



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Wednesday, 23rd September, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 23rd September, 2026

Afternoon Sitting

*The House met at the Kilifi County Assembly
Chamber, Kilifi County, at 2.31 p.m.*

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

PRAYER

DETERMINATION OF QUORUM AT
COMMENCEMENT OF SITTING

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

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

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

(The Quorum Bell was rung)

The Speaker (Hon. Kingi): Serjeant-at-Arms, you may now stop the Quorum Bell. Honourable Senators, kindly settle down.

Clerk, you may proceed to call the first Order.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM THE NATIONAL GENDER
AND EQUALITY COMMISSION AND THE STATE
DEPARTMENT FOR GENDER, KILIFI COUNTY

Hon. Senators, I would like to acknowledge the presence, in the Speaker's gallery this afternoon, of a visiting delegation from the Gender Equality Commission and the State department for Gender, Kilifi County.

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The delegation is in the Senate on the invitation of the Kenya Women Senators Association (KEWOSA), in supporting its comprehensive three-day outreach programme being held alongside the 5th Edition of the Senate sittings in the counties.

I request each member of the delegation to stand when called out, so that you may be acknowledged in the Senate tradition-

- (1) Ms. Phoebe Beatrice Nzighe - Regional Coordinator, NGEK
- (2) Mr. David Mayindi Juma - Programme officer
- (3) Ms. Josphine Nyevu Hinzano - Programme officer
- (4) Mr. Charles Mugo Ndung'u - Programme officer, NGEK
- (5) Ms. Zilpha Chuchu - Gender officer

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

RECOGNITION OF HEROES AND HEROINES IN KILIFI COUNTY

Hon. Senators, ladies and gentlemen, as you may recall, when the Senate Mashinani Programme commenced in 2018, a tradition was established of recognising influential and impactful persons who have made significant contributions not only to the host county, but to the country at large.

Kilifi has had many outstanding patriotic individuals who have made significant contributions to the country. Consequently, the task of determining whom to acknowledge or recognise has not been easy. There is always the risk of offending certain constituencies and sensibilities by naming some persons and not others. The individuals we recognise today, some of whom we have invited and may be seated in the gallery, others who were unable to attend, and yet others who have since passed on, do not constitute an exhaustive or closed list, as Kilifi has many heroes and heroines.

As I read out this roll of honour, which is in no particular order of precedence, I kindly request those who managed to honour our invitation and are present in the Gallery to stand in their places, so that they may be acknowledged by the Senate on behalf of a grateful nation.

(1) The late Rt. Hon. Timothy Chokwe: He was the first Speaker of the Senate (1963- 1966), and a Former Minister for Works and Communication. He was also the founder member of Kenya African Union (KAU), and a freedom fighter for Kenya's Independence.

(Applause)

(2) Hon. Noah Katana Ngala: He was a former Member of Parliament for Ganze Constituency, and a Cabinet Minister in various portfolios.

(Applause)

(3) Hon. Samuel Kazungu Kambi: Former MP, Kaloleni Constituency and Cabinet Minister.

(Applause)

(4) The late Hon. Emmanuel Karisa Maitha: Former Cabinet Minister and Member of Parliament for Kisauni Constituency, and a son of Kilifi.

(Applause)

(5) The late Hon. Ronald Gideon Ngala: This is the father of devolution. He was a former MP, Ganze Constituency, and a Cabinet Minister in various portfolios during the Jomo Kenyatta Government.

(Applause)

(6) The late Hon. Robert Stanley Matano: Former MP for Kinango Constituency, former Kenya African National Union (KANU) Secretary General, and a former Cabinet Minister in various portfolios.

(Applause)

(7) Hon. Aisha Jumwa Katana Karisa, EGH: Former Cabinet Secretary and Member of the National Assembly representing Malindi Constituency.

(Applause)

(8) General (Rtd) Samson Jefwa Mwathethe, EGH, MBS, DCO: He is a former Chief of General Staff of the Kenya Defence Forces (2015 - 2020).

(Applause)

(9) General (Rtd) Joseph Raymond Edward Kibwana, EGH: Former Chief of General Staff of the Kenya Defence Forces (2000 – 2005).

Hon. Senators, you will note that Kilifi County is the only county that has produced two Chiefs of Defence Forces.

(Applause)

(10) Major General (Rtd) William Karisa Shume: Former Deputy Kenya Army Commander and the Non-Executive Chairperson of the Advisory Committee on Military Veterans.

(Applause)

(11) Prof. James H.P. Kahindi: Vice Chancellor of Pwani University.

(Applause)

(12) The late Prof. Stephen Karisa Beja: Professor in the Department of Languages, Literature and Linguistics, Pwani University.

(Applause)

(13) Prof. Rocha Mzungu Chimera: Professor of Swahili and also the Dean, School of Humanities and Social Sciences at Pwani University.

(Applause)

(14) Sen. H. J. Malingi, represented today – I am told – by his son, Mr. Joshua Mkami Malingi: He was the Senate Representative of Kilifi District in Kenya's First Senate from 1963 to 1966.

(Applause)

(15) CPA Stephen Masha Ngowa, CBS: Deputy Controller of Budget, Office of the Controller of Budget.

(Applause)

(16) Mr. Fikirini Jacobs Katoi Kahindi: Principal Secretary, State Department for Youth Affairs and Creative Economy.

(Applause)

(17) Prof. Shaukat Abdulrazak, EBS: Principal Secretary, State Department for Science, Research and Innovation.

(Applause)

(18) Prof. Amina Abubakar: Director, Institute for Human Development, Aga Khan University.

(Applause)

(19) Dr. Mahfudh Muhammed: Director, CEO and founder of Khairat Hospital and Khairat Medical Foundation, established to offer quality, subsidized and free community healthcare in Kilifi County.

(Applause)

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(20) Dr. Nurein M.E.S: Founder of the Star Specialist Hospital established to provide affordable community healthcare in Malindi.

(Applause)

(21) There is a group called *Them Mushrooms*: The pioneer Swahili pop music band of international repute, and famous for the song *Jambo Bwana*.

(Applause)

(22) The late Mr. Fundi Konde: A pioneering Kenyan singer, guitarist and composer renowned for the song *Tausi Ndege Wangu*.

(Applause)

(23) Mzee Ngala: A singer-composer of Afro-jazz music, commonly known as *Bango* music.

(Applause)

(24) Ms. Mwana Halima Adam, HSC: Captain for the Kenya women's national football team, and the Harambee Starlets.

(Applause)

(25) Mr. Mohamed Salim Magongo: Former player and goal kicker for the Kenya national football team, the Harambee Stars from 1973 to 1977.

(Applause)

(26) Ms. Esse Mbeyu Akida: Former player and striker for the Kenya women's national football team, Harambee Starlets, and founder of the Esse Akida Foundation for Grassroots Sports and Community Development.

(Applause)

(27) The late Mr. Abbas Khamis Magongo: Legendary footballer and midfielder for Gor Mahia Football Club and Kenya's national football team, the Harambee Stars.

(Applause)

(28) Mekatilili wa Menza: Kenya's most celebrated female freedom fighter. She led the Giriama people against British colonial rule between 1912 and 1915, mobilising

resistance against hut taxes, forced labour recruitment, and colonial control of the ivory and palm wine trade.

(Applause)

Hon. Senators, ladies and gentlemen, as I indicated earlier, this list is not exhaustive. On behalf of the Senate and my behalf, I extend our appreciation to you for your service to country and to God.

Next Order.

Yes, Sen. Boni?

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, before you clarify, allow me to join you in celebrating those heroes.

As you communicate, you are appreciating ethnicity, its diversity and the meaning of culture. You will notice that from yesterday, we have been seeing Senators pretending to be sitting in the House dressed in the traditional dress code of the Kaya. I will point out that there are two forms of the Kaya attire. One, which is the traditional one, the animal hides. However, I will go to the one that we have been seeing from yesterday, and it has nothing to do with the Kaya elder's dressing. The only Senator who is wearing a traditional attire and should be in the House according to this definition is Sen. Hezena. The rest of the Senators, starting with the Leader of the Minority, should be thrown out.

An Hon. Member: They should be thrown out!

(Laughter)

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, All the specially nominated leaders who are pretending to be Kaya elders should be thrown out, because they are insulting, by definition, the meaning of the Kaya culture.

(Loud consultations)

Mr. Speaker, Sir, I have not finished. Allow me to read for Members, because we are not on the same page. The outfit, *kitambi* and *kaniki*, is a distinctive blue-coloured cotton cloth or *kikoi*s featuring red bands known as *kitambi* or *kaniki*, and are traditionally tied around the waist to signify an elder's special rank and responsibilities within the community. Intricate beadwork, cowrie shells, headbands and accessories decorated with cowrie shells and are commonly worn to denote status, identity and continuity of indigenous heritage, as seen from the young Hezena.

(Loud consultations)

Mr. Speaker, Sir, I beg that you to make a ruling and throw our colleagues out until they come properly dressed.

(Applause)

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The Speaker (Hon. Kingi): Order, hon. Senators.

Senator for Kakamega, what you have read is an attire for Kaya elders when they are going to the *kaya*, or the shrine to pray. What is being worn today by your colleagues is something called *Kishutu*, a traditional attire of the Giriama Community. Therefore, under the Speaker's Rules, it is allowed because traditional attires are allowed in the House.

(Applause)

(Loud consultations)

Let us proceed. Senator for Kilifi, the Minority Leader.

An Hon. Senator: Mzwee wa Kaya huyu!

Kiongozi wa Walio Wachache (Sen. Madzayo): Asante sana, Bw. Spika. Kwanza nakushukuru sana kwa uamuzi uliopitisha sasa hivi, na umekua wa kihistoria, na pia kwa *Solomonic wisdom* ambao umetumia kufikia uamuzi huo.

Bw. Spika, natoa shukrani zangu na niusiane kwa maneno ambayo nitakayosema, na vile ambavyo nitakaribisha watu wa jamii yetu ya Kigirima, ambao ni wazee na ni watu wa kuheshimika sana katika sehemu hii ya Kilifi County.

Hata ukizingatia kuanzia wakati ule Bunge la Seneti lilianza na hatimaye pia tulikua na Kigogo aliyekua kiongozi hapa, marehemu Karisa Maitha. Lakini hapo awali, kulikua na mzee wetu ambaye tunamheshimu sana, Ronald Gideon Ngala. Hio *list* uliyosoma ni ndefu, na mimi sitairejelea, lakini wote uliowataja ndio wale wazee wetu, masimba wetu ambao tunajivunia mpaka leo.

The Speaker (Hon. Kingi): Senator for Nairobi City County.

Sen. Sifuna: Bw. Spika, kwa kifupi na mimi niujiunge na Kiongozi wa Walio Wachache kwa kutoa kongole zetu kwa viongozi wote wa taifa hili wanaotokea katika Kaunti hii ya Kilifi. Tunawapa asante kwa mchango wao kwa taifa hili nzima.

Utakumbuka kwamba, asubuhi tulikua hapa na Waziri anayehusika na maswala ya vijana. Nyinyi, kama viongozi wa Kilifi, mumeonyesha kwamba tunaweza kujua watu wetu wako wapi, ni kina nani, na ni mchango upi wametoa katika taifa letu.

Yule Waziri wa mambo ya vijana alipoulizwa na Maseneta kama Serikali Kuu inayo orodha, ama *database* kwa kizungu, inayoweza kutuonyesha watu wote waliotoa mchango wa aina yeyote ile – awe ni msanii, mwanaspoti, mwanasiasa au Spika wa kwanza wa Seneti – na sikujua hilo, nimelisikia kutoka kwako, na umeweka kielelezo kizuri. Kwa sababu, ni lazima tuwaenzi wale waliotutangulia na kutoa mchango kustawiwisha taifa letu.

Iwapo Serikali Kuu inaweza kuiga mfano wenu, kwa sababu jinsi Seneta Madzayo alivyotuambia asubuhi, wengi walisahaulika na mchango yao kustawiwisha taifa letu ikasahaulika. Utakuta wengi wanakufa katika hali ya uchochole sana. Wengi si eti wanatafuta fedha, wanataka wapewe heshima yao; kwamba tunawaenzi, tunawatambua, tunawakumbuka na hatujawasahau.

Mini najua katika orodha hio, kuna wawili au watatu, ninaweza kuwaita marafiki zangu, na nina imani kwamba kabla niondoke hapa Kilifi, nitapata fursa ya kuwasalimu na kuwataki kila la heri katika maisha yao.

Asante, Bw. Spika.

The Speaker (Hon. Kingi): Next is Sen. Mungatana.

Sen. (Dr.) Mungatana, MGH: Bw. Spika, nachukua fursa hii pia kujiunga na wenzangu kukushukuru kwa kuwakumbuka viongozi wetu waliotutangulia hapo mbele kutoka sehemu ya Kilifi.

Jambo lililonisimamisha hapa ni moja. Kulikuwa na mzee ambaye tulimuenzi sana, na alikuwa Mbunge kutoka Kilifi, lakini jina lake lilisahaulika. Alikuwa anaitwa Jembe Mwakalu. Ningependa iwe katika rekodi kwamba Jembe Mwakalu ni mmoja kati ya wazee tajika kutoka hapa.

Vile vile, kulikuwa na mzee mwingine tuliyemheshimu sana, ambaye pia alikuwa anatoka hapa. Alikuwa mtu wa kwanza kutoka Pwani kutangaza azma ya kuwania urais. Jina lake ni Dkt. Chibule wa Tsuma.

(Applause)

Bw. Spika, ni hayo tu nilitaka kuongeza. Asante sana kwa kuwaheshimu wazee wetu.

The Speaker (Hon. Kingi): Next is the Senator for Migori County, Hon. Oketch Eddy.

Sen. Oketch Gicheru: Thank you, Mr. Speaker, Sir, for giving me this opportunity to also add my accolades and gratitude to you for recognising these heroes and heroines, not only from Kilifi County and the Coast region, but also the entire country. It is a priceless gesture.

Apart from remembering them, we must also remember the dreams that they lived for. These are the people who contributed to this community to ensure that our children, their children and our children's children do not live undignified lives that are not proper. It was their dream to make life better for the people of Kilifi and our country.

In the same spirit, it is important that, as House, we highlight some of the issues affecting the people of Kilifi in a way that is decent. For instance, we are approaching *El Niño*. There are places where people perceive it as an issue of excessive rain. For the people of Kilifi, it will not be excessive, but sufficient rain. If it is possible, this is the time people should start asking the national Government and county governments about crop failure in Kilifi, which has occurred a number of times. There are also issues of animal losses that we have seen a number of times in this place. If possible, this is the time the national Government should pay attention to the provision of seeds for the people of Kilifi.

For instance, coconut is one of the cornerstone crops in this region. Right now, the price of a seed is between Kshs2,000 and Kshs3,000. Farmers here do not have the capacity to get such an amount. It is important to have seed banks created in this place because we have come here, so that when *El Niño* comes, farmers are supported in a way that will give them dignity and increase nutrition in this area.

Mr. Speaker, Sir, some of the struggles we see in this area are those that forefathers, heroes and heroines fought for. Therefore, I am grateful. As we celebrate them, let us keep working hard to fight for the plight of the people of Kilifi and make their lives better.

I thank you.

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

The Senate Majority Leader (Sen. Cheruiyot): Asatnte, Bw. Spika. Naungana nawe katika shughuli hii muhimu. Tunajumuika na Wanakilifi kupata kumbukumbu kuhusu Wakenya wenzetu ambao wamechangia katika historia ya taifa letu kwa njia moja au nyingine.

Lilionifanya nisimame ni kwamba kuanzia Bunge la 11, 12 hadi 13, kuna sheria ambao tumejaribu kuibuni unaojulikana kama *The County Hall of Fame Bill*. Kwa bahati mbaya hatujafaulu. Ningependa kuwahimiza Wabunge wenzangu kwamba kila wakati tunapoenda mashinani, tunafaa kuona umuhimu wa sheria ambazo tunatunga Bungeni, na vile tunaweza kufanya kazi huku mashinani.

Wiki moja ama mbili zilizopita, niliandamana na Seneta Wakili Sigei walipokuwa wanafungua Bunge la Kaunti ya Bomet. Katika ukurasa mmoja, walikuwa wameandika majina ya wakazi wote wa Kaunti ya Bomet ambao wamekuwa na mchango mkubwa kuhakikisha kwamba taifa letu linakuwa bora kwa njia moja ama nyingine. Tumeona jinsi mambo hayo yalivyofanyika leo.

Bw. Spika, nilikusikiliza vizuri wakati ulianza kusoma taarifa yako. Ulisema kwamba haiwezekani kuwataja wote, na pengine inawezekana hata utawasahau wengine. Nimesikia rafiki yangu Seneta Mungatana pamoja na Maseneta wengine ambao wamekuwa Bungeni kwa muda mrefu wakiongea kuhusu viongozi wengine ambao hukuwataja.

Itakuwa makosa tukiwa na vikao vingine mashinani bila kupitisha sheria hio itakayowezesha kutoa orodha ya jinsi kaunti zitaenzi na kusherehekea viongozi ambao wametoa mchango katika siasa, michezo ama kwa njia yoyote ile katika kaunti zao. Langu ni kuwahimiza tu Wabunge wenzangu kwamba sheria hiyo inahitajika Mashinani, na itakuwa vizuri tukiipitisha.

Mwisho, leo nimejua kuwa kaunti hii kweli imebarikiwa. Kati ya Maspika wanne ambao Bunge la Seneti la Kitaifa limekuwa nao, wawili wametoka katika Kaunti hii ya Kilifi. Mna bahati sana.

Asante, Bw. Spika.

(Applause)

The Speaker (Hon. Kingi): Next is Sen. Wambua, Senator for Kitui County.

Sen. Wambua: Mr. Speaker, Sir, allow me to join you and my colleagues in also congratulating individuals that have been named as having made serious and important contributions in this county and in this country.

I have a few things to say. First, I associate myself fully with the remarks by the Senate Majority Leader, that we need to have that law passed, the County Hall of Fame Bill. It would have been important, while here, if there was a hall of fame somewhere

where we could go and study people who made contributions in this county through photos and small citations of what they did. The challenge is on us to pass that Bill and actualise the dream.

Secondly, I am happy to hear some of the names that have stuck in the minds of a lot of Kenyans over the years. We have names such as Ronald Ngala and Karisa Maitha. I am happy to hear those names being immortalised even today.

Mr. Speaker, Sir, my heart is full of joy today because you and the team that came up with these names also remembered to include in that list the Wiper Patriotic Front (WPF) Deputy Party Leader, Hon. Aisha Jumwa, remembering her contribution to the leadership of this country.

Perhaps just to jog our minds, as a journalist, I would have loved to hear the name of Lolani Kalu. He is an inspiring actor, poet and journalist from Kaloleni Village in your county. That is a name that journalists would have been happy to hear one of their own being recognised. However, as you have said, the list cannot be exhaustive. Therefore, we understand.

I thank you, Mr. Speaker, Sir, for this opportunity.

The Speaker (Hon. Kingi): Sen. (Prof.) Kamar, you have the Floor.

Sen. (Prof.) Kamar: Mr. Speaker, Sir, thank you for saving us from Sen. (Dr.) Khalwale trying to undress us from this beautiful attire, which we respectfully acknowledge from the Speaker of this County Assembly.

Mr. Speaker, Sir, I join you in acknowledging the wonderful work that has been contributed by the seniors, some of whom have gone ahead of us, and those who are still here in Kilifi County. The list that you read was long. That tells us that every corner of this country has contributed to national development, and we must always recognize that. I want to congratulate the many whom I may not know. However, I have known Katana Ngala. I knew him for many years when I was a public servant, and he was a Cabinet Secretary in many ministries.

I also want to recognise, in a very special way, Prof. Abdulrazak. I thought he was from Mombasa, but now I know that he is from Kilifi. I recognise him as a Principal Secretary. When I was a Cabinet Secretary, he was my Director of Research, and he did an excellent job. He is a professor per excellence. In fact, if we are ever going to have nuclear energy, it will be because of Prof. Abdulrazak, who serves this nation diligently. He went to Geneva to work for the International Atomic Energy Centre, came back to be a Principal Secretary, and I believe he can take this country very far. Even as the Director of Research when I was working with him, he was very clear that there was no way the energy production of this country would be sufficient for national development if we did not go for cheaper and long-lasting nuclear energy. I congratulate him and all the others.

Mr. Speaker, Sir, I also want to use this opportunity to thank the people of Kilifi County. We have been much welcomed since we arrived here. I want to thank the County Assembly, in particular, the MCAs who met us on Sunday as KEWOSA. They were with us on Sunday and Monday, and we were able to do a lot of work with them.

Heko, Kilifi. May God bless you.

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

Sen. Kisang: Thank you, Hon. Speaker. I also join my colleagues in commending and congratulating the list that you have read. I also want to thank the Senate for the decision to come to Mashinani to hold a sitting outside Nairobi. Otherwise, we would not have known that Kilifi County has produced two Speakers of the Senate, and two CDFs. This is good news, and it is good that we are here. Otherwise, other counties can claim that these are their own people.

I remember when I was growing up, there was a doctor from Elgeyo- Marakwet County who was among the first newsmakers of the day. Other counties claimed that he was from their county, until I told them that he was someone from our village.

I also want to give a special mention to Ronald Gideon Ngala. When we were in school, we read about him and heard news about him. He did great work for this country, and he was from this county.

Lastly, I want to mention a name that is very important to me, Prof. Amina. She was the Director of Neuroscience Developmental at the Aga Khan University. She was the supervisor of my firstborn daughter for about five years while she was pursuing her PhD under the KEMRI Wellcome Trust Research Programme on Autism. For the first year, she worked at the Kenya Medical Research Institute (KEMRI) Wellcome Trust. For the next four years, she conducted research across Kilifi and Mombasa Counties, and other parts of Kenya. She graduated last year courtesy of Prof. Amina. I thank her and may the Almighty God bless her.

Thank you.

The Speaker (Hon. Kingi): Senator for Laikipia County, the Hon. Kinyua.

Sen. Kinyua: Asante, Bwana Spika, kwa kunipa fursa hii. Kwanza, kinyozi huwa hajinyoi, na kwa sababu niko hapa, napongeza watu wa Kilifi kwa kutupatia Spika aliyebobea katika kazi yake.

(Applause)

Ni vizuri kumpa mtu maua yake wakati anasikia. Umefanya kazi nzuri, na nachukua fursa hii kukupongeza badala ya sisi kuchukua majina ya wengi yaliyoandikwa wakiwa tayari wametuaacha.

Hata hivyo, hawa viongozi waliotajwa ni watu tunaowakumbuka kwa jinsi walivyojitolea kwa akili, nguvu na hata mali zao. Tunapaswa kujiuliza ni lipi tunasoma kutoka kwao, kwa sababu walisimamia jambo fulani. Kama mwanaspoti, alitarajia watakaokuja nyuma yao watafanya mambo fulani. Kama ni mwanasiasa, vile vile alitaka Kaunti hii iwe vipi? Sisi tunaowaenzi siku ya leo, ni maadili gani tunafuatilia kwa ule msingi waliouweka? Je, tumetoka katika ile reli, ama bado tunafuatilia maadili yao? Kumbukumbu zao zitakuwa nzuri ikiwa tutafuatilia mambo mazuri waliyoyatenda.

Kama ulivyosema kuhusu Mekatilili wa Menza, alitaka maisha mazuri ili watu wenye shida wasidhulumiwe na mambo ya ushuru. Alitaka watu wasiishi kwa maisha ya uchochole. Sisi tuliopo wakati huu, je tunafuatilia yale mambo aliyoyataka? Kama ni wanamziki, je wanalipwa ruzuku zao kama alivyotaka walipwe? Nimekusikia ukitaja, “*Them Mushrooms*.” Hilo ndilo jambo muhimu kwetu.

Nampongeza Kiongozi wa Walio Wengi kwa kusema kuwa kuna sheria tunayopaswa kupitisha kama Seneti ili wakati tunapotembelea gatu zetu, tupate majina yale ukutani ili tusisumbuke kuyatafuta. Kila wakati tukieleza jina hili, hatutawahi saha.

Bwana Spika nakupongeza kwa kunipa fursa hii. Nampongeza pia Seneta wa Kaunti ya Kilifi kwa sababu pia yeye ni kigogo wa siasa. Hajakuwa mchache wa maneno. Amesimamia Kaunti hii kwa hali na mali. Ikiwa watu wa Kilifi watatafuta Seneta mwingine, awe ni Stewart Madzayo, kwa sababu amefanya kazi kwa hali inayofaa.

Asante Bwana Spika kwa kunipa fursa hii.

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

Sen. Wakili Sigei: Mr. Speaker, Sir, I thank you once again for giving me the opportunity. I take note of the approval of the attire you gave me, and Members are still bringing in additional attire for purposes of today's sitting.

I appreciate the recognition of the leaders who have come from this county, and have served both the county and the nation at large. In your list, two names stood out for me, and I must comment on them. One is Ronald Ngala, whom we have read about in history. Those of us who never had the opportunity to know him other than through books, have learnt so much from his leadership.

The other is the 'hurricane' of Mombasa, the late Karisa Maitha. From the yearbook, it is indicated that no other person has attained the name and title that he had, as the kingpin of the Coast. The recognition of those leaders gives us an appreciation that we will not forget. We will not forget their history, leadership style or the contribution they made to this country.

In today's Order Paper, at Order No.8, is The Street Naming and Property Addressing System Bill (Senate Bills No.43 of 2024). This is a law that will give us an anchor on how we can immortalise such leaders. Someone like Ronald Ngala is remembered through the Ronald Ngala Street in Nairobi.

Karisa Maitha, I recall, was for a time the Cabinet Secretary for Local Government. During his short tenure in office, local markets such as Ngara and Muthurwa were reorganised when hawkers were moved from the streets, and he was in charge at that time.

Further reference to what the Senate Majority Leader---

*(Several Senators walked into the Chamber
wearing the Mijikenda traditional attire)*

(Applause)

Mr. Speaker, Sir, I need your protection from those who are coming in, so that I can conclude with my address. We have changed our appreciation to the team now entering the Chamber. As they walk in, in style and in appreciation of the culture of the people of the Coast, I believe such are the experiences that---

(Several Senators consulted loudly)

Mr. Speaker, Sir, I do not know whether your earlier ruling on the dress code has changed. You might need to guide Sen. (Dr.) Khalwale on what he does. Otherwise, I appreciate the recognition of those people, and look forward to having more information to understand the history of their leadership within and without Kilifi County.

The Speaker (Hon. Kingi): Thank you, hon. Senators. We will now move to the next order.

Next Order, Clerk.

(Loud consultations)

Order, hon. Senators, let us be silent as we move to the next Order.

PAPERS LAID

The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries.

REPORT ON CONSIDERATION OF THE NATIONAL ASSEMBLY
AMENDMENTS TO THE AGRICULTURAL AND LIVESTOCK
EXTENSION SERVICES BILL (SENATE BILLS NO.12 OF 2022)

Sen. Munyi Mundigi: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today Wednesday 23rd September, 2026-

Report on Consideration of the National Assembly Amendments to the Agricultural and Livestock Extension Services Bill (Senate Bills No.12 of 2022)

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

The Speaker (Hon. Kingi): The Chairperson Standing Committee on Trade, Industrialisation and Tourism.

REPORT ON CONSIDERATION OF THE NATIONAL ASSEMBLY
AMENDMENTS TO THE BUSINESS LAWS (AMENDMENT) BILLS,
(SENATE BILLS NO.51 OF 2024)

Sen. Boy: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today, Wednesday, 23rd September, 2026-

Report of the Standing Committee on Trade, Industrialisation and Tourism on its consideration of the National Assembly amendments to the Business Laws (Amendment) Bill, (Senate Bills No. 51 of 2024).

(Sen. Boy laid the document on the Table)

REPORT ON IMPLEMENTATION OF ECDE, VOCATIONAL EDUCATION
AND TRAINING POLICIES IN MOMBASA, KILIFI AND KWALE COUNTIES

Sen. Betty Montet: Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, Wednesday, 23rd September, 2026-

Report of the Standing Committee on Education on the inquiry into the status of implementation of Early Childhood Development Education (ECDE), vocational education and training policies in Mombasa County.

Report of the Standing Committee on Education on an inquiry into the status of implementation of ECDE and vocational education and training policies in Kilifi County.

Report of the Standing Committee on Education on an inquiry into the status of implementation of ECDE and vocational education and training policies in Kwale County.

I beg to lay.

Thank you, Mr. Speaker, Sir.

(Sen. Betty Montet laid the documents on the Table)

The Speaker (Hon. Kingi): Chairperson Standing Committee on Roads, Transportation and Housing.

REPORT ON PETITION: NON-COMPENSATION AND DELAYED
ISSUANCE OF TITLE DEEDS TO RESIDENTS OF
JAMII BORA ESTATE IN KAJIADO COUNTY

Sen. Kibwana: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today, Wednesday, 23rd September, 2026-

Report of the Standing Committee on Roads, Transportation and Housing on a Petition to the Senate by Mr. Calvin Luther Munayi and other residents of Jamii Bora Estate regarding the delayed issuance of title deeds to residents of Jami Bora Estate, Kisaju, Kajiado County.

Mr. Speaker, Sir, I beg to lay.

(Sen. Kibwana laid the document on the Table)

The Speaker (Hon. Kingi): Next Order.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON IMPLEMENTATION OF ECDE, VOCATIONAL
EDUCATION AND TRAINING POLICIES IN MOMBASA,
KILIFI AND KWALE COUNTIES

Sen. Betty Montet: Mr. Speaker, Sir, I beg to give notice of the following Motion-

THAT, the Senate adopts the Reports of the Standing Committee on Education on inquiry into the status of implementation of ECDE and vocational education and training policies in Mombasa, Kilifi and Kwale Counties, laid on the Table of the Senate on Wednesday, 23rd September, 2026.

The Speaker (Hon. Kingi): The Chairperson Standing Committee on Roads, Transportation and Housing.

ADOPTION OF REPORT ON NON-COMPENSATION AND DELAYED
ISSUANCE OF TITLE DEEDS TO RESIDENTS OF JAMII
BORA ESTATE IN KAJIADO COUNTY

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

THAT, the Senate adopts the Report of the Standing Committee on Roads, Transportation and Housing on a Petition to the Senate by Mr. Calvin Luther Munayi and other residents of Jamii Bora Estate regarding the delayed issuance of title deeds to residents of Jamii Bora Estate in Kisaju, Kajiado County, laid on the Table of the Senate on Wednesday, 23rd September, 2026.

The Speaker (Hon. Kingi): Hon. Senators, before I request the Clerk to move to the next order, allow me to make this Communication.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM BARANI
SENIOR SCHOOL, KILIFI COUNTY

Hon. Senators, I would like to acknowledge the presence of a visiting delegation of five teachers and 41 students from Barani Senior School in Kilifi County, who are seated in the Public Gallery. The delegation is visiting the Senate for an academic exposition.

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

I will request the Senator for Kilifi County, under one minute, to extend a warm welcome.

The Senate Minority Leader (Sen. Madzayo): Asante Mstahiki Spika. Nachukua nafasi hii kuwakaribisha wote waliofika hapa kujionea wazi vile Seneti inavyofanya kazi. Wajifunze mengi ili wakirudi nyumbani, waelewe Seneti inavyofanya kazi.

The Speaker (Hon. Kingi): Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

Statements pursuant to Standing Order No.52(1), the Senator for Samburu County, Sen. (Dr.) Lelegwe Ltumbesi.

UNLAWFUL MASS KILLING OF LIVESTOCK AND SHOOTING OF INNOCENT RESIDENTS IN WASO WARD

Sen. (Dr.) Lelegwe Ltumbesi: Thank you, Mr. Speaker, Sir. I rise, pursuant to Standing Order No. 52(1), to seek a statement on a matter of grave national concern, namely the unlawful mass killing of livestock belonging to innocent pastoralist families, and the shooting of unarmed residents by security officers, reportedly drawn from the General Service Unit (GSU) and the Anti-Stock Theft Unit (ASTU), during an ongoing special operation in Waso Ward, Samburu East, Samburu County.

Mr. Speaker, Sir, on Saturday, 19th September, 2026, officers shot dead 15 goats and two head of cattle belonging to Lekilwai Family at Losesia area. On Monday, 21st September, 2026, the same officers massacred 400 goats belonging to the Lekantula family, and 100 calves belonging to the Lesurmaat, Laigwanani and Lolpuranai families at Nolng'erdeed area.

Mr. Speaker, Sir, as I speak now, the security forces are currently killing livestock, and over 170 head of livestock have been killed belonging to the Lekwununga and Lopakio families. The livestock from the Lopakio family were wiped out one hour ago. On the same day, Leapem and Lesidiya were shot and wounded at Nolng'erdeed and Lesesia, respectively.

Within three days, at least 415 goats and 102 head of cattle have been wiped out by the officers paid by the very taxpayers they are shooting at. Not one bandit has been reported arrested, and no stolen animal has been reported recovered. Goats do not carry guns, and cows do not raid homesteads. Killing 400 animals in one sitting takes deliberate aim, and round after round of public ammunition. Somebody ordered it, somebody did it, and the government has so far chosen silence.

This is not a security operation, it is collective punishment. For the pastoralists, livestock is food, school fees, medicine, dowry, savings, and the only social security a family will ever know. To shoot a family's herd is shooting its children's education and future. It also hands the bandits a victory, because banditry feeds on exactly this kind of dissolution.

This country has never burned tea, coffee, maize or sugarcane farms, set forests ablaze or poisoned lakes to deter crime in any region of Kenya, and it would be

unthinkable to do so. When crime is committed in a farming county, the state pursues the criminals, not the crop. When the fraud is committed in our cities, the state arrests the fraudster. It does not bulldoze the market. Why then is the pastoralist alone meant to pay for the crimes of others with the lives of his animals? Why are pastoralists subjected to a harsher and crueller standard than any other Kenyan?

What is happening in Waso Ward is unlawful. The Cabinet Secretary for Interior and National Administration and the Inspector General must understand that without ambiguity, Article 238(2) of the Constitution of Kenya, 2010, places national security under the authority of the Constitution and Parliament, and demands the utmost respect for the rule of law and human rights.

Article 40(3) of the Constitution of Kenya, 2010, expressly prohibits the state from depriving any person of property except in accordance with the law for a legitimate public purpose or in the public interest and subject to the prompt payment of just compensation and the right of access to a court of law.

In Waso Ward, there was none of this, only a gun. The shooting of Leapem and Lesidiya violates the rights to life, dignity and security of the person under Article 26, 28, and 29. Destroying herds on mere suspicion is punishment without charge or trial, contrary to Articles 25(c), 47 and 50.

Mr. Speaker, Sir, no law authorises the slaughter of civilian livestock, and yet no emergency has been declared under Article 58. Article 24 offers no cover. Pastoralists are marginalised communities under Article 260, whom Article 56 obligates the state to uplift, yet the state has singled them out for destruction, contrary to Article 27. Shooting people's food violates Article 43(1)(c), and the state's duty under Article 21.

The Sixth Schedule to the National Police Service Act permits firearms only against an imminent threat to life. No goat threatened any officer. We feel that the destruction of property is a crime under the Penal Code, and Section 25 of the Independent Policy Oversight Authority (IPOA) Act requires every serious injury from police action to be reported. Officers who break the law are not enforcing the law, and a government that shields them becomes a party to their conduct. This conduct betrays every obligation that Article 244 places on the National Police Service.

Mr. Speaker, Sir, the Government must act, and it must act now. The Cabinet Secretary and the Inspector General of Police must disclose the legal basis, objectives, commanders and units of this operation. Who authorised it, and which officers ordered the killing of livestock? They must table a verified record of every animal killed, every person injured, every bandit arrested, and every stolen animal recovered. They must state plainly whether killing civilian livestock is Government or police policy. If it is, they must produce the law relied upon. If there is none, the officers must withdraw forthwith. Any written direction by the Cabinet Secretary under Article 245 must be tabled.

Every officer involved must be suspended pending investigation by the IPOA and Internal Affairs Unit within published timelines, followed by disciplinary action and prosecution. Leapem and Lesidiya must receive full treatment and compensation at the cost of the state. The Lekilwai, Lekantula, Lesurmaat, Laigwanani and Lolpuranai families and all affected households must be enrolled in relief and social protection

immediately, with full compensation at market value, and restocking of every animal destroyed.

Finally, the Government must issue an immediate directive halting the targeting of livestock, publish rules of engagement for pastoral areas, engage community elders and the National Police Reservists, and set a time-bound plan to arrest the bandits.

Mr. Speaker, Sir, a Government that has pledged to lift its people out of poverty cannot deliberately impoverish them under the guise of fighting banditry. I place this matter on the record of this House, and I put the national Government on notice. The Senate will not look away.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Statements pursuant to Standing Order No.53(1), the Senator for Turkana County, Sen. James Lomenen.

UTILISATION OF FUNDS FOR SPORTS AND INFRASTRUCTURE
DEVELOPMENT IN TURKANA COUNTY
IN FY2022/2023 TO 2026/2027

Sen. Lomenen: Thank you, Mr. Speaker, Sir, for this opportunity.

Mr. Speaker, Sir, 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 county-wide concern regarding the allocation, utilisation, and implementation of funds earmarked for sports development and sports infrastructure in Turkana County during the Financial Years 2022/2023 to 2026/2027.

Mr. Speaker, Sir, sports play a critical role in youth empowerment, talent development, social cohesion and economic growth. Significant public resources have been allocated towards sports programmes and infrastructure within the county over the years.

There is, however, a need for accountability on the utilisation of these funds and the status of the projects and programmes enhanced to ensure that the intended benefits are realised by adults and residents of Turkana County.

In the statement, the Committee should address the following-

(1) The total amount allocated, released and spent on sports development and related programmes in Turkana County for each financial year from 2022/2023 to 2026/2027, including the outcomes realised from the expenditure.

(2) A breakdown of all sports infrastructure projects undertaken during the period, indicating the allocation, cost, contractor, amount paid and current status.

(3) Status of Kshs300 million allocated in the FY2025/2026 for the construction of a stadium, the location of the stadium, name of the contractor, amount disbursed, and level of completion; and,

(4) The utilisation of the Kshs314 million allocated for the sports infrastructure in the Financial Year 2025/2026, including the projects financed, their implementation status, and whether any funds were reallocated, surrendered or carried forward during the period, and provide reasons for such action.

Mr. Speaker, Sir, I have another statement, should I proceed?

The Speaker (Hon. Kingi): You may proceed.

PERSISTENT SHORTAGE OF MEDICINE AND MEDICAL SUPPLIES IN
PUBLIC HEALTH FACILITIES 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 Health on a matter of county-wide concern regarding the persistent shortage of medicine and medical supplies in public health facilities in Turkana County.

In the statement, the Committee should address the following-

(1) The current status of availability of essential medicine and medical supplies at the Lodwar County Referral Hospital and other county hospitals, health centres, and dispensaries across Turkana County, including a list of facilities experiencing shortage or stock-outs.

(2) The condition of medical facilities in public health institutions across the county, particularly at Lodwar County Referral Hospital and other major facilities, including their capacity, quality storage, infrastructure, equipment, maintenance status and overall sustainability for service delivery.

(3) The procedure used by the County Government to procure medicine and medical supplies, including the procurement process, supplies engaged, quantities procured and total expenditure incurred during the FY2022/2023, FY2023/2024, FY2024/2025 and FY2025/2026.

(4) A breakdown of the funds allocated, actual expenditure incurred on the procurement of medicine and medical supplies during the stated financial year, and an explanation of the system used to distribute supplies from county stores to hospitals, health centres, dispensaries, including the frequency of distribution and measures in place to prevent stock-outs.

(5) The measures being undertaken by the County Government to address recurring shortages of medicine and medical supplies, improve mortuary facilities, and ensure that all public health facilities in Turkana County provide adequate, reliable and dignified health care services.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): The Statement by Sen. Essy Okenyuri is deferred.

AVAILABLE SUPPORT TO WOMEN SMALL
SCALE FARMERS IN RURAL AREAS

(Statement deferred)

(Interruption of Statements)

Now, before we move to the next Order, allow me to make this Communication.

COMMUNICATION FROM THE CHAIR**VISITING DELEGATION OF COUNTY EXECUTIVE
COMMITTEE MEMBERS OF KILIFI COUNTY**

Now, honourable Senators, I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of a visiting delegation of County Executive Committee Members (CECM) from Kilifi County. I request each member of the delegation to stand when called out, so that you may be acknowledged in the Senate tradition.

- | | | |
|--------------------------|---|---|
| (1) Mr. Peter Mwarogo | - | CECM Health |
| (2) Ms. Jane Maiki-Kamto | - | CECM Lands, Energy,
Housing, and Physical Planning |
| (3) Mr. Philip Charo | - | CECM Finance |

(Applause)

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

Again, I will ask the Senator for Kilifi County to extend a warm welcome.

Sen. Madzayo: Asante Bw. Spika.

Nachukua nafasi hii kuungana nawe kuwatambua wageni wetu kutoka Serikali ya Kaunti ya Kilifi. Hawa nawaelewa vizuri. Ni watenda kazi, na hakika, wakija hapa ni kwa sababu wanataka kuona zile taratibu za Seneti tukiwa mashinani. Wanataka wajionee kabisa kwamba hivyo ndivyo Seneti inanyofanya kazi. Kuna utulivu, na watu wote hapa ni watu wa jabali katika Serikali ya Kenya.

Kwa hivyo nataka kuchukua nafasi hii kuwakaribisha sana kwa niaba yangu, *God bless you.*

(Resumption of Statements)

The Speaker (Hon. Kingi): Thank you.

Now, hon. Senators, I will allow comments on the statements that have been sought for not more than 15 minutes. If you get an opportunity to speak, kindly do so for not more than three minutes.

Now, the Statement by the Senator for Samburu County was made pursuant to Standing Order No.52(1). However, the same needs to be processed further. Therefore, pursuant to Standing Order No.1, I will commit that statement to the Standing Committee on National Security, Defence and Foreign Relations so that it is processed and the report tabled before the Senate.

That being my ruling, therefore, hon. Senators, you will be at liberty to make comments on that Statement.

Sen. Ogola, proceed.

Sen. Ogola: Mr. Speaker, Sir, I rise to comment on the statement made by the Senator for Turkana on the support that women in agriculture are entitled to. When you look at the people who physically work on our farms, a bigger percentage is women. That means that women have a sincere, direct contribution to agriculture and families. That is why I do not accept the general thinking that a majority of people have; that women who are not in salaried employment are not working and are, therefore, not contributing to their families. By working on farms, what is produced from those farms directly supports families, pays school fees for our children, and feeds our families. Women, therefore, make an important contribution to families.

Mr. Speaker, Sir, what kind of support are we talking about? Due to the large population of women working on our farms, they need financial support to improve their farms. First, they need support in ownership of land, because most of the farms that women work on are literally not registered in their names. The Government needs a system where land can be easily transferred to women in families, especially when there is mutual agreement. We are also asking women not to be reluctant to secure title deeds for those farms. Why are title deeds important? With those titles, women can seek funds to improve their farming activities.

Apart from financial resources, women can also be supported with technical skills that will enable them to get better yields from their farms. This can easily be done by county governments through adequate skills support, monitoring and extension services that women should be entitled to---

(Sen. Ogola's microphone went off)

The Speaker (Hon. Kingi): One minute to conclude your thoughts.

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

Above all, there is need to ensure that women have access to finances to enable them to do better.

Thank you.

The Speaker (Hon. Kingi): Proceed, Sen. Githuku.

Sen. Githuku: Bw. Spika, asante sana kwa kunipa nafasi hii ili niweze kuchangia. Kwanza, naomba nitumie fursa hii, kama Seneta kutoka mkoa huu wa Pwani, kujumuika Pamoja nawe kuwakaribisha Maseneta wote waliofika hapa Pwani. Karibuni sana Pwani, na mjisikie mko nyumbani.

Pili, kutoka hapa hadi Kaunti yangu ya Lamu ni saa moja na nusu. *At the rise of the House tomorrow*, nawaalika nyote Lamu twende tujivinjari wikendi yote. Tumekubaliana na Seneta mwenzangu, Mwenyekiti wa Kamati yangu, Sen. Chute, kwamba ataongoza huo msafara.

Bw. Spika, naomba nichangie Kauli iliyotolewa na Seneta wa Turkana, Seneta Lomenen, kuhusu jinsi fedha zinazopaswa kutumika katika miradi ambayo inastahili ama kwenda katika mradi fulani. Tumeshuhudia kwamba kumekuwa na shida nyingi katika Jamhuri ya Kenya; pesa ambazo zinafaa kwenda katika miradi fulani zinakuwa *diverted*, na kwenda kwa miradi ambayo haifai.

Bw. Spika, Bunge hili la Seneti limekuja hapa katika Kaunti ya Kilifi. Tumeshuhudia kwamba Kilifi kuna *public outcry* kwa sababu ya pesa kutumika vibaya. Pesa zilizopaswa kulipa *pending bills*, hazijalipwa. Kumekuwa na kilio kikubwa katika Kaunti ya Kilifi kutokana na matumizi mabaya ya fedha katika Kaunti ya Kilifi. Tumetembea na tumeona kwamba miradi inayopaswa kuwasaidia wananchi, siyo inayopewa kipaumbele. Miradi kama hospitali ni muhimu sana. Unakuta pesa zilizopaswa kwenda huko hazikutumika vizuri, au mradi huo hakutiliwa maanani.

Kuna *pending bills* hapa Kaunti ya Kilifi *amounting to Ksh10.7 billion*. Hizi ni pesa ambazo zikiingia kwa mwananchi, ama wale *contractors* wakilipwa, zitaweza kuinua uchumi wa Kaunti ya Kilifi. Bunge hili linaangaliwa na watu wa Kilifi na Kenya nzima kwa jinsi tutakavyoshughulikia suala hili la *pending bills* hapa Kilifi.

Bw. Spika, kuna mwana kandarasi anaitwa Salim Mwangome, ambaye ana kilio kikubwa kwa sababu anadai Kaunti ya Kilifi Shilingi milioni 17. Mtoto wake anaugua ugonjwa wa *Leukemia*, na hana hata pesa za kumpeleka hospitalini. Sasa Bunge hili, lazima tufanye jambo; *we adjourn this House---*

The Speaker (Hon. Kingi): Muongeze dakika moja pekee yake.

Sen. Githuku: Bw. Spika, Bunge hili linaangaliwa sana vile litakavyo *address issue* hii, na ambavyo watu wa Kilifi, wafanya biashara na wanakandarasi walivyojumiwa vibaya.

Bw. Spika, napendekeza kwamba *we adjourn this House* ili kujadili maneno ya *pending bills* za watu wa Kilifi *once and for all*. Iwe jambo ambalo sisi, kama Maseneta, tumewasaidia watu wa Kilifi.

Kwa hayo mengi, naunga mkono. Asante.

The Speaker (Hon. Kingi): Proceed, Sen. Nyutu.

Sen. Joe Nyutu: Mr. Speaker, Sir, thank you for this opportunity. I rise to comment on the Statement raised under Standing Order No.52(1) by the Senator for Samburu, which relates to the shooting and killing of animals belonging to herders in Samburu County. It is very disappointing that Government officers can shoot with intent to kill animals belonging – I believe – to poor herders. This shows that the officers either do not understand their job, or whoever gives them instructions does not understand their job.

This is happening at the backdrop of a country that has a problem with goons, whom the police cannot deal with, but they can kill innocent animals. I never knew animals can be guilty of anything. This is very sad, and it must be condemned in the strongest terms possible. Those herders and pastoralists have economic rights. Action must be taken against whoever is responsible for this and whoever gave this order. This is because it was irresponsible and a waste of bullets. How can a right-thinking officer order the killing of animals?

We have not dealt adequately with our security problems, so why would we shoot and go ahead to shoot two innocent herders? This must be condemned in the strongest terms possible. Answers must be demanded by the people of Kenya – not just the people of Samburu – from the officers responsible, especially the senior officers, even if it includes the Cabinet Secretary for Interior and National Administration, if he was aware of this action.

Under the Constitution, everyone should be protected by the law. The law must apply to all equally. Pastoralists must also enjoy the protection of the law. The one problem I found in this Statement is where the Senator said that the crops have not been destroyed by the officers when there is a security problem. That insinuates that had the crops been destroyed, then the Senator for Samburu would not have had a problem. Nobody should have their property or their animals destroyed. Whether farmer---

The Speaker (Hon. Kingi): Proceed, Sen. Sifuna.

Sen. Sifuna: Mr. Speaker, Sir, allow me to ride on the Statement by the Senator of Turkana County, to continue preaching to everyone who will hear that there is a constitutional context to what we call development. I have argued that every single project that is undertaken by the Government has to be undertaken within the confines of our Constitution. He has brought the question on allocation, utilisation and implementation of funds earmarked for sports development and sports infrastructure in his county, but he knows that it is a larger problem across the country.

The values that I preach are to be found not just in the preamble of our Constitution, but in Article 10. Those values include transparency, accountability and sustainable development. The Cabinet Secretary for Youth Affairs, Creative Economy and Sports was here in the morning, and he was touting the Talanta Stadium. For instance, he told us that another 30 stadiums are being built across the country.

I laughed at my brother, Sen. Kisang, when he raised the issue of Kamariny Stadium. He has forgotten that his party leader promised us in 2017 or 2018 that the stadium would be complete in six months' time. When we talk about these values, there are people who tell us we have no plan and no ideas, but we are telling you that anybody can build a stadium. President Moi built Kasarani and Nyayo stadiums.

We are only looking for one person who will build them within the confines of the Constitution, and that is somebody who believes in the oath of office of a president and will rule in accordance with the law. They keep telling us about these shiny things. For Talanta Stadium, for instance, we started with a figure less than Kshs20 billion, it moved to Kshs35 billion then to Kshs45 billion. We have an unexplained variance of Kshs10 billion, according to the Auditor-General. Look at the procurement process for Talanta Stadium. They want us to forget those things by slapping the name of our former hero, Raila Amollo Odinga, on the stadium, so that we do not ask questions. That is not what he taught us.

We want transparency in procurement. We want value for money. It is possible, we are being told, that we could have gotten more shiny things with the same amount of money if we had followed our Constitution.

I want to make it clear that nobody is really against development. Anyone can build a stadium and roads, but we want people to understand that the values in our Constitution cannot be ousted just because one has decided to put up a stadium. I want the people to understand that context is also important. The Kshs40 billion that they have used to build the Raila Amollo Odinga Stadium is the exact same figure that they used for entertainment in Statehouse for one year, according to the Auditor-General and the Controller of Budget (CoB).

We can easily have a stadium of the stature of Talanta Stadium every single financial year if people understood that they are not to go into Government to enrich themselves or to throw parties at State House. That is why they think we are joking when we make certain promises. They tell us we have no plans. The first thing we are going to do is to cut State House spending and invest in the people of Kenya.

I thank you, Hon. Speaker, Sir.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir. I join my colleagues in adding my voice to the tragic incident that happened in Waso Ward, Samburu County. As per the Statement of our colleague, Sen. (Dr.) Lelegwe Ltumbesi, police officers opened fire on herds of cattle and goats. That is tragic and unfortunate.

I hope, Mr. Speaker, Sir, as per your directions, that our committee will find it important to take time, visit, establish the facts and at least for the very first time, supply the country with some of the things that I see some of our security agencies struggle with. It is important that they establish the officer that led that operation and what was his operational instructions to the officers that work alongside him.

I have followed the Kerio Valley menace and what happens in the Samburu belt as well. On many occasions, when police officers struggle to extract criminals from communities, they decide to punish the entire community. Nothing could be worse than a complete punishment of a community for the offenses of a few. That is something that cannot be condoned, and we must stand up for the people of Waso Ward and expect that they get justice expeditiously in this particular matter.

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

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

Lastly, I appreciate the industry of Sen. Lomenen in the discussion that he has reminded us. There is a Motion that is still pending on our Order Paper on implementation of projects in our various counties. Earlier today, when we were presenting submissions on the Fisheries Management and Development Bill (National Assembly Bill No.29 of 2023), there was a discussion by various Members on the implementation of some of these World Bank projects. They proposed that those projects need to be done in collaboration with our county governments. I agree with that in principle. However, the question that many Kenyans will ask is, “show us the serving example that we will be able to benchmark with and appreciate and say, if our county government has completed this project successfully, then we can trust them with additional resources.”

There was a time when we were having public participation for the Sugar Development Levy (SDL), the citizens kept on saying, “please, you better leave this money with some of the agencies whose work we can see, other than putting it into the hands of our county governments because we cannot see the projects that they are completing.” That is not to make a case against devolution, but it is to demand for better efficiency.

In conclusion, I have heard my colleague, Sen. Sifuna, say that it is easy to build these things. The only question I have for him is, why has it not been done in the past? There is a reason why it is being done now.

I thank you, Mr. Deputy Speaker, Sir.

The Senate Minority Leader (Sen. Madzayo): Ahsante Bw. Naibu Spika. Ningependa kuunga Kauli ya Sen. Lomenen, Seneta wa Kaunti ya Turkana. Hii Kauli inasikitisha sana. Inaleta majonzi---

Pole, naongea kuhusu Kauli ya ndugu yangu, Sen. (Dr.) Lelegwe wa Kaunti ya Samburu. Jambo la kusikitisha katika hii hali ni kwamba ni aibu sana kusikia ya kwamba watu wanaweza kuuawa kwa sababu ya bidii yao hapa nchini. Hao watu walifanya kazi kwa bidii kwa miaka mingi wakafuga ng'ombe, mbuzi, kondoo, nguruwe na rasilmali nyingine, kisha watu ambao wanatakikana kuwalinda, ndio hao hao wanakuja na maafa kwa familia. Hilo ni jambo la kusikitisha. Swali ni, hao watu wakimbilie wapi? Wakimbilie kwa wale watu wawatete, au wakimbilie kwa wale watu wawaue? Ni jambo la kusikitisha sana. Hao watu sio kama binadamu. Mtu hawezi enda kwa mji na kuona ya kwamba watu wako na *livestock* yote ambayo inatakikana, kisha waanze kuwauwa. Hao walikuwa majangili na sio polisi. Ni watu wabaya ambao hawana huruma. Kwa kauli yangu, *they do not even deserve to be that unit*.

Ninaunga hii Kauli na ninasema ya kwamba lazima hatua kali ichukuliwe. Hao watu wote ambao wako Samburu watolewe, waende kando na uchunguzi ufanywe ili tujue nani aliua wanyama ama binadamu, ama yeyote ambaye alipotezwa. Nina uhakika ya kwamba kunaweza kuwa na binadamu ambaye aliyepotezwa akienda kuwatetea hawa. Lazima Kamati izingatie hii Kauli kisawasawa.

Ahsante Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, as we come to the end of the Statements Hour, let me make this Communication.

(Interruption of Statements)

(Loud consultations)

Order, Senators. Who is that? Order, Senators.

Hon. Senators, let me read this Communication on the visiting delegation from the Office of the Senator for Kilifi County.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM THE OFFICE OF THE SENATOR FOR KILIFI COUNTY

Hon. Senators, I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of a visiting delegation from the Office of the Senator for Kilifi County. The delegation is in the Senate to observe and follow proceedings.

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I request the Members of the delegation to stand when called out, so that they may be acknowledged as per the Senate tradition.

- (1) Ms. Sheila Mwachiru
- (2) Ms. Lucy Kalachu
- (3) Mr. Hamisi Athman
- (4) Ms. Serah Katana
- (5) Mr. Kahindi Madago; and
- (6) Mr. Gordon Otieno

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

Thank you.

Sen. Madzayo, since yesterday you have had so many visitors. Please, say something in less than one minute.

The Senate Minority Leader (Sen. Madzayo): Bw. Naibu Spika, ningependa kumpatia nafasi, ndugu yangu, Kiongozi Edwin Sifuna, awakaribishe hawa wafanyi kazi wanaofanya kazi katika Ofisi ya Seneta.

Sen. Sifuna: Mheshimiwa Naibu Spika, nilikuwa najaribu kuwashawishi Maseneta ambao walikuwa wanafoka pale nyuma kwamba tungeacha watoto wenyewe wamchague Seneta ambaye wangependa awakaribishe katika vikao hivi, lakini wakakataa. Walakini, Mungu si Athumani. Umeona wakati Seneta wa hapa alipopewa nafasi hiyo, amenipa moja kwa moja fursa ya kuwakaribisha hao wafanya kazi wa ofisi ya Seneta wa hapa Kilifi.

Nachukua fursa hii kuwashukuru sana kwa kazi ambayo wanafanya ili kumsaidia kiongozi wetu kuwa kiongozi ambaye anatu serve vizuri kwa Senate. Hawa nadhani ni wale ambao wako kwenye ofisi yako ya hapa kaunti. Walakini, kama wana motisha ya kufanya kazi kama wenzao waliopo katika ofisi yako ya Nairobi, kweli tunajua kwamba una kikosi kizuri ambacho kinakusaidia kufanya kazo yako ya kuwakilisha watu wa Kilifi. Nawashukuru sana kwa kutulindia wewe kama kiongozi wao, maanake pia viongozi lazima walindwe.

Nakushukuru sana Mheshimiwa Naibu Spika.

(Resumption of Statements)

The Deputy Speaker (Sen. Kathuri): Senators, I am discouraging Hon. Senators from approaching me at this hour. I am not in a good mood to talk.

(Laughter)

However, Clerk, let us limit to two minutes, and see whether we can accommodate a few more Senators within this time.

Let me start with--- Sen. Hezena, you are petitioning me,. yet you are the first on the list. Do I give another Member?

Sen. Lemaletian: Thank you, Mr. Deputy Speaker, Sir. It is because I realised my name had dropped, and I have a very burning issue on the killings that are happening in Samburu County. I thank you for this opportunity.

Mr. Deputy Speaker, Sir, I rise to comment on the Statement that was brought under Standing Order No.52(1) on the killings in Samburu County. As we speak, Samburu County is bleeding. It is very interesting that the Senate is acting very shocked. This is not the first time that the Ministry of Interior and National Administration has wreaked havoc on innocent women and children in Samburu County.

Just to refresh the memory of this House, there is one presidential candidate who is purportedly going to undertake or use the Jubilee Party to run for presidency. When this particular person was the Cabinet Secretary for Interior and National Administration, there was a rain of bullets in Laikipia County, where we had an operation that was using weapons that were too powerful for a Ministry of this country to use against its own citizens. We saw many houses being torched. We saw children and women being shot alive. That is what actually brought me into politics. The fact that our people can actually suffer and bleed from the very same Ministry that is supposed to protect them.

Mr. Deputy Speaker, Sir, the incident that has happened recently in Isiolo County involved very few people. If this Ministry or the Cabinet Secretary in charge of that Ministry is competent enough, he should have been able to identify the perpetrators of that particular incident. However, consequently, what did they do? They rained havoc on the people of Samburu East. They have been shooting people and killing innocent women and children. They have been spraying bullets on Samburu people as if they are children of a lesser god.

(Sen. Lemaletian's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): Let me add you one more minute because you come from Samburu County.

(An hon. Member spoke off record)

No, she is a gracious lady from Samburu County.

Sen. Lemaletian: Yes, Mr. Deputy Speaker, Sir. I am in this House not just to represent Samburu County but also women, children and marginalised communities. Samburu being at the centre of it – and most especially at this time when we are in Kilifi County, a county that is equally marginalised – just like Samburu County. I am very shocked by the pending bills issue.

I am very shocked by what is happening in Turkana County, as said by Sen. Lomenen. This gives you a clear picture as to how some counties have suffered at the expense of some other counties benefiting. I thank God because, for the first time, we have a broad-based regime that is trying to bring equality and equalise this country. However, within this Executive, there are people who are failing the Presidency. If they are incompetent, they should go home. How come there has never been a reshuffle in the Ministry of Interior and National Administration? This---

(Sen. Lemaletian's microphone was switched off)

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

Sen. (Dr.) Mungatana, MGH: Mr. Deputy Speaker, Sir, I come from Tana River County, where we raise animals, and we also do farming. Animals are special, because you develop a relationship with them. So, what is happening in Samburu County; when animals that you love, and you have a relationship with, are actually shot by security officers, it is horrible.

Article 245 puts this responsibility squarely on the Inspector General of Police. He is the person who has the national command of all police. We must bring him before the Senate Committee to explain who is doing this to the people of Samburu. Who gave the order for animals to be shot? Who gave the orders for destruction of property? Who is going to pay the compensation? This should not happen in this country since Independence up to this time.

I am shocked that the Inspector General of Police is still holding office. The Constitution says he is supposed to stay for four years only, non-renewable. However, this man is supposed to be moved, if he is not performing his duties. This is a total failure on his part. Action needs to be taken by this Senate, not yesterday, but immediately.

I thank you.

The Deputy Speaker (Sen. Kathuri): Senator for West Pokot, Sen. Recha, please proceed.

Sen. Murgor: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to also add my voice to those of my colleagues. I join those that have expressed their anguish on the shooting of animals and human beings. To me, it is an intentional creation of poverty to pastoral people, such as the Samburu and Pokot. It is not only in Samburu. A week ago, the same military people, KDF, cleared goats and cows belonging to the Pokot. This habit is a way of making pastoralists poor so that they are either beggars or unable to send their children to school, feed their families or even clothe themselves.

Why would they kill animals? Animals are not raiders or gun holders. Animals do not kill people. Why would a whole police unit kill animals? They should be protecting people and property. These people should be investigated by way of the police chief appearing before security committee---

The Deputy Speaker (Sen. Kathuri): Sen. Lomenen.

Sen. Lomenen: Thank you, Mr. Deputy Speaker, Sir. I support the sentiments---

Sen. Chute: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): What is your point of order?

Sen. Chute: Mheshimiwa Naibu Spika, ukiangalia mitambo ilioko hapo, jina langu linakuja kwanza. Umenipita mara mbili. Sijui umenisahau, hujui kama niko hapa, au unafanya makusudi?

Hon Senators: Ngojea!

Sen. Chute: Hapana! Hakuna kitu cha kungojea!

(Loud consultations)

So, umenipatia nafashi niongee?

The Deputy Speaker (Sen. Kathuri): Sen. Chute---

Sen. Chute: Asante, Mheshimiwa Naibu Spika---

The Deputy Speaker (Sen. Kathuri): Sen. Chute, naomba uketi tafadhali.

Sen. Chute: Lakini Mheshimiwa Naibu Spika, umesikia vile nimesema.

The Deputy Speaker (Sen. Kathuri): Mimi sifuati hiki kidude; nafuata hii *screen* kubwa, na nimeifuata vile ilivyo.

Sen. Chute: Basi Naibu Spika, wacha niseme hivi. Wale watu wanasimamia Parliament yetu---

The Deputy Speaker (Sen. Kathuri): Sen. Lomenen, proceed.

(Laughter)

Sen. Lomenen: To capture the criminals, whether they are harmed or not harmed-

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The Deputy Speaker (Sen. Kathuri): Sen. Lomenen, proceed.

Sen. Lomenen: Thank you, Mr. Deputy Speaker, Sir. I support Statement by the Senator for Samburu. Sincerely speaking, the people from pastoralist areas have the so-called Special Operation Group (SOG), that has created more harm than good in these communities. The people have the list of the criminals.

However, instead of pursuing the criminals, they pursue the innocent children, women and pupils in the markets. They kill and destroy their markets and whatever else. When women are very busy in the markets, they go there and damage their goods.

This disarmament was meant to target the criminals, and their names have been written; the SOG have the list. However, up to now, the criminals have not been captured. Instead, what the SOG do, they just go along the roads--- The criminals have crowded in the bushes, and they are supposed to use any means to capture them, whether they are harmed or not. It is their role, which is why they are called SOG. Instead, they are killing the livestock and the innocent children. Surely, that is an impunity. These people should be investigated. They are killing the voters and livestock. A camel to a pastoralist is equal to a Probox vehicle. So, when you kill five camels, you have destroyed five Probox vehicles, surely! When an accident happens on a busy road, every police officer goes to that scene. But when raids happen in the pastoral areas, there is no one who goes to recover the livestock. It just gets a story.

Every human was created in the image of God. Every creature is very important because we bear the superscription of God. We should, therefore, be given the glory that other people in Kenya get. We should enjoy this Constitution and the Bible. Why should some people be denied justice and other people given it?

The Deputy Speaker (Sen. Kathuri): Sen. Kajwang'.

Sen. M. Kajwang: Mr. Deputy Speaker, Sir, allow me also to comment on the impunity that was witnessed in Samburu; the killing livelihoods and people. Those are not the things that we envisage in Kenya. We cannot have laws that apply to the people in Nairobi, and a different set of laws that apply to the majority of the people who stay away

from the center. I hope that the Cabinet Secretary will be called before the entire Parliament, to shed light on this matter.

Secondly, Sen. Lomenen has raised certain issues to do with the health sector in Turkana. Yesterday, the County Public Accounts Committee (CPAC) visited the Kilifi County Referral Hospital (KCRH). Many a times when we come for Senate Mashinani, we come across shocking scenarios. I must say that in this case, when we visited the KCRH, we were quite impressed. I even said lightly that it appears that when it comes to the main hospital, Kilifi is doing better than Homa Bay County. They have invested about Kshs700 million to do an extension of the referral hospital. I congratulate them, because devolution should work.

When the Senate comes out here, sometimes it is best for us to say that the glass is half-full, rather than half-empty. I congratulate the County Government of Kilifi for prioritising matters of health. If you recall, when we went to Busia at the last Senate Mashinani, we could not find ambulances or dialysis machines in significant institutions.

Finally, on the issue that was raised by Sen. Githuku, during his debate on pending bills, indeed it is true that Kilifi County has one of the highest stocks of pending bills. When we compare it with other counties, it comes second to Nairobi. I want to report to the House that we have scheduled a meeting tomorrow with the County Executive to go through the pending bills register, and the strategies that they have put in place to ensure that service providers are paid on time. We had very sad testimonies from service providers who have been auctioned; who have been divorced, whose children are in hospital, and lives that have been lost because of the long, outstanding pending bills.

I urge the House that those who will be present, we could be part of that conversation. As much as we are talking about Turkana and Samburu here, the people of Kilifi also expect us to come up with solutions to the most immediate pressing problems they face. We shall bring a report tomorrow once we have engaged the County Executive. Even if the governor is indisposed, the Constitution acknowledges that there is a deputy governor who acts in the absence of the governor. We have, therefore, invited the governor. If he cannot appear, he should send a doctor's letter and send the deputy governor to come and give answers to the big question of pending bills and leakages in own-source revenue collection.

The Deputy Speaker (Sen. Kathuri): Very well. Proceed, Sen. Kisang'.

Sen. Kisang': Thank you, Mr. Deputy Speaker, Sir. I will also comment on the Statement by the Senator for Turkana on medicine in hospitals. This is not something that is unique to Turkana County. Majority of our counties are basically going without medicine. I do not know the reason why, because when we go through the budget for all the counties, a majority of them have allocated close to about 40 per cent. They have also an arrangement with the Kenya Medical Supplies Agency (KEMSA) to supply drugs on credit and pay them after a period of 60 or 90 days. Therefore, it is unfortunate that most of the hospitals in Turkana and other counties are going without drugs.

I would like to commend this county because on Monday, we were at the Kilifi Sub-County Hospital. About a year ago, we were at the Kilifi County Referral Hospital, and I can say that they have a very good digital system. They have a queueing system for the patients. It shows how much time it will take to get results if a patient gives a sample

to the laboratory. Basically, they have a very efficient system. It is unfortunate that we are praising them on medical issues, and then on the other hand, we are saying there is over Kshs10 billion in pending bills. You should perform all around. You should not just specialise in one area and neglect the others, because the people of Kilifi are being auctioned. Others are dying because of pending bills.

When we were at the Malindi Sub-County Hospital, we were also told that part of the land had been grabbed by some people, and they were not able to repossession it. It is the same to what we heard yesterday about the Malindi International Airport portion. Some squatters had encroached, and they are unable to remove them. They need to move with speed and sort out these land issues, otherwise they are spoiling the good name of Kilifi County, because there are many other things that they have done.

Yesterday, we were at Kilifi, and the town is fairly clean, except that in Malindi, some portions of the road require some facelifting. They may need to engage with the national government---

The Deputy Speaker (Sen. Kathuri): Sen. Sigei.

Sen. Wakili Sigei: Thank you, Mr. Deputy Speaker, Sir. I am happy that you have committed this Statement by Sen. (Dr.) Lelegwe Ltumbesi to the Committee that is going to further process it. This is something that we all condemn in the strongest terms possible; the attack and killing of animals as well as the attack on the herders who were taking care of their livestock. Somebody must take responsibility. We have been closely following the security status along the Kerio Valley, which has largely improved to the extent that, whenever such incidents like what has been reported today occur, it must have been the failure is on the part of the responsible officers. Therefore, I look forward to the Committee headed by Sen. Dullo to undertake an inquiry so that this House can get a report that is sufficient enough to answer to the concerns that statement has raised.

Secondly, I will comment on the Statement by Sen. Lomenen on the health conditions and the availability of medicine and medical supplies in Turkana County. It is not only in Turkana County that we have had those issues. That is a county-wide concern. When we look at our county referral hospitals and other medical facilities, there is a shortage of drugs, among other concerns. Beyond that, there are the audit reports that come out, including the insufficient number of services that should be available in those institutions. Resources, in most cases, have been abused and the public who are supposed to directly benefit from such facilities do not.

Mr. Deputy Speaker, Sir, the Senate should call upon the county governments to enhance their responsibility, service delivery and protect devolution, because with resources having been released to the counties, they should then give services commensurate to the resources that have been released by extension, protect service delivery to the people at the devolved level.

The Deputy Speaker (Sen. Kathuri): Sen. Tobiko.

Sen. Tobiko: Thank you, Mr. Deputy Speaker, Sir. I rise to comment on the Statement given by Sen. (Dr.) Lelegwe Ltumbesi from Samburu County, on the most unfortunate incident of livestock being shot.

It is very sad that a human being will take a gun and shoot animals. Animals cannot talk or communicate with us in the way that human beings do. Animals also have

their own way of communicating. The pain those of us from the pastoralist communities are feeling is what one would feel if someone got into a coffee plantation and cut down the coffee trees; or if tea is destroyed in a plantation.

To bring this closer home, what you would feel if someone got into a miraa plantation and cuts down those miraa trees in Meru County? It is very sad. I do not understand what our security forces are doing to shoot animals. This is enough to call for the resignation of the Cabinet Secretary concerned, because the Government must be responsive to all Kenyans as it is responsive to other Kenyans.

I also wonder what organisations like the Kenya Society for the Protection and Care of Animals (KSPCA) is doing, because usually when a person loses a dog in Nairobi or when a dog is killed, they are all over talking about the rights of animals. I do not know why they do not come out when livestock is killed. Some of us were educated using livestock. Our banks are the livestock, and so we feel very bad. We feel that our rights have been infringed upon, and the Government must come out to address this issue, get to the bottom of everything, and see who let the guard down. We cannot forgive this one.

Mr. Deputy Speaker, Sir, I will also comment on the Statement by Sen. Lomenen on the issue of health services in Turkana and take this opportunity to congratulate the Kilifi County Government. On Monday---

The Deputy Speaker (Sen. Kathuri): It is time. We are late; time is not with us.

(Sen. Tobiko spoke off record)

You did comment on the pastoralist issue, so I thought you will leave the other one, because you have executed your core message. You have 30 seconds.

Sen. Tobiko: Thank you for the one minute. I was saying that Kilifi County have done a hospital at a place called Bamba using the Equalisation Fund. I just wanted to reiterate the importance of the equalisation fund in counties that are marginalised, because it has brought services closer to the people. We, therefore, must guard the Article on equalisation in our Constitution because the rest of Kenya is starting to feel that we are also Kenyans. I say this because a large part of Kilifi is facing a situation like what we face in Kajiado. I, therefore, applaud them for using the funds well.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, let me make this communication.

(Interruption of Statements)

COMMUNICATION FROM THE CHAIR**VISITING DELEGATION FROM MADUNGUNI
SECONDARY SCHOOL IN KILIFI COUNTY**

Hon. Senators, I would like to acknowledge the presence of a visiting delegation of two teachers and 50 students from Madunguni Secondary School in Kilifi County, who are seated in the Public Gallery. The delegation is visiting the Senate for an 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 visit.

Thank you.

(Applause)

Senate Majority Leader, who are you donating the chance to this time round? If you feel you must do it, proceed.

The Senate Minority Leader (Sen. Madzayo): This time around, I want to donate it to the Senate Majority Leader, *ndugu yangu* Sen. Aaron Cheruiyot.

The Deputy Speaker (Sen. Kathuri): Proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, the reason I stood is because I heard you say the Senate Majority Leader, unless I heard it wrongly.

The Deputy Speaker (Sen. Kathuri): Sorry, I meant the Senate Minority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Correct. Nonetheless, since my brother has done the honour, he saved his best for last. Thank you, Sen. Madzayo.

Mr. Deputy Speaker, Sir, I welcome the students who have joined us. It has been a fantastic three or four days so far in the County of Kilifi, and they have had an opportunity to witness Parliament. This is one of the two Houses of Parliament at its rawest. I hope it inspires them to be better than this generation and do great things for the Republic, carrying on the baton from where we have left.

These students will leave this House with inspired hope, having seen the representatives of the people. This is a gathering of the people of Kenya – all the 50 million plus of them – through their elected representatives. I wish the students well.

Mr. Deputy Speaker, Sir, unlike other speakers have done before, I will still maintain the tradition that we do in the House. I will walk out to personally greet these students and do the needful.

I thank you.

The Deputy Speaker (Sen. Kathuri): That is okay. I do not know whether Sen. Sifuna went out after he had acknowledged the other visitors.

(Resumption of Statements)

Hon. Senators, we are almost there with our list. Looking at our list, we are doing well. So far so good. Let us listen to Sen. Mutinda.

Sen. Tabitha Mutinda: Thank you so much, Mr. Deputy Speaker, Sir. Allow me to start by commenting on the Statement by the Senator for Samburu County. Indeed, it was a very sad Statement to listen to, from the perspective of losing lives, both human and animal. It is totally uncalled for and unconstitutional. It is something that should be looked at with the keenness it deserves.

I have never done training for the police. However, in my assumption and knowledge, I do not think there is any time that police officers would get to a point of killing innocent animals. If they killed a lion, it would somehow make sense. But killing cattle, which are part of assets of the great people of Samburu, is completely uncalled for.

At the same time, should we always be saying that let us fire the Cabinet Secretary; let him go home, someone whose mandate is more on policies? What about people who have the mandate on that particular ground? Where is the Commandant of the great County of Samburu? Where is the inspector in that region? When we get to a point where retaliation is directed to innocent animals, then it is a risk for all of us, as Kenyans. I have seen it happening during *maandamano*, where at times they retaliate on Kenyans. This is a matter that needs urgent feedback and intervention.

Quickly let me touch on something that has been mentioned that is handled by the Committee on Finance and Budget, where I sit. That is the issue of pending bills. It is an issue that affects all the 47 counties, and Nairobi leads when it comes to that. Since we are in the great County of Kilifi, the amount is about Kshs10.7 billion. The biggest question is; how much of the Kshs10.7 billion is owed to the previous governments between 2013 to 2017 and 2017 to 2022? When handling these matters in the Committee on Finance and Budget, we realise that there were huge pending bills even before the current governor took office. What are the pending bills owed to the current governor? Should the current governors---

(Sen. Tabitha Mutinda's microphone was switched off)

(Sen. Tabitha Mutinda spoke off record)

The Deputy Speaker (Sen. Kathuri): Fine, you have a second.

Sen. Tabitha Mutinda: Thank you so much. The issue of pending bills is not something to ignore. Yes, I agree. We visited, with my colleagues, one of the hospitals in Bamba. When I met one of the contractors, I asked him whether he had been paid, and the gentleman was happy to say yes. He added that he had requested for the second payment. That is what accumulates and becomes pending bills because sometimes development is at 80 per cent or 90 per cent. In books of accounts, such are treated as pending bills. But sometimes there are petty pending bills.

The last time we were in Bungoma, we came across figures such as Kshs90,000, Kshs20,000 and Kshs1 million as pending bills. That is completely unfair. Small pending bills should be cleared. Counties should reduce on development so that they first offload

pending bills. The Governor of Kilifi has really tried and, therefore, he has done a good job. We have seen his work. We have gone around and seen that he has done something.

Lastly is on the issue of the airport that was mentioned. When I spoke to the Principal Secretary, State Department for Aviation and Aerospace Development, Madam Terry, mentioned the issue of the National Land Commission (NLC), and that Kshs4.2 billion is being asked for compensation, yet the airport does not cost that particular amount. It requires the local leadership to go and talk to their people---

(Sen. Tabitha Mutinda's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): Let me close with this side by having Sen. Faki.

Sen. Faki: Asante, Bw. Naibu Spika, kwa kunipa fursa hii kuchangia maombi ya Kauli iliyoletwa na Seneta wa Samburu, Dr. Lelegwe Ltumbesi. Ni masikitiko kwamba badala ya kutumia risasi na bunduki kulinda wananchi, polisi wanatumia rasilimali hizo za nchi kuwadhulumu wananchi ambao wanapaswa kuwalinda.

Ijapokuwa Serikali imeekezwa katika polisi kwa kiwango kikubwa, inaonekana kuwa bado kuna shida. Ni Kan kwamba hawa polisi hawana elimu ama uwezo wa kulinda mali ya wananchi na maisha yao, kwa sababu wanatumia risasi kiholela kuua na vilevile kuharibu mali.

Juzi kuna polisi wa *Administration Police* (AP) na GSU ambao walitoka Kiganjo na wengine Embakasi. Hata hivyo, matatizo yale ambayo tulikuwa tunapigania kutoka miaka ya 90, kama vile udhalimu wa polisi ama *police brutality*, bado yanaendelea mpaka sasa. Nadhani moja kati ya masomo ambayo yanatakikana yawe ya lazima kwa polisi kule Kiganjo na kwingineko ni kwamba wafundishwe utu na katiba. Bila na hivyo, itakuwa kama mchezo wa *musical chairs*, ama viti kugongana. Leo wamefanya hivyo kule Samburu, na kesho itakuwa kwingine. Wiki iliyopita, Seneta Lomenen wa Turkana alileta Kauli kama hiyo, kwamba watu wake walipigwa risasi na kuuawa kiholela. Lazima kamati husika---

Ni masikitiko kwamba Mwenyekiti wa kamati hiyo hayuko hapa. Kamati ya Usalama wa Taifa, Ulinzi na Uhusiano wa Kimataifa ambayo inahusika, ingefanya safari kwenda kule Samburu ili wajue kwa nini mambo hayo yanaendelea kutendeka wakati sisi tuko katika nchi huru; nchi ambayo inatakikana kulinda mali na maisha ya binadamu.

Asante, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Sen. Seki?

Senator for Nairobi City, had you made your comments earlier on?

Sen. Sifuna: Mr. Deputy Speaker, Sir, we are waiting for The Fisheries Management and Development Bill. That is why I had pressed the request.

The Deputy Speaker (Sen. Kathuri): Let us listen to Sen. Omtatah Okiya.

Sen. Okiya Omtatah: Thank you, Mr Deputy Speaker, Sir, for the opportunity. I would like to comment on the issue of policing in this country. We are very far from achieving democratic policing, and we have seen it on our streets, where the police officers sometimes get too excited and kill people. The killing of animals is not the first incident of its kind. We have had similar incidents in Laikipia. We need to take the

question of policing slightly more drastically. This matter presents an opportunity to invite the Inspector General of the National Police Service (NPS) to the Senate to explain the circumstances surrounding this particular incident, but it is not an isolated incident.

Underlying it is the question of insecurity in the region, in Samburu and the neighbouring regions. We recognise that there is an underlying ecosystem driven by poverty, neglect, criminality and all manner of things that take on. As a Senate, we need to begin addressing that ecosystem, which creates conditions for violence, whether involving security forces or communities against each other resulting in total mayhem.

I have always argued that there is a degree of mischaracterisation of what happens in that area. Some of these activities have been put outside the purview of the law as we know it, and are sometimes dressed up as cultural events, in things such as cattle rustling and whatever else. They mischaracterise robbery with violence. So maybe we need to do some work and bring them under the laws of this country so that such offences are punished and those responsible are held accountable. As for the police, there can be no excuse.

Regarding the pending bills, the pending bills in Kilifi County are unacceptable. Tomorrow, when the current governor is summoned, I hope the former governor will also be summoned to explain some of those pending bills. This is because there is no way we can have such pending bills. I therefore request that, when the time comes, the Speaker steps aside and appears before the relevant committee in relation to matters arising during his tenure as governor, so that issues relating to those pending bills can be addressed. This may also prompt us to reflect on whether former governors should be appointed as Speakers of the Senate, as it creates a conflict of interest. As things stand, it may not be possible for us to interrogate the Speaker on matters relating to the pending bills before this House.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Omtatah, you know the Speaker has no influence on what the---

(Sen. M. Kajwang' consulted with Sen. Okiya Omtatah)

Sen. Kajwang', have your seat.

Sen. Okiya Omtatah: I can see Sen. Kajwang' is going to advise me. I hope my point has been made.

The Deputy Speaker (Sen. Kathuri): Yes, have your seat, kindly.

Sen. Okiya Omtatah: Thank you.

(Sen. Kajwang' and Sen. Okiya Omtatah sat in their places)

The Deputy Speaker (Sen. Kathuri): What I was advising you was that the Speaker has nothing to do with the investigations being undertaken by the Committee under the leadership of Sen. M. Kajwang'. The Speaker has no influence whatsoever over those investigations, and has not asked Sen. M. Kajwang' not to investigate the pending bills in Kilifi County. Therefore, your statement is not fair at all.

Clerk, next Order.

(Sen. Okiya Omtatah spoke off record)
(The Clerk-at-the-Table consulted with the Deputy Speaker)

Hon. Senators, Order No.8 is Division. I can see we have some challenge, so that business is deferred.

BILL

Second Reading

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

(Bill deferred)

We will proceed with Order No.9, Clerk.

BILL

Second Reading

THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL
(NATIONAL ASSEMBLY BILLS NO.29 OF 2023)

(Sen. Cheruiyot on 22.9.2026)

*(Resumption of debate interrupted on
23.9.2026 – Morning Sitting)*

I do not know who was on the Floor.

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

This Bill is open now to Members interested to make their contributions.

Sen. Edwin Sifuna, proceed.

Sen. Sifuna: Thank you, Mr Deputy Speaker, Sir. Sometimes I follow the debates on the Floor, and the insincerity and hypocrisy can be quite telling. This House passed a Motion requiring that we review the Police Standing Orders in the operations of the police at the height of the Gen Z protests. There was a conversation with the Senate Majority Leader before that Motion was passed – and I wish he were here so that I could remind him.

One of these days, I am going to explain to President William Ruto why his administration is very unpopular. It is because some of his leadership does not listen to us. An undertaking had been given that this matter would be addressed. I can see people trying to run away from their Government. It is the broad-based Government that is shooting goats, and is being done by pastoralists. The President is a pastoralist. Cabinet Secretary Murkomen is also a pastoralist. Given the way he has recently been speaking about chicken, Sen. Khalwale tells me that as Luhyas, we should also be worried. These police might start shooting at our chicken. We all know why they cannot fire Hon. Murkomen

Mr. Deputy Speaker, let me address the Bill before us. It is quite a voluminous Bill. I spent much of last night and this morning reading it and trying to understand its provisions. Yesterday, as Members of the Standing Committee on Agriculture, Livestock and Fisheries, we had a conversation with fishermen at the Kilifi Central Fish Landing Site. I gave them an undertaking that during today's debate, we would raise some of their concerns and assess whether the Bill adequately addresses them.

There is something I have increasingly experienced. There is a lot of fear among our people. There is fear among those working in the public service and in county governments. When you attend public meetings such as the one we held at the Kilifi Central Fish Landing Site, people appear very restrained during the formal part of the meeting. However, immediately the meeting ends, they approach you privately, pass notes to you and say, "Sifuna, there are things we could not say during the meeting. We would like you to listen to us."

Mr. Deputy Speaker, I had been invited to a university the other week by the students themselves. When I arrived at the gate, I found the administration frantically making calls. I do not know to whom they were speaking, but the fear among those public servants was evident. That is why some of us continue to speak about the values of our Constitution. Kenyans want to live in a free country; people want freedom.

After the formal meeting ended, the fishermen at the Kilifi Central Fish Landing Site raised several issues. First, they told us there was only one public participation meeting for that particular project, and has resulted in a number of problems. Would you believe it that the contractor started work without considering that sometimes the sea moves far away from the proposed site? When they started the project, there was no provision made for a seawall to keep out the water. This is local knowledge that they would have been informed had they spoken to the people.

I make reference to this incident because you will see its relevance in some of the provisions proposed in the Fisheries Management and Development Bill (National Assembly Bills No.20 of 2023). The contractor experienced flooding, and the sea encroached the site. They then decided that part of the funds that had been allocated for constructing a jetty had to be redirected towards building a seawall.

The fishermen asked for specific things. They said their most urgent needs were a cold room for storing fish, and blast freezers to keep the fish fresh after landing. At certain times there is bumper harvest, and they incur substantial post-harvest losses due to inadequate storage facilities.

We visited the site yesterday and found that there was an ice-flake-making machine, but there is no cold room. This tells you that the priorities of the project were made upside down. That is why we insist on the constitutional values of participatory democracy. Let projects be led by the people themselves because they know their needs. When I speak about the housing programme in Funyula, it is because I understand the priority needs of the people of Funyula. Their priority is not 12-storey houses that you cannot take your chicken, and I will keep on repeating it.

The *mamas* who previously sold food along the shoreline had also been promised food kiosks. As we speak, those *kiosks* have not been provided. Even when it comes to the question of compensation, very many people lost businesses at that site. In fact, from the submissions that we received from the people there, that compensation was so badly done that it feels like they were forced to just take whatever amount of money that was given to them. In fact, one of them told us that they were given Kshs25,000 for every mature palm trees that were planted years ago. They were told to be grateful because according to the people running the project, they only deserved Kshs10,000 per tree.

Then there was a gentleman who told us that during compensation, he had a mango tree, but they never compensated him, yet it was planted by his great-great-grandmother. So, I experienced this so that I would be able to have background of the sort of impact that some of these projects that are conducted outside the law have on our people.

They complained of land grabbers who have grabbed beach access. We were told there are plots along the shoreline that have beacons inside the water. So, whenever you try and go around those beacons, the property owners bring problems. There is a private road that they say has been used from the days when the ferry used to be there. However, somebody is claiming the title to that particular issue.

Lastly, on the question of licencing, they told us that a majority of the boats that you see in that harbour are actually foreign boats. When it comes to licencing of Kenyan boats, they quoted tribalism, that the people who are in charge of licencing boats to operate in the sea are very tribalistic and do not consider locals as people worthy of getting licences for fishing.

Lastly, the young people told me that they have no guarantee whatsoever that they will get employment opportunities in this particular site, which was supposed to be for them and by them.

These are the issues that we captured in the visit yesterday to the Kilifi Central Fish Landing Site. I promised that in the current conversation on the Bill that is before us, we would highlight the issues so that they are addressed. These days, I know that the things that I say are responded to directly. I want the President, just as he answers me every day on the issue of the chicken, to answer me on these concerns by the residents of Kilifi on the Kilifi Fish Landing Site.

I was going through the Bill clause by clause, and I have a few issues. I think generally the spirit of the Bill is good, but we must have greater stakeholder engagement--

(Sen. Maanzo stood between the

Deputy Speaker and Sen. Sifuna)

The Deputy Speaker (Sen. Kathuri): Sen. Maanzo, you cannot stand between the Chair and the Member speaking.

Sen. Maanzo: I apologise.

Sen. Sifuna: Mr. Deputy Speaker, Sir, we believe that if we onboard stakeholder interests and concerns, we might actually better this Bill. Starting from the definitions, I was quite amused that I did not know that the definition of fish actually includes aquatic plants. It is there at Clause 2(1) of the Bill. We need to be told why the definition of fish spreads to seaweed, for instance.

There is a question of the fish landing stations. There has been inordinate power granted to the national Government when it comes to this particular Bill. I always begin by referring you and the House to the Fourth Schedule of our Constitution which sets apart the duties of the national Government and the responsibilities of the county governments. First, the Schedule states that the national government, when it comes to issues surrounding---

*(Sen. Maanzo stood between the
Deputy Speaker and Sen. Sifuna)*

Sen. Maanzo is doing the exact same thing you asked him not to do.

Sen. Maanzo: I apologise.

Sen. Sifuna: I do not know what is going on. For instance, the national Government is responsible for marine navigation. Then, the Constitution says they are also responsible for the protection of the environment to establish sustainable fishing. It does not extend to them operating fisheries. That is a distinction you will find in the Fourth Schedule. So, fishery is a devolved function. I do not know why the light is on when we have 20 minutes to debate a Bill.

The Deputy Speaker (Sen. Kathuri): There was a time limitation considered yesterday.

Sen. Sifuna: This is today. Those of us who have many things to say about legislation should be allowed to debate.

The Deputy Speaker (Sen. Kathuri): Once the time is considered to be limited, it applies to the entire Motion.

Sen. Sifuna: I have two issues with the definition of fishing. It has been captured to extend to 'attempting to fish', and it has consequences. This is because when you go to the penalty section, it applies to the clause itself, to the expression 'fishing'.

We always have a problem when we see that there is coverage from national Government into county government functions. Section 12(n) gives the mandate of developing of fisheries infrastructure to the national Government. This is a problem we have. Yesterday, Sen. Mumma, who is a Member of the Committee on Justice Legal Affairs and Human Rights, asked that same question. Who is the person responsible for construction or development of fisheries infrastructure, such as the fish landing that we saw there?

The national Government borrows money from the World Bank. They are supposed to undertake this project for the benefit of the people of Kilifi. We have no problem. However, those of us who believe in constitutionalism, our view has always been that we have mechanisms to give money from national Government to county governments to undertake devolved functions. So, we asked the project managers and the county government representatives why it was not possible for the national Government to give them Kshs250 million to undertake this particular project.

My theory at that particular meeting – and it has always been my theory – is that the national Government agencies refuse to devolve money and functions because of procurement. They want to control the procurement. If you go deeper, you will see that is the entirety of the problem. I do not believe that a county that was able to construct the hospital that we have heard of here in Kilifi, cannot do a fish landing site. It is control of procurement. So, I have a problem with this particular Clause12(n). I wanted to do a comparison with Clause 12(o).

The Bill has proposed the establishment of the Kenya Fisheries Service (KFS). The functions of the KFS will include development of appropriate fisheries infrastructure – which I have said I have a problem with. If they were to be constitutional the way that they were supposed to be, you compare that with Clause12(o), which is to facilitate investment in commercial fisheries in collaboration with relevant agencies, persons or bodies, including Government departments. That is something that is down their isle.

Let me move quickly because I have just been alerted of the time constraints. There is the membership of the board of KFS that is set up by Clause14 of the proposed Bill. We have 10 members of that board. I want you to always have in mind that fisheries is a devolved function. Out of the 10 members of that fisheries board, it is only one who is supposed to be nominated by county governments, and even that is subject to an appointment letter by the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs. That is a problem for us. Even if it was the intention of the national Government to help the county governments with this devolved function, the membership of that management body must reflect the constitutional principle that this is actually a devolved function. Again, we are keeping functions and resources for very obvious reasons that we have spoken about.

Then there is the Fish Levy Development Fund (FLDF) that has been created under Clause 31. We were discussing this morning, and you heard from the Controller of Budget (CoB) that she has no visibility on some of these funds. They have gone and created another fund, and we have left it again to the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs to prescribe the levy under Clause12.

Mr. Speaker, Sir, I was approached a few weeks ago by people who do cage fishing, what they call aquaculture in this particular Bill. Would you believe that there is a five per cent *ad valorem* tax that has been imposed on cage fishing, and there is nobody in the Ministry who can give you a credible reason why they have imposed that particular tax? The theory, at least from the people who practice aquaculture itself, is that they want to make local fish expensive and yet they are importing fish. There are businessmen who have been given those licenses to import fish.

Clause 32 is another research institute that had been created by the board is called---

The Deputy Speaker (Sen. Kathuri): Give him a minute because he was not aware of the time limitation. However, any other Senator, kindly remember that we have 10 minutes; Sen. Maanzo and Sen. M. Kajwang’.

Sen. Sifuna: Thank you, Mr. Deputy Speaker, Sir. Again, the same problem. You set up a body; it has membership. You look at the membership of the Maritime and Fisheries Research Institute board under Section 34, we have ten people and zero representing counties and the agents. That is not something that we, as a Senate, should actually countenance.

When you come to the Beach Management Units (BMUs), you would expect that this is as local a function as possible. If you look at Section 63, it is the Cabinet Secretary who makes regulations for the management of BMUs, whereas it is the responsibility of the counties to establish those BMUs. I think that is something that we, as a Senate, must not accept.

Then the responsibilities: they retain the money and the power, but under Section 64, it is placed upon the counties to develop social amenities, including health facilities at these beach landing sites. Finally, on the BMUs, because time is over, one of the requests that came from the chairman of the BMUs themselves is that when you identify those fish landing sites, they would like that this piece of property be titled and be registered in the name of those beach landing units, because we do not want disputes like the ones we are having at Kilifi Central, where access to this particular landing site facility, we are being told, is being claimed by a private developer.

I thank you, Mr. Deputy Speaker, Sir, and I do feel that there will be more opportunity in the Committee of the Whole and the Third Reading Stages of the Bill to introduce amendments that will capture the spirit of our Constitution.

The Deputy Speaker (Sen. Kathuri): Thank you.

Sen. Moses Kajwang’, you have the Floor.

Sen. M. Kajwang’: Thank you, Mr. Deputy Speaker, Sir, for this opportunity to comment on the Fisheries Management and Development Bill. When we went to Turkana a few years ago for the Senate Mashinani, we made history. In Turkana, we processed the four Health Bills that anchored the New Health Systems and infrastructure that Kenyans are currently enjoying. It is very timely, very relevant that when we are in Kilifi, we are discussing issues to do with fisheries, because Kilifi is a fishing county. It is a fishing economy, and it has a lot of fishermen. I do hope that we will give the fisherfolk good legislation that will put money in their pockets.

I was in this House in 2016 when we first passed the Fisheries Maritime Development Bill, which is the current Act. I was a very proud Senator then, because I was saying that, for once, we had an updated constitutionally aligned framework for fisherfolk. I was expectant that once that Act was effected, we were going to see significant investments going to the lake and coming to the ocean. We were going to see the exploitation of an exclusive economic zone that measures many nautical miles. We were going to close the gap between supply and demand that faced Kenya, to continue importing fish from China.

Ten years down the line, those objectives and those hopes have not been realised. Now, when I come back here to more or less repeal the existing Act. I want the mover of this Bill to tell us, what is the problem with the Act that we passed in 2016 for us to come back in 2023 and bring this Bill before Parliament.

I know we have had problems in regulations, particularly relations with agriculture, that the courts have nullified or the courts have questioned for lack of public participation, but what is the reason for bringing back this 210-page Bill before Parliament?

When we passed this Bill back then, ten years ago, we were grappling with the following problems: First, the Constitution makes a distinction between fishing and fishery. I would expect that this Act would provide clarity on those two aspects. If you look at the First Schedule, Part 2, the functions and powers of the county are agriculture in relation to fisheries, while the functions of the national Government are a number of things, including fishing. This has caused immense confusion within this sector.

Right now, a fisherman or someone who operates a fishing boat has to pay levies and licences both to the national and the county government, because one level deals with fishing, and another level deals with fisheries. We thought that the existing Act would provide that distinction by providing proper definitions, but we see that the definition that was in the 2026 Act is the same definition that has been carried over in this 2023 Act. So, we are not solving any problem.

Secondly, in the original Act, it proposes the establishment of the Kenya Fisheries Service. This proposal reintroduces the fisheries service. There is only one problem with the then Act. The Director General or the Chairman of the Kenya Fisheries Service was going to be appointed by the President upon Parliamentary vetting. In the last Parliament, I brought in an amendment to remove that, because the chairman of a state corporation, unless it is the chairman of a constitutional body like the IEBC or those other constitutional bodies, chairpersons of this status do not necessarily need to be brought before Parliament. So, it delayed the establishment of the Kenya Fisheries Service when Hon. Ochieng Mbeo was appointed as the first chair, and he had to be subjected to parliamentary vetting. If we wanted to cure the original Bill, these are the provisions you should have amended.

The Original Bill had a Fish Marketing Authority. This proposal has deleted the Fish Marketing Authority and, as a fisherman, I need to be told why. In 2016, we said that we needed to have a dedicated agency to open up markets for Kenya's fish or to ensure that fisherfolk had a proper, transparent marketing structure.

Look at how meat is sold in this country. If you go to a butchery, you will know that this is a butchery. There will be a whole counter with red markings on it, but when it comes to fish, it is sold on the roadside; it is sold next to sewers; it is sold in very dusty or very unhygienic conditions. Why is it that we can set and regulate standards for production or distribution and marketing of meat and not do that for marketing of fish? We thought that the Fish Marketing Authority would bring some of those things. This Bill proposes to kill the Fish Marketing Authority. I oppose unless we are convinced why that should go.

The Original Bill set up a Fisheries Technical Advisory Council that had presidential-level intervention. That was put in there on the realisation that the blue economy was so significant that if we were going to exploit our exclusive economic zone, the 200 nautical miles, we would be able to plug in the supply deficit of about 300,000 metric tons. Today, our production is still around a hundred and something thousand against an amount of 450,000 metric tons. We have to import fish from China, and yet so much fish lies here in this ocean. This EPZ, if we were to exploit it, has the necessary fishing gear. We do not need to import fish from China.

The problem of the original Bill is the problem that has been replicated in this proposal. The original Bill is prescriptive. The Constitution of Kenya is 180 pages; this Bill is 210 pages. This is an enormous Bill that I have seen. Members, just try and ask for a printout of the Bill; you will find that it is so bulky. It is half a ream of paper. We said that good legislation need not be so prescriptive so that we can leave some things to be captured by policy and some things to be captured by regulations. We have repeated the same mistake in this Bill.

Mr. Deputy Speaker, Sir, I struggle to find the reason we have to rewrite this if the intention is just to delete the Fish Marketing Authority that would just have been done through an amendment.

Since 2016, not a single processor exists on the Lake Victoria side; I suspect that there are very few processors on the Indian Ocean side. The fishing stock continues to dwindle while aquaculture continues to run almost in an unregulated state.

I am happy that the Chairperson of the Committee on Agriculture, Livestock and Fisheries will be taking the Senate Committee to Mfangano, in Rusinga Island to investigate a petition that I brought about the problems that aquaculture operators are facing. To date since 2016, even regulations for aquaculture have been quashed because we are just incapable of doing the right thing of involving the public in their formulation.

To date, we are still importing fish from China and, of late, we have started importing fish from Tanzania. To date, our Exclusive Economic Zone (EEZ) is unexploited and our coastguard is incapacitated. The coastguards in Lake Victoria are using a boat with a horsepower that is half the horsepower of the bandits' boats in the lake. The coastguard cannot chase a thief or illegal fishermen because they have very outdated equipment 10 years since we established this.

To date, we do not know how much money the Fish Levy Trust Fund, which has been reintroduced again in this proposal, has collected and what has been done with the money. To date, our fishermen are still operating as hunters and gatherers; going to the lake and praying that they get a good catch without investing in it. In 2016, 10 years ago, we said that we needed to change that.

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

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

Mr. Temporary Speaker, Sir, I think some of these things just require political will. As I conclude, we have had a conversation with the President of Kenya and said to

him that building roads and other infrastructure is good, but for certain regions, we now need to look at the socioeconomic issues. For my region where I come from and the coastal region, it is the blue economy. Even when we established the Broad-Based Government, we had this team of “experts”, gentlemen and ladies who went to that Government to bring in some expertise from the other side of the political space. On the blue economy side, Cabinet Secretary Joho, please pull up your socks and do much more. Please go back to the people who do the actual fishing, move out of Sagana, Nairobi and Mombasa, and go to the fishermen and talk to them.

I am a leader from a fish producing area and I do not understand why we have to do this amendment. I do not understand why we have regulations that are being questioned in court every other time; there is a gap there. We want our people to use shiny roads – which are very shiny by the way and we are very grateful for them – and board ferries. However, those ferries and roads are enablers, they are not the end. They are a means to an end; a means to economic empowerment and social freedom which cannot be done if our lakes and oceans are optimised.

Mr. Temporary Speaker, Sir, I do not think we are going to fix the problems of the fishing industry by just passing legislation because as I have demonstrated, we had a law in 2016. What we have missed is the political will, and I believe President Ruto has the will. I call upon him to fix the problems and unlock the potential in blue economy just as he fixed the problems in sugarcane and in dairy farming. Let the Senate sitting in Kilifi today go down in history that we made the right decisions. That, we made the right pronouncements and wrote the necessary laws that then put money in the pockets of the fishermen in Kilifi.

This country has got immense wealth; we just need to be serious about it. I believe that if the President lines up his troops and tells them to focus more on the delivery of their job mandates they have been given in unlocking the social and economic potential of some of the sectors that we have, we will drive down poverty and the sense of hopelessness that we see amongst our fishing folk.

I will be waiting for the Committee on Agriculture, Livestock and Fisheries to table their report and tell us why we must make this amendment. Actually, it is not an amendment, we are basically repealing the existing Act. We will need to be convinced on why we need to repeal that Act and what magic we are going to use to implement this 210-page Bill, which we have not been able to do in the last 10 years. Therefore, on the face of it, I am---

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Kajwang’. Had you asked for 30 more seconds, it would have been given, but nonetheless, I will allow Sen. Wamatinga to make his contribution.

Sen. Wamatinga: Thank you very much, Mr. Temporary Speaker, Sir. I rise to also give my views on the Bill. It is not that I come from a county known for fish farming, wherein lies what I would say is a misconception. It may not be known to many of the leaders in this House that Nyeri County is known for producing one of the very rare fish called the trout that survives in very cold and clean water.

I believe that the potential economy is not limited to the oceans, seas and lakes that we have. On the contrary, aquaculture has become a known source of livelihood and

quite a good supplement of protein. Fishing and fish farming has for many decades been associated with a particular community. However, living in the 21st century, it is not lost to us that some of these beliefs and stereotypes have been done away with.

Yesterday, I happened to be among the people who went to see the fish landing point in Kilifi. It was quite disappointing that despite it being a modern facility that has incorporated use of solar and green energy for cooling the facility, the fishermen, the public in general, and the BMUs feel like they were not considered in public participation and, therefore, the ownership of the whole project lingers in doubt. I did not listen to the contribution of the Chairman. However, to my utter disappointment, despite that being a very good investment in the right direction, they said that indeed, most of the vessels in the ocean are foreign-owned but licenced by our own Government.

Mr. Temporary Speaker, Sir, it must not be lost to us that this Government has put special emphasis on the blue economy. That is evident by the presence of a dedicated department of blue economy. However, the potential that we have, as a country, remains largely untapped. This is not because we do not have a good Act or laws, but because we fail to invest where it is to be invested, which is in research, public participation, civic education and, most importantly, creation of facilities that can be used mostly by the younger generation who want to practise aqua farming.

If we indeed follow the spirit of what the Broad-Based Government endeavours to achieve – making the country secure food-wise not only by providing enough grains, but also providing good sources of protein like fish – then we must invest a little bit more. In Nyeri, we had a fish processing plant that has remained closed for some time. Not that the people of Nyeri are not willing to do fish farming, to the contrary, it is the management. I think we need to invest a little bit more in the research, ensure that we make this more attractive and most importantly, do away with the stereotype of believing that fish is only a source of food for a particular community.

Moving forward, the Bill as is, has quite some very major steps and proposals that are very good for the country. As it has been argued, the question is, are we investing enough? Are the county governments, the 47 units, given the capacity to do research on their own? The question we should be asking ourselves is, must we not constitute a body that will be able to invest enough in research and then ensure that it trickles down?

Maybe one of the things we ought to have looked at when we created the 47 counties, as much as county governments have brought services closer to the people, have we not also duplicated? Have we not also made the units too small for them to benefit from economies of scale? This can only be attained if we ensure that at the national level, we have well-coordinated research that trickles down.

Our local universities should also incorporate the research to align with their own regions, and this should be done closer to all production because every county has scope for something different and therefore lack of homogeneous factors may lead to a disadvantage for some particular counties.

Mr. Temporary Speaker, Sir, most importantly, fishing and aquaculture should be devolved functions. The question we must be asking ourselves is, does this Bill address the creation of the fishing board? Something very good at the national level, but then how

do we ensure that we are not clawing back on devolution and the progress that we have made by bringing that back to the central government?

As we answer that question, we must also be alive to the fact that some counties, as much as they have the potential - those who went to Turkana saw that they have a very big fish processing plant that was constructed, but it never took off because they lacked the know-how; they lacked ownership of the project. This must be avoided in all donor-funded projects. When they are being implemented, we must ensure that the local community owns them so that once they are constructed, they can take total ownership.

The Bill has some very good suggestions, but I also believe that we must be deliberate; we must be quite intentional and in line with what the President keeps on saying, “we must change our thinking,” so that we can ensure that devolution not only works, but provides even the common *mwana* with *pesa mfukoni*.

This can only happen if we ensure that we do proper public participation and civic education so that people do not see fishing as a preserve of a particular community, but as a source of profit, livelihood and as a strategic investment to exploit our blue economy, which has remained largely underutilised. If we did the right thing to invest in the blue economy, some of the challenges that we have--- At this juncture, I must say that the construction of road networks, the distribution and connectivity of electricity gives us an opportunity to realize the potential even in areas that have remained marginalised.

Mr. Temporary Speaker, Sir, it is good to mention that this Government has been able to address some of the mistakes that we have been making since 1963. However, we must also pump in the goodwill so that we go out there as leaders and tell our people there are opportunities that we must take advantage of, and one of these opportunities lies in the blue economy.

There is no single county in this country where there is no river, or where fish farming cannot be practiced. Modern aquaculture does not rely on the presence of an ocean, a lake or a big dam, it can be done even in a smaller pond.

As we do that, we must also be deliberate. Now that we have electricity connection increasing in counties, like where I come from, up to 90 per cent in some areas, this potential remains largely unexploited. It is high time that we, as leaders and the national Government together with the county governments, come together and talk about exploiting aquaculture as a source of food and, most importantly, as a source of livelihood.

Therefore, this Bill is good. Too voluminous, but it gives the right spirit, it triggers the debate. We must start talking about the blue economy, its potential and how we can ensure that this is advanced to ensure that devolved functions work. Most importantly, that we create the much-needed employment, and we also save our foreign reserves by not importing much fish because we are able to produce it ourselves.

Thank you.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, there are no more Members who are keen on contributing to this Bill. I, therefore, call upon the mover, the Leader of Majority, to reply.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Temporary Speaker, Sir. Let me register my appreciation to colleague Senators who have taken their

time to speak to this Bill, the Fisheries Management and Development Bill (National Assembly Bills No.29 of 2023). A Bill that initially commenced its life cycle in Parliament in the National Assembly. They did what they needed to do, and it is before us.

I said yesterday and perhaps some of the comments that have been made this afternoon and even yesterday, had Senators listened to my moving notes, then they would have appreciated where I am coming from with some of the suggestions that are in the Bill. Of importance is to remind the House that it would never have been a more perfect setting than here in the coastal city of Malindi. This is one of the primary beneficiaries of the fishing economy and the blue economy in general. This current Senate Mashinani sitting is where Members are fresh from their visit to an actual fish landing site just down the street here at Kilifi centre, listening to citizens their concerns and their views. I do not think there would be a better position and a better opportunity to infuse the life and the views of the citizens into an Act of legislation than this present one.

It is my open view that the Members, many of whom I have listened to say that they had the opportunity to talk to members of the public yesterday and share their views and their concerns, will pass on that life experience into this Bill when we progress it to the subsequent stages.

I have heard the concerns raised by Sen. Moses Kajwang', representative of a serious fishing folk in the country, on why he is not convinced that there is need to repeal the Bill in its entirety. Sen. Moses Kajwang', I did not mention yesterday that the impugned law actually made it nearly impossible to manage this sector into a booming economic contributor.

I gave examples from various jurisdictions of what people have done to their blue economy to take it to levels such as what you were describing, because they have demonstrated that it is possible to do it. However, the current legislation and law as it is, as passed by Parliament and even further watered down by the various impugned sections, thanks to the High Court, but I do not think it was just on lack of public participation. Other subsequent issues were raised, some of which you have spoken to, and other Members have raised also as concerns, as things that need to be streamlined.

I agree with my colleagues who continue to speak on the need to infuse the life and the spirit of devolution into all the laws that we pass in this House. Perhaps the Senate continues to stand as a solo voice in this devolution conversation. We are the only institution in the country that continues to appreciate, perhaps even sometimes better than the Council of Governors, the importance of legislating laws that include the visibility of our devolved units in the management of the affairs of the Republic.

Many times, when you read Bills as they come straight from the National Assembly, such as this one, you wonder about our colleagues. A few short years down the line, they will aspire to be Governors, then they will start calling press conferences lamenting that there are not enough resources or that devolution is being undermined. Yet when they were in the National Assembly, there was no Bill that appreciated that there are two levels of government.

I look at my colleagues in the National Assembly and wonder where they got this wrong assumption that devolution is only the business of the Senate to protect. I think

this is perhaps the most progressive policy shift in the Republic in the last 60 years and, without a doubt, it is something that we all need to be proud of. We may disagree about how things are being done, but it is a journey. Devolution is barely 15 years old in the country; the national Government has been here for 60 years. We cannot expect magic, that our county governments will be as efficient.

When you listen to their debates, you will note that they cite all the maladies that are found in our county governments, and they say that is the perfect reason why they want to continue to centralize. They do this despite the clear instructions from the people of Kenya from 2010 and the years running up to then, that we must decentralise.

We cannot continue to blame the inefficiencies of a few select governors and make that the perfect reason why we should implement a project to the complete exclusions of county governments. I believe the Intergovernmental Budget and Economic Council (IBEC), which brings together the Council of Governors and the Executive and is chaired by the Deputy President, can agree on a framework.

They can agree that in the things where the national Government has secured funding – be it through locally mobilised resources such as the housing levy or even through donor funding – the national Government can generate the policy and the framework. They can come up with the guiding regulations on how to implement some of those projects but leave the overall implementation, the procurement and overseeing of those programmes to the county governments.

I will use housing as an example, and not because of any other reason. I hold the very strong view that time has come where there must be an honest conversation between the national Government and the county governments. There should be an agreed framework, and the county governments should not just be innocent bystanders signing off parcels of public land to the State Department for Housing for them to procure and oversight or oversee the implementation of housing projects in our counties.

Our counties can do better. Part of the reason why there are delays in rolling out some of these programmes is because one is told that the State Department for Housing have to wait, I do not know for how many months, before they can sign on and onboard things as basic as markets. Why does the Principal Secretary, Hinga, and the State Department, together with the Cabinet Secretary, who has been a Member of Parliament, feel that they must be the ones to procure for markets?

They do that even for a paltry Kshs200 or Kshs300 million. We must speak for our counties. Yes, it is paltry in the context of a county government, because they implement projects running into hundreds of millions. We have just been told this afternoon of the success stories of devolution, including here in Kilifi. We have been told that the County Government of Kilifi has put up a hospital. I was with you in Bomet just two weeks ago, where we opened a mother and child hospital unit built by the County Government of Bomet at a cost of Kshs350 million. There are success stories of devolution.

It is not all doom and gloom, as some people will have us believe when justifying and making a case for continual strangling of counties and denying them of funds saying that they do not have the capacity. That capacity is acquired by practice. Denying them

funds is actually denying them that capacity in perpetuity. It means they will never have the opportunity to implement and do these projects if we continue to carry out this policy.

Remember, we fought and many laws are now being brought to this House. It was not easy. There was a time when the National Assembly had a speaker and a leadership who believed that the only bill the Senate was created to do was the annual division of revenue and nothing else. We all walked to court led by our Speaker. All the Membership of the House walked to Milimani Law Courts for us to be heard, and for the courts to make their pronouncements on the work and the place of the Senate in the legislative process.

I believe, dear colleagues, that our next phase of the fight is on laws that claw back on devolution especially the projects that use locally mobilised resources. I have just cited the housing levy and many other donor-funded projects. The fishing sites are also another example. We must have an established framework of agreement signed, undertaken by the Senate and overseen by it together with the Council of Governors, on how counties play their part. Counties cannot be innocent bystanders.

County governors cannot just come to witness, together with the citizens, when national Government is running projects that clearly should have been well implemented by the county governments. If it is about procurement challenges, this or the other, we have to appreciate that the same ineffectiveness that we have in the counties is perhaps even more in the central Government. Therefore, that cannot be the basis upon which we deny our counties opportunities to implement these things.

I took time to speak on that particular issue because it happens to be a central theme in many of the concerns that Members have raised while making their contributions to this Bill. At the Committee of the Whole, we are awaiting the report of the Committee on Agriculture, Livestock and Fisheries to guide us and lead us in making the necessary and appropriate changes that will help conform this particular Bill to the spirit, body and the letter of our Constitution as it relates to devolution. I do not know how many members of that Committee are in the House.

However, I agree with many of the proponents who have said this is a step in the right direction, and we must organise this sector. This is perhaps one of those sectors that, if well managed, can alleviate millions of Kenyan citizens who continue to live in poverty. This is an industry that can feed this country. It is not fair that we continue to import 450,000 metric tonnes of fish into the country on a yearly basis.

Those are opportunities and resources that we send to the countries where we export our fish from, yet we have local capacity that we can organise and grow the industry to a point that it creates employment and saves us on foreign exchange as well as grow our economy. In fact, just like the sugar sector has taught us, it is possible to grow an industry in a short time. Maybe, in two to three years, one can move a country from being a near net importer to being an exporter of the same commodity in such a short period.

If we organise this sector well, we can join the exporting nations in this trade. I appreciate the fact that many of our colleagues, when they spoke about it, cited many countries that have done this. I said yesterday that the Norwegians have offered us a far much better example. For them it is not just about the quantity. They may not play in the

big leagues of India and China, who export fish to other jurisdictions in the regions of the millions, but they play in the big league in terms of the value that has been created. They have cut out a niche for themselves and sell their fish at a premium price. They have ensured that their citizens and those that participate in that industry enjoy as much earning as those that are producing much higher quantities.

That can be the story of Kenya, and it is my hope that when the Committee of Agriculture, Livestock and Fisheries retreats to consider, debate and guide the House in making this decision, then we shall be certain about it.

Sen. M. Kajwang’: On a point of order, Mr. Temporary Speaker, Sir.

The Senate Majority Leader (Sen. Cheruiyot): There is a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Wakili Sigei): What is your point of order, Sen. Kajwang’?

Sen. M. Kajwang’: Mr. Temporary Speaker, Sir, I did not want to interrupt the Senate Majority Leader, but when he spoke, my attention went to Standing Order No. 148, on reporting by a Standing Committee.

We are discussing an extremely important piece of legislation, which, as I had said, we had processed in 2016, and it is back before us. Standing Order No. 148 requires a Chairperson of the Committee to present a committee’s report to the Senate within 30 calendar days of such committal. The word there is ‘shall,’ not ‘may.’

That Standing Order states that-

“---shall present the Committee's report to the Senate within 30 calendar days of such committal.”

We are discussing a 210-page legislative proposal that affects the livelihoods of millions, and has a significant contribution to the Gross domestic product (GDP). However, we are flying blindly. A number of regulations have had to be nullified for lack of public participation. I understand the need for us to have this conversation in Kilifi County, but could you then direct the Chairperson of that Committee to present that report to the House so that when we are making our conversations or when we are making progress to the next stages, we are informed by what the Committee established through its public participation. I believe that the word ‘shall’ makes it mandatory for the committees to report back before we proceed with the discussion of the Bill. I just need your guidance on that.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Kajwang’, if you were here yesterday, you probably would have noted the comments by the Mover of the Motion, the Senate Leader of Majority, that he probably would have wished to have had the Chairperson of the Committee in the House then. Nonetheless, directions were given that that needs to be availed, pursuant to Standing Order No.148.

In any event, the comments by you and many other Members on to the Bill will be a subject of further processing in the Committee of the Whole, particularly for reasons that the Senate Leader of Majority has made reference to, in the concerns raised by Members. Of course, I am not sure whether the entire membership of the Committee is in the House. However, the Senate Leader of Majority is here. Take note of the concerns by Sen. Kajwang’ so that the Committee is appropriately notified and directed.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Temporary Speaker, Sir. Indeed, you are right. Actually, I have good history of how Standing Order No.148 came to be, Sen. Kajwang'. There are two things that we have sometimes had very extensive debate with the Clerk of the Senate, who, as you would be aware, is a guru in legislative Business. This is one of the things.

If you read further Standing Order No.148(ii), because you read only (i), it is actually on this very exercise that you are doing, on what comes first, a committee report before the debate during Second Reading or debate during Second Reading, then the report.

Many times, the report actually informs not necessarily our debate, but our action during the Committee of the Whole stage so that you know what to amend and what not to amend in that particular Bill. We have nearly come to the conclusion, that none is neater than the other; that, you can do it both ways. That is why on certain occasions, we have moved Bills for Second Reading when debate has commenced before the Committee reports come as well.

There one other item that we have had that particular debate on, and I just say this for the benefit because we are in a county assembly, and I know for a fact that they have been following, including their technical officers, how we do our things with a view to improving their own processes.

The other very controversial issue alongside this debate has been the issue of a committee of implementation, where I agree with those who were in the view that it is not proper to have a committee of implementation. But the best implementer is the very committee that oversees that particular act that you feel needs to be followed through or the less on those two particular issues.

Mr. Temporary Speaker, Sir, I am nearly concluding. Thank you, Sen. Moses Kajwang' for seeking out the attention of the Committee, because this is a very important sector.

I gave out statistics and figures yesterday on what other countries have done to improve the livelihoods of people. In the agricultural intervention, if you read the Bottom-Up Economic Transformation Agenda, at the core of it, is creating value for our farmers. That is why that has been achieved in the sector such as what Sen. Moses Kajwang' observed earlier in the coffee and sugar sectors, as well as so many others like the dairy sector. This is an attempt to do the same for the fishing folk, because they are very much part and parcel of our country. We must find ways of properly organising that sector, until those who rely and depend on this industry for their bread and butter, can sit pretty happy knowing that their country has guided this particular programme in the right way.

That is why, we must begin to make sure that we do it right, and be alive to the fact, that there are two levels of government. It is time that we force this marriage, and they learn to live together. The only priest, so to speak, that can force this marriage, is the Senate of the Republic of Kenya. We must continue to do so.

There were other concerns that were raised to do with the finances and the management. There has been a debate on what the CoB said. I have not had an opportunity to watch that interview where CoB said something about visibility of funds.

Maybe she was misquoted, because how I understood her, she appeared to be wading into the space of the Auditor General; wanting to keep track of what happens with the resources.

A proper reading of Article 228 gives the CoB the powers to give the approvals for withdrawals. Afterwards, what happens to public funds is squarely in the domain of the Auditor General, unless there was something else that she meant, which I have not had the opportunity to see.

Even as she speaks about that, I have two serious problems with Dr. Margaret Nyakang'o, our CoB, something that I wish she would address. Because we speak for the devolution family as a Senate, we must not hide the fact that if you engage our CECMs for finance, and in all the 47 counties, the people who interact with the office of the CoB, they will tell you the frustrations of dealing with that particular office. Do you know for a fact that nearly all CECMs in the Republic actually have to live in Nairobi? This is because it is virtually impossible to get approvals out of that office, and the stories that they are sharing are not interesting.

I wish the next time Margaret Nyakang'o appears before the public, she will address the concerns of county governments on the tedious and rigorous exercises that they have to go through before getting approvals. Sometimes the accusations that are being said loud and clear is that if you do not part with resources, as a county government, you cannot get your approvals out.

The second thing that continues to be raised about the office of Dr. Nyakang'o is the fact that it is a solo-operated office. That her deputies cannot approve anything; that sometimes people have to chase her. I do not know whether it is truth or gossip. They say she is a lover of golf; that sometimes you have to chase her with paperwork all the way to golf courses to get approvals. I do not think that is the design of an office. These are serious concerns which I believe the next time she appears in public, she needs to speak about.

The Temporary Speaker (Sen. Wakili Sigei): Senate Majority Leader, would you like to be informed by Senator Beatrice?

The Senate Majority Leader (Sen. Cheruiyot): Yes, Sen. Beatrice, aka Ndhiwa 1, is a very resourceful lady. For your information, Sen. Beatrice, Sen. Kajwang' did not nod in approval when I called you Ndhiwa 1. I think he is not---

Sen. Ogola: I have express permission, and he is the Godfather. The Honourable Majority Leader, I only needed to enhance your discussion. You know, as everybody knows that I have worked in the county government, and the situation at those offices is pathetic. The CECM finance, the chief officer, head of account, head of what in finance, have literally to camp in Nairobi for over two weeks to get the approvals.

The worst part of it is that this office assumes it has officers in the counties. The question we keep on asking is what are these officers doing? This is because they equally go through the paperwork and do approvals, but even then, the CECM Finance has still yet to make several journeys to Nairobi, not only once, but so many times. It is a source of humiliation and a barrier to the processes of payment. It negates the essence of the devolution. That is the information I wanted to enhance.

The Temporary Speaker (Sen. Wakili Sigei): Majority Leader, for purposes of progress, take note that we are not discussing the conduct of the CoB. Make sure you confine yourself---

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I will confine myself to what the Bill has said. I do not know whether she has reached this Parliament as well. She appears to enjoy very good protection in the House. We mention and say these things every other day without intimidation.

The Temporary Speaker (Sen. Wakili Sigei): Are you trying to say the Chair is--

The Senate Majority Leader (Sen. Cheruiyot): Not you, Mr. Temporary Speaker, Sir, other forces. That is a serious concern, and I only mentioned the CoB because there had been mention of the same earlier during debate. I thought about those comments, given that we are in Kilifi and we are speaking for counties, we must speak up for all the 47 counties.

What my colleague has confirmed is that there are serious concerns of the county governments in the operation of the Office of the Controller of Budget, and Margaret Nyakango must come out and address these things with clarity so that our counties can be proud. For example, what Sen. Beatrice is saying is extremely important. There is a Controller of Budget officer in Bomet who goes and approves all these things, and I believe he or she is sent there to represent that office. Why does it take the CECM to travel all the way from Bomet to come and chase Margaret's signature here in Nairobi? Those are things that need to be discussed.

Back to the Bill as I conclude, we have been reminded that there are certain definitions that have been included. For example, I noted the concerns of Sen. Sifuna on the expansive definition of what attempting to fish is. I thought that was important, because Sen. Kajwang', I quoted FAO statistics on the threat to sustainability of fishing as an industry, and what countries that are forward-thinking in their policy and decision-making are doing. They are extremely strict on the practice and the culture of fishing, and we cannot afford to double-speak on this topic.

I know it is around elections time and, as politicians, sometimes we want to be populist on certain things. We have to be sincere and honest with our people that for any sector to thrive, there must be rules of engagement. We must tell our people that if you agree, and once you have been taken through public participation, you have been trained to understand why certain policy decisions have been made, including control of certain fishing zones either to allow for breeding or any other, then everyone must live by the rules.

Mr. Temporary Speaker, Sir, I wanted that to be clear because listening to other colleagues speaking, they wanted a *laissez faire* approach to these issues and say, let everybody be. I am sure that those of you who come from fishing communities know that this is one of the things that continues to be a thorn in the flesh in the growth of this industry, especially when there are no proper rules and guidelines for people to follow and to ensure that there is good sustainability of that industry.

I wish to conclude it at that. This has been an interesting conversation listening to what colleagues are saying especially today, when there were allegations being made

here by some of our colleagues; do not tell us that because this and that has been done, the President deserves a second term. There are things we must also ask, and you cannot force us to ask questions your way. We equally deserve an opportunity to say; if it is as easy as you want it to be, that anybody can do it, why was it not done before?

Mr. Temporary Speaker, Sir, I gave the example that hon. Mvurya was here earlier today, and he explained how, as an administration, we are putting up 32 stadiums across the country using proceeds from the Sports Fund. That Fund has existed since 2013. Show me a stadium that has been built from start to finish using proceeds of the Sports Fund for the last 10 years. It is only at this time, due to prudent use and by ensuring that we use that Fund to do programmes that are visible before people. Therefore, people should not be misled that shiny things are not important. They are important.

The Temporary Speaker (Sen. Wakili Sigei): Leader of Majority, would like to be informed?

The Senate Majority Leader (Sen. Cheruiyot): Yes, I would like to get information from Sen. Moses Kajwang'. Most of the times, he is right with the things that he says.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Kajwang, proceed to inform the Leader of Majority.

Sen. M. Kajwang': Mr. Temporary Speaker, Sir, I assure the Majority Leader that this is one of those moments that I will be very right and forthright. I wanted to inform the Majority Leader that I agree with him that a lot of these things require goodwill from the top leadership of the Republic. In my comments, I said that we have had these Bills from 2016. They talk about established Funds, established research institutes, established fisheries service and fish marketing authority. However, the government that was there since 2016 did nothing about it.

This Bill was brought in 2023. That is the time the President had just been elected. Given a chance, I believe President William Ruto is able to turn around the blue economy. In fact, he does not need new legislation. The same way he has unlocked funding for sports using funds and levies that have been dormant, I believe President Ruto is capable of doing it.

I want to inform the Senate Majority Leader this. That is why I will tell my people to vote for William Ruto because in his first step, he has built roads and highways and brought ferries. That should be a means to some end, which is economic and social prosperity. For that reason, we will give him another term so that those highways, ferries and the Standard Gauge Railway (SGR) can lead to opening up of the blue economy. Instead of Kisumu International Airport receiving dead bodies, it can one be one of logistical hubs where we can use to export fish and its bi-products.

Mr. Temporary Speaker, Sir, I just wanted to inform the Senate Majority Leader that I do not think President Ruto needs another 210-page Bill. With the existing law with a few amendments and the right commitments--- If the Cabinet Secretary was to be a little bit more serious, I believe we can unlock the blue economy.

The Temporary Speaker (Sen. Wakili Sigei): I hope that was useful information.

The Senate Majority Leader (Sen. Cheruiyot): Extremely useful, Mr. Temporary Speaker, Sir. Sen. M. Kajwang', I was only saying that because there is another man in the House earlier who told us about constitutional order. He said that it does not matter and that you do not need to---

The Temporary Speaker (Sen. Wakili Sigei): You are out of order by making reference to "another man."

The Senate Majority Leader (Sen. Cheruiyot): Sorry, Mr. Temporary Speaker, Sir. My apologies. There was another colleague who told us that shiny things are not important. This is just to confirm what Sen. M. Kajwang' has said; that progress that is demonstrable must be appreciated because it works a long way into alleviating poverty in our rural economies and grow various industries the same way Sen. M. Kajwang' has appreciated as being done in the different parts of the country.

Mr. Temporary Speaker, Sir, I want to appreciate colleagues who have taken time to speak to this Bill. Over to you, Members of the Committee on Agriculture, Livestock and Fisheries.

I hope on 5th October, which is actually end of the other week when they will complete receiving submissions, two things will happen. Firstly, they will feature views of the fishing community in Kilifi Central Fish Landing Project, where they went yesterday.

I do not believe that Parliament must receive submissions in written form. We are employed by the public. Whatever form that the public uses, we are talking about open Parliament, and it is part of our aspiration. Whether people use Short Message Services (SMSs), *WhatsApp* or speak to us from funerals, as legislators, we must implement what the people that we represent in this House want. Therefore, it will be important to capture their views because it was extremely timely to visit Kilifi Central Fish Landing Project during this particular time as we consider this Bill.

Second and most importantly is that they will conclude on it, so that we do that which is necessary before we start getting busy in the subsequent days of October. I hope they will not take long because immediately after, if you gauge by the mood of the House, this Bill is likely to go through a mediation exercise. I am not pre-empting, but just thinking ahead. It is my hope that that mediation will be completed before we break for the long holiday in December. I hope this one will be better than the Cooperatives Bill. Sen. M. Kajwang' that is another important legislation that unfortunately both Houses of Parliament---

I have called my colleagues who are in that particular mediation committee. I am wondering whether they appreciate how important the cooperatives movement is to the rural folk. How can we stay with a Bill for nearly four years as a House of Parliament? That Bill continues to bother me. It will be extremely terrible if we finish the term of this Parliament without concluding on that Bill because we could not agree at mediation. This particular Bill is also in that category because it speaks to the lives of millions of Kenyans, and nothing is more important than doing things that benefit and influence the lives of citizens of this county such as this Bill.

Mr. Temporary Speaker, Sir, with those remarks, I beg to reply. Pursuant to Standing Order No.66 (3), I request that the putting of the question be deferred to a later date.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Senate Majority Leader. It is unfortunate - and I would like you to note – that there is currently no Member of the Standing Committee on Agriculture, Livestock and Fisheries in the House. A similar situation was noted yesterday. I, therefore, direct that the Chairperson of the Committee be notified of the timelines so that they fast track the processing of its reports to the House.

Secondly, pursuant to Standing Order No.66 (3), the putting of the question is deferred to the next Sitting of the House.

(Putting of the Question on the Bill deferred)

Sen. Miraj, please, approach the Chair.

(Sen. Miraj consulted with the Deputy Speaker)

Hon. Senators, following consultations with Sen. Miraj, Order No.10 is hereby deferred to the next sitting of the House.

HOJA

KUMBUKUMBU YA KUDUMU YA WAATHIRIWA WA AJALI YA FERI YA LIKONI YA 1994

IKIBAINISHA KWAMBA, mnamo tarehe 29 Aprili 1994, janga la ajali ya feri ya Likoni lilisababisha vifo na majeraha kwa wananchi wasio na hatia, wengi wao wakiwa wakaazi wa Likoni na Kaunti ya Mombasa, na hivyo kuleta majonzi makubwa kitaifa pamoja na madhara ya muda mrefu ya kimwili, kisaikolojia, kijamii na kiuchumi kwa familia zilizopoteza wapendwa wao na manusura;

IKIWA NA WASIWASI KWAMBA, licha ya hakikisho na ahadi zilizotolewa na mamlaka mbalimbali kufuatia janga hilo, bado kuna mashaka na maswali kuhusu iwapo fidia ilitolewa kikamilifu na kwa haki kwa familia zote zilizoathirika;

IKIKIRI KWAMBA, kuanzishwa kwa kumbukumbu ya kitaifa ni hatua muhimu ya kuheshimu na kuenzi waliopoteza maisha, na pia ni chombo cha kuendeleza uponyaji wa pamoja wa kijamii na kuimarisha uwajibikaji wa Taifa kwa raia wake;

SASA BASI, Seneti inaamua kwamba –

(i) Kamati ya Kudumu ya Seneti ya Barabara, Uchukuzi na Makazi ifanye uchunguzi wa kina ili kubaini idadi ya familia zilizoathirika, fidia iliyolipwa hadi

sasa, madai yoyote ambayo hayajalipwa, pamoja na kubainisha familia zipi bado hazijapata fidia na sababu za kutolipwa kwa fidia hiyo; na

(ii) Serikali ya Kaunti ya Mombasa kwa ushirikiano na Wizara ya Barabara na Uchukuzi, ianzishe kumbukumbu ya kudumu kwa heshima ya wahanga wa ajali ya feri ya Likoni, 1994 kwa mashauriano na familia zilizoathirika.

(Hoja ilihairishwa)

We will now proceed to Order No.11. Clerk, you may call out that Order.

MOTION

NOTING OF COUNTY FISCAL PERFORMANCE MEASUREMENT INDEX REPORT 2026

THAT, the Senate notes the County Fiscal Performance Measurement Index (CFPMI) Report 2026, laid on the Table of the Senate on Thursday, 6th August, 2026.

(Sen. Cheruiyot on 6.8.2026)

(Resumption of debate interrupted on 6.8.2026)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, when the House adjourned while this matter was under debate, Sen. Maanzo was on the Floor, and had a balance of 14 minutes to conclude his contribution. Unfortunately, he is not present. We shall therefore proceed. If there is any Member who wishes to contribute to the Motion on the County Fiscal Performance Measurement Index (CFPMI) Report, which was tabled and launched by the Senate some time back.

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

In the absence of any interest from Members, I will call upon the Senate Majority Leader to reply.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Temporary Speaker, Sir. This is another very important piece of business that we have transacted in this House. Many Members may not recall what the County Fiscal Performance Measurement Index (CFPMI) is. It is a tool launched by the Senate to measure the performance of county governments using data obtained from independent institutions, including the Controller of Budget, the Office of the Auditor-General and other public institutions. The purpose is to gauge the performance of county governments. What prompted me to urge the Parliamentary Budget Office (PBO) to guide us through this process was the tendency by some governors to go to River Road and ask pollsters to

rank them as leading performers, particularly in the period leading up to a general election.

As a result, one would sometimes find a governor with a poor performance record, and no notable projects completed during their term, appearing among the best-performing governors in the country. This is science, and it was demonstrated to all of us, as a House, and we released that particular report. Unfortunately, as is normally the case in this country, useful information does not travel very far. I expected it to be a subject of intense debate across the devolution circles and even prominence in media.

In fact, I think it was only the *Nation Newspaper* that carried this report on the earpiece of the newspaper. No other newspaper found it worth featuring. Yet, when these tricksters go to River Road and generate fake reports, it is given prominence in our headlines. What kind of a country is this? It is unfortunate, but I appreciate that at least the Senate has led the way. This was for financial year 2023/2024.

I hope that before we get to December as well, we shall be able to release the report of 2024/2025 and 2025/2026. This is because the audit process for 2025/2026 is over. We are just awaiting the reports from the Auditor-General. Kenyans can know and gauge the performance of their county governments based on the actual things that they are doing.

If you remember, the indices that featured here were extremely important. Governor must give an explanation on the growth of pending bills, which has been such a thorny issue here in Kilifi. It has been raised almost in every other public meeting that we have gone to. It is the same story across all the 47 counties. In fact, you would correct me, Members, if I am wrong, but I struggle to imagine a county government that has actually reduced all their county pending bills.

All of them actually have doubled or tripled it in the last three or four years. That is a worrying trend because pending bills are services that have been provided for by citizens, some of whom, like we are being told earlier today by one of the Senators, are struggling to make ends meet. This is because they did business with counties, supplied and worked for the county, but they have never been paid for this or the other reason.

There are things to do with their performance on the audit process. What is the score that they got? For an adverse opinion, there is a weighting to it, and for the best opinion, there is also a weighting to the same. It will also be important, though this is something that we may not be able to succeed to do at this time, but God willing, should God grant us an opportunity to be in this House again, I do not know what the plans are for my colleagues who are in the House this afternoon, but I ask them to plan to come back to complete this journey of devolution. This is because I strongly feel there is still work to be done. Not all of us have to be governors. It is equally as impactful being a senator as being a governor, in my honest assessment.

One of the things that we must find ways of measuring, Sen. M Kajwang', is the rate of completion of projects in counties. It is one of the most disturbing things you see when you go around our counties. You would struggle. I do not know what you would say is the best performing county based on your interaction with the audit reports. However, you would struggle to find a county that has more than 10 projects of Kshs50

million and above that were initiated and completed. Many of them are left midway, for example, a hospital or an ECDE classroom.

I do not understand why projects simply never get completed in our county governments, and you want to give it a score. You remember, when we were doing the fourth-generation formula, Sen. (Prof.) Kamar, you were a part and parcel of us at that time. We attempted to award a weight in the formula on counties that were scoring better on their audit process. Of course, later it was removed under so much protestation. These are things that we need to think about and find ways of making it part and parcel of our valuing and studying of the performance of county governments. We must celebrate governors who complete their projects on budget and on time.

It is an accomplishment and a mark of a good leader, when as a county governor, you go to your assembly and request for Kshs50 million to put up a sub-county hospital in sub-county X that you need Kshs250 million; they grant it to you, you procure, you build and you open it. That is a mark of what devolution is about. Implementing tangible things that people can see, appreciate and say our county government is working. Otherwise, what remains will be the stories which I do not want to narrate that you all are very much aware of.

Mr. Speaker, there are many things that I wish to say, but I want to request three minutes before I conclude, with your permission, and I do not think you can--- Anyway, let me not get controversial. I want to plead that you allow Sen. (Prof.) Kamar, within my time for replying, because there is something she wanted to say during the debate and I had forgotten. Allow me, before I make my final submissions, within my timeframe.

(Loud consultations)

I do not know; whichever way---

The Temporary Speaker (Sen. Wakili Sigei): Senate Majority Leader, that is your time to reply. I will allow Sen. (Prof.) Kamar to make comments within the timeline, then you conclude your reply.

Sen. (Prof.) Kamar: Thank you, Mr. Temporary Speaker, Sir. I think at the point of reply, you have the power to donate some time, and I am very grateful that you have donated this to me. It was my assumption that I was going to defer this because I had a lot of notes on this.

Basically, public servants must be answerable to people. When public servants engineer their own rating, it is evil. When public servants do not want to be accountable, they do not want anybody to measure them in the correct way. Measurement and evaluation must go hand in hand if we have to rank human beings.

Even when we are ranking Grade 8 or Form 4, you must measure and evaluate them. The kind of ranking we have been receiving, what the Senate Majority Leader calls the 'River Road' ranking, has no measurement; it has no evaluation, and it does not tell us what these people have been doing.

For me, this was one of the best pieces of Motions that should come out of this House. At the end of the day, my request would be, Senate Majority Leader, that we convert it into a template that any company that wants to do measurement must use. We

must force these kangaroo teams to go to the ground and actually check the way the counties have been littered with incomplete projects.

When somebody tells you I cannot complete this project because it was started by Governor A in 2013, buildings that have not been completed, which were started in 2017, just because of ego and because they want to blind the public to the fact that they are doing well; we must make progress from this Motion to actually coming up with a criterion for measuring somebody's performance.

To me, this is a very important Motion, and I really support it and I wish it could be moved further. We must not allow any kangaroo measurements to be advertised in our newspapers. The Senate should ultimately put its foot down, but when you want to rank Senators, send it through the Senate. If you want to rank governors, send the ranking through the Senate so that we can say whether it is correct or not. But this thing of a governor ranking himself and telling somebody to advertise him as the best---

Mr. Speaker, Sir, I have talked to people who say they participated in the polls that are being done by some of these Nairobi-based measurers of performance. What they have said is that you just receive a text; they do not know where the text has come from, "how your governor is performing?" or "rank your governor going to 1, 2, 3, 4, 5". The person has not left Nairobi; the person who purports to measure the performance of a governor has not even visited the county to know what is going on in the county. Who are you measuring? You can send them to one person's supporters and get the results that are predictable.

If you send my information to my supporters, you know exactly the results you are going to get. So, if you see what they are telling us, it is a complete lie to the public. It is a complete lie to this country that people are being ranked the way they are being ranked.

Let us come up with a tool that can actually be used to measure, and we demand that we do not accept rankings from those not recognised. The Senate should not shy away from talking against the bogus rankings going on currently. We do not want them to be used to lie to our people. They are people who have chosen to fight for performance in this country; who told them to come and rank us?

Our Auditor General gives a very important report which they have not even read. They do not even know what is contained in the report. The Controller of Budget (CoB) is struggling to tell us where the flaws are. Sometimes, they will give you a report of a governor, and the next thing you hear is that, that governor is ranked as the best.

The beauty is that they are doing these rankings the Kangaroo-style, and they conflict. Today, one gives you county one as number one, while the next day, they give you another one as number one. What is all this?

The Temporary Speaker (Sen. Wakili Sigei): Sen. (Prof.) Kamar, you were granted less than three minutes to inform the Leader of Majority.

Sen. (Dr.) Kamar: He has not objected to my contribution; it was a donation.

The Temporary Speaker (Sen. Wakili Sigei): Conclude so that you allow him to---

Sen. (Dr.) Kamar: Let me allow him to finalise so that my comments are not closed out of his comments.

I really support this Motion. Let us go all the way and come up with a tool that can be used to measure performance.

Thank you, Mr. Temporary Speaker, Sir. I support.

The Temporary Speaker (Sen. Wakili Sigei): Majority Leader, please, conclude your reply in the reminder of the minutes.

The Senate Majority Leader (Sen. Cheruiyot): I thank you. Those were very useful insights from Prof. Margaret Kamar, who I know is a towering figure in this devolution conversation in the country. I wish Sen. Catherine Mumma would have taken the trouble of listening to Professor Kamar's contribution, it was very useful.

With those very main remarks, I beg to reply.

Finally, in accordance to Standing Order No. 66(3), I beg to request that the putting of the question be deferred until such a later date.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Aaron Cheruiyot, the Senate Majority Leader. Putting of the question is hereby deferred to the next sitting, pursuant to Standing Order No. 66(3).

(Putting of the question on the Motion deferred)

Clerk, could you call the next Order?

Hon. Members, in the interest of time, we are going to defer Orders No.12 all the way to Order No. 21, which is the last Order of the day.

COMMITTEE OF THE WHOLE

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL
(SENATE BILLS NO. 8 OF 2026)

(Committee of the Whole deferred)

BILL

Second Reading

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

(Sen (Dr.) Lelegwe Ltumbesi on 9.8.2026)

(Resumption of debate interrupted on 15.9.2026)

(Bill deferred)

BILL*Second Reading*

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

(Bill deferred)

BILL*Second Reading*

THE COUNTY GOVERNMENTS (AMENDMENT) BILL
(SENATE BILLS NO. 5 OF 2026)

(Bill deferred)

BILL*Second Reading*

THE QUALITY HEALTHCARE AND PATIENTS SAFETY BILL
(NATIONAL ASSEMBLY BILLS NO. 41 OF 2025)

(Bill deferred)

MOTION

ADOPTION OF REPORT ON PETITION ON LIMITATION OF TENURE FOR
NOMINATED MEMBERS OF COUNTY ASSEMBLIES

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Laban Omusundi and others concerning limitation of the tenure of nominated Members of County Assemblies (MCAs) to a single term of five years, laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION**ADOPTION OF PETITION REPORT ON RE-INTRODUCTION OF ELECTIONS
(AMENDMENT) (No.3) BILL SENATE BILLS NO.48 OF 2021**

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Mohamed U. Alasow concerning the re-introduction of the Elections (Amendment) (No. 3) Bill (Senate Bills No. 48 of 2021), laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION**ADOPTION OF REPORT ON PETITION ON CONVERSION OF PUBLIC
TO PRIVATE LAND IN PUMWANI, MAJENGO**

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Cultural Environmental Care Society concerning conversion of L.R. No. 209/2378/1 Pumwani Majengo from public to private land, laid on the Table of the Senate on Wednesday, 16th September, 2026.

(Motion deferred)

MOTION**ADOPTION OF REPORT ON PETITION ON EVICTION OF SINGLE MOTHERS
ASSOCIATION OF KENYA FROM PROPERTY NO.LR2096738**

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Single Mothers Association of Kenya concerning their eviction from Property Ref. No:CP & ARCH/00219, Excision of L.R. No.209/6738 in Ziwani Ward in Nairobi County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

(Motion deferred)

The Temporary Speaker (Sen. Wakili Sigei): Shall we rise?

ADJOURNMENT

Hon. Senators, there being no other business on the Order Paper, the Senate stands adjourned until tomorrow, Thursday, 24th September, 2026, at 2.30 p.m.

The Senate rose at 6.30 p.m.