to take us to Canaan. Insofar as the culture is concerned---

The Temporary Speaker (Sen. Veronica Maina): Sen. Mumma, can you describe where is Canaan coming in? Where are we going to be heading when we are going to Canaan? From where?

Sen. Mumma: Canaan for purposes of culture is that right now, culture is whatever anybody says. If we historically follow, put in place the resources to be able to put all the things I have said in place, to come up with proper recordings, our children, our children's children and our children's children's children will get the same information about the Kikuyu, the Luhya and the others.

I would have liked to see this Bill also talk about investing in film for Kenya as a mode of preserving our culture. Other countries, other communities and other cultures world over use film and theatre to actually communicate the cultural events, their cultural heritage and cultural history. It would have been good to also involve an aspect of investing in greater, in the Kenya Film Institute and to actually encourage the setting up of the film industry and theatre across the 47 counties and nationally. If what I have added is to be added to this, we will have a rich law that can enable us to preserve and to enjoy our culture.

I support.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Cathy. I want to make a communication from the Chair.

(Interruption of debate on Bill)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM RUTUNE SENIOR SECONDARY SCHOOL

I would like to acknowledge the presence in the public gallery this afternoon, of a visiting delegation from Rutune Junior Secondary School in Mukurweini Constituency, Nyeri County. The delegation comprises 45 students and five teachers who are visiting the Senate for an academic exposition.

Hon. Senators, on behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful and enriching visit, and I thank you.

I want to invite Sen. Wahome to welcome the delegation and then proceed on to contribute to this Bill.

Thank you.

Sen. Wamatinga: Thank you, Madam Temporary Speaker. It is not Rutune Junior School, it is Rutune Senior Secondary School. They combined two schools from Mukurwe-ini Sub-County.

The Temporary Speaker (Sen. Veronica Maina): Apologies for that. It is Rutune Senior Secondary School.

Sen. Wamatinga: Well noted, Madam Temporary Speaker. We encourage and invest in the young ones. We want them to see and learn so that when the time comes, they will be able to do what we are doing here. This actually goes in the spirit of the Bill that we have today. It is in such excursions that we inspire the young ones to aspire to become the leaders of tomorrow. Most importantly, they get to see the business we do in this House. They also get to learn how we enact laws, debate in the House but most importantly, they get to see that this is a House that everybody can get into if they believe in themselves.

I want to take this opportunity to welcome them. They were in my place and we had lunch together. As they head home, I want to wish them journey mercies.

(Resumption of debate on Bill)

Madam Temporary Speaker, I wish to now proceed to support this Bill because it is very timely. A lot has been said about this Bill. We know that we have a diversified community in Kenya. In our diversity lies our richness. How I wish, that we, the political class, would create more incentives as we enact this Bill as Sen. Mumma has said. If we do so, we will have many people invest in the preservation of our cultures in form of films and documentaries. People can even do so in form of restaurants where someone can go and enjoy a rich meal prepared in line with the traditions of say, the Abaluhya culture.

I heard Sen. Mumma use a couple of words that sound quite good. I would want to know what that is and how to eat that. I wish we would have somebody investing around for us to have a restaurant where one would walk into and say that, “today, I want to eat pure Luhya dish”.

We are raising a generation sired in mixed cultural marriages. This generation has lost their cultural attachment because of the nature of the schools they go to, people they associate with, how they have been brought up. We used to learn vernacular languages but these children no longer learn that because of the curriculum that we have. I doubt if the younger generation can learn their language or even speak it fluently.

Our richness lies in the diversity that we have. We should be proud of our culture and dignity. It should not be something negative but something that we should be proud of. I am always a proud parent when I attend drama and music festivals and see schools in Central Kenya perform cultural dances from the Western or Nyanza. This is a way of encouraging them to appreciate others.

This Bill tries to capture the areas where I feel that we fail our younger generation. We do not document the drama and music festivals for posterity. How I wish that it will be a culture, entrenched within our learning institutions, that all the dramas and musical festivals are documented and properly archived. If we do that, someone can refer to them 20, 30 or 40 years later.

As we are aware, the world is becoming a global village and we will see fusion of cultures and heritage. Therefore, as we look at the heritage from where we come from, it is imperative that we look at the heritage of where we are going. How do we preserve the

heritage of the young generation who cannot relate with the history of our forefathers? How do we merge what we used to do then with what they are doing now for posterity?

I agree that it is important for us to come up with institutions of basic learning that will teach some basic languages. In the Competency-Based Education (CBE), French and German are taught as foreign languages. How I wish we would also offer Luhya, Kikuyu and Luo as a language that one would have a choice of learning. Moving forward, we would want to have somebody who can preserve or understand the cultures of these different communities. Those cultures can be taught in school for the posterity. We will then have some points of reference.

We, as legislators, must come up with measures to encourage people to preserve our culture. We can create incentives for people to invest in activities like films, production of documentaries, books and preservation of cultural heritage. My colleague from Busia County mentioned paintings in a certain place. How and what effort can we make to ensure that we preserve them for posterity? How are we investing in this?

Madam Temporary Speaker, in your contribution, you stated that the Romans built in the 14th Century and their architect has been preserved until today. What is it that we are doing to preserve the huts that were built in a traditional way? What is it that we are doing to preserve the cultures that were practised by our fore parents?

We should not just create a fund but we should also include an incentive and tax relief for anybody who invests in activities that promote the culture and the heritage of our nation. If we do that, more people will be encouraged to invest in that.

It is imperative that we look at the divergent approaches that we have. We have new cultures created by intermarriages happening across the nation. During our time, we used to learn vernacular from standard one to standard four hence every child could read or speak the vernacular language. Right now, we have a new approach that puts emphasis on a competence. We have people pursuing arts, creative arts and sciences.

We must also come up with an approach that will ensure that we do not lose the valuable culture that we have. We should then entrench it in our curriculum as we encourage the integration of our nation within the East African Community and the global settings. We must also be wary not to lose what we already have.

This Bill is very important but we must go a step further and look at how we create resources to ensure that we preserve the culture by documenting it properly. We can produce films and also encourage investors to come up with restaurants and theatre that will produce pieces showing what a particular community were doing.

It must also not be lost to us that we have a new generation that has its own heritage. This generation has developed its own culture and we must get a way of marrying what they are doing with what our forefathers used to do. If we do that, we will have a platform that the future generation can use to do their things.

It is important for us to promote the activities in schools right from the lower grades where people practice their culture and what other communities do. I commend teachers who train their students' drama pieces or musical folk songs from other communities because it is one of the best ways to fight the biggest enemy of this country, which is tribalism. Those teachers also promote integration at regional level and national level even as we look forward to integrating Kenya in the global arena.

I support and yield the rest of my time to my colleague. Thank you, Madam Temporary Speaker.

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

Sen. Ogola: Thank you, Madam Temporary Speaker. I rise to support this Bill. From the onset, I want to say that this is a progressive Bill and it must be enriched, enlarged and made comprehensive.

Culture is a way of life and it needs not to be retrogressive. When you talk about culture, a number of people think one is talking about long-time traditions and retrogressive practices yet culture is the foundation of any family, community and nation. Our culture as a people need not be simplistic.

In the olden days, culture was passed from generation to generation. That tradition has been interrupted by school, modernity and education yet, the cultures of our communities reflected the national values we hold today. When we speak of national values, we speak of love, integrity, honesty, accountability, transparency, unity of purpose, equity, inclusivity and sharing. These values in our Constitution reflect our culture as Kenyans.

I reflect on a prominent culture we saw when tragedy struck. When we lost Hon. Ngeno and other Kenyans in a helicopter crash, we mourned together as Kenyans. There was no distinction between communities. That is a culture we laud in this republic. Even last year, when we lost former Prime Minister Hon. Raila Amolo Odinga, Kenyans mourned together. He was not mourned as a Luo. He was mourned as a national leader. We saw nationalism. That is the culture we want to uphold.

Culture is identity. It is seen in our languages and dialects. It is seen in our religions. In churches, whether Seventh-day Adventist, Catholic or Protestant, we see Kenyans worshipping together. Culture brings order. In my community, the Luo, many families were polygamous. In such homes, order was clear. The first wife, called Mikai, had her house identifiable from the gate. I know you are not a proponent of polygamy. I am a proponent, as it was then, because there were benefits.

Madam Temporary Speaker, I see you laughing. I want to convince you that in the olden days there was vast land, wealth and cattle. There was much to be shared in a family so communities did not mind if a man practised polygamy. The problem today is that with little resources, bringing many people together creates struggle. Then one begins to love one more than the rest and people like you see the wrong side of polygamy.

Culture had many advantages. In medicine, our herbs and trees were picked, packed, taken elsewhere, value-added and returned as modern medicine. Different communities still have useful traditional medicines.

What I am about to speak may not resonate well with many Kenyans. Look at burials today. Funerals have become commercialised. In my community, if one died, depending on gender, burial took three or four days. Today, committees set arbitrary standards. They say a burial must cost Kshs1.5 million. Families struggle, but still commercialise burials. Pride has entered funerals.

As Kenyans, we must reflect on how we want to conduct funerals. In our villages today, we have several funerals at a time. Families are struggling, yet they still go ahead

to commercialise burials. Standards have been set and pride has been brought into funerals. The dead used to be celebrated with honour, especially in my community and I know in yours too, just as birth was celebrated. These are aspects of culture, showing how practices have changed from one form to another. They revolve around values of love and honesty.

That is why I say this Bill should be enriched. Education must be a serious tool to rationalise our culture and carry us together. We come from different communities with different practices, but we look forward to one Kenyan community. We look forward to nationalism. We look forward to honesty, integrity, accountability, transparency, patriotism, equity and social justice. All these can be packaged through our education system.

Different communities had respected cultural entities. In my community, the Luo Council of Elders was recognised. Other communities had theirs. I am a member of the Standing Committee on Energy. When we went to Turkana for public participation on oil, I loved the recognition of elders. Such recognition brings respect, order and discipline.

There are cultural sites across communities. In my clan, we have Gor Mahia, a legendary grandfather with a site in his honour. We have Ramogi Hills in Siaya County, where we believe that our great-great-great-grandfather came from. Those are aspects of cultural sites. I am mentioning this because a number of communities have those cultural sites and they must be recognized, preserved and protected.

Madam Temporary Speaker, I also support the fact that this Bill mentions the issue of compensation of royalties. Communities deserve payment of royalties because it is the communities that have preserved and protected some of these sites and the natural resources that we have. Secondly, the communities have a lot of attachment to all these natural resources that they have preserved.

Madam Temporary Speaker, as I end my presentation and support this Bill, I must mention something that is very critical that is developing as a culture in this republic. The culture of hatred, mistrust, disrespect and corruption.

Madam Temporary Speaker, it amuses me that whenever we speak, each party points at the other as the corrupt. We say, "so-and-so is corrupt", the other person points at your entity as corrupt, and everybody seems to be talking and castigating corruption. As Kenyans, we need to really address the issue of corruption. If we really are all out and talking ill of corruption, why do all of us talk about corruption?

Madam Temporary Speaker, here in the Senate, we have been offended where governors point to us as corrupt. We equally point at them as corrupt, and we have all the reasons. In the society out there, everybody is pointing at the other as corrupt. Why do we not, as a nation, address this bad culture of corruption?

Madam Temporary Speaker, I end my presentation by saying I support, but would like this Bill to be enriched, that, as Kenyans, we must develop cultures that are useful to us all, that will take us to the next generation.

I support.

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

The Mover of this Bill is not in the House right now. So we will defer, because there are no other Senators wishing to contribute to this Bill. So, it will be deferred for the Mover to reply.

(Reply to the Bill deferred)

I will give a chance, and first of all, take the discretion to reorganise the Order Paper, and give an opportunity to Sen. Okiya Omtatah, to give a Notice of Motion, though that had been dispensed with.

I am exercising that discretion to allow him to give the Notice, and then we will resume back with Order No.9.

NOTICE OF MOTION

PROVISION OF COUNTY GOVERNMENTS IFMIS REPORTS TO THE SENATE

Sen. Okiya Omtatah: Thank you, Madam Temporary Speaker. My Notice of Motion is on the provision of Integrated Financial Management System (IFMIS) reports for county governments to the Senate.

Madam Temporary Speaker, I beg to give Notice of the following Motion-

THAT, AWARE that, Article 96 of the Constitution provides that the Senate represents the counties, and serves to protect their interests, determines the allocation of national revenue among counties, as provided in Article 217, and exercises oversight over national revenue allocated to the county governments;

FURTHER AWARE THAT, in the case of the Senate, the Council of Governors and 6 others Petition No. 24 and 27 of 2029---

Madam Temporary Speaker, there is an error, giving us 2029. They will correct it.

(Sen. Cherarkey spoke off record)

The Temporary Speaker (Sen. Veronica Maina): What is your point of order, Sen. Cherarkey?

Sen. Cherarkey: Madam Temporary Speaker, in giving of notice as per Standing Orders of the Senate, the giving of notice is read as is, not as ought to be.

The Temporary Speaker (Sen. Veronica Maina): What Standing Order are you using?

Sen. Cherarkey: Madam Temporary Speaker, Standing Order No.1. I am sorry for taking long on the issue of--- please give me a moment to apprise myself on Standing Order Nos.1 and 62 on the procedure of moving of Motions, and Standing Order No.53 on giving Notice. Can I read?

The Temporary Speaker (Sen. Veronica Maina): Proceed to read it. Standing Order No.53?

Sen. Cherarkey: No, Standing Order No.60, that is Notices of Motion.

The Temporary Speaker (Sen. Veronica Maina): Standing Order No.53 is on Senator's request for Statement. So it cannot be applicable.

Sen. Cherarkey: Madam Temporary Speaker, the Standing Order that I have here, Madam Temporary Speaker, is--- Allow me to---

The Temporary Speaker (Sen. Veronica Maina): You can proceed. Do you have the specific one?

Sen. Cherarkey: Yes, I have the correct one. I do not know why that one is missing.

Madam Temporary Speaker, Standing Order No.60 on Notices of Motion says-

“1) Except as otherwise provided by these Standing Orders, notice shall be given by a Senator of any Motion which the Senator proposes to move.

(2) Before giving notice of a Motion, the Senator shall deliver to the Clerk a copy of the proposed Motion signed by the Senator, and the Clerk shall submit the proposed Motion to the Speaker.

(3) If the Speaker is of the opinion that any proposed Motion —

(a) is one which infringes, or the debate of which is likely to infringe, any of these Standing Orders;

(b) is contrary to the Constitution or an Act of Parliament, without expressly proposing appropriate amendment to the Constitution or the Act of Parliament;

(c) is too long;

(d) is framed in terms which are inconsistent with the dignity of the Senate;

or

(e) contains or implies allegations which the Speaker is not satisfied that the Mover can substantiate; the Speaker may direct either that, the Motion is inadmissible, or that notice of it cannot be given without such alteration as the Speaker may approve.

(4) A Senator giving notice of a Motion approved by the Speaker shall state its terms to the Senate and indicate whether the original copy received by the Clerk has been certified by a party leader or party whip for sponsorship by the Senator's party.

(5) A Motion sponsored by a party shall have precedence over all other Motions on such day as the Senate Business Committee may determine, but where a party has sponsored two or more motions, the Motions shall be considered in such order as the sponsoring party may determine;

(6) Notice of an approved Motion other than those under paragraph (5) may be given to Senators by means of a list to be published in such manner as the Speaker may from time to time direct and the Senator giving such notice shall state its terms to the Senate when the Motion has acquired precedence in accordance with Standing Order 64 (*Time for moving Motions*), but at least one day before the Motion appears on the Order Paper.”

Madam Temporary Speaker, my concern is the extrapolation of Standing Order No. 60, that Sen. Okiya has confirmed before the House that it is indicated in 2029. I have read the Order Paper. I do not know whether colleagues can provide you with the Order Paper of Thursday, which says 2029-

“FURTHER AWARE THAT, in the case of The Senate, the Council of Governors and 6 others Petition No. 24 and 27 of 2029---”

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

So, the Notice of Motion is defective. Would it then be in order, under Order No.1--- I wish the Clerk would give you some space, so that I can request.

Madam Temporary Speaker, looking at the Order Paper, it indicates that this Petition that Sen. Okiya refers is of 2029, which is not true. This means this Notice of Motion is fatally defective. Would it be in order to request under Standing Order No.1 that it be rectified? Can it be rectified verbally or does Sen. Okiya Omtatah need to bring back the Motion, so that the process can start afresh? In my opinion, he is referring to a legal Petition, Council of Governors Petition Nos.24 and 27 of 2029, which is not true.

Would it be in order, for the Hon. Senator to withdraw, you re-approve the Notice of Motion, then he can come and give it next week? Perhaps you can invoke Standing Order No.1.

I yield back.

The Temporary Speaker (Sen. Veronica Maina): Sen. Okiya Omtatah, do you have a typo error in your Notice of Motion?

Sen. Okiya Omtatah: Yes, which I noticed and raised it. It was not in the Motion that I gave to the Speaker. That is not the date of that judgment.

(Sen. Cherarkey spoke off record)

Sen. Okiya Omtatah: There is an error and I acknowledge it. That is why I was going to invoke the Speaker's guidance on that error. I think it is a typo. Perhaps, I could be guided.

That is why I was raising the attention of the Speaker that there was an error in the content.

The Temporary Speaker (Sen. Veronica Maina): I am checking whether Standing Order No.62 could apply moving of Motion in an amended form, where the Speaker may permit a Senator to move in an amended form, a Motion of which notice has been given, if in the opinion of the Speaker, the amendment does not materially alter any principle embodied in the Motion.

Hon. Senator, in view of the fact that it cites Petition No.24 and 27 of 2029 consolidated, that error may need to be corrected because the year 2029 does not exist.

(Sen. Okiya Omtatah spoke off record).

So, it sounds like a material description of the petition. So, it might help for you to amend the notice, which the Speaker would be amenable to allow you to take time and amend it, and then it can come back into the Order Paper on Tuesday.

Sen. Okiya Omatath: Madam Temporary Speaker, it is not my place to amend; it is the secretariat, because what I gave had the correct date from what was presented here.

I think there was some oversight. There was a typographical error. So, I think it is in order for the correct position.

The Temporary Speaker (Sen. Veronica Maina): I suggest that you allow the secretariat to amend it and then you give that Notice on Tuesday next week.

The secretariat, please, amend that Notice on Tuesday so that we do not refer to a petition that is non-existent.

I thank you.

Sen. Okiya Omtatah: Thank you, Madam Temporary Speaker.

(Notice of Motion deferred)

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

We can proceed to the next agenda, which is, the Agriculture Produce (Minimum Guaranteed Returns) Bill (Senate Bills No.17 of 2025).

BILL

Second Reading

THE AGRICULTURE PRODUCE (MINIMUM GUARANTEED RETURNS) BILL (SENATE BILLS NO.17 OF 2025)

(Sen. Veronica Maina on 26.02.2026)

(Resumption of debate interrupted on 26.02.2026)

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, this is the resumption of debate.

Proceed, Sen. Cherarkey.

Sen. Cherarkey: Thank you, Madam Temporary Speaker. At the onset, I want to congratulate you for ably moving this Bill; the Agriculture Produce (Minimum Guaranteed Returns) Bill (Senate Bills No.17 of 2025). You continue to distinguish yourself as an astute legislator, following in some of us, who are the greatest debaters and legislators in this House. I can give you accolades.

There is a song that says, “what a man can do, a woman can do it better”. As the champion of women's leadership and women's rights, I am proud that the person who has come to rescue our languishing farmers is none other than a woman leader by the name Sen. Veronica Waheti, through the Agriculture Produce (Guaranteed Minimum Returns) Bill (Senate Bills No.17 of 2025).

The farmers of this country are proud of you. From Murang'a to Nandi, from Nandi to Mandera, from Homa Bay to Busia, from Uasin Gishu to Meru, all the 47 county farmers are proud of this Bill. This Bill will change the fortunes of many farmers.

Madam Temporary Speaker, in a quick succession, you were distinguished and one of the best Secretary Generals that the United Democratic Alliance (UDA) Party has ever had. I remember you came and gave me my nomination certificate upon an

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overwhelming win, after vanquishing my opponents in the nominations of UDA in 2022. You ran the UDA Party like a colossus of leadership and a paragon of hope.

I am happy that, today, you are proving your leadership. You saw me today in *Maskani, Sema na Citizen*, when we were discussing the future of UDA. I know, God willing, in the near future, you might come back to continue as the Secretary General of the ruling party.

Madam Temporary Speaker, the reason I am bringing you in is because you are among the drafters, the thinkers, the projectors and the think tank that came up with UDA manifesto. In the plan, one of our selling points to our farmers was a guaranteed minimum return.

I am happy you are playing your role by saying, let us implement our manifesto. Are you aware that in the National Dialogue Committee (NADCO) reports, the 10-point agenda, one of the key issues is food security and guaranteeing minimum returns to our farmers? That is why - may the soul of one of the greatest leaders of all times of this African continent, Kenya's Baba, Raila Amolo Odinga--- He signed the 10-point agenda with the president and one of the issues was to take care of the interests of farmers.

I am happy I have seen Sen. Ogola, who is loyal with military precision. Her loyalty is with military precision to the ODM Party and they are saying, we are looking for power. *Wanaweka mawe; sijui mbwekse.*

(Sen. Cherarkey laughed)

I am happy the Senator is here because when they met as the ODM Parliamentary Group and when the central management committee of ODM met, they said there is no endpoint of the NADCO report. It is a continuous implementation.

One of the continuous implementations is the legislative intervention. We have done legislative intervention through elections. By the way, Kenyans were asking: Why are we quick to pass laws that look like they take care of the who is who? Today, I am happy, we are discussing the laws of the *hoi polloi* of this country, the farmers.

Do you know the average age of farmers in this country? Colleagues, it is between 60 and 65. We need to make farming attractive, so that our young men--- Let me give you quick statistics so that I drive my point home and dry. Are you aware that 75 per cent of the Kenyan population is below 35 years, including your children? I think we might need to invite Sen. Beatrice Ogola as the guest speaker during the men's conference in 2027, just before the election, because I can see she is supporting polygamy.

I am a product of polygamy. My father married two wives. I am the son of the second wife of my father, the late Simeon Kimutai Meli. My elder mother and my own mother are still surviving. We grew up in a polygamous family. We should respect that.

What I find weird is this *Wazungu*, who are telling us that to have a mistress is okay, but to have a second wife is wrong. Sen. Okiya Omtatah must be familiar with this because he works with most of these people who tell us it is wrong to have a second wife, but it is right to have a mistress. That is worse. I think Sen. Ogola should address the men's conference in 2027. I am just drafting the invitation letter.

If you are a man and you are able to take care of more than one, you can take care of our business in this world. As the Bible says, our business is to procreate. We must procreate. You can see World War III between Iran and the USA, and many people will die. How will we replace the people? By procreating, giving birth to many more. By the way, the Social Health Authority (SHA), through *Linda Jamii*, has provided that if you have SHA and your wife can go to deliver, you get babies, we get population and move on.

The projection of this country is 50 million by 2050. Half of the population will live in towns. That is why the President is very keen on the Affordable Housing Programme. He is keen on food security. The reason I am bringing all these dynamics of family is that we need food security. If we can motivate farmers, through what you are bringing, guaranteed minimum returns, farmers will be able to produce enough food to ensure we are food secure.

Two weeks ago, a statement of drought was brought. I want to blame the National Disaster Management Authority (NDMA). You remember the Office of the Auditor-General (OAG) did an audit report that said Kenya needs at least Kshs50 billion to fight the issue of drought crisis in this country. Under the Disaster Management Act, counties must give at least 2 per cent for relief and management services.

Madam Temporary Speaker, you saw we had differences when the governors appeared before the County Public Accounts Committee (CPAC). For instance, we were asking the Governor of Mandera County why he would buy seedlings of Kshs55 million, yet he could not do water trucking for his people.

We were asking the Governor of Wajir County, who is the Chairperson of the Council of Governors (CoG) - I normally refer to the CoG as a gossip club - We were asking Hon. Ahmed Abdullahi, why he would spend Kshs300 million on foreign travel and office furniture, and spend less than Kshs100 million to do water trucking, yet there is drought? That is the issue. We need food security. Why is it that we do not have a strategic grain reserve as a country? It is because our farmers are not motivated through minimum guaranteed returns.

I was in Kebirigo Parish in Murang'a. If a farmer is not motivated to take care of avocados, mangoes, tea, maize and many other food crops, how will you have a strategic grain reserve for the country? Therefore, this Bill is God sent. That is the leadership we need.

I want to let you know that 60 per cent of any family's budget, including our clerks and those of us in this Chamber, goes to food. Food takes 60 per cent of someone's income, then 20 to 30 per cent goes to rent. Kenyans are literally living from hand to mouth but farmers are worse.

The President gave us subsidised fertiliser reducing the price from Kshs7,000 to Kshs2,500 per bag. I believe counties should do what we call last mile distribution of fertiliser. It should happen in Homa Bay and also Nandi counties.

The problem is that we have absentee governors who no longer care. The President brought the fertiliser which is kept in the National Cereals and Produce Board (NCPB) depots. Since agriculture is devolved, it is the county governments that should do last mile distribution of fertiliser in, for example, Murang'a.

Madam Temporary Speaker, your governor is spending more time to pave roads with cabro blocks rather than doing the real thing. My governor is globetrotting and going to where Jesus Christ was born as opposed to providing farmers in Kipchunu or Tinderet with last mile distribution of fertiliser. Our governors are busy doing politics.

In Homa Bay, the Deputy Governor, Hon. Oyugi Magwanga, resigned because the governor there is an absentee governor. While we appreciate what she is doing under the Broad-Based Government, that should not disenfranchise the people of Homa Bay from getting services.

As I drive the point home on the issue of minimum guaranteed returns, I am happy with the definition of “comprehensive cost” which include farm inputs. Seeds are expensive and we thank the President for the fertiliser. Can you believe that a two-kilogramme packet of maize seed from Kenya Seed is Kshs600, yet the company is stationed in Kitale which is less than 30 kilometres from my county? The seeds are expensive yet we do not import. Do you see the paradox?

While the President has made sure that fertiliser is subsidised, the Kenya Seed Company (KSC) is still selling seeds very expensively, although we still have a challenge with DAP and Mavuno fertilisers that are provided.

I want to talk about herbicides and pesticides. We are told that there are pesticides, acaricides and herbicides that we still use in Kenya, but they have been banned in the United States (US) because they are cancer-causing. How many of our farmers have been exposed to cancer-causing farm inputs? It is very unfortunate. I can see a number of clerks here are also farmers and that is why they agree with me.

Another one is the issue of livestock production which includes animal feeds. If you are a dairy farmer, you know that the most expensive thing is animal feeds. Can you believe we import animal feeds and eggs from Uganda? We should be embarrassed as a country.

Madam Temporary Speaker, I want to challenge you because I know you are a farmer. Dairy farming is too expensive. Therefore, we must cushion our farmers. If we are still getting animal feeds and drugs for deworming our animals from Uganda, what are we doing? I am happy that you have captured that as comprehensive cost.

Regarding labour, you can hire a labourer in the morning and by the afternoon, they are gone. You can also hire one in the evening and by morning, they are gone. If we were to implement the minimum wage of labourers on our farms, no one will afford them. You and I pay them Kshs5,000, Kshs6,000 or Kshs10,000. If you have to consider the minimum wage including statutory deductions, one labourer might need Kshs20,000.

Another one is the issue of fuel whose cost is still up. We are aware of the ongoing war between Iran and the US. We have been told that the route that is used to transport fuel has been blocked. Therefore, we expect it to go up.

We have subsidised fertiliser, but seeds and fuel are expensive. Some have to lease land and there are also issues of irrigation and farm machinery.

I appeal to the national and county governments to allow tax exceptions on farm machinery, so that the cost of production is lower to enable people get profit. The reason most Kenyans, especially my generation, shy from engaging in farming is because of high cost of production.

I can see in this Chamber we have Mercy, a clerk, who could be among the youngest people here. I doubt if they can agree to do farming. They might not because the cost of production is still high.

Another one is the issue of water. I do not know why Murang'a has many problems. The governor there cannot run that county. How can you allow the Water Resources Management Authority (WARMA) to impose taxes on water for domestic use from 50 cents to Kshs2.50? That is quite expensive.

The people of Murang'a use a lot of water. One of the largest irrigation schemes in this country is Mwea Irrigation Scheme. From 50 cents, they are now paying Kshs2 on water for public use. That is why I am challenging the Senate to come up with a Motion to nullify the regulations that we passed because water will be expensive.

We have water rationing here in Nairobi. Imagine water that used to cost 50 cents per cubic meter is now Kshs2.50. How many people in Mukuru kwa Njenga will be able to buy?

I agree that Nairobi has become dysfunctional under Governor Sakaja. He used to tell us “*ina-work*” but it appears it does not work. Go to Waiyaki Way or Globe Roundabout and you will find garbage. There is garbage everywhere you drive in Nairobi. I thank the President for rescuing the city by injecting Kshs80 billion because Nairobi should look like a capital city like other cities in the world.

Madam Temporary Speaker, I saw Members of the County Assembly (MCAs) led by your friend. I know the lady who said they want to move an Impeachment Motion. Please do not fear. Bring the Motion and we will deal with the governor once and for all and allow him to go and do other things because Nairobi is choking under garbage.

When it rains, Nairobi looks like River Nile. The drainage and everything is poor. It is like a place called Litein in Kericho. When it rains in Nairobi, you cannot move yet Nairobi City County Government has received close to Kshs150 billion in the past four years, including money from own source revenue.

Madam Temporary Speaker, I want to challenge the MCAs because I know some of them are your friends. Let them bring the Impeachment Motion and we will do the needful. We should allow incompetent people to go home and allow Kenyans to do other things.

Madam Temporary Speaker, there is also the issue of farm rent which is expensive. I also agree with you on the issue of post-harvest handling costs. This is what I would like to add. You should have put livestock insurance and post-harvest losses as part of minimum guaranteed returns.

It is not fair because in Nyandarua, there are so many potatoes but about 500 kilometres to Mandera, Marsabit, Garissa or Isiolo, you will find Kenyans dying. It is unfair because we have enough food in this country. A country that cannot feed its own population is not a good country. They say that a nation is known by how it treats its vulnerable.

I agree with you, Madam Temporary Speaker, on the role of county governments--

(The amber light at the Clerks' Table was switched on)

I can see the amber light has been switched on. Let me give you the numbers to enrich it. I know we can still do that at the committee stage.

I can see coffee is now Kshs81 per kilogramme, but there is a problem on tea. I know the people of Mt. Kenya are lucky but we are not because we are being given Kshs23 per kilogramme, which is still low. Regarding maize, we still insist on Kshs5,000 per a 90-kilogramme bag. They can reduce it to a 50-kilogramme bag at Kshs3,500.

There is also stabilisation money for milk which should be Kshs50 per litre, so that we inject at least Kshs2 billion to the milk sector to achieve what we call price stabilization under minimum guaranteed returns. I am happy that macadamia price increased from Kshs25 to Kshs100 per kilogramme.

For Sen. Ogola and the incoming president, maybe he will be my running mate in 2050, that is Sen. Okiya Omtatah, there is the issue of payment of sugarcane per tonnage. I know Mt. Kenya will support me overwhelmingly courtesy of you, Madam Temporary Speaker. It moved from Kshs4,500 to Kshs5,300 per tonne. We need stabilisation of prices, so that when our farmers do their work, under minimum guaranteed returns, they will be sure of reaping.

Madam Temporary Speaker, I can assure you, that if we pass it, this is one of the Bills that will make you to be elected. I have encouraged you not to go for the Woman Representative position; leave it to the first timers. Also, do not vie for Senate, go for the governorship so that you can implement your Bill.

The House of Mumbi is proud of their women leaders. However, the Luo Community are the first because they have a woman governor. Even the Kalenjin, I know Dr. Joyce Laboso was your friend, may her soul rest in peace. Why can you not go for governorship? *Usitishwe!* Madam Temporary Speaker, just go for governorship so that you can have the opportunity to implement this Bill.

I am told that when women are in leadership, there is normally less corruption and less violence because women are very careful in what they do. They also do not bring goons in their meetings like some of us. I am not saying I have goons, I am saying, unlike some of my male species, not the female species.

Madam Temporary Speaker, this Agriculture Produce (Minimum Guaranteed Returns) Bill (Senate Bills No.17 of 2025) is a game changer. I hope when the leadership of both Houses; the National Assembly--- I appeal to the National Assembly that; we are tired of them declaring our Bills as money bills as per Article 110(3). The National Assembly will just run and declare any Bill a money Bill. They declared my Prevention of Livestock and Produce Theft Bill a money bill. They are plagiarising our issues because they declare a Bill to be a money Bill and after one week, they republish it with another name.

For heaven's sake, for a Bill such as this, there is no farmer for the Senate, the National Assembly or even the national Government. They should be saying that, yes, it is a money Bill, but because it is in the interest of the common good of the country, let us pass the Bill. That is why I am appealing to colleague Senators to pass this Bill. Let us support this Bill for the benefit of our farmers. I know farmers in Nandi County will be proud when prices stabilise.

Madam Temporary Speaker, just add me 30 more seconds.

The Temporary Speaker (Sen. Veronica Maina): Yes, 30 seconds.

Sen. Cherarkey: Thank you, Madam Temporary Speaker. That is why I am saying farmers in Nandi will be proud. I appeal to our colleague Senators; Sen. Ojienda, Sen. Methu and Sen. Onyonka, not to go and disparage the Senate. You do not go and tell people that the roof of your house is leaking; you defend your house.

Madam Temporary Speaker, I appeal to you to be calling out colleagues who go and disparage the Senate in the media, just like Speaker Wetangula did in the National Assembly.

With those many remarks, I wish you well with this Bill. May the Lord guide and protect you and keep away those who want to declare it a money Bill in the name of Jesus Christ.

I yield back.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Cherarkey for those very heartfelt remarks.

Sen. Ogola, Beatrice Akinyi, proceed.

Sen. Ogola: Madam Temporary Speaker, I rise to support this Bill and also congratulate you for your vision since agriculture particularly, is about food security and food, is a basic need.

When you go to our Constitution, every Kenyan deserves to have some food. This can only be attained by the enhancement of agriculture. Allow me to mention something that Sen. Cherarkey talked about; water and Nairobi City County. I go on record in supporting the collaboration in the approach of the implementation of urban services in Nairobi City County. Nairobi City County is about every Kenyan. Rains are beginning and you will see most of the roads blocked.

The Constitution talks about 47 counties and one national Government. There is no way the national Government can work if it is not in a county. So, all the Kshs8 billion that will be sunk in approving the urban services in Nairobi County is public funds. Therefore, there is nothing wrong in Governor Sakaja as the Governor of Nairobi and the President of this country, Dr. William Samoei Ruto, coming together to address the challenges of the urban issues in this city because we all benefit from it.

We want to see better parking services in this city. We want to see environmental issues measures put in place in this city. We have been proudly saying that the UN Headquarters and a number of the bodies are moving to Nairobi. How would this city look like if those services are not improved? The urban services, for instance, the storm water drainage that you have in Nairobi, was done for the populations that were there then. I would be proud, whoever does it, I may not care, but I am more concerned that we end up with good services in this city for the benefit of all of us.

Madam Temporary Speaker, we come back to the issue of food security. As I stated, we need food. A country that is able to feed its people is a healthy country. When a country is healthy, then it becomes a productive country. It is not fair that there are other parts of this country where people go without basic food. If agriculture is enhanced, it will not only lead us to have food, but it will also lead to income generation in the many populations that we have. Even the issue of unemployment will be addressed.

Some of the challenges we have in agriculture is the ageing farming population yet a number of our youth do not have jobs.

I have often had conversations with younger people back at home in my community. We see a number of them who want to venture into farming, but because of the lack of support, advisory services to our people, the lack of extension officers at the county levels, then these young people do not know which way they can get into agriculture in a more profitable way. This is because then, they only go back to their traditional farming methods, which are not beneficial and soon, then they run into lack of interest. In the communities back in our counties, farmers are on their own.

When we were growing up, there were extension officers that were moving in motorcycles. They knew when to visit and advise farmers. Farmers were educated on when the rains were coming, for instance, now there have been unprecedented heavy rains in some of our regions and farmers are in a mess. They do not know what to do and where to do it yet this is the work of extension officers.

You wonder, Kenyans made it very clear that their functions were devolved as per the interests of Kenyans. Key among them was agriculture, because they knew they wanted the operations of agriculture closer to the people. That is why this function was devolved, just as health was devolved, water was devolved and a number of them because Kenyans knew they wanted somebody that was managing these services closer to them, that would know their needs in real time and support them to better these services.

As we talk about this Bill, we also must talk about modernisation, that would help the farmers get better skills and get real-time information out of research. We must invest in research to get the modern ways of farming. We must also look at the market. Finally, when farmers get their products, where do they take these products? We must take care of the incentives.

Madam Temporary Speaker, food security is also very critical to me because when you look around, you see the urban poor. These are a critical and important group that must be looked into in this country. These are people who sometimes only have one opportunity to get a plate of food and at other times have nothing. This is because in our communities, we have social networks and you can go to a brother, mother-in-law or a neighbour's and get some help. In the urban areas, there are no such networks.

Madam Temporary Speaker, we encourage our counties to go by the standards expected by getting at least 10 percent of their resources going to agriculture. From the last briefing we had from the Ministry of Agriculture and Livestock Development while we were at the retreat, it was only one county that does that. The rest of the counties do not care about what they put. They are only depending on some donor funding or activities.

There is no shortcut to enhancing agriculture. Our governors, our counties must go full throttle in investing in agriculture to boost food security and to ensure that agricultural practices are consistent with the times that we are.

Look at the time, I wish to stop there to give opportunity to a number of my colleagues that are waiting.

I support.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Beatrice, for those contributions and consideration of your colleagues in the Senate.

Sen. Okiya Omtatah: Madam Temporary Speaker, thank you for the opportunity to contribute to the Agricultural Produce (Minimum Guaranteed Returns) Bill (Senate Bills No.17 of 2025), which you have sponsored. I congratulate you for this good Bill and hope it will see the light of day.

This Bill falls under the category of laws that are called the minimum support price laws, which seek to protect a sector of the economy or of the country which is productive, from manipulation by middlemen and stuff like that. It is an important and timely Bill which needs to be given its opportunity.

I have got an exploratory committee on the bi-presidential campaign which is going around. One of the things that has come out from the preliminary report was that many farmers, especially in the coffee and the tea sectors, were asking for this kind of law. They are asking when it will be possible for the government to guarantee them a price or even to buy this produce in bulk and ensure that even during gluts when there is too much produce, they are not at the mercy of the middlemen and maybe of the market forces.

So, ultimately, this law goes back on the capacity of the government to first of all identify, such as India has done, which are the strategic crops that require support from the state and what minimum prices are set and how they are computed and the capacity of government itself to buy. This is because it may not be viable to demand that you must buy a kilogramme of maize at Kshs100 while there is a glut of maize in the market. The government itself may not buy at Kshs100 but there is a middleman who is willing to buy your maize at Kshs50 instead of it going to waste.

The government must invest in this law and I think we should reinforce the provision for strategic reserves; maybe a strategic reserve or as the buyers in the West have done with cocoa. They have bought so much cocoa that whatever happens in the cocoa market may not be able to influence or immediately affect them in the global market. So, we need the Government to come up with a structure of how it can buy some of this produce, keep it and distribute it in a way that the farmer, who is producing the crop, is not disadvantaged.

Another way would also be to intervene in the input market. We should not leave it to the market forces to influence inputs. There should be a deliberate Government intervention to secure quality inputs. I remember the days of the Kenya Farmers Association (KFA) when they were able to control inputs in agriculture. The fertiliser and the seed were certified and it was very difficult for players outside the network to introduce whatever they wanted. So, this Bill provides income security and stability for farmers, which is very important. That way, we are assured of production.

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, I want to use the discretion in Standing Order No.34 (a) to add an additional 10 minutes.

You can proceed.

Sen. Okiya Omtatah: Thank you, Madam Temporary Speaker. The other thing that the Bill will do is, apart from income security and stability, it will encourage

production and food security. People will be able to produce and be assured that they will sell and make returns and some benefits. So, it also protects the farmer from exploitation.

Where I come from in Busia, if you are in the fish industry, you will find there is a game that is sometimes played whereby middlemen come and they do not buy the fish as they land. They wait until late in the evening when the fishermen have no option because there is no cold storage. Then the fishermen are forced to sell their fish at a lower price or risk the fish going bad. This is because, as you know, the shelf life of fresh fish is very short. They rot very fast. So, to avoid those kinds of situations, if you have a proper law like this one, protecting farmers from exploitation, it will go a long way. It also has broader economic and social impacts. When it is made legally binding and punishing those people who deliberately go to buy below the market price, it will enhance price stability for products. As you know, farmers are at a major disadvantage.

If you drive from Malaba towards Eldoret, through Bungoma County, you come to a place called Bukembe, you will find people selling very huge bananas at a throwaway price.

When you come to Nairobi and you look at the same banana, you will find that maybe they are selling a bunch of bananas for a price of five fingers of the same banana in Nairobi. So, the middlemen have come in and created bottlenecks for these people so that they are unable to sell directly to the consumer. They suppress the price to a point whereby the farmer really is a loser.

With a law like this, it will be possible to control those middlemen and ensure that the produce of the farmer is sold at a price that will give them the returns they need to continue producing in order to improve their livelihoods.

So, because my brother would like to speak, I would say that there are probably economic returns and social impacts. However, the viability challenges are there. Therefore, there will be need to invest a bit of time on what challenges are likely to arise and how to address them.

With those few remarks, I support the Bill and thank you for bringing it to us.

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

Proceed, Sen. Methu.

Sen. Methu: Thank you, Madam Temporary Speaker, for graciously extending the time to allow us to make our comments.

Last, we were with you here, I was the last on the queue and our time was spent, so I was not able to make my contribution.

The Temporary Speaker (Sen. Veronica Maina): If you come a little earlier, you will have a whole 15 minutes.

Sen. Methu: That day I was here early enough, but my colleagues had queued before me. I have just been suddenly informed that one of our colleagues, Senator for Kiambu County, Sen. Karung'o Thang'wa, has just lost his mother, Mama Lucia.

The Temporary Speaker (Sen. Veronica Maina): Sorry, our deepest condolences to Sen. Karung'o and his family.

Sen. Methu: Yes, that is what I have been informed.

I rise to support this piece of legislation, which, in my opinion, is a very brilliant thought from yourself. On my way here, I listened to one of the Senators who spoke of

the work that you did when you were serving as the Secretary General of the party that I have been elected on. I am very careful on the choice of words, the United Democratic Alliance (UDA) party and this forms the foundation upon which we actually formed our manifesto.

Kenya is an agricultural economy and, therefore, we must anchor and support our farmers so that we make agriculture fashionable. These days, when you hear people looking and creating employment opportunities, they always want to make it look like the only jobs that can be commercially viable or that look recreative or fashionable, are white-collar jobs. We must make agriculture fashionable and recreative.

Madam Temporary Speaker, I have spoken to you in person when we were speaking about this particular Bill, and I will tell you of the reservations and where I think we, as the Senate, need to panel beat, so that it will live to the very aspirations that you had when you formulated it. I know you, as the Mover of this Bill, or the owner of this particular Bill, are walking on a very tight edge, so that our colleagues do not hang on Article 114 of the Constitution and call this one a money Bill.

Before then, let me just make one quick observation on the establishment of a county minimum guarantee committee. First, I agree that we must get a county minimum guarantee committee so that, first, it can agree on the crops that are for that particular county and the ones that qualify.

This is such a critical thing that must be done because if you look at a county like ours, Nyandarua is an agricultural county first, but most of our agriculture is horticulture. It is highly perishable. One of the things that we must address, I wonder whether many people who actually eat potatoes in Nairobi appreciate that potatoes go bad in less than five days. If you harvest your potatoes and you are not able to sell them, in seven days, they all have gone bad. Unfortunately, this is the tragedy of the people of Nyandarua because all the produce that we grow; potatoes, cabbages, carrots, I do not know how to say *Minji* in English. Is it peas? I do not know whether they are cowpeas or just peas. No, they are french beans, if I am not wrong. French beans are *michiri*.

The Temporary Speaker (Sen. Veronica Maina): They are not French beans, they are green peas.

Sen. Methu: Okay, they are green peas. Even French beans are grown in Nyandarua. All the produce is highly perishable. The kind of suffering that is faced by the people of Nyandarua, the county that I represent, for example, is so dire such that we have to sell our produce at a throwaway price because we cannot retain that particular produce. Once it is ready, we have to harvest. Once we have harvested, it has to go to the market at the earliest opportunity. A 50 kilogramme potato sack is retailing at Kshs1,200 in Nyandarua today. You can imagine. It is such a painful thing.

I have seen the number of chief officers who have been proposed to be in the County Minimum Guarantee Committee that is to be established. There are instances where a county can have two chief officers serving in the agriculture and livestock dockets. My view is that we should do an amendment to include both.

I have some reservation on this Bill. Agriculture, according to the Fourth Schedule of the Constitution of Kenya, is a devolved function. We are trying to create a pool of the money that will be given to farmers to cushion them, but I find us going back

to the same path of the county without necessarily looking at where money is retained. Agriculture is a devolved function.

I have seen the Cabinet Secretary for Agriculture and Livestock Development requesting for Kshs75.5 billion for his Ministry in the Budget Policy Statement for the Financial Year 2026/2027. If you look at the budgets of all the counties, you will note that none of them has Kshs100 million, Kshs200 million or Kshs300 million for agriculture. If you are to put together money meant for artificial insemination, seeds and all agricultural services, you will realise that it cannot get to Kshs1.5 billion.

We have 47 counties and if each county sets aside Kshs300 million for agriculture, we will have Kshs1.5 billion. We must go back to the national purse. We must get some money from the Kshs75.5 billion. It will be very easy to deal with this because this money can be ring-fenced.

In the manifesto of the United Democratic Alliance (UDA) Government, the party that I have been elected on, we did not promise the people of Kenya that this minimum guaranteed return will be a preserve of the county governments alone. There must be some money ring-fenced from the national coffers. Right now, we have money that we gave as conditional grant for Financing Locally-Led Climate Action (FLLoCA) and there are specific functions that are supposed to be catered for by that particular fund.

Therefore, we must get some money from the national Government set aside to cushion our farmers for them to know that when they engage themselves in a particular endeavor, then this is the minimum that they can get. If we leave that to the county governments, it will be a question of plus one, minus one, which is zero. This is because their budgets are squeezed and you do not expect them to appropriate money that they use for recurrent in the budget for the minimum guaranteed returns.

I am winding up, Madam Temporary Speaker. We must introduce an amendment to this Bill for us to have some money set aside by the Ministry of Agriculture and Livestock Development which can be set aside for cushioning our farmers.

I know our time is gone. I had persuaded you and I want to persuade you again that we move that amendment, so that it can be implemented as soon as possible.

Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): The Mover of this Bill, who is apparently the Chairperson of this session today, will reply when the Bill is next scheduled in the Order Paper because time is up.

(Reply to the Bill deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, it is now 6.40 p.m. and having concluded the business for which I extended the House and the hours of sitting pursuant to Standing Order No.34(2)(a), the Senate stands adjourned until Tuesday, 10th March, 2026, at 2.30 p.m.

The Senate rose at 6:40 p.m.