

**PARLIAMENT OF KENYA****THE SENATE****THE HANSARD****Wednesday, 24<sup>th</sup> March, 2021**

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

*[The Speaker (Hon. Lusaka) in the Chair]*

**PRAYER****PAPER LAID**

**The Speaker** (Hon. Lusaka): Deputy Senate Majority Leader, you need to lay a Paper.

**REPORT OF THE CONTROLLER OF BUDGET ON  
COUNTY GOVERNMENTS BUDGET REVIEW**

**Sen. Dullo:** Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today Wednesday 24<sup>th</sup> March, 2021-

Report of the Office of the Controller of Budget on County Governments Budget Review for the first half Financial Year 2020/2021.

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

**STATEMENTS****THE INCREASE OF FUEL PRICES****PROCUREMENT IRREGULARITIES IN THE AWARD OF  
TENDERS FOR PRE-EXPORT VERIFICATION****ROLL OUT OF THE ASTRAZENECA COVID -19 VACCINE****RISE IN FUEL PRICES IMPOSED BY EPRA****ACTIVITIES OF THE COMMITTEE ON AGRICULTURE,  
LIVESTOCK AND FISHERIES**

ACTIVITIES OF THE COMMITTEE ON DEVOLUTION AND  
INTERGOVERNMENTAL RELATIONS

ACTIVITIES OF THE COMMITTEE ON EDUCATION

**The Speaker** (Hon. Lusaka): I defer all Statements to next week so that we focus on what we came to discuss this afternoon.

*(Statements deferred)*

Next Order.

**MOTION**

ALTERATION OF THE SENATE CALENDAR  
FOR THE FIFTH SESSION

**Sen. Dullo:** Mr. Speaker, Sir, I beg to move the following Motion-

THAT, notwithstanding the Resolution of the Senate made on 16<sup>th</sup> February, 2021 (approval of the Senate Calendar), pursuant to Standing Order Nos. 29(4) and 31(3), the Senate resolves to alter its Calendar (Regular Sessions) for the Fifth Session, 2021, in respect of Parts II and III, to hold two sittings every week on Tuesdays only (morning and afternoon) beginning from 10.00 a.m. and ending at 12.30 p.m. for the morning sitting and beginning at 2.30 p.m. and ending at 6.30 p.m. for the afternoon sitting, beginning on Tuesday 23<sup>rd</sup> March, 2021, until Tuesday, 15<sup>th</sup> June, 2021, and that the Senate calendar (Regular Sessions) for the Fifth Session, 2021, be altered accordingly.

Mr. Speaker, Sir, the leadership decided to change the calendar because of the current situation in the country. This is a procedural Motion.

We are operating in the House as if things are normal, but that is not the position. As the leadership, we felt that we need to take the COVID-19 third wave seriously. If we do not do this, it will cause a lot of problems. We already have a lot of challenges and the positivity rate is increasing. As we have been informed, all the medical institutions are full.

Mr. Speaker, Sir, we have made arrangements in this House for people to sit 1.5 metre apart. Unfortunately, if you look around, people are sitting as if everything is normal. I believe that it is important to take care of ourselves in as much as we have responsibilities as leaders to deal with matters before this House. The sittings that we have introduced in the morning will take care of the sittings that we will miss in the afternoon of Thursday.

I am sure that Members have been called as has been organized by the leadership to get immunized. I hope that Members are doing that so that we take precautionary measures. Apart from that, we have a responsibility as leaders to observe the rules that are put in place by health institutions. I hope this will assist all of us.

We have been told that there are many of us who are in health institutions as a result of the current happenings in the country. The rate is increasing. This decision to

alter the calendar was made by the leadership so that we can protect ourselves and the people that we lead. If we observe rules as leaders, the people that we represent will also observe them.

With those few remarks, I request, Sen. Kwamboka to second.

**Sen. Kwamboka:** Thank you, Mr. Speaker, Sir. I rise to second this Motion on the alteration of the Senate Calendar for the fifth Session.

We are living in a difficult situation concerning this disease which has caused us a lot. We have lost many lives. Many Members of Parliament (MPs) and citizens of this country are admitted right now. We cannot risk coming here because our lives, and that of everyone else, are important.

Mr. Speaker, Sir, we will be having two sittings on Tuesday. We will deal with Statements in the morning and proceed with other issues in the afternoon. Therefore, I urge this House to adopt this Motion because it will help us. Right now, things are not normal. We need to adjust this calendar so that we can save our lives.

Mr. Speaker, Sir, I second.

*(Question proposed)*

**Sen. Murkomen:** Mr. Speaker, Sir, I rise to support this important Motion on alteration of the calendar. I know that the situation that we are in at the moment is a bit precarious. It is risky for all us dealing with this issue of COVID-19. I know that a number of colleagues have gone through the ailment of COVID-19. There are others out there, for example, our staff, families and friends. It is worse that we are losing many people at this point in time.

If you ask me, I still propose to the Executive, through the Office of the President, to make the measures a bit more stringent, particularly in relation to social areas and facilities. This is because we are needlessly losing many people.

I hope that this period, the Committee on Health will embark on its responsibility. I know that there was an *ad hoc* Committee on COVID-19 which we wound-up, but we want to see the Committee on Health more active.

I know that the Senate Deputy Majority Leader and the Whip are here. They should assist the House in pushing for serious action on the part of the Committee on Health to make proposals that will assist the Executive to deal with this issue.

It may be necessary to lock down some areas in the country for the time being. In fact, there is something that we need to assist with. Apart from citizens like us who serve in different capacities getting the vaccine, we need to have a proper roll out. We must know how the roll out will be done in a more transparent manner which is beneficial to senior citizens and those who have underlying conditions so that we can protect our people.

I wish, as Parliament, many of us would have done the vaccine publicly, led by you, Mr. Speaker, and your brother in the National Assembly just as a way of dispelling these rumours about the consequences of taking a vaccine.

It has become so deep particularly in the rural areas. I spoke to one of my supporters who is an elderly lady and she was telling me that she had heard from the radio that taking the vaccine would be detrimental to her health. I do not know what we can do to ensure that we instil confidence. As we instil confidence, let us first assure the

people of Kenya that the vaccine is existing and is a priority programme for the people of Kenya.

I support the alteration of the programme. Even as we come here on Tuesdays, of course, the Standing Orders are there and this means that if there is urgent business that we need to deal with, we have the opportunity to come back here and have a Special Sitting for purposes of dispensing it.

Mr. Speaker, Sir, I support.

**The Speaker** (Hon. Lusaka): I can see the interest is growing, so let us try to keep it short.

**Sen. Omogeni:** Thank you, Mr. Speaker, Sir. I rise to support the Motion that we alter our calendar to be having sittings once a week on Tuesday. We do not want to send a message of fear to Kenyans, but we must be realistic. That is why we are leaders. The situation is so bad, almost desperate.

Mr. Speaker, Sir, if you have friends who are doctors, they will tell you and warn you that no matter your status in the society, you are likely to miss admission into an ICU facility, not only in Nairobi, but also across the country in many counties.

If you listen to scientists, they will tell you that the current virus spreads pretty fast, it is very easy to contract it and it is very easy for it to take you down. That is the reality. Therefore, we have to lead from the front. There are many examples we can learn from.

Mr. Speaker, Sir, if you look at the Judiciary, last week I saw a communication that the law courts in Thika had suspended business because some members of staff had contracted COVID-19. Unless we have business that is so urgent that we cannot adjourn to another day, let us deal with what is extremely urgent.

Kenyans are very private people. You will be surprised that even within Parliament you might have interacted with members of staff or colleagues who contract the virus, but silently go to hospital to seek for treatment.

The strategy for now is to keep our public engagements as low as possible. By extension, I think we need more stringent measures from the Government. I have seen my friends in politics that once we move to the countryside we are still doing roadside meetings, we are addressing people in the shopping centres and we are doing so without our masks.

I want to appeal to the President to borrow what is happening in Europe. You can see what is happening in the United Kingdom (UK), visitation within families is limited to two families. Even then, you must do it externally, not inside somebody's house. Germany is going back to lockdown.

We want to appeal to Government because the responsibility to save lives at the end of the day, is vested in the Government. I want to appeal to His Excellency the President, the Cabinet Secretary (CS) for Health and the CS for Interior and Co-ordination of National Government to come up with more stringent measures so that we can contain this virus because our health facilities are full. We have nowhere to take our patients.

I support, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): I will now allow three minutes because the screen is full.

**Sen. (Eng.) Maina:** Thank you, Mr. Speaker, Sir. I rise to support this move. As a country, we are faced with a very difficult and dangerous situation. Therefore, any measure that goes towards creating any form of safety should be welcome to us especially as leaders.

As I welcome this, I must say that it is mindboggling to me because I have met a few of our citizens who feel that where the economy is, they cannot afford to buy a mask, leave alone soap and other things. Therefore, I have been wondering whether there is a way that we could have masks made cheaply.

The other day, the National Youth Service (NYS) through financing by the Kenya Pipeline with a very humble budget of less than Kshs100 million, made so many masks and sanitisers and distributed them to the counties. I think these are some of the things we should look at so that our citizens have no excuse for not wearing a mask and using sanitisers where possible because we have to use all means to fight this pandemic.

Mr. Speaker, Sir, the Government should consider seriously other measures that should be put in place because currently we are seeing figures rising. It is not an increase in population; it is the rising figures of people who are actually disappearing. Therefore, I would like to call upon the Government to see what other measures they may have to put in place in spite of the hard economic situation we are in.

I support.

**Sen. Were:** Thank you, Mr. Speaker, Sir. I rise in support of this Motion to alter the calendar of the Senate for the Fifth Session. In supporting, I would like to request that we consider those of us who are above 58 years - and we are the majority in this House - so that we do a hybrid system of our session. This way we can have Members who have been left out for a long time participating in the sessions by having a digital version of the Zoom and the physical meetings so that they are not left out of the proceedings.

In addition, I would also like to request the Ministry of Health that in their public awareness campaigns they include vaccination as a measure of preventing COVID-19 in addition to washing hands, sanitising, wearing masks and keeping social distance.

Thank you, Mr. Speaker, Sir.

**Sen. Wamatangi:** Thank you, Mr. Speaker, Sir. I rise to support the Motion and to note that as we alter the calendar it is important that we clarify that the hybrid system of participation in the Senate has not been stopped; it still continues.

Mr. Speaker, Sir, what is of interest at this time is to observe the conduct of Kenyans. I want to congratulate the Mover of the Motion and the Senators who thought about this because it is very important that we lead by example.

If you look at what is happening outside, it is worrying that people are behaving with unbelievable neglect all over. For us to lead and show that the right thing must be done is commendable.

It is quite worrying at this time because all the measures we had instituted to help curb COVID-19 when it struck seem to have stopped. Institutions like Kenya Pipeline Company and others did a lot of good work by distributing free sanitizers. Before scandal at Kenya Medical Supplies Authority (KEMSA), there was an initiative that was visible. I would like to urge Government to do more than they did during the first time because the spike is more deadly. We must combat it with even more versatile measures.

Mr. Speaker, Sir, lastly, we cannot be entirely and fully dependent on foreign help when we have this kind of pandemic on, especially for vaccines and other medications. It

is pathetic. If you look at the masks everybody is wearing in this House, they are imported from China. These blues small masks. There has been no initiative anywhere other than the clothe masks that are made by our ladies and small shops. There has been no serious initiative to ensure that there can be mass production of masks as simple as this. There is still being imported today.

What we need to address as Government is to ensure that there are serious measures that have been put in place. Countries that have succeeded in containing COVID-19 have had sustained discipline. The story of countries like Hong Kong, Korea and even China itself where this pandemic emanated from, have contained it by being disciplined.

Mr. Speaker, Sir, I want to urge that we ensure that we carry this on and Government takes its right place by being a role model.

**Sen. Shiyonga:** Thank you, Mr. Speaker, Sir, for giving me this opportunity to support the Motion on alteration of the Senate Calendar for the Fifth Session. I totally agree with my colleagues that we need to take seriously this particular pandemic. This disease has killed our colleagues, our family members and close friends. We need to change our lifestyle, the way we do things, and the way we associate with others. It has affected us. We just need to adhere to what is being said.

Globally, we have lost around 2.7 million people. That is not a small population. As we continue adhering to the measures that have been in place to protect us, I urge the Members of this Parliament to observe the rules like minimize on the interaction. This is because we do not know who will be next to be affected or die.

Let us continue maintaining high levels of hygiene, keeping social distance and following the health guidelines that can suppress this pandemic. It is important for us to lead by example as leaders and not do the contrary. We have talked much about COVID-19. This is the third wave. We do not know how many waves will be there.

The pandemic is very new in Kenya and globally. We come here and meet, but when we go back to our families and communities. Let us continue embracing hygienic protection measures that we have learnt and being directed by our health workers. This pandemic has really messed our lives.

Thank you, Mr. Speaker, Sir, I support the Motion.

**Sen. Cheruiyot:** Thank you, Mr. Speaker, Sir. I join the rest of my colleagues who are in support of this Motion to alter the Calendar of the Senate. I agree with them because of the need to preserve life and make do in very extraordinary times that we are facing as a country and the whole world.

Mr. Speaker, Sir, I wish to propose that even as we consider this decision, the leadership should have been more detailed in their request to this House apart from just informing us about the alteration of the calendar.

First, this appears to be a continuous trend. We have been in this situation for more than a year now. It is becoming increasingly clear that we are not so sure when the world will be completely out of the woods with regards to this pandemic. It would have been better if we had been informed how Committee systems will be used to ensure that the business of the Senate continues. They could use the online platforms that were available last year when we began this battle.

We do not have to stall parliamentary business that is critical for the progress of our nation. We must strike a balance just like doctors and nurses have got to balance the

risk between their well-being and attending to patients. Even us, to a greater extent as leaders, we are called upon to serve our country in very difficult times such as this. It is upon us to find ways upon which we can adopt and ensure that parliamentary business continues even as we battle this.

Secondly, Mr. Speaker, Sir, I want to urge the leadership to have a session with Departmental Committee on Health. There are so many things that Kenyans are looking up to us, as leaders, and they are asking questions about us. Are we not concerned as a House of Parliament that national Government continues to do heavy investment in different sectors like the expressway here in Nairobi yet we have read in the media that as a country, we cannot afford to ship in extra doses of this vaccine?

The truth of the matter is that in a country of 47 million people, are we proud that we, as a country, have only shipped in 1.5 million vaccine? We can ensure that we set up investment in the right areas, then as a House of Parliament, we must stamp our foot and ask the right questions to the relevant people.

I want to urge the Committee on Health takes up these matters as a matter of priority, so that next week, when we reconvene, we are informed about the plan with regards to vaccination of the entire population. Kenya can afford to buy the 47 million doses for all Kenyans if we stop some of these programmes that are not urgent. They might be necessary, but not urgent as the vaccine.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): Just to inform Sen. Murkomen that I have been vaccinated. Therefore, I am leading from the front.

**Sen. Cheruiyot**: On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): What is your point of order, Sen. Cheruiyot?

**Sen. Cheruiyot**: Mr. Speaker, Sir, the man you are informing that you have been vaccinated also got a vaccine. I can see the effects of AstraZeneca vaccine. He is fast asleep.

*(Laughter)*

**Sen. Murkomen**: On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): Sen. Murkomen, what is your point of order?

**Sen. Murkomen**: Mr. Speaker, Sir, Sen. Cheruiyot was vaccinated later. His comments must be related to his own effects. I was listening and following the proceedings. I want to assure the people of Elgeyo-Marakwet that I am healthy and seriously representing them in this Senate.

**The Speaker** (Hon. Lusaka): Sen. Faki, kindly, proceed.

**Sen. Faki**: Asante sana, Bw. Spika, kwa kunipa fursa hii kuunga mkono Hoja hii ya kubadilisha ratiba ya vikao vya Seneti. Ni kweli ugonjwa wa korona umerudi kwa raundi ya tatu kwa vishindo. Raundi hii ni hatari zaidi kuliko raundi zile mbili zilizo tangulia.

Wakati ugonjwa huu ulipozuka, Bunge la Seneti lilichagua Kamati ya COVID-19. Kamati ilifanya kazi nzuri sana. Ilikuwa inatoa mwelekeo kila wiki kuhusu kazi yao na vikao vyake na taasi nyingine za Serikali.

Bw. Spika, kutoka muhula wa Kamati hiyo kuisha, hakujakuwa na mwongozo wowote katika Bunge hili kuhusiana na masuala ya COVID-19.

Ni aibu kwamba mpaka sasa kutoka raundi ya tatu ianze hatujakuwa na mwongozo wowote uliotolewa katika Bunge hii kuhusiana na vipi wananchi watafanya kuepukana na janga hili.

Pia serikali za kaunti ziko usingizini. Hakuna mwongozo wowote wa vipi tutajiepusha na maradhi haya kwa raundi nyingine wala kampeni za watu kupokea chanjo. Ni jambo ambalo linaathiri wananchi na wanapoteza Maisha bila kuwa na tahadhari yoyote.

Bw. Spika, tutakapobadilisha ratiba hii ya vikao, nina hakika kwamba tutachukua fursa hiyo, Jumatano na Alhamisi kuona ya kwamba Kamati zinazohusika zinafanya kazi kama ilivyokuwa imepangwa awali.

**Sen. Ndwiga:** Thank you, Mr. Speaker, Sir. I wish to join my colleagues in supporting this Motion of changing the calendar of our sittings. It is important because the change of the structure of our sittings will be one major example to show how seriously the Senate is taking this pandemic. Notwithstanding the privilege of deciding when to sit and the amount of business before this House, we have chosen in the interest of good health and to give an example and a statement to this nation that we can have two sittings in a week.

In between, I do hope that the Committees, particularly the Committee on Health will get to work. When we hear that our counties do not have enough hospital bed capacity, it is scary. We would also want to know what happened to the COVID-19 funds that went to our counties. This is a statement our Committee on Health should tell us. I do not know whether it is the Committee on Health or the one we had elected to do assess COVID-19 situation. All of us know somebody who has been infected or affected.

In my own county of Embu, we have lost quite a number of people. A major person this morning is a major journalist with the Star newspaper, Mr. Githinji who succumbed this morning because there was no adequate attention in Embu. There were no beds to accommodate him when he needed oxygen. I support and hope Kenyans will begin to take the third spike seriously because it is that serious.

**Sen. Wako:** Thank you, Mr. Speaker, Sir, for giving me this opportunity to speak on this Motion of Alteration of the Senate Calendar. In as much as the reason for alteration is because of the wave of the COVID-19, I thought I should share with my fellow Senators what I have gone through in the last five weeks. I was not feeling well and I went for a routine visit for a check up only to be told that you must be admitted for COVID-19. I argued that I must go home, pick a book and two. They agreed. However, I was taken home not in my own Mercedes 600 which I am used to, but in an ambulance.

I arrived at my house in Karen in an ambulance and my workers were shocked that an ambulance was coming. Together with that, there was a team and whenever I went, there was someone carrying a can of oxygen which I was on. I was admitted and was on oxygen for two-and-a half weeks and was given treatment which affected the underlying causes which I have as an old man of diabetes and high blood pressure. After three weeks, I am glad to tell you that I was discharged, but put on a 14-day quarantine at my residence and that ended on Friday last week.

COVID-19 is not something I would wish on anybody. I am supporting this because of the seriousness of this Motion. We have to take COVID-19 seriously. Kenyans are taking it casually. I have been home in the previous two weekends in Busia

and I do not know whether I got it there or here. I am suspecting I must have gotten it when I got home two previous weekends and attended many funerals.

One day, I attended four funerals and nobody was wearing a mask. When I went to the home of a Member of Parliament in the National Assembly, nobody was wearing a mask apart from myself and maybe you. We looked like strangers and I thought as a gentleman I must remove my mask so that I am just like everybody else. The fact of the matter is, it can get you anywhere and is life threatening. The COVID-19 I had was life threatening, but the doctors said it was a touch and go matter.

For the last five weeks, I have been out of circulation and this is why you have not heard about me for quite some time. Therefore, the action we are taking today--

*(Sen. Wetangula spoke off record)*

We were together in Matungu and that is the last time I went home. The following weekend, I went home again for other funerals. I am mentioning this because it is a terrible experience, and I would want my colleagues to take it seriously. We are all politicians, take extra caution when you are meeting with the people.

With those few remarks I support.

**Sen. (Dr.) Milgo:** Thank you, Mr. Speaker, Sir, for allowing me to support this Motion. It is important for us to adjourn because this third wave is severe and serious. Every day, we are being given statistics of people who have passed on. We take it as statistics, but those are fathers, mothers, children, leaders or health workers that the country has lost. When the first wave was here, we were serious in terms of observing the protocols and the lockdowns. That time much of the cases were within the big towns. Right now, it is in the villages and as most of my colleagues have reported, in the villages people had not imagined that COVID-19 is there.

As somebody said, the issues of vaccination should be taken as a matter of seriousness so that we can save our people. We have had many cases where people are afraid to take this vaccination. Since we have been told the leadership can take it, this should have been taken on live television to encourage our people to take up the vaccination. We have opened most of the areas because of economic meltdown. As our President said earlier on, last year we did a lot in saving lives and protecting ourselves. We ignored much of the issues that were going on elsewhere. We were able to reduce the spread of COVID-19 to two per cent.

Mr. Speaker, Sir, when we decided to open up because of the economic meltdown, the rate of infection has increased. What is happening right now is beyond comprehension. I wish this alteration of the Senate calendar included a hybrid system that we have used in various occasions. If we have hybrid sittings once in a while, the Members who are not be able to come to the House physically, can join in from wherever they are.

Most of our Members who are 58 years old and above can join and take part in the proceedings of the House from wherever they are. We have succeeded in handling a lot of Committee meetings through the Zoom platform so the same can be applied to the Plenary sitting.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): Sen. Malalah, proceed.

**Sen. Malalah:** Mr. Speaker, Sir, I stand to support this Motion because it is lifesaving. As we alter the Calendar of the Senate, I would like to encourage our colleagues to be cautious. As we find more time to go to our counties, we need to embark on serious oversight of our county governments. There are county governments which are not well prepared to handle the COVID-19 situation. Most hospitals lack the basic amenities. There are hospitals that are unable to even pay their nurses and doctors.

Mr. Speaker, Sir, as much as we are protecting ourselves as leaders, it is very important and incumbent upon ourselves for us to retreat to our respective counties and ensure that we carry out effective oversight on the governors so as to protect our lives and the lives of our people who elected us.

We are in the process of coming up with the final budgets of this political dispensation of 2017 to 2022. It is in the same breath that I encourage all of us to go back to our counties to mentor and encourage our Members of County Assembly (MCAs) and respective County Executive Committee Members (CECM) to consider budgeting for items which are going to save the lives of our people. So many people back home who cannot even afford a facemask or hand sanitizer. Therefore, it is very important as we encourage the MCAs to carry out their final budget. We should encourage them to budget and prioritize items which are going to save lives of our people.

Mr. Speaker, Sir, lastly, we need to encourage our governors to have economic stimulus programmes in the counties. Businessmen are really struggling right now. We need to give them an economic stimulus programme which is going to cushion them from the harsh conditions that COVID-19 has caused in the business world. For instance, in Kakamega County, taxes have been doubled. The cost of single business permits has been increased and yet business people are languishing in abject poverty and hardship. I request the county governors to cushion the common *mwananchi* as we continue to battle COVID-19.

Mr. Speaker, Sir, I join the leadership in the Houses and my colleagues in supporting this Motion.

Thank you and may God bless you.

**The Speaker** (Hon. Lusaka): Sen. Farhiya, proceed.

**Sen. Farhiya:** Mr. Speaker, Sir, thank you for giving me the opportunity to support this Motion. The last time that I checked the statistic of the infection rate, it was at 22.1 per cent. That is an extremely high infection rate. It is a high time we did something about bringing down the infection rates.

Before schools are reopened, we need to minimize intercountry movement and as well as adjust the night curfew time to start early. For example, if curfew starts at 8.00 p.m., the infection rates may come down. The COVID-19 infection rate has never been this high. When we had the cessation of movement, the infection rate was not this high. We need to do something before schools reopen. Death rate as result of COVID-19 infection is also high.

It is good that we are proposing to reduce the amount of time we spend interacting in this House. We come from different counties and whenever we visit the counties over the weekend, we can be infected and in turn become spreaders as well.

Mr. Speaker, Sir, if we just reduce the time people are out at night for the next three weeks, I believe that things will calm down. Two weeks ago, while attending the Senate Leadership Retreat, we lost a leader of our community to COVID-19. The county

governments are still ill-prepared to handle COVID-19 in terms of the number of Intensive Care Unit (ICU) bed and other equipment. We have been informed that the ICU beds are full in all the counties. I read a comment from the Governor of Machakos County that people are waiting for others to die so that they can get ICU beds. That is proof that COVID-19 is serious enough.

Mr. Speaker, Sir, due to the prevailing circumstances, I support the change of the Calendar of the House.

**The Speaker** (Hon. Lusaka): Sen. Wetangula, proceed.

**Sen. Wetangula:** Mr. Speaker, Sir, thank you. I support the Motion by the Senate Deputy Majority Leader for reasons that she gave. We can reduce our physical interactions to one day a week, Tuesday's morning and afternoon. This is so that we can join the Government and other Kenyans in trying to bring awareness to the people of our country on the dangers of COVID-19 pandemic.

I urge the leadership on the majority side, led by Sen. Dullo who is present, that the Sen. Sakaja led *ad hoc* Committee on the COVID-19 Situation in Kenya did a fantastic job in bringing regular weekly updates to this House on the country's response and awareness on COVID-19. I must say that that *ad hoc* Committee did a commendable job.

For reasons that we know and understand, Sen. Sakaja left the Committee and it came into the hands of Sen. Kasanga. We want to see that Committee's life resurrect and extended so that we get regular updates on COVID -19. That Committee should be a nexus between this House and the Ministry of Health.

Mr. Speaker, Sir, Statistics are being churned out; some correct and others incorrect. We need clear firsthand information flow so that we know how the people we represent are faring. Yesterday, Sen. Wako, told me his story and brush with near death from COVID-19. There are many more who have had such brushes with COVID-19. Sen. Wako was lucky because many others have died. I lost a brother at the beginning of this pandemic. We have lost many more people.

On Sunday, I went to the Lang'ata Cemetery to bury a National Executive Council (NEC) of my party from Moyale. The number of people being buried on the same day for the same reasons was shocking. We need to hold the Government both at the national and county levels to account.

Money was sent to counties for COVID-19 yet no county is able to account properly for it. I have been asking for evidence of how it was utilized in my county, but there is nothing to show for it. Many other counties cannot show anything for it too. This is money that governors just converted into personal use and they start using it for self-aggrandizement and doing things that are not helpful to the people.

Mr. Speaker, Sir, we lost a Member of Parliament (MP) for Matungu Constituency simply because there was no oxygen at Mumias Health Centre and yet the Governor of Kakamega County is busy on grandiose movements all over trying to display nonexistent success that he says he has performed in the county.

Mr. Speaker, Sir, these things have to be brought to an end. We want to urge agencies of governance like the offices of the Controller of Budget, the Auditor-General, the Director of Criminal Investigations (DCI) and the Ethics and Anti-Corruption Commission (EACC), to track and follow how public resources are being spent.

When you hear people going around and boasting that for the last three or four years, they have built war chests for the next elections, instead of serving the people who elected them, it is disheartening. In fact, as we go through this pandemic, one of the biggest threats to the security, safety, and health of the people of Kenya has become the governors. Health is devolved and funds are available, although in a limited scale, but they are not put to good use.

Mr. Speaker, Sir, let us adjourn and change our calendar to what has been proposed. Let us perform much more robust oversight to ensure that Kenyans are safe.

**Sen. Madzayo:** Asante, Bw. Spika. Pia mimi naunga mkono Hoja hii kwamba tuangalie ratiba ya vikao vya Seneti. Tumeona kwamba janga la korona limetushika. Hakujawahi kutokea janga kama hili la korona katika ulimwengu kwa zaidi ya karne moja. Kwa hivyo, ni jambo ambalo lazima tulizingatie zaidi.

Tumeona ya kwamba tumepoteza madaktari wa ngazi za juu kwa ugonjwa huu wa COVID-19 ambao bado tunawahijati katika nchi hii. Ukiangalia idadi ya wale waliofariki katika ulimwengu ni madaktari, wauguzi, na wanafanya kazi hospitalini. Hao ndio walioathirika sana na ugonjwa wa COVID-19.

Bw. Spika, hatuwezi kukosea tukisema kwamba ugonjwa huu umeleta hasara katika Mabunge yetu mawili; Seneti na pia Bunge la Taifa. Ugonjwa huu umechukua wenzetu na kuwapeleka mbele za haki. Hii inamaanisha kwamba ugonjwa huu uko. Wakati mwingi utaona kuwa tunajaa na tunaketi karibu sana. Hii inapinga amri za Wizara ya Afya zinayosema watu waweke *social distance*.

Jambo la pili ni kwamba kumekua na upungufu wa dawa zinazokuja. Hivi sasa, chanjo zilizofika ni kama milioni moja. Taifa hili lina watu milioni 48. Ukileta chanjo milioni moja, hii ni kumaanisha Wakenya 47 hawatapata chanjo. Kadri tunavyoendelea mbele ndio kupoteza watu wengi kupitia hili janga. Ni muhimu kisisitiza zaidi kwamba Serikali wagundue mbinu za kutafuta hizi chanjo ili zikuje na zisaidie Wakenya wetu.

Bw. Spika, tunaelewa kwamba sasa kuna korona mpya kwa jina *new COVID-19 variant*, ambayo inachukua masaa 36 ukisha ambukizwa. Tunashukuru Mwenyezi Mungu kwa kumwokoia ndugu yetu Sen. Wako. Hii kwa sababu yeye alifahamu na alienda hospitali mapema, akapata hewa na aliweza kuokoa maisha yake. Lakini, ni wangapi ambao wanaweza kufanya hivyo? Ugonjwa wa COVID-19, na *COVID-19 variant* hatuzitatui vizuri sana.

Jambo la mwisho ni kwamba mochari zetu zinaanza kuwa na uzito wa kuweka maiti. Hivi sasa, ushauri ni kuwa maiti zifukiwe mapema iwezenekanavyo. Tukiendelea kuzika mapema, tutakua kama ndugu zetu Waislamu ambao mtu akifakiri leo, anazikwa hiyo siku, kulingana na wakati aliofariki.

Tungependa kuwaambia ndugu zetu Wakristo kwamba hakuna haja ya kuweka mwili ikiwa mtu amefariki kutokana na COVID-19 ama kuzingatia taratibu za sheria za Wizara ya Afya. Lazima Serikali ichukue mkondo wa mbele kuona kwamba imeweza kuleta dawa za kutosha.

Ninaunga mkono Hoja hii.

**Sen. (Prof.) Ongeri:** Thank you, Mr. Speaker, Sir. Let me also weigh in on this matter. First, prevention is better than cure. We have tried all the measures of prevention, like social distancing, sanitizing, washing our hands and we have been able to contain this scourge to a reasonable level.

Unfortunately, this third wave has spiraled in a very dangerous way that if we are not careful, we will continue losing more and more Kenyans because of the invasion, particularly on the primary organs like the lungs that will have no capacity to be able to generate enough oxygen for our blood flow. When there is not enough oxygenation, you have what you call total body organ paralysis. Therefore, you may have dangerous moments which may require you to be put on the ventilator.

Mr. Speaker, Sir, there is a three-pronged approach in which we must approach this. First, I have heard my colleagues stating that the Committee on Health has not been able to do anything. Sen. Olekina and I are both Members of that Committee. We have been able to thoroughly appraise this matter in the last three days when these figures started going haywire. There is evidence that the Statement from that Committee is in your office. I do not know why it was not brought in today for briefing of the Members.

Not only that, but a step has been taken to invite the Ministry of Health to give us a statement because we want to tie in the statistics that seem to be at variance with what we see and what is being generated. It is important that we move together in the same direction. I hope that this will be placed before this House, because that has been done. There are scheduled meetings with the stakeholders and other major organs to get to the bottom of this problem.

Mr. Speaker, Sir, if I had time, I would have given a brief to this House. What is happening now is that a decision has to be made on whether we are dealing with the original COVID-19 virus or we are dealing with the new COVID-19 variant. From my professional angle, when you have this particular virus, you are able to develop adequate antibodies to deal with a situation of this nature.

I believe that Sen. Wako has now fully developed enough antibodies to take him through a period of time, but that does not absolve him from taking the vaccine. I want to announce that I am one of those medics who has taken the vaccine yesterday, because looking at the statistics, I have seen that there is a very poor uptake from my professional colleagues.

I want to urge them through this platform of the Senate that they should be able to take the shot because it is important. Eventually, even if we have to do this vaccination once every year, it will impart to you the necessary antibodies to reduce the intensity of the disease that will take you to the Intensive Care Unit (ICU).

There is no question whatsoever that right now our bed capacity is full. Therefore, we need to practice the basic prevention methods. Going through the literature, there are other areas---

Mr. Speaker, Sir, if I could have just one minute to conclude this very important area.

**The Speaker** (Hon. Lusaka): That is okay. Conclude.

**Sen. (Prof.) Onger**: Yes, I will conclude.

We should now go through and expedite through our research organizations, the language that there is now an alternative oral treatment by Pfizer which may replace the vaccination.

*(Loud consultations)*

**The Speaker** (Hon. Lusaka): Order, Senators!

**Sen. (Prof.) Ongeri:** I think we should examine those two sides both the treatment which has come through by Pfizer and, of course, the normal vaccination. That should go alongside the measures that have been instituted, which we must heighten.

The national Government and all the county governments now must work in concert to reduce the intensity of this pandemic. Otherwise, the pathogenesis of this disease will be precarious.

I thank you, Mr. Speaker, Sir.

**Sen. Cherargei:** Thank you, Mr. Speaker, Sir. From the onset, I support this Motion; it is timely. I think the issue of COVID-19 cannot be overstated because of its devastating effects on both health and economy that we are facing at the moment.

I agree with my colleagues that we need to ask the Committee on Health to be more proactive. There are so many questions that Kenyans have.

I thank you, Mr. Speaker, Sir, because I have seen in online pictures that you have already taken AstraZeneca Vaccine. I think that is the confidence we need to show Kenyans.

It is so sad that the Ministry of Health and the taskforce on vaccination in the country are telling us they have only vaccinated 40,000 Kenyans against 1.2 million COVID-19 vaccines that were shipped into the country.

The National Assembly are yet to pass the Supplementary Budget. In some of those issues they are including in the budget, I have not seen anywhere where they have given money to the Executive to purchase at least 47.5 million vaccines in the country.

There was a time that the *ad hoc* Committee recommended the investigation and special audit by the Auditor General on the use of COVID-19 funds. It is sad that most counties misused and abused the funds that were allocated through the donors and the Government. The Committee on Health should follow-up on the implementation of that report that was done by the Auditor-General on the usage of COVID-19 funds.

We need to continue encouraging Kenyans to take the vaccine. There are so many myths. Some are saying when one takes the vaccine they can suffer erectile dysfunction or become sick. As a country, we need to address these myths and encourage more people to take the vaccine.

**Sen. Outa:** Thank you, Mr. Speaker, Sir, for also giving me an opportunity to add my voice to this Motion to alter the Senate Calendar. The COVID-19 pandemic is real. I have witnessed a number of my friends who have succumbed to it and are no longer with us.

The Kenya Government is trying its best. As a Member of the Committee on Health we invited the CS for Health who gave us a brief of the measures they are taking to curb the spread of the COVID-19. However, I have a concern. The Ministry is trying do its best and has already given the protocols that must be observed. Over the weekend, I was in my county. It is business as usual; people are attending funerals without masks. Those funerals are packed and people are feasting as if there is a celebration. I advise the Government officers concerned, especially where I am not the Chair and overlooking the CS (Dr.) Matiang'i, that we must protect Kenyans.

These protocols are not just given for the sake when we are feasting and people are dying. They should send a very strong signal to the people in the counties that we are leaving in a very difficult situation and that times are different. Things have changed and people must observe the protocols that have been given by Ministry of Health.

I thank the leaders here who have taken the jab. However, we have seen some evil bloggers who are sending wrong notions to Kenyans creating fears. I urge the Minister for Interior and Coordination of National Government to track down the people who are using the social media to discourage Kenyans from coming out in large number to take jab. Probably this explains why we have a lower uptake of the vaccine in various counties. They should smoke them out from where they are sending these wrong signals.

I thank you, Mr. Speaker, Sir, and all the leaders who have taken---

**Sen. Murkomen:** On a point of information, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): Sen. Outa, do you want to be informed?

**Sen. Outa:** Yes, Mr. Speaker, Sir.

**Sen. Murkomen:** Mr. Speaker, Sir, I would like to inform Sen. Outa that he is right on the misinformation. It includes a doctored picture of Sen. Outa taking the vaccine. I can confirm because I was the one who took the pictures for Sen. Outa that it is not his photo. He does not wear anything else around his chest.

*(Laughter)*

**Sen. Outa:** Thank you, Sen. Murkomen. That was the real me. That is why I am taking cue and warning the bloggers out there that these are real situation and as leaders we want to lead by example. One cannot go to see a doctor with clothes on and want to be vaccinated. You have to remove so that you can be---

**Sen. Wetangula:** On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): What is your point of order, Sen. Wetangula?

**Sen. Wetangula:** When Sen. Outa says, "That was the real me" meaning it was him. The photo I saw was a man with the face of Sen. Outa, wearing a women's bra and trousers of a man and he says that was the real him. Is that what you were wearing?

**Sen. Outa:** Mr. Speaker, Sir, if you look at me, I am a man with full clothes and all the material required to be a man. That is why I am sending this information to Kenyans that we have bloggers out there---

**The Speaker** (Hon. Lusaka): Sen. (Dr.) Ochillo- Ayacko, you seem to have an intervention.

**Sen. (Dr.) Ochillo-Ayacko:** Mr. Speaker, Sir, Sen. Outa is my brother and a friend. What Sen. Wetangula raised was that there is a picture of Sen. Outa wearing a bra going round in social media. The appropriate response would be to ask the Speaker whether Sen. Outa is a man or not, but just to put it on record that it was a fake picture. Otherwise, it would give a wrong impression of Sen. Outa that in spite of being a man he goes about wearing bras.

**The Speaker** (Hon. Lusaka): Conclude, Sen. Outa.

**Sen. Outa:** Mr. Speaker, Sir, I think that was on a light note, but we are dealing with a serious matter of COVID-19. That is why I want to congratulate the leaders who took their take to get the jab. There are some evil bloggers who have taken on this space to disseminate wrong information to create fear. I am urging the CS, Hon. Matiang'i, to track those people who are creating fear so as people not to take the vaccine which the Ministry has prepared and sent throughout the country.

**The Speaker** (Hon. Lusaka): Your time is up.

**Sen. Outa:** With or without a bra, it was my intention to be a leader.

**The Speaker** (Hon. Lusaka): Your time is up. Hon. Senators, I still see a lot of interest. I wish to seek your indulgence because we have another very important Motion which is why we came to the House. Let me just allow Sen. (Eng.) Mahamud.

**Sen. (Eng.) Mahamud:** Mr. Speaker, Sir, let me also take this opportunity to contribute to this Adjournment Motion. It is very timely that Senate is adjusting its Calendar to be able to take care of what is happening in the country because COVID-19 pandemic is a real disaster. The third wave of COVID-19 is nothing which has been seen before and quite a number of people are dying. It is good that the Senate adjusts its calendar so that we can meet once in a week for two sittings.

Mr. Speaker, Sir, as we are in this third wave, the seriousness with which COVID-19 is attacking Kenyans cannot be overstated. We can see many people dying, our hospitals are overcrowded, there are no ICU beds in Nairobi and hospitals are overcharging their ICU facilities, which is very unethical.

We urge the Ministry of Health and the county governments to upscale their efforts in dealing with this matter. I remember that last time counties were supposed to put up ICU beds during the first wave, but people seem to have relaxed. This vacation must be tightened now because as we are, it is very serious.

The vaccination has come. We would urge the Government to upscale that so that as many Kenyans as possible are vaccinated in the first and second round. There should be no delay in this.

Kenyans should stop being sceptical about everything. People are very sceptical about the vaccine and people are doubting. There are a lot of social media issues. We trust our medics and professionals so that we deal with this serious pandemic seriously.

Mr. Speaker, Sir, while I am on the Floor because we are discussing under adjournment Motion, I would like to condemn an activity, which happened today in Mandera. A bus plying between Lafey and Mandera was attacked by Al-Shabaab, an Improvised Explosive Device (IED) exploded and several people died. So far, about six are dead and many critically injured.

This is a serious matter. In fact, Al-Shaabab and terror is a matter, which is with us. We would like to urge the Government to upscale the activities it is doing so that this matter is dealt with. We also tell our people to cooperate with security agencies, not to relent in reporting what they can. A time has come when our people should confront the Al-Shaabab so that they are fought at every level.

This is a very serious matter. I condemn it with the seriousness it deserves. We condole with the people who have died and the families who have lost their loved ones. This matter requires a lot of attention from the government.

I urge the Ministry of Interior and Coordination of National Government and all the agencies to upscale that and ask the people of Mandera to cooperate during this time and stay calm as we deal with this serious matter. My condolences to the families that were bereaved.

Mr. Speaker, Sir, I beg to support.

**The Speaker** (Hon. Lusaka): I think that is all for now. Those who have not spoken will speak on the next Motion.

I now call upon the Mover to reply.

**Sen. Dullo:** Thank you, Mr. Speaker, Sir. I wish to respond. There are several issues that have been raised by Members, which are very critical for us as a House to

decide and leadership, especially the Committee aspect. It looks like the Standing Committee on Health is not on top of things. I think the leadership needs to make a decision.

I know that the *ad hoc* Committee on the COVID-19 Situation that was led by Sen. Sakaja and later by Sen. Kasanga did a very good job. I believe that the last time before we went on recess, she shared with us the performance of all the counties as far as COVID-19 funds usage was concerned, which was very commendable.

Unfortunately, even after Senators pointed out the rot in the counties and all that, our effort is at the level of the Auditor-General and no action is being taken. We need to do something to follow up on the reports of the Auditor-General and see how we can hold those counties accountable and that is very critical.

Mr. Speaker, Sir, on the issue of oversight of counties, the responsibility still lies with us, as Members. We might be off for some time, but we need to check how our counties are performing.

If we are having overcrowding and we do not have bed space in ICU and hospitals in Nairobi, I believe the counties are worse. Some of them do not even have ICUs. I know some of the governors are running around saying that they have ICUs yet they do not have. The Ministry of Health should tell us the real situation as far as counties are prepared for COVID-19.

Awareness creation was also another matter that was brought up. If you go to the counties, life is normal. People are not wearing masks, meetings are normal, people are hugging each other and doing all sorts of things. This disease is not sparing anybody. We need to be on top of things and advise the counties to create more awareness.

Mr. Speaker, Sir, with that, I wish to thank you and respond to the issues raised.

I beg to respond.

**The Speaker** (Hon. Lusaka): Hon. Senators, this is not a matter concerning counties.

*(Question put and agreed to)*

Next Order.

## POINT OF ORDER

### DELAYS IN PROCESSING OF THE SENATE COFFEE BILL

**Sen. Ndwiga:** Mr. Speaker, Sir, on a point of order. Before we go to the next order and because we are going for recess, there is a point that is aching the Standing Committee on Agriculture, Livestock and Fisheries. We have had a Bill here since October last year, the Coffee Bill, and we have been waiting it to be brought here for First Reading. However, that has not happened.

Mr. Speaker, Sir, we are hearing rumours that there is another Bill which is being introduced in the National Assembly. The rumours that we are hearing is that the leadership of Senate has acceded to withdraw our Bill, the Bill of this House.

My Committee has worked on this and has had so many sittings on this Bill in and out of Nairobi. When a Committee represents this House, there cannot be a unilateral decision to withdraw a Bill which belongs to this House and another Bill be introduced.

If the issue was that you want to agree, then how comes that the Bill from the other side, the leadership of this House acceded to another Bill being introduced when your own Bill has been pending there all this time.

Mr. Speaker, Sir, we are not taking lightly this matter as a Committee because a lot of work has gone into the Bill up to where it is. I think it is incumbent upon the leadership to inform us and this House what is happening because it is a matter of this House.

**The Speaker** (Hon. Lusaka): Thank you. It is good that you have said that it is a rumour because I lead the leadership. As I speak, I am not aware of that. However, let me give you a concrete response on Tuesday when we convene here.

**Sen. Murkomen**: On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): What is your point of order?

**Sen. Murkomen**: Mr. Speaker, Sir, on the same issue because I am a Member of the Standing Committee on Agriculture, Livestock and Fisheries, I can confirm to this House that the Chairperson is speaking out of a lot of pain. We all know that he is the former Minister of Cooperatives; he is a coffee farmer and is a representative of farmers aside from the fact that he is the Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries. He raised this matter to us, the Members of the Committee.

Mr. Speaker, Sir, you need to take this seriously because the Vice-Chairperson is there, Sen. Wambua. This idea of undermining the authority and the responsibility of this House does not have sides or biases. When it is about the authority of this House, it is expected that the Majority Leader, Minority Leader, yourself and Members of the Senate Business Committee will stand firm to defend the responsibility and the work that has been done in this House.

I can confirm that when it comes to the Coffee Bill we will process it in the same way we worked on the Tea Bill. This House did a lot of work on the Tea Bill. The Tea Bill was a private Member's Bill from Sen. Cheruiyot. We formed a Committee, improved it, the Government brought their amendments and eventually we have a Tea Bill that I see all the time in the President's and Government's official social media platforms as well in conversation all over, but it started from this House sponsored by Sen. Cheruiyot.

The same way the Committee chaired by the Senator for Embu, came up with this Bill and he is suddenly told that it is withdrawn from the Senate to be introduced in the 'Lower' House under influence of people from outside yet he had put so much effort on it. If there is any other body, including the Ministry and Government agency, that wants to contribute to the Bill, let them contribute to it as already commenced by the Committee. I have a lot of respect for Government officials, but they should also have a lot of respect for senior citizens like the Chairperson of the Committee who has served this country before and know how Government works.

Mr. Speaker, Sir, please, do not say that you will give us a comprehensive answer on Tuesday. Aside from the comprehensive answer you are going to give for purpose of the record, I want you to consult with the Chairperson of the Committee on Agriculture, Livestock and Fisheries today, so that on Tuesday, it will just be a matter of introducing

the Bill itself, and not communicating what happened to the Bill. Some of these issues can be sorted not just by your communication. Your communication will say that matter has been sorted, but are anxious and ready that the good work that has been done should not go to waste.

**The Speaker** (Hon. Lusaka): The information I have is that since the court ruling, a total of 34 Bills have been republished and the Coffee Bill is one of them. We are not in any danger. I can assure that the leadership has been very keen on ensuring that we safeguard the interest and the integrity of this House.

**Sen. Sakaja:** On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): What is your point of order, Sen. Sakaja?

**Sen. Sakaja:** Thank you, Mr. Speaker, Sir. One of the primary roles of Members is to legislate directly or through the Committees. In as much as I might benefit from the knowledge being a Member of the Senate Business Committee (SBC), it is very important that the Senate Majority Leader gives a detailed explanation.

Many of the Members who have Bills do not know where they are or what has happened to those Bills. Many of the Members are not sure about what is going to happen to the affected Bills. For instance, the question that has been asked would have been answered a long time ago, if we communicated the status of the affected Bills in the House that we discussed at SBC.

The statement on the affected Bills should be shared on our platform so that Members are informed on where each Bill is, what stage it is, what has been published and when it is coming for First Reading, so that not everyone asks about their individual legislation. That would help this situation.

**The Speaker** (Hon. Lusaka): Proceed, Sen. (Dr.) Ochillo-Ayacko.

**Sen. (Dr.) Ochillo-Ayacko:** Thank you, Mr. Speaker, Sir. Sorry for speaking after the Chair has made some preliminary responses.

I understand my good friend, Sen. Njeru Ndwiga, whom we worked with very well in our previous lives to be saying that a lot of work has gone into that Bill. The court decision notwithstanding, to take that Bill to another House to begin there is to minimize the stature of this House that has put excellent work in that Bill and to undermine the experience and authority of that Chair, for which Sen. Murkomen is urging you to protect.

This is because you are the protector of our passion, dignity and stature. We cannot do such excellent job and then allow our job to queue somewhere else or to be made a place for guess work. If they want to start theirs and ours has been started, let us continue, converge or confluence somewhere down River Nile where we process all Bills together.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): Proceed, Sen. Wetangula.

**Sen. Wetangula:** Mr. Speaker, Sir, I join and strongly support the Chairman of the Committee on Agriculture, Livestock and Fisheries. If the information you have been given that the Bill is among the 34 Bill that have been republished, if it has been tabled in the 'Lower' House, it is a continuation in the violation of Article 110 (3). This is because if it had come for concurrence, our Speaker would have the facts readily available that it was brought for concurrence and the Speakers of the two Houses concurred.

More importantly, the Senator for Embu County, a man known for extreme fairness took up the Coffee Bill issue following the issue that I brought to this House and was roundly supported by Members. The same Executive that is trying to bring the Bill through the 'lower' House is that same one that took billions of shillings from the Work Bank and excluded counties that are growing coffee in one region of the country.

The counties of Pokot, Trans Nzoia, Bungoma, Kakamega, Vihiga, Nyamira, Kisii, Kericho and others, did not get a cent. It is the same Executive that is now sneaking the Coffee Bill through the National Assembly when Sen. Ndwiga and his Committee have sat, assessed the situation and drafted a Bill that brings equity to the whole country. They have proposed that if the funds are available, whether from the taxpayers or donors, they must benefit all coffee growers.

Mr. Speaker, Sir, I urge that in the ruling or communication you will make on Tuesday, try and inform this House whether the Bill reintroduced in the National Assembly is among the 34. If it is, whether there has been concurrence in accordance to Article 110 (3).

More importantly, agriculture is a devolved function. Being a devolved function, it is incumbent upon us and our committees to bring legislation that supports and enhances the quality of agriculture in the country in all crops, be they cash or food crops. I urge Sen. Ndwiga and his team to remain seized of the matter and be eternally vigilant that our jurisdiction and authority is not constantly undermined by players outside the arena of Parliament.

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

**The Senate Majority Leader** (Sen. Poghio): Mr. Speaker, Sir, I thank the Chairman of the Committee of Agriculture, Livestock and Fisheries for being so concerned and raising the issues as pertinently and emotionally as he has done.

Mr. Speaker, Sir, the one thing which has caught my attention is that the Member is speaking about rumours. Rumours just like newspapers, cannot be produced in the House. The truth of the matter is that the Government is also a source of legislation as much as we are. When we have an issue like this one, it is incumbent upon me. I have already promised the Member that I will be meeting with him in my office to discuss the matter because we are in a difficulty situation.

We are in a situation where, following the court ruling, we have a lot of republications, concurrences and so on. Therefore, those things are communicated every week. Every time I issue a Statement on the state of Bills, you will know which Bills are being republished, undergoing concurrence and so on.

The rumours are the ones that are moving us in this direction. Let us consult together. The truth will be given on Tuesday, next week. I do not believe that a Bill initiated in this House can be reintroduced in another House following the court ruling.

*(Loud consultations)*

I do not know whether we are in a class. You all know the rules. You cannot shout from where you are.

The truth is following this new court ruling, we have now to seek concurrences on every Bill and have it republished afresh as it has been ruled. Let us wait and see instead of having ourselves so emotionally involved about these things. It is our duty to protect

this House, leave it to us. If we do not do it then you have a reason to tell us we did not and this is where this matter should be

**Sen. Murkomen:** On a point of order, Mr. Speaker, Sir.

**The Speaker** (Hon. Lusaka): What is your point of order?

**Sen. Murkomen:** Mr. Speaker, Sir, the Senate Majority Leader must understand that he answers first to this House before he answers to any other person out there. To appear to be defending a position that takes away the jurisdiction of this House is an abdication of duty. I thought the Senate Majority Leader would be speaking with authority telling us that the Senate leadership in no uncertain terms will not accede to a situation where that Bill will go to another chamber. In fact, I daresay if the debate is about concurrence then the question is squarely in your hands.

If a Bill is being republished which was in this House and then concurrence is being sought, how then do we find ourselves in a situation where a Bill which was generated in this House and has been republished for concurrence, can be introduced in another chamber? These things should be straightforward. I want to challenge the Majority Leader to appreciate that when there is a conflict between his position and any extraneous interest even if it come from the Executive he must defer to this House. Is he in order?

**The Senate Majority Leader** (Sen. Poghio): Mr. Speaker, Sir, a point of order is not a debate. That is not a point of order. I have said that it is not going to happen. The Bill introduced down there might not even be your Bill. It could be another Bill. It is a COVID-19 Bill but may not be your Bill. Let us wait until all the facts are there so that we can communicate on Tuesday. We will do that on Tuesday. I do not see why we should even be debating a matter which has been raised to the Speaker to make deliberation on. If anything comes, I answer to both. I answer to this House but I also answer to the Government of the day. I will not allow us to impute improper motives on leadership before you have the correct answers because I can tell you that the Bill down there might not be the same Bill you are talking about.

**The Speaker** (Hon. Lusaka): I will give a detailed response on Tuesday, that is the position.

Next order!

### **MOTION OF CONDOLENCE ON DEMISE OF THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA**

TRIBUTE TO HIS EXCELLENCY THE LATE  
DR. JOHN POMBE JOSEPH MAGUFULI

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

THAT, the Senate of the Republic of Kenya expresses its deep sadness at the death, on 17th March, 2021, of His Excellency Dr. John Pombe Joseph Magufuli, President of the United Republic of Tanzania; records its appreciation for his immense contribution in public service to the people of Tanzania; appreciates his efforts to foster unity and peace within the East African Community; recognizes the high esteem in which he was held in the African

Continent in his pursuit of Pan-Africanism; stands in solidarity with Her Excellency Mama Samia Suluhu Hassan, the new President of the United Republic of Tanzania, and the people of Tanzania, in the true spirit of brotherhood within the East African Community in this difficult time; and offers its profound sympathy and condolences to Her Excellency Mama Janet Magufuli and the entire family, the Government and people of the United Republic of Tanzania.

Mr. Speaker, Sir, the late President Magufuli served his people whole heartedly up to the time of his death. He was a man of the people and a Statesman who put his country first while championing East African Integration spirit.

The Senate appreciates his efforts to foster unity and peace within the East African Community especially the role Tanzania has been playing in stabilising Somali and its neighbor, Burundi. It also recognizes the high esteem in which he was held in the African Continent in his pursuit of Pan-Africanism.

Mr. Speaker, Sir, we are mourning and are within the 40 days of mourning that Tanzania has declared. It is also within the number of days that our own President declared mourning in our country. We have seen and followed the progress from the day that we lost the President of Tanzania, Dr. John Pombe Magufuli.

The closeness that our country has with Tanzania is natural and is as old as can be. We understand from the beginning of the struggle for Independence that the three East African countries then supported each other and the rest of Africa to get independence.

When Dr. Magufuli was elected as the fifth President of Tanzania, he brought in a new type of leadership that was very different from some of the leadership we have seen before in terms of the Chama Cha Mapinduzi (CCM) policies. Here is a man who worked like he knew his days were few and numbered. He worked tirelessly and the media followed him everywhere. We saw a man who went to the villages and spoke directly with villagers and sorted out issues in a style that had hitherto not been seen. Dr. Magufuli entered office with a view to save the economy of Tanzania and he has gone about it in various ways to make sure Tanzania's economy has grown.

He will be known for reviving Air Tanzania and many other achievements including fighting corruption. The spirit with which he fought corruption, he fought as though he knew he can serve one term or two terms. He worked hard to eradicate corruption in the provinces where it had become entrenched, it is like our counties right now. Those are the same situations. He went round and addressed those issues head on. We cannot have enough time for every one of us to speak about Dr. John Pombe Joseph Magufuli fully because I know there is interest and I am not going to take too long to express my own condolences, those of the people I represent of West Pokot and my family to the people of Tanzania and to make sure that we speak directly to the people of Tanzania.

Mr. Speaker, Sir, there are some difficulties that we faced as a country and as a people during the times when John Pombe Magufuli was President. Some of them are things like the people of Kajiado County when the livestock was taken in that direction, I do not know whether it came back. There was a bit of friction but the overall brotherhood that we have with the people of Tanzania did not change. The cross-border businesses have continued between our people and the people of Tanzania. We only had

one place where we could not agree on; the COVID-19 issue and handling of the disease in the two countries. We handled ours differently from the way Dr. John Pombe Magufuli handled it in his country.

He was a man that had many attributes and had many friends in this country. He had direct friendships with people in this country including His Excellency the President, the former Prime Minister and many others. I want to register the condolences of this House so that at the end of it we can extract a message that will go through the High Commission of Tanzania to the people of Tanzania and to Her Excellency President Suluhu.

Mr. Speaker, Sir, because ours come in a bit late in the day, many of the people have spoken on their own on various media forums. However, here is our collective thought. Here is a time when the Senate of Kenya is going to show that we have also mourned along with our Government and the other sister House that has already had theirs.

Yourself, our own Speaker has been to the Embassy of the High Commission of Tanzania and has presented his and also our condolences directly to the High Commissioner. In this case, it is our time. I think that as many people can contribute on this matter can speak on it.

Mr. Speaker, Sir, personally, I learnt quite a few attributes from the way that a President of a neighboring county could decide, for example, that you do not get out of the country anyhow. You cannot just travel. He himself did not like or did not want to travel. He did very few travels. Business can be done. I am not saying that we should adopt that. I am just saying how effective the words of a President can become law in a country.

In my own estimation, we have lost a great leader in the region. We have lost a leader with a different approach to things. We have lost a leader who has had so much experience about Tanzanian Government and his party.

Mr. Speaker, Sir, we want also now to congratulate his successor. For the first time we have a woman President in our neighborhood who will serve the remaining term. We think that this is the time now women all over in the East African region can also step up, so that our people can see the leadership of a woman President and appreciate.

I am sure that she will fight the same evils and vices that were there in the country with the same strength as the late Hon. (Dr.) John Pombe Magufuli.

I wish to extend our condolences to his family, children, extended family and the people of Tanzania, including the Parliament of Tanzania. As we say in mourning that may God rest the soul of His Excellency Hon. (Dr.) John Pombe Joseph Magufuli in eternal peace.

Mr. Speaker, Sir, I beg to move and ask the Senate Minority Leader to second.

**The Senate Minority Leader** (Sen. Orengo): Mr. Speaker, Sir, I thank you. I also join the Senate Majority Leader as I second this Motion to express my condolences to the people of the United Republic of Tanzania, the party Chama Cha Mapinduzi (CCM), the family of Hon. (Dr.) John Pombe Joseph Magufuli and to Africa and the region as a whole.

At a personal level, it will take me quite a long time to talk about Hon. (Dr.) John Pombe Magufuli. He is somebody I met through the Rt. Hon. Raila Amolo Odinga with whom he had a very close relationship. I had occasion to visit his home before he became

President in a delegation led by the Rt. Hon. Raila Amolo Odinga in his home in Chato together with the former President of Tanzania, Hon. Benjamin Mkapa.

I did not think that ever at that time it occurred to Hon. (Dr.) John Pombe Joseph Magufuli that he was going to be the President of the United Republic of Tanzania. While at his home, we had quite a series of discussions on matters to do with the region, Tanzania and Kenya. However, it never occurred to us that he had any burning ambition ever to be the President of the United Republic of Tanzania.

Mr. Speaker, Sir, so, I mourn somebody who was humble, extremely civil and many times very hilarious. It was easy to have a conversation with him. In fact, there could never be any dull moments as you talked to him. Again, a team from Kenya, and we were part of that team, witnessed his inauguration as the fifth President of the United Republic of Tanzania.

I want to say the following. Human beings can never be perfect. I think those who make a difference in life are those who take a stand. If you look through history, those that have made a difference are those who have taken a stand. Maybe a lot of people may have problems with the stand that you take, but if you take a stand instead of standing on the fence, you can resolve many problems.

Mr. Speaker, Sir, that is why in Hamlet, Shakespeare says that above everything else you must be true to yourself. If you are true to yourself, you can never really bear false testimony to any man. Being true to yourself is not being true to your subjective needs, but being true to your inner self. It is your humanity. You can always do right.

Hon. (Dr.) John Pombe Magufuli joins the series of historical leaders who have made a difference. This President of the United Republic of Tanzania was there for one term essentially because the second term he did not quite serve any substantial portion thereof. However, those who want to make a difference, when you take a stand and you believe in the stand that you have taken, you can always make a difference.

Mr. Speaker, Sir, in China, what we see a lot about modern China; he was not quite a President, but he was like the paramount leader of China. He was Xi Jinping. I am not even talking about Mao Zedong. I am talking about Xi Jinping who never was chairperson of the Chinese Communist Party (CCP). He was never even the Secretary General of the CCP. However, he took a stand that for China to become part of the modern economy, he had to create space. There were human rights violations in China, but he took a stand that in so far as China's time had come to become a modern industrial state, China as a society had to change.

Mr. Speaker, Sir, he opened up China. Although on the economic front, he had this famous quotation that he does not really care when people were confronting him with the ideology of capitalism and socialism. He said he does not care whether the cat is black or white, so long as it catches mice.

The great lesson to learn from President Hon. (Dr.) John Pombe Magufuli is that you see how he changed the face of Tanzania in five years. Tanzania did not have a national airline. If you go to Julius Nyerere International Airport, you see the work that has been done at that airport.

Mr. Speaker, Sir, if you go to the sea front in Dar es Salaam, it is not only modernizing and expanding the port, but there is a sea bridge across the sea front in Tanzania. The kind of work, probably, that we would only see in South Africa in this region.

If you see the airports that were being constructed and hospitals. It is not just the port of Dar es Salaam, there is Bagamoyo. He constructed the Standard Gauge Railway (SGR), doing it at a percentage of what we are doing it here.

He took a stand against corruption and that worked. This is because he was true to himself that he was fighting corruption, not in a haphazard way. He looked around himself to make sure that he was not preaching water and drinking wine. This was a great son of Africa, a true Pan-Africanist and a true Tanzanian, one that was determined to make a difference and take a stand on many things.

Sometimes, when we talk about gender equality, we just talk about it in name. However, President Magufuli nominated a woman as a Vice President. He looked for the humblest woman to become his deputy, one who had also served with a lot of humility. As a result of that determined stand, even in his second election, he nominated the same person to be his deputy in Tanzania. Today, we have a distinguished woman as the President of the United Republic of Tanzania and Commander-in-Chief of the Armed Forces. How glad I was when she made her maiden speech to show that she had the authority and was fit to hold the office.

In the long history of Tanzania, I could not say that President Magufuli could reach the heights of Mwalimu Julius Nyerere, but I think that people will remember him a lot for what he did. There are many complaints that have been made against this president, but you cannot say that the mourning of President Magufuli was stage managed.

You could see the people in Dar-es-Salaam, Dodoma, Zanzibar and Mwanza, and hopefully in Chato--- I think they are going to be there tomorrow just before the burial on Friday. It was a true reflection of what the Tanzanian people thought about their President.

In order to move forward, you cannot create a society based on two, three, or four pillars. You must have more than four pillars to hold a proper roof. I wish the United Republic of Tanzania well with this great legacy that President Magufuli has created, even in choosing a lady to become the President of the United Republic of Tanzania.

I think that is pace-setting to Kenya and Uganda to some extent. Uganda has had a lady as a Vice President. I hope that we will not go back in the region, but have more women in positions of authority and as heads of state. We have one in Ethiopia, but that is a ceremonial President. President Samia Suluhu is a real *suluhu* for the cause of women in the region and in Tanzania itself.

I will conclude by saying that in the new leadership that will be created around this great lady, Tanzania needs to open up. When we were growing up and were in the university, we were part of the dissidents of those days. Everybody from the North and South was trooping to Dar-es-Salaam. I think that Sen. Wako lived in Dar-es-Salaam. We even had people from the Caribbean. The University of Dar-es-Salaam was like the intellectual Mecca of Africa.

People like Walter Rodney lectured in Dar-es-Salaam and later on contested the presidency in his country in the Caribbean. Angela Davis, who was a great leader and revolutionary also made an appearance not just in that country, but gave lectures at the University of Dar-es-Salaam. Many Kenyans went to Dar-es-Salaam as students and as people who could not find a space in this country.

I lived in Dar-es-Salaam. If you went to Dar-es-Salaam those days, you had people from Uganda, Kenya, Zambia, and there were countless South Africans. It was like the haven where you find peace and solace and prepare to go and change your country.

I, therefore, plead with this new leadership to open up Tanzania. Let people like Mr. Tundu Lissu go back to Tanzania. Let the opposition also thrive in Tanzania, so that it can achieve its fullest greatness. Even the Asian tigers that started as dictatorships like Singapore, Malaysia, Korea and the rest have ended up opening up. You cannot build a lasting modern industrial state if you do not have respect for human rights.

President (Dr.) Magufuli probably thought of a strategy of opening up the country industrially and commercially, to be inward looking for a little while and the time will come for Tanzania to have space in Africa and the world as a truly democratic country. I wish them well, but I plead with them to open up Tanzania so that we in Kenya can continue to have fellowship with our brothers and sisters in the great United Republic of Tanzania.

I thank you, Mr. Speaker, Sir.

I second.

*(Question proposed)*

**The Speaker** (Hon. Lusaka): Sen. (Prof.) Kamar.

**Sen. (Prof.) Kamar:** Thank you, Mr. Speaker, Sir, for giving me the opportunity to register my condolences and those of the people of Uasin Gishu County, and sympathies for the people of the United Republic of Tanzania at this very difficult time as they prepare to bury the late President, Dr. John Pombe Magufuli.

Neighbours are neighbours. For those of us who believe in the Bible, we must love our neighbour the way we love ourselves, and Tanzania is our neighbour forever. I served in the East African Legislative Assembly, and I saw the importance of neighbourhood. I condole with the people of Tanzania as our neighbours. I pass my condolences to the family, Mama Janet, and the whole republic.

Mr. Speaker, Sir, I will be brief. One characteristic that attracted my attention to the Late Magufuli is that of humility. In fact, Magufuli was an usher in his church before he became the president. He did not stop ushering when he became the president. That is one lesson that we must learn in the East African Community (EAC).

Humility does not remove you from being the Excellency you are when you become the President. Humility can endear you to many and bring you breakthroughs you would not otherwise have had. The humility of Dr. John Pombe Magufuli has been clearly seen in the various stopovers when the body has been displayed for public viewing. We have seen many Tanzanians mourn in the streets and stadia.

Mr. Speaker, Sir, this is a lesson all of us as leaders must learn. We are in this world for a very short time and so humility must lead us as leaders. We lost another very humble soul the other day. Yesterday, a very humble daughter of Kericho was buried. I give my condolences and that of the people of Uasin Gishu to the family of hon. Susan Kikwai. She was a lady who like you, left a huge government job to go and serve her people only for this terrible pandemic to take her life. I watched earlier as our Senior Senator, the Senator for Busia County, Sen. Wako shared his experience in the last five

weeks. I would like to remind senators that COVID-19 is real and can bring devastation. Let us just be careful.

Mr. Speaker, Sir, I am glad that the vaccination against COVID-19 has begun. I thank Sen. (Prof.) Ongeru for explaining and urging us to be vaccinated. We were starting to get cold feet because of the many rumors that have been floated about the vaccine. Having listened to Sen. (Prof.) Ongeru, I think it is very important for us to be vaccinated. I say “*pole*” to the people of Kericho through their Senator who is here and the family of hon. Susan Kikwai. It is how we take care of ourselves now that we can stand.

With those remarks, I congratulate the new President of Tanzania, Her Excellency Samia Suluhu. We are very proud as women of the region that we have the first woman president in the East African region and we pray for her. It is sad that she had to get to the presidency under difficult circumstances but be it as it may, we pray that she will have great strength and leave a landmark that all the other women in the East African region can learn from.

I offer my deepest condolences to the family and the Republic of Tanzania on the demise of the fifth President of Tanzania, Dr. John Pombe Magufuli.

**Sen. Wetangula:** Thank you, Mr. Speaker, Sir. I support the Motion moved by the Senate Majority Leader in recording our collective and individual condolences to the people of our sister country, Tanzania. On behalf of the people of Bungoma that I represent in this Senate and of the FORD Kenya Party fraternity I send my condolences to the people of Tanzania.

Some of us had the privilege of knowing the late President Dr. John Pombe Joseph Magufuli at a personal level. We have worked with him within the context of the East African Community and we can bear testimony of a man of great intellect, talent and with great commitment to bettering humanity.

The late Dr. John Pombe Joseph Magufuli walked through the ranks of politics to become the least expected successor to former President, Jakaya Mrisho Kikwete, when he was retiring. In fact, when Chama Cha Mapinduzi (CCM) congregated in Dodoma to nominate a successor candidate to President Jakaya Mrisho Kikwete, Dr. John Pombe Joseph Magufuli was an outsider in the inner ring of CCM. However, because of his commitment to his country and outstanding performance in every portfolio that he was assigned, he became the compromise candidate.

Those who were frontrunners such as my friend Bernard Membe, Asha-Rose Migiro, January Makamba and others fell behind Dr. John Pombe Joseph Magufuli for him to become the choice of CCM and therefore successor to President Kikwete.

When he came into office, sceptics did not quite see that he was going to be what he turned out to be, although he had already established himself a good reputation as what Tanzanians commonly called *mchapa kazi*, because everything he did was with great commitment and distinction. He is known in Tanzania for having run the Ministry of Roads to a level where nobody else had ever done, making Tanzania pave roads at most cost effective levels.

We have seen on Television the number of people who turned up to pay their respects. We must remember that the late Dr. John Pombe Joseph Magufuli, is the second president in the East African region to die in office after our founding president Jomo Kenyatta. His death is like no other in terms of comparison with other leaders of that

level. Our president Moi died more than 10 years after leaving office, the same for Mzee Mkapa and Dr. Nyerere. President Dr. Magufuli died at the height of his popularity among Tanzanians.

In November last year, the late Dr. John Pombe Joseph Magufuli went through an election where he got overwhelming support with a landslide victory in a general election. Many issues have been said about that election but we know that he was sworn in and was ploughing through his second term. Although it is always a CCM affair, the late Dr. John Pombe Joseph Magufuli will be remembered for being very fair to women. He picked H.E Suluhu as the Vice-President and she has now taken the reins of Tanzania.

We have great lessons to learn from Tanzania. In fact, when President Dr. Magufuli came to Kenya he said Kenya was one of the best countries in this region except for one thing - tribalism. He told Kenyans, "I may offend you but I want to tell you this. *Shida yenu ni moja tu- ukabila.*" We have lessons to learn from Tanzania.

In the elections that brought President Dr. Magufuli to office, hon. Munyes, hon. Mositet and I went to Tanzania to observe elections on behalf of the International Conference on the Great Lakes Region (ICGLR). You could find that in Tanzania, the person born in Kilimanjaro is assigned by CCM to run for an elective position in Mbeya and wins. A person born in Tanga is assigned to run for a seat in Morogoro and wins.

Mr. Speaker, Sir, I wish the same was true here, such that Sen. Poghisio can be assigned to go and run in Kwale and on the basis of party policies he can win. I look forward to a day when Kenya and Kenyans will see themselves not through the prism of tribe, but through the patriotic knowledge that we are one country, one people and one nation called Kenya. That is what Tanzania is, thanks to the founding Father *Mwalimu* Julius Kambarage Nyerere.

I do not want to say too much because many Senators want to speak. However, I want to say that we as Kenyans were made very proud by our President when he appeared at the funeral of President Magufuli. He made a speech that captured the imagination of everybody. Even Tanzania's sceptics gave our President a standing ovation in the manner of delivery, in the syntax of Kiswahili and above all in his commitment to the East African region.

I want to urge East Africans that our future as a region is firmly engraved in our being united as one, as the East African Community. We salute our forefathers, *Mzee* Nyerere, *Mzee* Moi and President Museveni who together pushed the East African language of Kiswahili to become the first African language to be adopted as an official language in the African Union.

If you go to the African Union today, those of us who may be challenged in the proficiency of the English language will follow the proceedings of the African Union without any difficulty whatsoever because Kiswahili is ranked alongside English, Portuguese, Spanish, French and Arabic as an official language of the African Union; thanks to Tanzania that protected and nurtured Kiswahili to grow to the level where it has become an accepted official language in Kenya, Uganda, Rwanda, Burundi and now in Eastern Congo. That is the legacy that successive leaderships in Tanzania have given to this region.

Mr. Speaker, Sir, more importantly, is the orderly succession that we have seen in Tanzania. Here is a country where the issue of where Mama Suluhu comes from, Zanzibar, is not an issue. It is an equal partner. The mainlanders have accepted her, the

Zanzibaris have accepted her and she is not moving to leadership gloating about becoming the President, but with the humility of assuring Tanzanians and East Africans that the policies of President Magufuli and Chama cha Mapinduzi (CCM) as a party will be enhanced.

More importantly is the fact that Tanzania remains an example to the whole continent in terms of national cohesion. I wish all other countries in the region and on the continent could see what Tanzanians do since President Magufuli came into office and I was very happy to see our President salute President Magufuli's policies. I wish he had also done the same here of not borrowing without boundaries.

President Magufuli said, "*Tanzania itajengwa na kile tuko nacho.*" That is a quote and he did. A Standard Gauge Railway (SGR) is being constructed, a second port of Tanga is under construction, a super highway from Dar es Salaam to Mwanza is under construction and the port of Mwanza is under renovation. Many things have been done under the watch of President Magufuli and yet Tanzania is not choking under the weight of both domestic and foreign debt like we are. That is an accolade we cannot deny President Magufuli.

President Uhuru, as the new Chairperson of the EAC, we would want you to take back East Africa to where it was. When East African Ministers of Finance meet, they compare their levels of public debt, domestic debt, foreign debt, foreign dependency on their development and many others. Some of us met President Magufuli through the East African Community sectoral meetings. We do not hear about those sectoral meetings any more. The cohesion and integration of East Africa is now in danger of being derailed because of lack of regular meetings at high levels.

We want to urge President Kenyatta as the new Chairperson of the East African Community to take the lead. South Sudan has been accepted as a member of the East African Community. I dare say that the solution to the chaos in Somalia may lie in its acceptance as a member of the East African Community so that the Somali warlords will find less and less incentive to fight over who controls a street, airstrip or a little port because as serious businessmen and women in this region, they will have a much far and wider market to play their business activities.

If we had brought Somalia into the East African Community (EAC), I am sure that President Magufuli would have been on the frontline to champion this and I urge President Uhuru to do so. Forget about the little irritations between Kenya and Somalia. Those will be no more if we integrate even more so that we bring cohesion, brotherhood and above all a commonality of economic activities that benefit the people of this region. A bigger market is a better market. A bigger market is an avenue to prosperity.

Mr. Speaker, Sir, if we can do this, this East African region will remain the beacon of hope for the African continent. Even when you go to the Economic Community of West African States (ECOWAS) in West Africa, they do not have a binding language. When you go to South Africa, they meet and talk in English. When you go to Northern Africa, you have Arabic and others speaking different languages. However, in East Africa, Sen. (Dr.) Mwaura can leave here, go to Mbarare in Uganda and address a 90-year-old person in Kiswahili and they will communicate. You can leave here, go to Mtwara in Tanzania and speak in Kiswahili and you will communicate because we see each other as one.

The legacy we want to build on President John Pombe Magufuli as the people of East Africa and those of us who aspire for higher leadership is to take the mantle that he took together with like-minded East African leaders and tell our people that united as a region we prosper. Parochial politics of getting into cocoons of nationalism that “*sisi ni Wakenya*”, will take us nowhere; *sisi ni Waganda* will take us nowhere. We can unite and grow this region.

Lastly, I proudly salute CCM and President John Pombe Magufuli because their party colours are green and the party colours of FORD-K is green. That is the direction to go.

Thank you, Mr. Speaker, Sir.

I support.

**The Speaker** (Hon. Lusaka): Order, Senators. I know that we are all entitled to 20 minutes as per the Standing Orders. However, I want to appeal that there is a lot of interest because most of you would want to condole. At this point, I now want to invite Sen. Agnes Kavindu Muthama to make her maiden speech and she will be heard in absolute silence.

**The Senator for Machakos County** (Sen. Agnes Kavindu Muthama): Thank you, Mr. Speaker, Sir, forgiving me this opportunity to make my Maiden Speech and also contribute to this Motion on the demise of the late President Magufuli. I want to thank this House and all the Senators for your warm welcome. Yesterday, I really felt at home at work. This is because you all welcomed me very well and you are still continuing to welcome me.

My special thanks go to the President of this nation for allowing me to move from Jubilee Party to Wiper Democratic Party to vie. I also thank the Wiper Party Leader, His Excellency hon. Stephen Kalonzo Musyoka for giving me the ticket.

Special thanks also go to the people of Machakos County who voted for me overwhelmingly and handed me a landslide victory. I really thank God for them. This shows us that Chapter Five of the BBI which talks about non-divisive elections is achievable. Elections in Machakos County were very peaceful. Taking the example of the people of Machakos County, it can be done and it is possible. Therefore, the people of Machakos County, I really thank you and I promise that I will do what it takes to deliver what you have sent me here to do, together with the other Senators.

Special thanks go to some of the Senators in the House who came to the ground to help with the campaign. Sen. Mutula Kilonzo Jnr., Sen. Wetangula, Sen. Gideon Moi and hon. Balala. Thank you very much for giving me a hand.

Mr. Speaker, Sir, I know I will work with the rest of the Senators as a team. I am sure we will deliver and do what our various counties have sent us here to do.

With regard to the Motion on the condolences to the family and the people of Tanzania for the loss of the late President Magufuli, I want to say one thing about him. As I convey my condolences and that of the people of Machakos County, I want to say the humility that I saw in the late President, I had never seen it anywhere else. He freely mingled with the people and his Christian faith was great. We have lost a great leader and a hero of faith.

*Pole* to Janet Magufuli. *Pole* to the whole nation of Tanzania. We will continue praying for Her Excellency President Suluhu. I know you will bring *suluhu* to the problems facing the Republic of Tanzania and the community of East Africa because

your name means solution. I know you have many solutions for that nation and you will do it. We will continue praying for you as we continue praying for the Republic of Tanzania.

Mr. Speaker, Sir, I support this Motion and thank those who spoke before me. Thank you very much and God bless us all.

*(Applause)*

**Sen. Olekina:** Mr. Speaker, Sir, let me join my colleagues. First of all, let me thank you for giving me this unique opportunity to express my condolences to the people of Tanzania, and the Government of Tanzania for the loss of their beloved President.

Mr. Speaker, Sir, someone once said that truth is like a lion. You do not have to defend it. You let it loose and it shall defend itself. What we have learnt from the late His Excellency John Pombe Magufuli was that as a public servant and as a head of Government, you ought to find local solutions to local problems.

Mr. Speaker, Sir, the late President Magufuli will be remembered by many as a person who loved his country. As a leader, he believed you are only given a very short time to serve and be remembered for what you have done.

Some of the most controversial things that I remember that Magufuli did, which the Executive, Parliament and the Judiciary should learn from is that he reduced his Cabinet from 30 to 19 and curbed lavish government spending, which the three arms of Government thrive on. He also reduced a delegation from 50 to 4 Members to curb on lavish spending in his government. Those are things that any leaders should do.

Mr. Speaker, Sir, when I heard that the late Magufuli had suspended the spending of lavish budgets during World International Aids Day, it shocked me. However, when I heard the responses as to why he did so, then I said one day when I become the President of this country, I will do the same.

*[The Speaker (Hon. Lusaka) left the Chair]*

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

He cancelled celebrations of International World Aids Day and used that money to buy drugs. That gesture meant so much to Tanzanians and served as a big lesson to our leaders.

When we speak about truth, some of the things that I see happening in this country, I wish that we cannot just preach water and drink wine. One of the biggest problems we have is that when we have local problems caused by some of us, we look for solutions elsewhere. We must not run away from our problems, instead we should look for local solutions.

Madam Deputy Speaker, I know that the late Magufuli would not have considered to privatize a company like the National Oil Cooperation which is now in debt with Kenya Commercial Bank (KCB) and the Standard Bank. He would have asked people in his Government to provide a solution to this problem.

Instead, in this country called Kenya, we do not look at our neighbours here and learn from them and see the progress that late Magufuli brought into Tanzania. Instead,

we put our own personal interests first. This is something which I really pray that all the leaders, Cabinet Secretaries can learn from.

I came across a letter which was written by the Cabinet Secretary (CS) for National Treasury and Planning to the National Oil Cooperation telling them that the Government cannot inject more money into the company. What we need to do is for you to look for a suitable company out there and surrender the interim management of the company to try and rebuild the company. I see that as running away from the problems that we have in this country. What the late President Magufuli would have done is to address the problem once and for all.

Madam Deputy Speaker, the people of Tanzania will remember their leader as someone who did not cherish lavish spending. He did not see himself as very superior, or someone who could not be approached by anyone. I have seen several videos where individuals went to him for some assistance.

I remember very well that--- one of the things that I will remember him for, is that when he was elected as the President of the Republic of Tanzania, he reduced his salary from US\$15,000 to US\$4,000 a month. That is something that we, as leaders in this country cannot even contemplate doing.

He was able to share the USD\$4000 that he earned with the people who came crying to him for support.

The demise of President Magufuli should teach us a lesson that we are in this world for a brief moment. No one would have thought that President Magufuli would die. However, it reminds us that we are mortals. The brief moment we are given from our mother's womb to our tomb, we should not be remembered on how much wealth we accumulate in this country but how much we save the people who elect us and give us an opportunity to represent them.

When we go out there, there are so many controversies. One which is interesting, and which I always remember President Magufuli for is that he looked at the people who were busy promoting birth control pills and saying; "you people are lazy, you are saying you cannot raise more than two children." I now believe that we should not consider birth control pills. Instead we should emulate what President Magufuli said. Once we have responsibilities, then we can fight this issue called corruption. When you know that you have to provide for more than two children, then you will stop being lazy.

Madam Deputy Speaker, I know that my colleagues would like to contribute to this. I would like to end by saying that we should learn to speak the truth and defend it. This is what I saw in President Magufuli. Although some of the things he said could have been controversial, but based on what he stood for - anytime you are seen to be standing firm, instead of people judging you by the content of your speech or by your stand, they say the person is flipflopping or is joining a political party. It is a matter which my colleague, Sen. Orengo, was talking about, standing firm and being known for speaking the truth. Defending the truth is what we should be doing in terms of looking at leaders and their characters.

As leaders, we should not try to gain mileage by using other leaders' name. My good friend, Sen. Malalah, the other day spoke about him having spoken to me to join the Amani National Congress (ANC). The other time I asked him, "my brother, when did you speak to me?" I can be as controversial as I want to be but remain a member of Orange Democratic Movement (ODM) Party. All these hullabalos that this person has

gone to *tangatanga* is neither here or there. We should look back at what President Magufuli said; he did not care. One day, he arrested our people, the Maasais, who were grazing cows in a game reserve. It took the intervention of my party leader, Hon. Raila Amolo Odinga for the Maasais to be released. He stood firm and said this is what we want to do and we respected each other.

Finally, I encourage the widow, Her Excellency Janet Magufuli to take heart because this is just a passing cloud. All of us are passing clouds. There is that song where people used to sing and say this world is not my home, I truly believe in it. For the President who has taken over, Her Excellency President Suluhu, I hope that the rest of us in this country can see that a woman can become President of this country. I hope and pray to God that the brief moment that God will give me from my mother's womb to my tomb I will see a woman becoming President of this country to support everyone who lives in this country.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you Senator.  
Sen. Dullo, proceed.

**Sen. Dullo:** Thank you, Madam Deputy Speaker. I wish to take this opportunity to join my colleagues in sending a condolence message to the people of the Republic of Tanzania for having lost their President. I have not had personal interactions with the late President. However, from what I have observed---

*(Loud consultations)*

I do not need protection but consultations should be done 1.5 meters apart. It looks like everybody is crowding around you. You might be infected; you have to be careful.

*(Sen. Sakaja interjected)*

Protect me from Sen. Sakaja.

What I have seen from the late President, he was a true servant leader. I have watched videos where the late President could interact with his people down at the grassroot level without choosing. I have seen him ordering and giving instructions to civil servants to make sure they have done a, b, c, d. Those who have failed to meet that requirement--- In some cases he has dismissed certain officers there and then. The late President had improved or turned around the economy of Tanzania. In one of the cases I have read, instead of having a lavish ceremony after he was elected - Kenyans cannot afford to do that - he constructed a road in Dar es salaam. This is humility and a true leader. I have seen the way he interacted with the youth in his country; the artists. I have seen musicians saying that the President called me yesterday and said the following. Where in Africa can you find that kind of a leader? That is a true servant of the people.

Madam Deputy Speaker, there are many people who criticised the late Magufuli, but a true leader is easily criticised because of his actions. He could appear in some offices to find out how people were doing, which is commendable. It is difficult at this moment to get somebody like Magufuli to revive what he has done. However, Magufuli has a track record in Tanzania that all East African Members need to emulate. I need to confirm to this House that when we started the Jubilee party because I sat in the team that drafted the manifesto. The intention that the President and the Deputy President of this

Republic had was to have a CCM like party in Kenya. However, because of the tribal nature of our politics we did not achieve the positions and Kenyans need to learn from that.

If you go to Tanzania, the way they present themselves, they talk of unity, '*sisi Watanzania*'. They do not say *sisi*, this tribe or that. What is dominating our politics as Kenyans are our tribes and clans and that is not right. The death of the late President of Tanzania is something that Kenyans need to learn from.

Madam Deputy Speaker, I thank the late President of Tanzania for having appointed the current President hon. Samia Suluhu to be the Vice President. It is very hard for African leaders to trust women to be their deputies and so it is a joy to see the President of Tanzania is now a lady.

I watched hon. Samia Suluhu make her maiden speech. That woman is truly meant to be the President of Tanzania. I have seen a lot of confidence in her. I remember what she said, "*Wale ambao wanashaka kama mwanamke huyu ataweza kuwa rais wa Jamuhuri ya Muungano wa Tanzania, nataka niwaambie kwamba aliye simama hapa ni rais.*" That is the confidence that she has given to the people of Tanzania. Those are strong words and we owe a lot to the late President Magufuli. That is something that Kenyans need to learn from. Given the opportunity, women can do wonders in this world. We are asking our brothers and sisters to give us the opportunity and we will be able to deliver

Madam Deputy Speaker, I wish to thank the President of this Republic His Excellency President Uhuru Kenyatta. First, he said "*liwe liwalo*" I had to attend this funeral. He is the only President of East Africa who attended that funeral. That is a true leader.

Secondly, I really commend him for respecting the Islamic religion. I will never forget that when President Uhuru was reading his speech, he stopped to observe *Adhan*. I will have to commend him when I see him next. That is truly the teaching of Islam. That is a true leader who respects the religion of his people. At that particular time everybody lauded him for that.

We have a lot to learn from the death of the late President of the Republic of Tanzania. We have a lot to do ourselves. I remember before Magufuli became the President, I had some friend in Tanzania who used to say that coming to Nairobi for them is like going to Europe. Right now things are the other way round. Maybe one day, we will be the ones to equate Tanzania to Europe and the same applies to Rwanda.

Madam Deputy Speaker, the other day, Rwanda was getting experts from Kenya; teachers who were going to teach in the universities, people who were going to work in the hospitals and many others. Rwanda used to rely on us but today where are they and where is Kenya? This is something we really need to think about as a country.

Madam Deputy Speaker, I thank you so much for this opportunity. My parting shot is that this country needs to learn from what is happening in other parts of the world.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you, Senator. Honorable Senators, I want us to be fair to everybody because people have waited. We have 15 Members and only 70 minutes to go. If we had 75 minutes left, it would have meant that each Member would have five minutes to make their contribution. I seek your indulgence. Can we limit the time?

Five minutes will drop one person. Can we reduce the time to four minutes?

**Hon. Members:** No!

**The Deputy Speaker** (Sen. (Prof.) Kamar): If we go by five minutes, one person will not have a chance. If you use your discretion, I urge Members to use five minutes or less where possible. I do not want to take the one-minute remaining.

I assure you that we will follow the order as it is. However, allow me to give Sen. Wako, who you are all aware will need to rest very soon because he has not finished his rest period. I will make another request a little later because we have two senior Senators here.

Proceed, Sen. Wako.

**Sen. Wako:** Madam Deputy Speaker, thank you for giving me this opportunity to convey my sincere condolences on my own behalf and that of the people of Busia County to the family of the late President (Dr.) John Pombe Joseph Magufuli and the people of Tanzania.

I may be the only one or one of the two others who can boast of being alumni of the university where the late President went, University of Dar es Salaam. You cannot appreciate properly Tanzania's and the late President Magufuli's contribution unless you know where Africa has come from. That is where the black man has come from; slave trade.

Madam Deputy Speaker, after slavery, the black man was told that we shall not take you away from your country. We shall leave you in your country under colonialism. Then from colonialism, the black man was told that he can govern himself but he shall not be in control of his economy. In other words, Africans and the other black people we have suffered economic exploitation for hundreds of years. That is where I believe Tanzania and particularly President (Dr.) John Pombe Joseph Magufuli made a sterling contribution.

The late President (Dr.) John Pombe Joseph Magufuli maybe is the only one who within five years has lifted his country from being referred to as a least developed country to a lower middle income economy. In East Africa, it was only Kenya which was the lower middle income economy.

Madam Deputy Speaker, however, President (Dr.) John Pombe Joseph Magufuli within five years as a record was able to lift Tanzania from the least developed to this economy. It is hard work, my dear friends, to do that and galvanize the entire nation and the people to focus on issues of economic development.

How did the late President (Dr.) John Pombe Joseph Magufuli do that? First, he renegotiated all the mining agreements. People used to say, why is it that Tanzania is the most richly endowed country with national resources more than any other country in the East African region yet Kenya, without much natural resources, has a better economy. The secret was that the mining industry and the multinationals were exploiting the minerals of Tanzania and not paying any tax whatsoever.

Madam Deputy Speaker, President (Dr.) John Pombe Joseph Magufuli changed all that and they began paying taxes in billions of dollars. That move freed and made available the money to improve infrastructure. That is why in Tanzania today there are most of the infrastructures that have taken place and they are many. Whether it is roads, hospitals, universities and many others, all these have been done with their own internal resources and not from borrowed money.

The late President (Dr.) John Pombe Joseph Magufuli was also very tough in negotiations. For example, when negotiating for the construction of their Standard Gauge Railway (SGR), he negotiated for far much less than the cost of the SGR that we have in Kenya. He also introduced what we call work ethic. On his first day as the President of Tanzania, he went very early in morning to the Ministry of Finance. He was shocked to learn that many people had not arrived to the offices by the time he got there. He also visited a few other offices during the first year of office and that introduced work ethic in Tanzania.

Tanzania is no longer the country I knew when I was there as a student and when we used to say that these people cannot work. We used to term them as lazy people who are waiting for coconuts to fall down on the ground.

Today, Tanzanians report to work on time and work very hard for the sake of the country.

Madam Deputy Speaker, he also reduced government expenditure, but most important of all, he dealt with the issue of corruption very ruthlessly. We clearly have to learn from each other. I just told this House that I have gone through a terrible five-week period of being infected with a serious case of COVID-19. When I read the paper---

*(Sen. Wako's microphone went off)*

**The Deputy Speaker** (Sen. (Prof.) Kamar): I will give you one minute to wind up what you were saying.

**Sen. Wako:** Thank you. When I read the papers, I see that the auditor's report has said that governors have misused COVID-19 money, but nothing appears to be happening to them. We know what happened with KEMSA but nothing is happening to them. I do not think that would happen in the Tanzania of Magufuli.

I want to commend our President for the very good speech that he gave on the issue of East African unity such that President Suluhu Samia referred to President Kenyatta by name in her address at the State funeral. As you know, we have a sub-ethnic group among the Luhya called Samias. I think you are aware of that.

Julius Nyerere was prepared to delay the independence of Tanganyika so that he can have the East Africa Community (EAC). I think the tribute that we can give to Magufuli, now that our President is the chairman of the EAC, is to ensure that we move on the road to the Federation of East Africa as quickly and as soon as possible.

**Sen. Sakaja:** Thank you, Madam Deputy Speaker. This is such an important Motion, and it is very unfair to reduce the time to five minutes. In fact, we could have just agreed under the Standing Orders, to debate until we finish and the House adjourns. There is a lot to say.

Nevertheless, on behalf of the people of Nairobi, I would like to sincerely pass my condolences to the people of Tanzania, East Africa, and Africa on the passing on of President Magufuli. I pass my condolences to his wife, Janet, his three children, and all those who knew him as a friend.

I first met him in 2015 when he came to Bondo for the funeral of my late brother, Fidel Odinga. It was at that funeral that I realized what kind of a humble man he was. He drove himself alone, all the way from Tanzania to Bondo. People cannot imagine that that is the same year he became nominated as a candidate. He drove himself and he was very

humble. He did not even insist on any special recognition, but he was recognized because of the kind of person he was.

Incidentally, that time I was campaigning for my friend January Makamba in the Chama cha Mapinduzi (CCM) primaries. They went head to head until the last five and Magufuli became a surprise candidate. The reason he became a surprise candidate is because he was accepted by everyone. Remember at that time, there was the heat between Membe and Lowassa. Sometimes when you have heated politics, you remember in 2002, Kenya settled on a compromise candidate because they could not agree after it was said *Kibaki tosha*.

Sometimes that is the kind of character that becomes the president and we might be shocked in 2022. No one expected Magufuli to be the person to be accepted. Once he was chosen, I spoke to my friend January and the rest and he said that if it is Magufuli, then we are in safe hands.

Madam Deputy Speaker, I was also able to interact with him again more recently when we went to Tanzania as patrons of AFC Leopards. We were playing against Gor Mahia and the Tanzania team. Through the Prime Minister, Raila Odinga we had this interaction with him and his team.

I also remember visiting Mama Maria Nyerere and the former Prime Minister and Chief Justice Warioba at their place in Dar-es-Salaam. You could tell the kind of impact and value that they have. Over here, we put a lot of emphasis on hardware, but the kind of emphasis and value they put in the software and brotherhood in Tanzania was something that we must emulate.

I pray that his soul rests in peace. We are proud that President Suluhu is the president, but let her not try to be Magufuli. Let her be herself. When you walk into a big man's shoes, do not try to fit in them but create your own shoes. When it was announced, I remember that I was talking to my sons and they said, "Tanzania has a girl as a president?" We laughed and I said: "First, she is not a girl, she is a woman. Secondly, I am proud that by the time my daughter is that age, it will not be a shock to have a female president in Kenya or East Africa."

Madam Deputy Speaker, as I finish, President Uhuru Kenyatta made us immensely proud by the respect he gave in going there to stand with our brothers. It is just an imaginary line between us and Tanzania. We are brothers. The white man left us with an imaginary line between our countries. It is like when you tether a goat and then you take away the rope, the goat does not leave that radius. We must start thinking in terms Pan-Africa, we must start thinking East Africa as one people, despite these imaginary lines.

We have lost many friends due to COVID-19. I just want to mention a few. I have many friends in Tanzania, and I would like to urge them that they need to take COVID-19 more seriously. This week, I have lost Rev. Wambua of the deliverance church in Donholm. He was a very good friend who I was talking to and the other day we laid him to rest.

We have lost Lorna Irungu, who was a director at Gina Din Media Group and a media personality. She was larger than life. If you look at everyone who was talking about her, she was a friend to many people, but we lost her due to COVID-19, despite her fighting lupus for 20 years. *Pole sana* to Edwin Macharia and the family.

We have lost Robin Njogu, who I used to call the king of radio from the time he was in Capital FM, then he went to Nation FM and Citizen FM. He was a young man. We have lost the executive director of the Jubilee Party, James Waweru. He was a former Principal Secretary (PS) and Provincial Commissioner (PC).

Let us be more serious about these measures. I urge our brothers in Tanzania that denialism will not help us at this time. Let us do whatever we must do.

Madam Deputy Speaker, I thank you and I record our deep condolences to our brothers and sisters in Tanzania.

Thank you.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you for keeping time.

Sen. (Dr.) Langat.

**Sen. (Dr.) Langat:** Thank you, Madam Deputy Speaker, for giving me this chance to condole this great man, the Late John Pombe Joseph Magufuli. He was a pragmatic leader who through his discipline and strategies, revolutionized the public service sector in Tanzania. As a result, the culture of laziness and mediocrity in Tanzania became a thing of the past.

I have been watching several clips; this man never entertained foolishness. He would visit some places very early in the morning and demand to see the functionality of some machines in some places. I wish that our leaders would visit some hospitals in this country and see how idle people in various sectors are wasting Government resources and doing nothing.

Madam Deputy Speaker, as a result of his pragmatic leadership, the service delivery and production level in Tanzania went so high. He will also be remembered for being very patriotic. He loved his country to the last words that he mentioned. He used to send his then vice president, Ms. Suluhu, to supervise projects and tell the people of Tanzania that he loved them so much. That really touched me.

This man was so patriotic. When his niece suggested his burial place, he mentioned his homeland. He could not stand being buried in a place that had been set aside for Tanzanian presidents. He was so patriotic to the country of Tanzania and to the village where he was born.

He promoted infrastructural development in a very simple way. As Sen. Wako has said, the cost of the Standard Gauge railway (SGR) in Tanzania as compared to the cost of the same in our country was minimal. This man loved his country. He was so disciplined and he really promoted the development of infrastructure in Tanzania.

He also fought corruption to the point that there was a time that several ghost workers were laid off and he went ahead to bring integrity in terms of certificates. I remember very well that most of the workers who had fake certificates were sent home because he wanted integrity in the world of academics.

We learnt a lot also from him. He was a great listener who travelled on the road addressing his people. This is something rare among our leaders. It ended with the time of the Late President Moi. When we travel on the roads to villages, we are able to witness directly what is happening as far as development is concerned. This is what President Dr. Magufuli was doing. I remember even in some places, he could give opportunity to a girl to talk about what was happening in her school. On the spot, he donated Tshs5 million for infrastructure. He also gave some money to that girl.

Madam Deputy Speaker, as an educationist, the only thing I differed with him was his policy that when a girl becomes pregnant, there is no more going to school. I hope Madam President Suluhu, being a lady, will loosen that policy to enable some girls to get a second chance and continue with their studies.

Sen. Sakaja has mentioned something so important; that it is high time in our country and neighborhoods we took COVID-19 seriously. We have lost people because of this COVID-19 and the worst of it is in our villages. Hospitals in our home areas are not taking COVID-19 seriously. They do not even mention those people who have died because of COVID-19. That is why they are buried in the ordinary way as anybody else hence increasing the infection rates. It is high time that Tanzanians took COVID-19 pandemic seriously just as ourselves.

President Dr. Magufuli was a great leader and leaders in the East African Community should learn from him. He also seriously promoted local contractors. I remember one time he had to stop some Chinese contractors to enable local contractors to build their economy. I really congratulated him for that action.

**Sen. (Prof.) Ongeru:** Thank you, Madam Deputy Speaker. I think we all must appreciate that the culture of Tanzania and their political lifestyle enabled the leadership to develop to a level where they were able to have a connection with the masses. That served them extremely well because their cultural, social ethos, economics and politics were able to gel together to produce the leadership they needed at every stage of their life.

One thing that is predominant, and that we saw in President Dr. Magufuli, was the ability to stamp out the corruption which was rampant and tended to deviate their development path from predictable path to a much clearer path. Today, they can proudly say they have moved from the least developed country to low income developed countries, almost following in the footsteps of Kenya.

One thing that has struck me is his immense humility, particularly when he went to church and collected the offering. That is a tag of humility which is very clearly quoted in the Bible, and I believe also in the Quran that when you humble yourself before God, greater things happen in your life.

We regret that we have lost him at this very potential and critical moment. He was a teamplayer both at the Tanzanian level as Head of State, within the EAC and also in the international arena. He was one person who exhibited what leadership must be all about.

Let us not blame each other here. Each country has its own developmental milestones. There may be pitfalls here and there, but I believe we can overcome by looking at the experiences of other countries, particularly the way we treat one another in our leadership. It is very important that we become true friends. Friendship is something one cannot acquire, but is developed. Once we develop it, and eventually acquire it, it becomes part of us. The greatest legacy that President Dr. Magufuli has left for the people of Tanzania and for us within the EAC is that he developed a culture and a legacy that showed he cared for the common man and the simple minded people. He was able to mingle and work with them and to correct the errors that were obvious and were intended to deviate the developmental goals of Tanzanians to a much more predictable path.

We are beginning to see the results and we take this earliest opportunity to congratulate Her Excellency Madam Suluhu for taking over the reins of Tanzania.

Looking and listening to her speech, she is equal to the task. She is a very good leader for the Tanzanian people and she will fit in within the EAC.

We want to cherish the friendship between the Late President Dr. Magufuli with the Rt. Hon. Prime Minister Raila and also our President Uhuru Kenyatta. That was typified when he paid a State visit here. We could see the brotherly spirit that permeated through their intercourse during the period they were debating and talking about areas of common interest and how they had been relating. That is a big example for all of us who are in leadership positions.

On behalf of Kisii County, who are almost the immediate neighbours to northern Tanzania, we will miss his style of leadership. We encourage the Tanzanians to continue be a part of the EAC and play the teamwork that we all so much desire to lift up this region to another level.

**Sen. Nyamunga:** Thank you, Madam Deputy Speaker, for giving me this opportunity to eulogize the fallen President of the Republic of Tanzania, the late President Dr. Magufuli.

In 2015, I had the opportunity to be an observer in Tanzania during elections. That was the time he was running for presidency for the first time. We spent more than 10 days. As I watched the way he was carrying out his campaigns, he was full of energy and vigor. As I sat back, I wondered if he was going to live to the words he was giving to the people of Tanzania. That was because I thought what he was speaking about was impossible.

True to his words, when he took over as President, the first thing he did was to fight the ills that were plaguing the country. Some of those ills were corruption and imprudent use of resources of the people of Tanzania. He did it to the letter. That pleased me because sometimes when we go for campaigns, we make some promises which in our hearts we know we cannot achieve even a half of it. However, he simply lived to his words. He endeared himself to the people of Tanzania and made the presidency very simple to the extent that he would make phone calls.

We were told that he could just make a phone call and ask one how they were doing in the village where they were. He would visit each place trying to endear himself to the people and to understand the problems that his people were going through. He did not sit pretty to just be briefed by his people, "this is doing right, we are doing this, this road is being done, this dam is being done," yet on the ground, there could have been nothing.

I eulogise the Late President by saying that he is a big example that most of us can emulate at any level of leadership, as a Senator, as a Member of County Assembly (MCA) or a Member of Parliament. We can emulate the late President John Pombe Magufuli.

Madam Deputy Speaker, I take this opportunity to condole the family and to congratulate the new President. We know that it may not be easy. The shoes are big as already mentioned by some of our colleagues.

However, the most important thing is that she should just be herself and she will be able to achieve more than anybody else would expect.

Therefore, I join my colleagues and on behalf of the people of Kisumu County, I stand here to give my condolences to the people of Tanzania, the President and the

family. We believe that the work that had been started by the Late President will be continued by the President who has just taken over.

Thank you, Madam Deputy Speaker.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. (Dr.) Mwaura.

**Sen. (Dr.) Mwaura:** Asante Sana, Bi. Naibu Spika.

Ningependa kuunga MaSeneta wenzangu kwa kutoa rambirambi zangu na heko kwa Mheshimiwa John Pombe Magufuli ambaye niliwai kukutana naye mara mbili hapa Kenya katika pilka pilka zetu za kisiasa na katika Chama cha Orange Democratic Movement (ODM) wakati nilikuwa mwanachama.

Ni Rais ambaye aliwai kutungiwa jina nzuri sana la *Magufulify*; la kumaanisha kwamba ni ule utendakazi, hapa kazi tu. Ni Rais ambaye alishindana kabisa na rafiki yangu mwingine anaitwa January Makamba na akaweza kuwapiku hata Edward Lewasa kuwa kiongozi wa Chama cha Mapinduzi (CCM).

Lakini pia hakuwa Rais peke yake, alikua Mwafrika ambaye alihakikisha kuwa amepigana na ufisadi na rushwa. Fauka ya hayo, alihakikisha kuwa reli ya Standard Gauge Railway (SGR) ya kule haikutumia fedha nyingi sana kama hii ya Kenya.

Pia, alihakikisha kuwa barabara zimejengwa kwa bei nafuu. Alikuwa anawaeleza wanakandarasi warudie barabara ambazo ni mbovu. Mimi nimeshabikia hilo katika Jamuhuri ya Tanzania.

Kwa hivyo, ni mtu ambaye tunamsifu. Alihakikisha kuwa zile kodi ambazo zilikuwa zinachukuliwa na Taasisi ya Kodi ya Tanzania, Tanzania Revenue Authority, zimeweza kuongezeka mara tatu tangu alipochukua usukani.

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

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

Kwa hivyo, ni mtu wakutajika sana. Alihakikisha kuwa hakuna ukora na wizi wa rasilmali ya madini tofauti tofauti. Hilo ni jambo nzuri zaidi kwa sababu alihakikisha kuwa Mwafrika hatanyanyaswa kutokana na wizi ambao unatumika na makampuni za kigeni hivi kwamba tunapatia wenzetu malighafi na mwishowe tunapata bidhaa ambazo zimetengenezwa na ni mali yetu.

Bi. Spika wa Muda, ningependa kusema kwamba ni vizuri kumsifu Suluhu Salma kwa sababu yeye ni mwanamke wa kwanza kuwa Rais Tanzania. Kuna mambo yake mengi ambayo yanatajika.

Rais Magufuli hakuwa na haki mzuri katika haki za kibinadamu. Rafiki yangu, mhe. Tundu Lissu, yuko Ubelgiji kwa sababu ya kupigwa risasi kumi na sita (16). Mungu amsaidie. Wiki hii, anatibiwa mkono wake kutokana na tukio hilo.

Tanzania, chini ya Rais Magufuli, haikuwa inawajibika katika haki za kibinadamu. Watu waligandamizwa, wengine wakapotea na upinzani ukanyanyaswa sana katika uchaguzi uliopita hivi kwamba Chama cha Demokrasia na Maendeleo (CHADEMA) kiliweza kupata Wabunge wawili pekee. Wale ambao ni wa kuteuliwa ambao ni kina mama, viti mia moja kumi na tatu (103), wakapatiwa kwa nguvu viti kumi na tisa (19).

Nafikiri kuwa hili ni swala kubwa. Niliskia Sen. Orenge akisema Xi *Jinping* lakini *Deng Xiaoping*. Unawezaje kutawala nchi bila ubepari? Unawezaje kuhakikishwa

kuwa unafanya maendeleo pasipo na kugandamiza haki za kibinadamu? Je, ni rahisi kuwa na dhana mbadala ambazo zitakuwezesha kuwa na maoni tofauti ya utenda kazi na sera ya kiserekali? Nafikiri hilo ni jambo ambalo wale ambao ni wanafalsafa ambao ni wasomi wa siasa wataweza kuangazia wakati ambapo tunatathmini maisha ya mwenzake Marehemu Hayati John Pombe Magufuli.

Kwa ujumla, tunamsifia Hayati (Dkt.) John Pombe Magufuli kwa sababu alikuwa amejitolea kama kiongozi wa Afrika. Hata, alikuwa amewashawishi Watanzania kutumia tiba za kiasili kutoka kule Madagascar, hata isipokuwa rafiki yangu, Augustine Mahiga, aliye kuwa Waziri Mkuu, alikufa kutokana na ugonjwa wa COVID-19.

Hayati (Dkt.) John Pombe Magufuli ni mtu ambaye alikuwa mtanashati. Alikuwa na umhiri na ushupavu wa kuhakikisha kwamba Uafrika umeithinika. Alikuwa amekataa kupata hii chanjo rasmi dhidi ya COVID-19 kwa sababu alikuwa anasema pengine kuna mambo yasiyoeleweka mle.

Kwa ujumla, hayati Rais, alikuwa ni mtu ambaye amejitolea. Tunamsifu, sio kwa sababu ya kuwa na tathimini moja tu yake. Tuangalie mazuri yake na pia yale ambayo pengine hakufanya vizuri. Hii ni kwa sababu pia yeye ni binadamu na tunajua kwamba hakuna binadamu ambaye hana dosari.

Kwa hayo mengi na machache, Mungu ailaze roho yake mahali pema peponi na tutumie muda huu kusema kwamba dini itumiwe kwa haki na sio kukandamiza watu. Isitumiwe tu kwa kigezo ili uweze kushinda uchaguzi. Ni vizuri kutumia dini kuhakikisha kwamba watu wote wanajumuishwa kwa pamoja.

Kwa hivyo, nauungana na wenzangu kutoa rambirambi hizo.

**The Temporary Speaker** (Sen. Nyamunga): Thank you Sen. (Dr.) Mwaura.

Sen. Wambua, kindly, proceed.

**Sen. Wambua:** I thank you, Madam Temporary Speaker, for giving me this opportunity to also add my voice to this Motion.

On behalf of my family and the great people of Kitui County, I join the Senate in condoling with the family of the late (Dr.) John Pombe Magufuli and the people of United Republic of Tanzania, following the passing on of their President.

Madam Temporary Speaker, judging by the outpouring of grief and love on the streets, highways, stadia of Dar es Salam, Dodoma, Zanzibar, Mwanza, as thousands of people mourn their departed President, there is evidence that Tanzania is actually in pain. They feel the pain of the loss of a President they deeply loved.

Madam Temporary Speaker, I join the people of Tanzania in sharing the pain of losing a President who distinguished himself as a no-nonsense person. It shall be remembered that many times, President John Pombe Joseph Magufuli went to construction sites himself; instead of sending his ministers or deputies. He had a habit of visiting construction sites himself to apprise himself with progress of works. In cases where he found shoddy work being done, he firmly and strongly pronounced himself on those issues, and demanded value for money.

Madam Temporary Speaker, as we mourn this departed hero, there are also lessons that we need to learn from President Pombe Magufuli. He was a man who to a great extent walked the talk. He was selfless. In most cases, when people are elected to big office, with the privileges that come with those elections, it is very common for people to abuse those privileges. Here is a President whose election to the big office of

the President made him feel smaller than he was and made him want to serve with dignity and decorum to an extent that he sought and actualized a reduction of his own salary.

Madam Temporary Speaker, I have just been reminded by Senior Counsel, Sen. Amos Wako, that during the nominations for the ticket for Chama Cha Mapinduzi (CCM) in the elections, the person that was the favorite for the party was Edward Lowassa. However, before he was given the ticket, there were questions about integrity and fidelity to the rule of law and management of public resources. Questions were asked around who among the aspirants could be entrusted with taking good care of the resources of the people of Tanzania and that is when Magufuli was given the CCM ticket.

In the fight against corruption, President Magufuli did not spare anyone. We may need to learn some important lessons. I have heard at home our own President has gone public and said that there are corrupt people in his own office. This maybe a call to action to our President that he should go beyond mentioning that people are corrupt in his office; to crack the whip and restore dignity in public service.

As I conclude, Kenya has taken the leadership of the East African Community, our President is the Chairperson and the Secretary General of the EAC is our own Dr. Peter Mathuki. We should fast track a revival of the ---

**The Temporary Speaker** (Sen. Nyamunga): Your time is up.

Sen. (Dr.) Musuruve, please, try to condense your points so that we give all the Members who would like to say something an opportunity.

**Sen. (Dr.) Musuruve:** Thank you, Madam Temporary Speaker, for giving me the opportunity to condole with the people of Tanzania. On my own behalf on behalf of persons with disability and on behalf of the Inima family, I condole with the people of Tanzania. I say Inima's family because I have a sister, Esther Inima Nyaki who is living in Tanzania. Tanzania was the beginning of the Inima family because my father and mother met there when the borders were open. I have warm feelings for the people of Tanzania.

From the eulogies for the late President Joseph Magufuli, we see that he was an efficient and incorruptible President. Before he became President, he was named "bulldozer" because of the stand he had taken in ensuring development was there in the country. He was driving the agenda of ensuring that his people were doing well. He was hailed for his stand on anti-corruption. He was keen that people are not corrupt.

He was humble and came from a humble background which he carried in his leadership. You can imagine a president taking the offertory basket and leading by ensuring that he is planting a seed in the house of the Lord and he did it himself. At one point, he decided there were no national celebrations for the Independence Day, in 54 years. He decided that instead of celebrating the Independence Day, people would do clean up. He did this by example because he went to State House and picked rubbish. This is an act of humility.

I commend what President Uhuru Muigai Kenyatta did. He ensured that as Chairman of EAC, he went there himself. In his speech, he said come what may, I will go to pay my last respects. That is what friendship is all about because when you are dead, it does not mean people will stop respecting you. The last respect is important.

I encourage our President to continue with this strong friendship and work with Her Excellency President Samia Suluhu for the good of the two countries. We would like to see our people continue doing business with Tanzanians and fostering unity within the

East Africa region. In the process, there was brotherhood and sisterhood and East Africa was one.

One thing also the late President (Dr.) John Pombe Joseph Magufuli will be remembered for is prudent use of resources. He was not a spendthrift. At one point, he discouraged airing of parliamentary proceedings by the national television in order to save money for development. He was very keen about how resources were being spent in Tanzania.

Madam Temporary Speaker, I also want to thank the late President for his stand on women. He appointed Hon. Suluhu as his Vice President. This is something to be emulated by leaders in Africa. There is nothing wrong to be deputized by a woman, especially now we are talking about gender parity. Gender parity can be achieved when we join hands and develop our nation together.

Madam Temporary Speaker, I condole with the people of Tanzania and my sister Esther in Tanzania. Thank you for giving me the opportunity.

**The Temporary Speaker** (Sen. Nyamunga): Sen. Shiyonga, proceed.

**Sen. Shiyonga:** Madam Temporary Speaker, thank you for giving me this opportunity to join my fellow colleagues in conveying my condolence to the people of Tanzania for demise of His Excellency the late Hon (Dr.) John Pombe Joseph Magufuli, the President of the United Republic of Tanzania.

As I join fellow hon. Members in solidarity with Her Excellency Hon. Samia Suluhu Hassan, the current President of the United Republic of Tanzania and the people of Tanzania in this difficult time. We condole together with them because they are our neighbours. We share a lot with them in terms of developing our countries.

Madam Temporary Speaker, I remember the late President as a champion of the course of African progress. His stand on fighting corruption was evident in his service to his people. He believed in change and transforming Tanzania.

His leadership placed focus on improving the lives of his people. Government policies were geared towards empowering the average Tanzanian. Above all, Christianity was no match to many. We saw him participating in church activities like an ordinary citizen. He did not to override his faith. He contributed tirelessly to what he knew that he was a human being much lesser than any other thing.

Madam Temporary Speaker, as a leader, he has left a big gap in Tanzania. His legacy will live forever and he will be missed by many. I say *pole* to his wife, Madam Janet Magufuli, the immediate former First Lady for losing his beloved husband. I know it is hard to come to terms with losing such a loving and caring husband. Once again, I convey my deepest sympathy to her and the entire family. May the legacy of the late President (Dr.) John Pombe Joseph Magufuli live on and may his soul rest in peace.

Once more, I wish to congratulate Samia Suluhu for becoming the first female President of the United Republic of Tanzania. She is the female president that we respect. It will not go unnoticed that she inspires most of us who are women in the republic and in Africa.

Thank you, Madam Temporary Speaker.

I support and I condone with Tanzania.

**The Temporary Speaker** (Sen. Nyamunga): Sen. Wamatangi. He is not in the House?

Sen. Madzayo.

**Sen. Madzayo:** Asante, Bi. Spika wa Muda. Kwa niaba wa watu wa Kilfi, na kwa niamba yangu, ningependa kutoa rambirambi zangu za dhati kwa watu wa Tanzania. Watu wa Tanzania wamekumbwa na jonzi juu katika maisha yao.

Kama tunavyojua, Rais John Pombe Magufuli alijulikana kwa vitendo. Kwa sababu hiyo, ni Rais aliyependwa na wengi. Alipendwa na watu kwa sababu ni mtu aliyekuwa anasimama na wanyonge na maskini kabisa wa Tanzania. Nakumbuka nikimwona akienda kwa *fundraising* ya kanisa. Yeye mwenyewe ndiye alikuwa anatembea na bakuli akiwaambia watu wachange ili kanisa lipate kujengwa. Ni jambo la kupendeza sana, na ni mfano wa kuiga.

Alikuwa Rais wa vitendo kwa sababu hivi leo, ukienda Tanzania, utaona kwamba Watanzania wameendelea sana. Alipokuwa Rais, alianzisha *Tanzanian Airways*, kitu kilichokuwa kimekufa zamani. Alianzisha na aliwaeleza Watanzania kwamba wanaweza kujivunia na ndege zao za *Tanzanian Airways*. Hilo likikuwa jambo kubwa na la kupendeza kwa Watanzania.

Vile vile, alitengeneza barabara katika Jiji la Dar-es-Salaam zinazoitwa mwendo kasi. Mimi sijaona mfano kama huo. Hizo ni basi ambazo ziko na barabara zao katikati mwa mji. Ni basi peke yake ndizo zinapita hapo, na zinapita kwa hali ya kasi sana. Hakuna kuchelewa ukienda kazini. Hilo pia ni jambo aliloweza kufanikisha ndani ya Tanzania.

Bi. Spika wa Muda, aliweza pia kupanua *airport* ya Dar-es-Salaam, na pia akaanzisha *airport* nyinyine. Tanzania imekuwa na maendeleo. Wako na ndege zao na viwanja vya ndege. Hayo ni maendeleo.

Kuna mambo mengi yanaweza kusemwa kuhusu Rais Magufuli. Yeye alikuwa mwanachama wa Chama cha Mapinduzi (CCM). Yeye mwenyewe aliishi kufanya mapinduzi ya maendeleo kwa kuchukua mstari wa mbele kuona kwamba Watanzania walikuja kwanza katika maisha yake kuliko yeye binafsi. Hilo ni jambo la kijivunia kama Rais.

Bi. Spika wa Muda, nikimaliza, tunakumbuka kuwa wakati alikuwa anasafiri kuzungumza, alienda kila mahali Tanzania. Alienda Zanzibar, Pemba, Unguja, Dodoma, na Mwanza. Kote alikoenda, watu walimpenda sana. Saa zile alikuwa anafanya mkutano, alikuwa anamwita mama ama mzee amwambie ni shida gani zipo katika eneo hilo. Mara tu yule mama au mzee alisema, alikuwa anachukua hatua papo hapo. Ni jambo ambalo hatujaona likitendeka na marais wote wa Afrika.

Vile vile, kwa mambo ya kupigana na ufisadi, yeye alikuwa kipaumbele. Kama ulikuwa umefanya mambo ya ufisadi, (Dkt.) John Pombe Magufuli, Rais wa Jamhuri ya Muungano wa Tanzania alikuwa hana huruma. Alikuwa anakufuta saa iyo hiyo hata akiwa kwa barabara au kukuambia kwamba akirudi tena, kazi yako itakuwa imeisha. Huo ndio mwelekeo ambao tunataka hata Rais wetu afuate. Mambo ya ufisadi yamekithiri zaidi hapa Kenya. Ikiwa tutauiga mfano huo, hata sisi tutaweza kuendelea.

Bi. Spika wa muda, tunataka kurejesha tena maombi yetu kwa watu wa Tanzani ili wawe na nguvu na kumtakia Rais Bi. Suluhu aweze kuongoza nchi hiyo kwa usawa na haki kama vile alivyofanya mtangulizi wake.

**The Temporary Speaker** (Sen. Nyamunga): Your time is up.  
Proceed, Sen. (Eng.) Hargura.

**Sen.(Eng.) Hargura:** Thank you, Madam Temporary Speaker, for giving me this opportunity to send my sincere condolences, that of my family and the great people

of Marsabit County to the people of the United Republic of Tanzania specifically Mrs. Janet Magufuli, the widow of the late President. I also stand with the new President, H.E Samia Suluhu Hassan, in ensuring that Tanzania stays on course and moves in the right direction.

We have a lot to learn from the leadership of the late President. It is only after somebody has passed on that we are sure of how he was moving because there is no time for him to change. It is now a legacy which we need to discuss.

Looking at the life of the late President (Dr.) John Pombe Magufuli, from 1995 all the way to 2015, he was a Member of Parliament representing Chatu. He was also in the Cabinet from 1995 all the way to 2015 before he became president. He knew the problems that affected the people of Tanzania. When he got an opportunity to be the President, he did what leaders are supposed to do. That is why in some instances his style of leadership was being referred to as “*Magufulification*” of the African Politics; whereby things have to be done in the right way.

Whenever African Presidents are elected, we normally have problems with the existing *status quo* and corruption which has developed roots. We have cartels and what we call deep state; people who have interests behind the scenes. However, the late President John Pombe Magufuli became the President and did not bother about politics of whether he would be re-elected or not. He got down to doing that which he was elected to do. He put Tanzania first and that is why when people look at his legacy they say he did not travel abroad often. He did not even attend the UN conferences instead, he sent the Vice-President to represent him there while he stayed home and concentrated on the problems that affected the people of Tanzania.

The late President (Dr.) John Pombe Magufuli faced corruption head-on and nobody was spared. Corruption has developed roots in most African countries and we have a lot of inertia. To move it, heads have to roll and people have to change their work ethics. That is why the late President was nicknamed “bulldozer”. To get African countries out of the corruption mess, we needed a bulldozer to just move everything out of the way. The late President was a very practical person. That is why he had brushes from time to time with human rights activists as well as the Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI) community.

The late President (Dr.) John Pombe Magufuli fought corruption and managed to bring public service to the right frame of mind. The public servants knew that there was no option but to work. He also understood that in some instances like the African case, the economy has to be driven by the state force sometimes before the private sector can come in with the right mentality and take over. Many people have stated that he adopted a little bit of the Chinese system where it is the government that drives the economy. That is true. He made sure that infrastructure was done competitively and at a very cheap cost, considering what we are going through.

Realizing that infrastructure is an important part of developing the backbone of the economy of Tanzania, he made sure that first class infrastructure such as the SGR was put up at about half the cost of what Kenya is paying. He developed the airports in Tanzania and made sure that revenue was collected effectively.

Tanzania is very rich in minerals but that is where they had been losing money. Foreign companies were not paying the commensurate tax and he made sure those

contracts were renegotiated putting Tanzania first. If you were not paying tax, you did not have any business being in Tanzania.

Madam Temporary Speaker, of course, people made a lot of noise. According to me, he did the right thing and the rest would fall in place once the economy was up and running. Look at one instance, the Bus Rapid Transport (BRT) System, which Sen. Madzayo mentioned. In Nairobi City County, we have been trying to start this system for the last 10 years. However, you will be surprised at the amount of money which has been spent and there is no single lane or bus.

In his case, he made sure that BRT is in place and that Tanzanians are moving in time to develop the country. So, basic---

*(Sen. (Eng.) Hargura's microphone went off)*

*(Interruption of debate on the Motion)*

**The Temporary Speaker** (Sen. Nyamunga): Thank you, Senator. I have a Communication to make.

## COMMUNICATION FROM THE CHAIR

### CHANGES IN LEADERSHIP OF THE MINORITY COALITION IN THE SENATE

Hon. Senators, I have the following Communication to make. I am in receipt of a letter dated 24<sup>th</sup> March, 2021 signed by the Senate Deputy Minority Whip and received in my office today, Wednesday, 24<sup>th</sup> March, 2021. The letter, which is headed "Removal and Election of Senate Deputy Minority Leader", provides, in part, as follows:-

"After deliberations, the National Super Alliance (NASA) Senate Members removed, by consensus, Senator Cleophas Malalah as the serving Senate Deputy Minority Leader and elected Senator Justice (Rtd) Stewart Madzayo, as the newly elected Deputy Senate Minority Leader effective the date here. Please, find attached a list of the Members present at the meeting held on 24<sup>th</sup> March, 2021 and the minutes of the same."

The list referred to in the letter sets out the names of 28 Members of the NASA Coalition of whom 17 Members appended their signatures. Minutes titled "NASA Senators' Meeting on the Removal of Senate Deputy Minority Leader and Election of a New Senate Deputy Minority Leader Held on 24<sup>th</sup> March, 2021 at 9.00 a.m. in the Catering - New Extension Wing", are also attached.

The Minutes indicate that 16 Members were present while eight Members were absent with apologies.

At Minute 3/24/3/21 titled "Removal of Senate Deputy Minority Leader", the minutes indicate that "Members resolved to remove Senator Cleophas Malalah as the Deputy Minority Leader".

Minute 4/24/3/21 titled “Election of Senate Deputy Minority Leader” further indicates that “Senator Justice (Rtd) Stewart Madzayo was unanimously elected as the new Senate Deputy Minority Leader”.

Hon. Senators, I have also received in my office a letter dated 24<sup>th</sup> March, 2021, headed “The Matter of Unprocedural and Unilateral Removal of Senator Cleophas Malalah as Deputy Leader of Minority in the Senate by NASA Member Party and Related Matters on House Leadership”.

The letter is signed by Chairman, Amani National Congress (ANC), the Acting Secretary-General (SG), Wiper Democratic Movement and the National Organizing Secretary, FORD-K.

The letter commences by stating as follows:

“An appeal is, hereby, made by the Speaker’s intervention not to confirm and suspend the unprocedural and unilateral removal of Senator Cleophas Malalah (ANC) by Senate Members of the Orange Democratic Movement (ODM) Party and changes made in the Committees by the same ODM party without consultation with its NASA parties.”

Various reasons are cited in support of this appeal, including the NASA Coalition pre-election Coalition Agreement, concluding with the appeal “to suspend the purported changes until such a time as the NASA Coalition causes and presents a legitimate list”.

Hon. Senators, as you are aware, Part V of the Senate Standing Orders provides for various leadership positions in the Senate. In respect of the Minority Party, Standing Order No.20(1) provides for election of Senators by the Minority Party, to the offices of the Senate Minority Leader, the Senate Deputy Minority Leader, the Senate Minority Whip and the Senate Deputy Minority Whip.

Standing Order No.20(4), (5) and (6) provide for the removal from office of a Senator elected to the leadership positions under Standing Order No.20(1).

“(4) A Senator elected under paragraph (1) may be removed by a majority of the votes of all Senators belonging to the Minority Party.

(5) The removal of a Senator from office under paragraph (3) shall not take effect until a Senator is elected in the manner provided for under paragraph (1).

(6) Upon a decision being made by the Minority Party under this Standing Order, the decision of the Party shall be communicated to the Speaker in writing, together with the minutes of the meeting at which the decision was made-

- (a) in the case of the removal of the Senate Minority Leader or the Deputy Senate Minority Leader, by the Senate Minority Whip; and
- (b) in the case of the removal of the Senate Minority Whip or the Deputy Senate Minority Whip, by the Senate Minority Leader.”

Hon. Senators, as I have previously ruled, the matter of election and removal from office of leaders under Part V of the Senate Standing Orders, is a matter that falls within the province of the Majority and Minority Parties in respect of the respective leaders.

I have further often reiterated that the office of the Speaker is ill-equipped and totally devoid of the mandate to delve into or inquire into the internal affairs of parliamentary matters. This is a matter that falls within the mandate of the Members of the respective parties. The role of the office of the Speaker on these matters is limited to the receipt of the relevant correspondence and confirmation, that such correspondence meets such thresholds as may be set out in the Standing Orders.

Hon. Senators, in the matter at hand, I am satisfied that the proposed changes in the leadership of the Minority Party in the Senate have been made in accordance with the provisions of Standing Order No.20.

Consequently, I hereby inform the Senate that the Minority Party has made the following changes to its leadership:

(i) Sen. Cleophas Malala, MP stands removed from the Office of the Deputy Senate Minority Leader;

(ii) Sen. Stewart Madzayo, MP stands elected to the office of the Deputy Senate Minority Leader.

Thank you.

*(Applause)*

*(Resumption of debate on the Motion)*

Now we resume our Debate.

Sen. Cherargei, proceed.

**Sen. Cherargei:** Asante, Bi. Spika wa Muda. Kwa niaba yangu, familia yangu na wakaazi wa Kaunti ya Nandi, ningependa kuchukua fursa hii kutoa risala za rambirambi kwa jamii, familia na wananchi wote wa Tanzania, kwa kumpoteza Rais wao mchapa kazi, Rais John Joseph Pombe Magufuli.

Msiba huo ulitupata kwa mshtuko sana, ikizingatiwa Rais Magufuli alichaguliwa kwa kipindi cha pili na cha mwisho kama Rais wa awamu ya tano ya Taifa la Tanzania.

Nina mambo mawili tu ambayo ningependa kutaja kumuenzi na kumsifu Rais Hayati Magufuli. Kwanza ni kuhusiana na maswala ya madini. Nilifurahi nilipoona akipambana na wale waliyokuwa wakitoa madini katika taifa la Tanzania bila kutoa ushuru kwa maendeleo ya wananchi wa Tanzania.

Hatua hii ilinifurahisha sana kwa sababu katika taifa letu la Kenya, kuna kampuni nyingi za kigeni ambazo zinatoa madini bila kutoa ushuru kusaidia maendeleo na pia kuhakikisha utunzi wa mazingira.

Pili, Bi Spika wa Muda, ni kuomba mikopo kutoka mataifa ya ng'ambo. Ninamshukuru Hayati Rais Magufuli kwa kuhakikisha zile pesa zilizokusanywa katika Taifa la Tanzania ndizo zilizotumika katika ujenzi wa miundomsingi. Tumeona reli ya kisasa na maendeleo mengine.

Wengi wamesema uongozi wake haukukubalika sana. Ninafikiri tu ni ukandamizaji wa haki za kibinadamu na pia kujaribu kuzuia demokrasia. Ninafikiri Mhe. Rais Samia Suluhu Hassan atajaribu kurekebisha na kuleta umoja, uwiano na maendeleo nchini Tanzania.

Jambo ambalo linilishtua ni kwamba Hayati Rais Magufuli alikuwa mwanasayansi lakini hakushughulikia janga la Corona kulingana na maelekezo ya kisayansi. Ninamuomba Mhe. Suluhu, Rais mpya wa Jamhuri ya Muungano wa Tanzania, ashughulikie swala hilo kwa uzito sana. Mazishi yatakapomalizika kesho au kesho kutwa kwa mbashara, tunawatakia familia yake na wananchi wa Tanzania kila la kheri.

Mwisho, Bi Spika wa Muda, ningependa kuchukua nafasi hii kumpongeza Sen. Madzayo ambaye amechaguliwa kuwa Naibu wa Kiongozi wa walio Wachache katika

Bunge la Seneti. Yeye ni rafiki yangu sana na ninamtakia kila la kheri. Ni mtu mtulivu sana aliyefanya kazi kwa muda mrefu na ana hekima.

Unapoona alivyotulia, ni kiongozi ambaye ninatarajia atatusaidia kuongoza Bunge la Seneti, hasa tunapomaliza awamu ya mwisho kabla ya uchaguzi wa mwaka wa 2022. Tunakutakia kila la kheri. Na kama wale Walio Wengi Bungeni, tunatarajia uongozi wako utakuwa wa kuleta umoja na uwiano ili twende mbele.

Nina matumaini kwamba Naibu Kiongozi wa Walio Wachache atafanya kazi na wewe ili kuleta uongozi bora katika Bunge la Seneti.

**The Temporary Speaker** (Sen. Nyamunga): Hon. Senators, I would like to invoke Standing Order No.31(2) just to extend the Sitting by about 10 minutes so that we give this matter a proper conclusion.

I would like to give just three minutes to Sen. Kinyua.

**Sen. Kinyua:** Asante, Bi. Spika wa Muda. Ninasimama nikiwa na masikitiko na mshangao kwa kumpoteza kiongozi ambaye tulimuenzi sana sisi Waafrika, Hayati John Pombe Magufuli.

Ni mtu ambaye tulimjua na tulijua kauli yake mbiu huko Tanzania ni kusema “Hapa kazi tu”. Ninakumbuka vizuri hata Gavana wa Kaunti ya Murang’a alimuiga na kutumia lugha ya Kikuyu na kusema “Nowera tu”.

Tunajua alifanya kazi kwa kujitolea. Alipigana kimasomaso na ufisadi na kusema hatakubali mtu yeyote avune mahali ambapo hakupanda. Kwa hivyo, tunamuenzi na tutamkosa sana kwa sababu alijitolea kiwango ambacho viongozi wengi hawajafikia.

Bi Spika wa Muda, kwa miaka mitano aliyoongoza, uchumi ulibadilika. Alikuwa ametegemea kwamba mwaka wa 2025 atakuwa amefika kiwango fulani. Alikifikia kabla wakati huo haujafika. Alikuwa kiongozi ambaye kila mtu hapa Afrika angependa kumuenzi. Yeye hakupendelea sana mambo ya mikopo na mambo ya kusafiri. Kwa hivyo, ni vizuri ijulikane wazi kwamba Mwafrika anaweza. Tunajua ya kwamba Rais Suluhu atajitolea na atafanya mengi.

Bi. Spika wa Muda, ninampongeza mwenzangu, Sen. Madzayo, ambaye amechaguliwa kuwa Naibu Kiongozi wa Walio Wachache. Ninajua amebobea katika kazi yake. Ninajua atafanya kazi bila mapendeleo yoyote. Hii ni kwa sababu ninamjua kama mtu anayefanya jambo kwa weledi na ustadi. Ninajua ya kwamba atafanya Bunge hili liwe kitu kimoja kwa sababu anajua, umoja ni nguvu, utengano ni udhaifu.

**The Temporary Speaker** (Sen. Nyamunga): I give this opportunity to the Senate Majority Leader to reply.

**The Senate Majority Leader** (Sen. Poghisio): Thank you, Madam Temporary Speaker. I beg to reply.

I would like to use this opportunity to thank all the Members who have contributed to this important Motion of sending our condolences, on behalf of this House, to the people of Tanzania, President Suluhu and the family of the late President Magufuli.

At this point, I appreciate all Members who seem to have quite a lot of information on the late President. A lot has been said about the life and times of the late President. There has been a lot of individual activities including people who have testified to knowing him personally in this House.

The late President Magufuli served as a humble leader in various positions and stations in life until he rose to become the President.

As I said earlier, he made many achievements. It has been said that the late President Magufuli immediately began to impose measures to curb Government spending. He suspended the country's festivities in 2015 in favour of a national clean up campaigns and he succeeded in doing that.

We can say many things that he did personally that would end up being policies that are difficult in other countries but he managed to bring them on board. He did his first foreign trip in 2016 within the East African Region.

He also managed to ban Shisha smoking in Tanzania. He did that because he had the confidence of the people of Tanzania. The issue of mining has already been said. So, I will not repeat it.

He brought in the growth in the economy. The important thing which we need to learn is that a President comes to work and serve within the term and must leave a legacy. So, our own President has the Big Four Agenda that he wants to leave as a legacy. A President elected within a limited amount of time, for example, two terms, must leave a legacy. He was ready within the first term and when he passed on, he already had a legacy. This is something that we can say.

I will not belabor the point. We have mourned enough as a House. We have sent a message to the people of Tanzania that our brotherhood and sisterhood is strong and we are tied together at the hip. This is because we share common borders, prosperity and history.

We welcome on board the new President of Tanzania, Her Excellency Suluhu. We would love to work with her and make sure that she grows from where the late Joseph Pombe Magufuli left.

Madam Temporary Speaker, I did not get an occasion to also congratulate the new Deputy Senate Minority Leader, Sen. Madzayo. I know that he fits the bill when it comes to leadership. I am sure that we will work well together.

I would also like to use this opportunity to congratulate the new Senator for Machakos, Sen. Agnes Kavindu Muthama and her role of taking over from a prominent Member of our society who left us. I heard her maiden speech and she is ready to work. I wish her and the people of Machakos well.

We are humbled to bid farewell to the departed President as a House.

With those few remarks, I beg to reply.

**The Temporary Speaker** (Sen. Nyamunga): Thank you, Senators for the kind words that have been extended to the people of Tanzania and the family of the late President John Pombe Magufuli.

*(Question put and agreed to)*

**ADJOURNMENT**

**The Temporary Speaker** (Sen. Nyamunga): Hon. Senators, having concluded the business of the day, it is now time to adjourn the House. The Senate, therefore, stands adjourned until Tuesday, 30<sup>th</sup> March, 2021 at 10.00 a.m.

The Senate rose at 6.38 p.m.