

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Wednesday, 2<sup>nd</sup> March, 2022

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

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

### PRAYER

### PETITION

#### PLIGHT OF ECDE TEACHERS IN NYAMIRA COUNTY

**The Deputy Speaker** (Sen. (Prof.) Kamar): Hon. Senators, there is a Petition to the Senate concerning the recruitment, remuneration and termination of services for Early Childhood Development Education (ECDE) teachers in Nyamira County.

Hon. Senators, I hereby report to the Senate that a Petition has been submitted through the Clerk by residents of Nyamira County and members representing ECDE Teachers Association of Nyamira County concerning the recruitment, remuneration and termination of Early Childhood Development Education (ECDE) teachers in Nyamira County.

As you are aware, Article 119 (1) of the Constitution states that: -

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

Hon. Senators, the salient issues raised in the Petition are as follows: -

(1) That there have been cases of unfair labour practices by the Nyamira County Government against ECDE teachers. A case in point is where the ECDE teachers employed in the year 2014 were unlawfully terminated after serving for six years.

(2) That there has been arbitrary stoppage of stipend and emoluments entitled to ECDE teachers. This has led to discriminatory practices on remuneration of the teachers, which in turn has resulted to poor performance and resignation of teachers.

(3) That there have been disparities in payment of pension from Lapfund and no gratuity has been paid to teachers terminated by the county government.

(4) That none of the ECDE teachers have been confirmed on permanent and pensionable terms by the Nyamira County Government since the inception of the Scheme of Service for ECDE teachers and ECDE Act of 2018.

(5) That the Petitioners have made efforts to have their concerns addressed by the Nyamira County Assembly without success.

The Petitioners therefore pray that the Senate intervenes in the matter with a view to: -

(1) Recommending that the ECDE teachers who were unlawfully terminated, are employed on permanent and pensionable terms by the Nyamira County in accordance with the Salary and Remuneration Commission (SRC) guidelines.

(2) Recommending that the ECDE teachers whose contracts were illegally terminated to be fully compensated by the Nyamira County Assembly.

Hon. Senators, pursuant to Standing Order No. 231, I shall now allow comments observations or clarifications in relation to the Petition for not more than 30 minutes.

*(Loud Consultations)*

I will give Sen. Omogeni an opportunity to speak last. Let me start with Sen. (Dr.) Zani.

**Sen. (Dr.) Zani:** Thank you, Madam Deputy Speaker. The issue of Early Childhood Development Education (ECDE) management and teachers across the country has been an issue of great concern in this House. We recently had a statement that was brought by Sen. Wambua, dealing with the same issue. It cuts across all counties.

I thank the petitioners who have brought this petition to the Senate because this is a matter that needs to be interrogated, including the remuneration that is given where there is such variation. For example, for those who have certificate, diploma and degree qualifications. The variation across the counties in terms of payment of the ECDE teachers in itself is problematic. There has been a scheme of service that has been in draft form. The Standing Committee on Education has been trying to push that this scheme of service be properly implemented.

For example, if the Council of Governors (COG) together with the Teachers Service Commission(TSC)and Kenya Institute of Curriculum Development (KICD) come up with a collaborative framework to ensure that this is properly applied across all the counties it will help to address some of these issues. The scheme of service talks not only about the remuneration of these teachers.

This Petition raises the issue of pension and how that is handled across each of the counties. From what the petitioners are saying, at the end of the day, we need to have a way to deal with the budgetary allocation for ECDE that is given to the counties because they are mainly disbursed through conditional grants. The conditional grants were removed in the last allocation suggesting the need to ring-fence those funds within those counties, which has also not happened.

The county governments have to find a way to ensure that the money that goes as one main kitty into the Fund can be allocated for ECDE. Further, many of the counties are also going beyond their mandate in giving some of the money that might have been used for ECDE into other projects within the counties. An inspection of these would help to find out what money is ring-fenced for ECDE and to ensure that the money is specifically used for ECDE classrooms.

There was an ECDE Bill from this House which creates and gives very clear specifications about how to handle this issue. This Petition is coming to this House at the right time. Despite the various questions that have been asked, including the Statement

that was raised by Sen. Wambua recently and the interrogation with the various stakeholders-we still have an issue that- it keeps coming up.

Madam Deputy Speaker. I suggest that, by the time the report from the Committee on Education comes to the House, it should be interrogated at a Committee of the Whole so that it gives a chance for all of us to see what the issues are and to interact with the stakeholders. A rigorous process for quality assurance would enable us to establish these problems and handle them in good time.

I congratulate the petitioners. This is another effort at streamlining this issue because ECDE is one of the sectors that is devolved. It is a very important component together with Technological and Vocational Education Training (TVET) into the counties. ECDE is the basis of education especially for the young children who are starting off and the basis for their development and their educational output in the long run.

The petitioners have properly contextualized this Petition into this Senate and have given us another opportunity to interact and ensure that this sector finally gets streamlined.

I thank you, Madam Deputy Speaker.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Senators, I am sorry that I did not tell you the time limits earlier. I will give each Senator three minutes only to make their contribution to the matter. We have about ten of us including the Chairperson who wish to make their comments on this Petition

Proceed, Sen. Kinyua.

**Sen. Kinyua:** Asante Bi. Naibu Spika, kwa kunipa fursa hii ili niweze kuchangia Ardhi hii. Mambo ya walimu wa chekechea imekuwa donda sugu kwa sababu kulipwa mishahara kwao imekuwa kama jambo ambalo halijawekwa katika daftari zetu. Inakuwa jambo ambalo linafanywa kiholela. Ukitembea sehemu nyingi humu nchini, walimu hawa wa shule za chekechea hawashugulikiwi kwa lolote na hawalipwi mishahara yao kwa nyakati zinazofaa. Isitoshe, wanapokea hela kidogo sana ambazo haziwezi kuwatosha kujikimu kimaisha ilhali tunawategemea zaidi kwa sababu ya wale wanafunzi wa chekechea.

Walimu wa chekechea wamepewa jukumu nyeti katika maisha ya watoto wetu lakini Serikali yetu hailipi chochote. Walimu hao wamekuwa wakisumbuka na kuhangaika. Kwa mfano, katika Kaunti ya Laikipia, walimu wa chekechea wanaweza kukaa zaidi ya miezi minne kabla hawajapokea mishahara yao ilhali wanafanya kazi yao kwa ushujaa na weledi. Naomba kaunti zetu zitenge pesa na ziamuru kuwa walimu wote wa chekechea walipwe kiwango fulani. Isiwe wanalipwa kiholela. Walimu wa chekechea wanalipwa mishahara tofauti katika kaunti zetu. Katika Kaunti ya Laikipia, walimu hao wanalipwa Ksh10,000 na fedha hizo zinatofautiana katika kila kaunti.

Nakubaliana na walaminishi walioleta Ardhi hii hapa Seneti. Mambo ya walimu wa chekechea lazima yaangaliwe kwa undani na maswala yao kuangaziwa. Walimu wa chekechea hawana bima ya afya. Hawawezi kuhudumiwa na serikali. Baraza la Magavana linafaa kuhusika ili wahudumiwe vizuri ndiposa malipo yote ya walimu wa chekechea katika kaunti zote kama Isiolo, Lamu na pia Laikipia yawe sawa kwa sababu wale ndio wanaanza kufunza watoto kusoma. Tunafaa kuwapa kipaumbele kwa sababu wamefanya tufike hapa na wanaendelea kukuza mambo ya elimu kutoka pale chini kabla kufikia CBC.

Asante sana, Bi Naibu Spika.

**The Deputy Speaker** (Sen. Pareno): Proceed, Sen. Farhiya.

**Sen. Farhiya:** Thank you, Madam Deputy Speaker. I am shocked that somebody who has been employed since 2014 can be dismissed that easily. Are there no laws in this country? What is the motive of the person dismissing them? Who are they trying to create space for?

When we passed the new revenue Bill that included the additional money from the national Government, I thought the least amount of money that was received by any county was Kshs200 million. Even if there was no other money, surely, that extra money should have been used to pay these teachers. What the petitioners are requesting needs to be amended. Those ECDE teachers need to be reinstated and not re-employed. If they are re-employed, they will lose all their benefits in terms of pension and everything else.

I do not want to say that our governors have become the lord of the counties but they are placing themselves close to that. Have they forgotten that the money they are enjoying is courtesy of the votes from the people who they are trying to make lives difficult?

Madam Deputy Speaker. I thought ECD teachers are the most important. Imagine how difficult it is to even just toilet train a child. It is so difficult and it has its own challenges.

Training a child on the basics of reading and memorizing until they learn how to do so is difficult. That is somebody who should be taken care of by everybody. Otherwise, if this is the kind of treatment that they get, it means we will have a generational knowledge gap. I do not think the people of Nyamira County deserve that. Normally, when you refer issues to committees, and because of this electioneering period, they tend to take a lot of time in dealing with them.

Madam Deputy Speaker, I would like to have your attention because my time is almost up. Given the kind of legislative work we have *vis-à-vis* the campaigns, you should direct that this Petition is finalized within a given timeframe. This House should not go home without resolving this matter.

My question is, if these teachers have been dismissed, who is teaching these children? What is the interest of the governor in this decision? Actually, had it been earlier, this should have been a ground to impeach him.

**Sen. Khaniri:** Thank you, Madam Deputy Speaker, for the opportunity. Let me at the very outset thank the petitioners and give them comfort and assurance that their Petition is in the right place. This is the House that will look into it and ensure justice is done.

Early Childhood Development Education (ECDE) is a devolved function. It is the beginning point of education for children. You cannot be nurturing these children into the education sector with teachers who are neither motivated nor well remunerated. As Sen. Farhiya correctly put it, if there is any group of teachers that should be well taken care of, then it is the ECDE teachers. I thought these teething problems would prevail for just about five years. These issues should have been resolved, but it is unfortunate what is happening to the ECDE teachers in Nyamira County. It replicates in the whole Republic. I have exactly the same case in my own county and many other counties. There should not be a disparity in the remuneration of these teachers.

Recently, as the Senate, we passed the ECDE Bill. I do not know if it has taken effect. It is now an Act having been assented to by the President. I am informed by Sen. (Dr.) Zani that even with the Act in place, this issue will not be resolved until there is a proper scheme of service supposed to be developed by the Council of Governors (COG). It is supposed to be uniform for the entire Republic.

The Senate being the House in-charge of devolution, the Committee where this Petition will be forwarded or committed to, besides looking at the salient issues and prayers made by the petitioners that is reinstatement of those who were sacked, they must ensure that the CoG is pushed to develop a scheme of service for ECDE teachers. This will ensure there is no disparity in remuneration amongst these teachers across the country.

Madam Deputy Speaker, I sympathize with the petitioners and urge the Committee to expedite this matter and ensure that these petitioners from Nyamira get justice.

Thank you.

**Sen. Cherargei:** Thank you, Madam Deputy Speaker. I want to support the petitioners from Nyamira County. It is very sad to have these matters. You are left wondering what happened to the rule of law. How can you terminate contracts haphazardly? This is a violation of labor laws. The governor and the county executive must be told so.

Madam Deputy Speaker, Nyamira County is not unique. We have similar problems in Nandi County. For example, an ECDE teacher is paid Kshs10,000. What can you do with this money with no other benefits? ECDE teachers are the foundation of our children. This is the basis of the society.

It is unfortunate that Nandi County pays them Kshs10,000 without any form of allowance. The other day the governor called all the ECDE teachers to a hotel, told them he would review their terms in June if they voted for him in the April nominations. It is very unfortunate to use the stick and carrot approach.

Nyamira County is, in fact, better. Nandi is worse. How can you tell people that you will review their terms if they vote for you in the nominations? It is very unfortunate because it is a clear violation of labor laws. The Governor should be told in no uncertain terms that anything he gives to our people is not a favor or handouts.

What Hon. Sang, the Governor of Nandi County, is doing is giving handouts. He just called them, sang to them campaign songs and gave them some food. I am told your county too, Madam Speaker, is also walking through the hard times. It is very unfortunate and these governors must be told out.

These are some of the governors giving devolution a bad name. Hon. Sang, the Governor of Nandi County, is one of them. People are now saying they better be hired by the Teachers Service Commission (TSC). ECDE teachers are even asking why they are not hired by TSC. How can you give someone Kshs10,000? What can they do with it?

The Governor of Nyamira County must be summoned to appear before the Senate to explain this matter. We passed the ECDE law which was supposed to protect our ECDE teachers.

When Sen. Omogeni took over from me, one of the issues that was bedeviling Nyamira County at that time was corruption. Corruption does not mean the embezzlement of funds only. This is also corruption where you are firing somebody after

six years. Where will they take their children? How will they pay their school fees? How will they survive? How will they pay their rent?

Nyamira County Executive must be called out. It is unfortunate that the current governor, who should have been better, is performing worse. We must call them out. When they are invited to the House, it must be made a Committee of the Whole because even Nandi County ECDE teachers have similar problems that we must share.

Madam Deputy Speaker, I support this Petition. We want to see into it that we make serious recommendations against county governments violating and abusing the labor rights of our ECDE teachers.

I rest my case and support

**Sen. (Dr.) Musuruve:** Thank you, Madam Deputy Speaker, for giving me this opportunity. I also thank you for reading the Petition concerning maltreatment of ECDE teachers in Nyamira County.

What is happening in Nyamira County is happening in many other counties. It is sad that ECDE, which has a salient role to play in the life of our children, is not given preference when it comes to the allocation of resources. We cannot take education matters for granted. Education matters a lot and we have to get it right from an early stage.

You cannot plant a tree and when it comes from the soil bent, you imagine that one time it will straighten. Therefore, when it comes to matters education, it must be straight all the way from early childhood.

Madam Deputy Speaker, I am a Member of the Standing Committee on Education. I want to let this House know that the issue of Early Childhood Development (ECD) is one that we have addressed many times with the county governments as the Committee on Education. Governors have appeared before us and even the Council of Governors (COG) appeared before us just recently to address the issue of ECD.

The revelation we got is that County Executives are not keen about early childhood. I think it is because they feel that when they address early childhood, it does not give them political mileage. I want to say on the Floor of this House that we cannot politicise education. As the Senate, we must ensure that county executives are doing the right thing.

When it comes to even the Salaries and Remuneration Commission (SRC), it is unfortunate that the package that SRC has recommended is very wanting. It is because of the job description that came from the stakeholders. There is need to review the SRC policy on early childhood education.

Madam Deputy Speaker, apart from reviewing the salaries of the ECD teachers, if county governments are not able to handle ECD, we can also transfer the function. The ECD is a function of the national Government and this implies that it should also go with the moneys.

The national Government normally allocates a lot of money to county governments. The county governments need to prioritise ECD because it is a function of the county governments, so that in the annual budget, they should also factor in moneys to pay teacher and infrastructure and all that.

It is unfortunate that even the recommendations and the schemes of service that were approved, there are many counties that have not implemented them. It is also unfortunate that even in the schemes of service, teachers are paid Kshs8,000. It is very

painful because teachers are the parents and role models we have to our children at school.

I know that the Standing Committee on Education is going to give a report on the Floor of this House concerning the findings we got. It is, however, the same findings that----

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you, Senator. Your time is up. Sen. Kavindu Muthama, proceed.

**Sen. Kavindu Muthama:** Thank you, Madam Deputy Speaker, for giving me this opportunity to contribute to this Petition from Nyamira County. Whatever is happening is not only happening in Nyamira County; it is happening around and across the country in all counties.

These teachers are underpaid and not motivated by anyone. Today, if you walk into a supermarket with Kshs10,000, you just do shopping and walk out carrying it in one hand, yet this teacher is supposed to feed their children, pay their school fees and do everything that any other person is doing as they work. This is because we work to help our family members. I concur with them and say that these teachers must be well taken care of.

It is not only about the teachers, but in some counties, the ECD classes are not even there. There is an area I went to in Machakos County, where I found the ECD teachers had requested a chief's office to be used as an ECD classroom, yet there is money allocated for this purpose. Most of the governors just do not care.

How children begin in ECD and how they are brought up will determine what they will become in life.

Therefore, this is a very sensitive issue, and the Committee that we are going to commit it to must check and even go further than just the teachers. It should also check if there are classes where the ECD children are being taught from.

I support this Petition.

Thank you, Madam Deputy Speaker.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. Madzayo, proceed.

**Sen. Madzayo:** Asante, Bi. Naibu Spika. Kwanza, nataka kutoa kongole kwa walimu ambao walijitoa mhanga kufundisha watoto wadogo katika shule za chekechea. Tunaelewa hiki ni chama cha walimu wa shule za chekechea na ni wanachama wa kile chama cha walimu.

Bi. Naibu Spika, ijapokuwa hawa ni watu wa chama, kuzingatia harakati zao ni kwamba waliweza kuachishwa kazi. Hili ni jambo la kusikitisha sana; kuleta hali ya uchumi mbaya kwenye nyumba za walimu. Walimu hawa wana taaluma ambayo walimu wengine hawana. Wanaanza kufudisha watoto wakiwa bado ni wachanga sana wakati hawajua chochote ikiwemo kusoma.

Kwa hivyo, ni walimu ambao wanatakikana kupewa heko. Lakini ni jambo la kusikitisha leo tukiona ya kwamba mahali kama Kaunti ya Nyamira wanaweza kuwafuta kazi walimu hawa ambao wanawaelimisha watoto hawa, kwa sababu ya nia zao binafsi, ili waweze kuweka walimu wao wengine wakifikiria kwamba hawa walimu hawana haki zao.

Bi. Naibu Spika, hawa walimu waliofutwa na wamefanya kazi miaka sita, wana haki mbele ya sheria za wafanyikazi na ndani ya hili Bunge la Seneti kuona ya kwamba haki zao hazizami na zimetetelezwa.

Wana bahati kwa sababu katika hiki kitengo ya kwamba wameachishwa kazi, katika Bunge hili la Seneti, kunaye mmoja wetu, ikiwa ni mimi, ambaye nilikuwa Jaji wa Mahakama Kuu hasa katika upande wa wafanyikazi. Kitendo kilichofanywa cha kuwafanya hawa wafanyikazi kupoteza kazi zao ni jambo la kusikitisha.

Bi. Naibu Spika, hivi sasa wako nyumbani; hawana kazi, wanateseka na wengine wana watoto ilhali kufutwa kwao kazi sio kwa ajili ya kupenda kwao, bali ni kwa sababu ya mtu mmoja ama mabepari wawili au watatu, walioketi katika ile kaunti wakaona ya kwamba katika maoni yao, hawa walimu wanafaa kuondolewa kwenye kazi. Tunasema hilo si jambo la usawa.

Bi. Naibu Spika, hii ni taarifa muhimu kwetu sisi. Kama hii ni taarifa muhimu basi ile Kamati ambayo inahusika kuangalia jambo kama hili, iweze kuona ya kwamba haki imetendeka kwa hawa walimu. Ikiwa itawezekana basi waweze kurejeshwa kazini.

Asante, Bi. Naibu Spika.

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

Sen. Ngugi, proceed.

**Sen. Ngugi:** Thank you, Madam Deputy Speaker. I also want to add my voice on this matter because it is weighty. It is a big shame that the county government has decided not to do the job that they were given by the people of Nyamira.

Madam Deputy Speaker, we are who we are today because our teachers taught us how to read and write, and even how to hold a pen. I do not think there is any of us who can say they never experienced such a thing.

It is extremely inhumane that a county government that has a budget can decide to destroy the future of those young people. What is happening is that they are destroying the future of those children. At that young age is where someone's destiny is shaped, including how they think. If the teachers are demoralized, there is no way they can give 100 per cent to those children.

Therefore, it is extremely shameful, especially coming from a governor who is perceived to be in Azimio la Umoja Coalition. As Azimio la Umoja Coalition, we do not subscribe to such kind of thing, and this is a shame on him.

Moving forward, those are the kind of people we do not want in office. I can see someone laughing here, but even in the next government of "Baba", those characters should be very far from office.

Madam Deputy Speaker, when they are called here, they should be grilled properly. There is no way somebody can be sleeping hungry yet they rendered services to a county government that had a budget for that. We need to be firm on this matter.

I thank you.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. Poghiso, you have the Floor.

**The Senate Majority Leader** (Sen. Poghiso): Madam Deputy Speaker, let me also weigh in on this by joining colleagues who have contributed. First of all, I laud the courage of the ECDE teachers from Nyamira who have petitioned the Senate because it is their right.

This petition could have come from any of the 47 counties because there is no exception. If everyone was to narrate what is happening in their county, you will be shocked. In my own County of West Pokot, ECDE teachers have not received their salary for more than six months. You may wonder why they are being treated like that.



Fortunately, there is a Bill that came here regarding the ECDE sector and we hoped that that would change the way things are done. There should be a standard for the ECDE teachers.

I did not go to a nursery school because during my time, I think there was no ECDE. They could have been there but we did not attend. It is important that we focus on ECDE teachers.

The committee that is going to deal with this should take up this matter because it affects all counties and there is no exception. Therefore, they should take it seriously, so that we address this matter once and for all.

I thank you.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Finally, let us listen to the Senator for Nyamira County, Sen. Omogeni.

**Sen. Omogeni:** Madam Deputy Speaker, I thank these petitioners who have brought the plight of the ECDE teachers in Nyamira County to the attention of this House.

First, if I can expound on the problems and troubles that these teachers are facing, other than talking about their termination, these teachers were employed on contract. In Nyamira County, we refer to them as ECDE Phase I teachers. When their contracts came to an end and they were not renewed, legally, they were entitled to be paid gratuity. However, as I speak, they have never been paid.

As Senators have stated here, these teachers earn Kshs13,500 but they have never been paid for more than two-and-half years.

As you know, we had a misfortune in Nyamira. We lost our governor, the late Mzee Nyagarama, and the deputy governor took over as governor. There was a payslip that was going round in social media, where he was paid good money as arrears for the period he was acting as governor. That is money you cannot compare with what the poor ECD teachers are asking for.

I am the one who knocked the table there and invoked the name of my mother Nyamukami fighting for Kshs600 million to go to Nyamira County, money which would have been taken from Nyamira to go to other counties. I cannot understand why the Governor of Nyamira, Hon. Nyaribo, cannot pay the poor ECDE teachers and even renew their contract so that they can serve in Phase II.

We even had discussions with Members of County Assembly (MCAs) that they budget, so that money is provided for to convert these teachers into permanent and pensionable employment terms. Up to date, nothing has happened.

We do not send money to counties to go into people's pockets. You heard the Senator for Nandi County giving reference to the many corruption allegations that have been forwarded to this Senate concerning Nyamira County.

Madam Deputy Speaker, it is sad that we sit here as Senators and spend many hours negotiating how to share money to counties, but when it gets to counties, it never serves the purpose it is meant to like ECDE teachers.

I hope the Governor of Nyamira County is going to be summoned to appear before this House to explain why he has never paid gratuity to ECDE teachers and why he has not converted their terms to permanent and pensionable. I hope he will deal with this issue before he arrives here.

My MCAs should know that such are Motions we want to have on the Floor so that we deal with them properly. If you cannot have sympathy for Kenyans who earn Kshs13,500, money which I am told sometimes is budgeted for the lunch of the executives, then it is inhuman. Such is what we refer to as unfair labour practices, where you oppress the poor and the lowly because of your position as a Chief Executive Officer (CEO).

I hope this matter will be given the seriousness it deserves. The committee that will be tasked should remind the governor, as Sen. Khaniri mentioned, that we passed the Early Childhood Education Act.

I used to serve in the Committee on Education, and I am aware that it has been enacted into law and therefore it is law. What we require is governors to put the interest of our ECDE teachers at heart, pay them well and employ them under permanent and pensionable terms, so that they are not subjected to suffering.

Finally, we should look for a way of finishing this matter once and for all. The best way to do so is to summon the Council of Governors (CoG) to appear before the Senate and collectively give an undertaking to the House that all county governments will put in place good schemes of service for ECDE teachers in all the 47 counties because we have heard what is happening in other counties like Nandi.

I hope that the committee that will deal with this matter will summon the CoG to appear before us, so that we agree on the best way forward on how to address the plight of ECDE teachers.

Madam Deputy Speaker, I support this Petition.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Hon. Senators, pursuant to Standing Order No.232(1), the petition should be committed to the relevant standing committee for its consideration. In this case, I direct that the Petition be committed to Standing Committee on Labour and Social Welfare.

I am also aware that we have similar petitions from other counties including my own County of Uasin Gishu. I would like to direct all of them. Bomet has been handled by the same committee. So, we hope that the committee will take time to look at these petitions, so that we do not have to read the others. It appears that many ECDE teachers in the whole country are sending their petitions regarding these issues.

Hon. Senators, in terms of Standing Order No.232(2), the committee is required, in not more than 60 calendar days from the time of reading the prayer, to respond to the petitioners, by way of a report addressed to the petitioners, and laid on the Table of the Senate.

*(The petition was committed to the Standing  
Committee on Labour and Social Welfare)*

Let us go to the next Order.

**PAPERS LAID**REPORTS ON FINANCIAL STATEMENTS OF  
VARIOUS COUNTY FUNDS/ BOARDS/ COMPANIES

**The Senate Majority Leader** (Sen. Poghio): Madam Deputy Speaker, I beg to lay the following Papers on the Table of the Senate, today, 2<sup>nd</sup>, March, 2022.

Report of the Auditor-General on the financial statement of Kirinyaga County Assembly Mortgage Fund for the year ended 30<sup>th</sup> June, 2020.

Report of the Auditor-General on the financial statement of Kirinyaga County Executive Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Kirinyaga County Executive Alcoholic Drinks and Substance Abuse Control Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Kirinyaga County Emergency Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Rukanga Water and Sanitation Company Ltd. for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Isiolo Water and Sewerage Company Ltd., for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Isiolo County Assembly Car Loan Scheme Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Homa Bay County Executive Car Loan and Mortgage Fund, for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor General on the financial statement of Homa Bay County Assembly Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Homa Bay County Education Bursary Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Vihiga County Assembly Car Loan and Mortgage Fund, for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Vihiga Municipal Board for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Vihiga County Trade and Enterprise Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Demonstration Farms Fund, Kisii, for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Gusii Water and Sanitation Company Ltd. for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Embu County Assembly Car Loan and Mortgage (Members) Scheme Fund, for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Embu County Youth Trust Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Siaya County Education Bursary Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Siaya County Assembly Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Kisumu County Car and Mortgage Scheme Fund, for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor General on the financial statement of Kisumu County Assembly Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor General on the financial statement of Kisumu County Education Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Kericho County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor General on the financial statement of Meru County Investment and Development Corporation for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Meru County Alcoholic Drinks Control Board for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Meru County Microfinance Corporation for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Meru County Assembly Members Car Loan and Housing Scheme Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Marsabit County Emergency Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Kericho Water and Sanitation Company Ltd. for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Kericho County Executive Staff Car Loan Scheme Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Kericho County Agricultural Sector Development Support Programme II Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Kericho County Enterprise Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Siboi Water and Sanitation Company Ltd., for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Migori County Executive Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Tharaka Nithi County Emergency Fund for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Ngagaka Water and Sanitation Company Ltd. for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the financial statement of Imetha Water and Sanitation Company Ltd. for the year ended 30<sup>th</sup> June, 2020;

I thank you, Madam Deputy Speaker.

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

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

Next order.

Hon. Senators, the first Notice of Motion is by Sen. Halake, but she has sent word that we should defer it to tomorrow.

### NOTICES OF MOTIONS

#### INTEGRATING CLIMATE EDUCATION INTO SCHOOL CURRICULUM AT ALL LEVELS

*(Notice of Motion deferred)*

So, we shall go to the next one by Sen. Kasanga.

#### FAST TRACKING CULTURAL DEVELOPMENTS IN COUNTIES

**Sen. Kasanga:** Madam Deputy Speaker, I beg to give Notice of the following Motion:-

THAT, WHEREAS Kenya is a multi-ethnic and multi-racial country with rich and diverse cultural resources such as traditional medicine and foods, arts, craft, music, dances, dress among others;

AWARE THAT, the Constitution, in its preamble acknowledges the cultural diversity of the Kenyan people who are determined to live in peace and unity as one indivisible sovereign nation whilst, Article 11 of the Kenyan Constitution recognizes culture as the foundation of the nation;

NOTING that, while the Department of Culture under the Ministry of Sports, Culture and Heritage has been playing some of the key roles in promotion of cultural integration, formulation of policies and standards that will guide the development of culture, little information has been made available to the Kenyan public;

ACKNOWLEDGING, that culture performs a significant role in the life of a child, the cultural background in which a child is brought up affects the totality of his or her life's activities;

CONCERNED, that our children are losing their sense of identity due to the negative influences due to inadequate cultural identity catalyzed by globalization which has led to catastrophic consequences to our next generation as experienced in our country where a majority of young people are showing symptoms of feeling suicidal, anxious, feeling of hopelessness, anger, violence, feeling isolated, and paranoia;

NOW THEREFORE, the Senate urges the Cabinet Secretary, Ministry of Sports, Culture and Heritage to:

a) Formulate cultural development policies and initiatives to inculcate stronger community values, safeguard Kenya's heritage, recognize local heroes and promote socio-cultural

opportunities in the counties; and

b) Formulate strategies to create an enabling environment for protection and promotion of diversity of cultural expressions

in all counties.

I thank you.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you Sen. Kasanga.

Next Order.

Hon. Senators, we have Statements pursuant to Standing order 47(1) and the first one is by Sen. Khaniri.

### STATEMENTS

**Sen. Khaniri:** Thank you Madam Deputy Speaker for giving me this opportunity. I rise pursuant to the provisions of Standing Order---

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. Wario, are you on request or on a point of order because you have not pressed the right button?

**Sen. Wario:** Madam Deputy Speaker, I am on request.

I would have liked to comment on the cultural things, but you we went ahead and gave another statement.

**The Deputy Speaker** (Sen. Prof.) Kamar): She was giving a notice of Motion. We will come back to that matter.

**Sen. Wario:** Thank you, Madam Deputy Speaker. That is okay.

**The Deputy Speaker** (Sen. Prof.) Kamar): Sen. Khaniri, the Floor is yours.

**Sen. Khaniri:** Thank you, Madam Deputy Speaker. I can see Sen. Wario is really eager to go on the Culture Motion---

*(Laughter)*

**The Deputy Speaker** (Sen. Prof.) Kamar): Order! Proceed, Sen. Khaniri.

### UNFAVOURABLE BALANCE OF TRADE STATUS

**Sen. Khaniri:** Thank you, Madam Deputy Speaker. I rise pursuant to provision of our Standing Order 47(1) to make a Statement regarding unfavourable balance of payment status of Kenya in the international trade.

Madam Deputy Speaker, Kenya is an important player in the global and international trade. It is an important gateway to East Africa through the port of Mombasa and is set to play a bigger role through the Lamu Port, South Sudan Ethiopia Transport (LAPPSET) corridor project.

Other important trade partners to Kenya in terms of volume of goods and size of transactions are Britain, United States of America, United Arab Emirates, Saudi Arabia and China which is the leading one on the list, among others.

In the year 2021, Kenyans total export earnings stood at Kshs739 billion. This is quite impressive and goes to show that we have very good potential as a country. However, what taints this impressive figure is that 60 per cent of these export earnings was spent in importing China made goods alone not including imports from other countries that Kenya trades with.

Imports from China alone hit a high Kshs441billion in the year 2021. A just by 22 per cent from the previous year and this has been a continuing trend. This means that

Kenya paid China alone Kshs60 for every Kshs100, it earned from selling items like flowers, tea and coffee to Europe to buy Chinese products such as electronics, textiles, household goods, among others. Let us not forget the additional Kshs107 billion in debt repayments to China in the period effectively, raising the total forex out flows to Beijing to 74 per cent of our total export earnings.

It is evident in the figure that something needs to be done. Cheaper imports from China, which includes industrial and construction machinery, consumer and capital goods, electronics, clothing items and commercial vehicles have edged out local products and imports from other countries in recent years deeming the growth of Kenya's industrial sector. These have in turn caused a lot of unemployment in the country since the share of jobs in the economy has fallen.

Madam Deputy Speaker, Kenya has tried to put effort through agricultural produce such as avocados. This has proven difficult because Beijing has imposed such stringent measures in receiving imports from Kenya in order to control the fruit fly pest. This trade imbalance between these two countries is a major factor in Kenya's widening trade deficit. This is not only unfair, but also not a good way of creating good partnership and encouraging inter country relations.

I have said it over and again in this House that Kenya is a very blessed nation. We have very many natural resources, manpower and skills at our disposal. Why is it then that we end up spending so much money importing goods and services which we are capable of providing for ourselves? It is a shame to see our youth languishing in poverty and wasting away because they have no way out. We have the ability to empower our youth to do the jobs that we are outsourcing. Through this, we will not promote our industries but also remove our people from the grips of poverty and hopelessness.

One of Kenya's biggest imports is petroleum. In the year 2012, there were plans to start a petroleum development levy a stabilisation fund and to build fuel tanks as a long term solution to fuel importation. How far are we with these plans? It is a shame that we spend billions of shillings on resources that we as a country have the capability to produce and provide for ourselves while our people die in poverty.

When we outsource the Chinese to build our infrastructure, they come with their own manpower. China is doing everything possible to empower their country. Why can we then not follow suit? I am certain it is not because Kenyans do not have the ability, but because we have not provided the proper opportunities and conditions for them.

Look at the companies in the Export Processing Zones (EPZ). They produce high quality clothes which they export to other countries. The same clothes are then imported back to the country at double the price that they were exported. The same happens to agricultural products such as coffee. This shows that truly we have the capacity to be self sufficient in some sectors of the economy. In fact, most sectors of the economy. It is time to start promoting our own industries. We have to start having faith in our own products and services and take great pride in them.

We need to drastically reduce our imports and take Singapore as our benchmark in terms of self-reliance. We need to build more technical universities and encourage our youths to take technical courses by changing the negative and derogatory image that most people have about manual labourers. Let us start building our own houses and stop outsourcing and sub contracting foreigners to do the jobs for us. Let us do all we can to be self sufficient and self-reliant.

Counties are pivotal in realizing this dream as has been shown by some of them. God willing, this is one of my agenda when I take over the governorship of Vihiga County after the forthcoming General Elections. I encourage other counties to follow suit.

Madam Deputy Speaker, thank you for the opportunity.

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

The next Statement under Standing Order 47(1) is by Sen. (Dr.) Musuruve.

**Sen. Kasanga:** On a point of order, Madam Deputy Speaker

**The Deputy Speaker** (Sen. Prof.) Kamar: What is your point of order, Sen. Kasanga although you had pressed for a request and not a point of order.

**Sen. Kasanga:** Madam Deputy Speaker, will you give us an opportunity to give some comments on that Statement from Sen. Khaniri.

**The Deputy Speaker** (Sen. Prof.) Kamar: Normally, Standing Order 47(1) does not attract debate. So, let me allow Sen. (Dr.) Musuruve to read her Statement. After that, I will give you a very short time to comment on both statements

Sen. (Dr.) Musuruve, you can read your Statement concerning Marking of Zero Discrimination Day.

**Sen. (Dr.) Musuruve:** Thank you, Madam Deputy Speaker for this opportunity. Kindly, allow me to make a comment on the Statement by Sen. Khaniri---

**The Deputy Speaker** (Sen. (Prof.) Kamar): Senator, read yours first.

#### MARKING OF ZERO DISCRIMINATION DAY

**Sen. (Dr.) Musuruve:** Thank you, Madam Deputy Speaker. I rise pursuant to Standing Order No.47(1) to make Statement on an issue of general topical concern on Zero Discrimination Day.

Madam Deputy Speaker, this is an annual day celebrated by the United Nations (UN) and other international organizations every 1<sup>st</sup> of March. The day aims to promote equality before the law and it is practiced throughout all of the member countries of the UN.

Zero Discrimination Day highlights how people can become informed about and promote inclusion, compassion, peace, and above all, a movement for change. This day is celebrated to mark the right for everyone to live a full and productive life and leave it with dignity.

The theme for Zero Discrimination Day this year is “Remove laws that harm, create laws that empower.” This theme is a continuation of last year’s theme which was “End Inequalities”. The Zero Discrimination Day was first celebrated on 1<sup>st</sup> March, 2014.

Madam Deputy Speaker, throughout the globe, there are millions of people who suffer silently as a result of discrimination. There are those that live with HIV/AIDS scourge and are overtly discriminated in very many ways. This affects their self-worth and dignity as human beings.

In solidarity with this year’s theme, the United Nations programme on HIV/AIDS (UNAIDS) is highlighting the urgent need to act against the discriminatory laws. There are people who have cancer and some are cancer survivors. Discrimination even at the places of work is real. Most of them hardly get promotions at their places of work. However hard they may work, they are viewed as employees whose lifespan is short-lived.



Persons with Disabilities (PwDs) are equally discriminated. In instances where they are productive, their works may not be amplified because of societal perception on PwDs. In all these instances such kinds of discrimination deny people human rights, fundamental freedoms and undue restrictions on how they live their lives simply because who they are or what they do.

Let us have a moral and legal obligation to remove discriminatory laws and to enact laws that protect people from discrimination. Everyone has a responsibility to hold the states accountable, call for change and contribute to efforts to remove discriminatory laws.

Kenya is a signatory to international laws that seek to enhance human dignity and equality for all. For instance, the Convention on the Rights of Children that was adopted in 1989 and came into force in 1990; the Convention on the Rights of Persons with Disabilities, which Kenya signed and ratified in 2008; the Abuja Health Declaration of 2001 that seeks to ensure everyone regardless of race, gender and ethnicity has the highest attainable standards of living, among other laws. These laws are enshrined in Articles 28, 54, and 43(1) respectively in the Constitution of Kenya, 2010 which we must all seek to defend as leaders.

Madam Deputy Speaker, as the world celebrates this day, it is important to note that women are equally discriminated in politics and governance. In many parts of the world and especially Africa, very few women have managed to rise to the very top. Many parliaments have not been able to adhere to the not more than two-thirds gender rule. Women are under-represented in parliaments.

Societal perceptions of women and leadership are a huge contributory factor, which is compounded by a lack of monetary component to help women secure political positions. PwDs are disadvantaged more than thrice. Their physiological make up, lack of resources, lack of adequate security, heightened by negative societal perceptions make it extremely difficult for the PwDs to catapult in politics and governance.

Madam Deputy Speaker, as we mark this day, I would like to urge legislators nationally and globally to make a deliberate attempt in ensuring that they take urgent action in ending all discriminatory laws and replace them with laws that foster and enhance equality and equity for all.

I call upon all levels of government, both nationally and county, to ensure availability of opportunities and socio-economic resources in and promote parity among the all people despite their gender, race, ethnicity, and physical or mental state.

Happy belated Zero Discrimination Day everyone.

I thank you.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you, Sen. (Dr.) Musuruve. I give you two minutes to comment on Sen. Khaniri's Statement then I will give Sen. Kasanga the same two minutes.

**Sen. (Dr.) Musuruve:** Thank you, Madam Deputy Speaker, for the three minutes. Allow me to thank Sen. Khaniri for bringing on the Floor of this House a very important issue on trade and tourism. When it comes to tourism and trade, it is a major national economic revenue earner. About 40 per cent of our revenue comes from this sector, but much as it is a big economic earner, we need to ask ourselves what is there for Kenyans.

I remember Sen. Moi came up with the Local Content Bill and even when we are doing our trade in terms of importing and exporting, we need to ask ourselves what

benefits there are for our youths and for us as Kenyans. For instance, there are things we can make as Kenyans. I do not see why we import things that Kenyans can make. When we buy Kenya, we build Kenya.

Madam Deputy Speaker, we have to ensure that we come up with this agenda and make sure it blossoms. I know that this issue will not come to my committee, but my honest thought is that the Ministry concerned should come before us to give us the strategy they have put in place to protect local Kenyan manufactures in terms of trade, so that what can be found in Kenya should not be imported,

Thank you and I congratulate Sen. Khaniri for this Statement.

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

Proceed, Sen. Kasanga.

**Sen. Kasanga:** Thank you, Madam Deputy Speaker, for giving me this opportunity. I also thank Sen. Khaniri for bringing this Statement forth for us to understand this imbalance in trade that is there between Kenya and Beijing, to whom we are bleeding a lot of our hard earned money towards yet we are not getting the same from of them.

I wish this Statement would have gone to the Committee because it would have been interesting to interrogate the relevant Ministry to understand what it is that they are doing about getting some fairness in this imbalance of trade.

As I speak on how we need to empower Kenyans so that we can become more industrialized, we have to be clear on what is our foreign policy when we go into trade with foreign countries. We have to protect the interests of our country as well.

It would have been interesting to hear what the relevant Ministry is doing about some of these things and to see what policies are in place when it comes to protecting Kenyans the way we see China protecting its people. By putting a stop at the import of avocados is the same way we would want to see the steps and measures being taken to protect our people from any substandard Chinese goods.

We are always having a conversation about Chinese goods that flood our markets and drive our people out of business. As we look at how we can entrench more “Buy Kenya, Build Kenya” let us also look into our continent. We are now in the African Continental Free Trade Area Agreement that 36 African countries have ratified and Kenya is one of them. This is an avenue for Africa to build itself.

We need to look at how we are going to maximize on this sort of agreement, where we can do business with our neighbours and partners, and make sure we make Africa more competitive on the global stage because we can do it together. One of the things that come to the fore, when I was just reading through the Africa Trade Agreement, is how we need to empower our citizens through education.

Madam Deputy Speaker, we were speaking about Early Childhood Education (ECD) and what the county governments are doing to our ECD teachers. We are saying now that, that is the wrong direction that a country is taking, when we do not prioritize the education of our children and building of skills into our people, so that we can upscale our capacity as Kenyans and build our capacity for trade. Therefore, I want to thank Sen. Khaniri for that Statement.

I could have said a lot more, but I thank you.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Let us listen now to Sen. Ngugi.

**Sen. Ngugi:** Thank you, Madam Deputy Speaker. I almost thought that you have forgotten your favourite son, but thank you for the opportunity. I want to---

**The Deputy Speaker** (Sen. (Prof.) Kamar): Nobody forgets their sons.

**Sen. Ngugi:** Thank you. I want to take this opportunity to congratulate my senior, Sen. Khaniri, for making such a wonderful Statement. I also do not see sense in us importing those goods that can be locally produced. A total of Kshs400 billion going to one country called China is a lot of money. If even a quarter of this money would be circulating in our economy, it can be a game changer.

Madam Deputy Speaker, as it is right now, to import or export goods to China is extremely hard, yet when we are importing from China, it is like we have no strict measures to protect our people. Our people, if supported well, goods that we import such as toothpicks, that we can produce as a country can be something of great impact.

There is one man called Anthony Muthungu. He started a company that manufactures USB cables with only Kshs1,500. He went to *Uwezo* Fund and was given Kshs80,000. He expanded his business. After that, now he has applied for about Kshs800,000, which he has been given.

A young man in this country has decided to be the first person to produce USB cables, yet he is not being empowered as he should. Importing substandard USB cables, is one of the biggest issues that we have because everyone has a phone nowadays and they have cables, which we use for power bank. You use those cables for one month or two months and then it is off. The power bank is destroyed and damaged, yet some of us have been using Anthony's cables for over a year without damage. However, we are not supporting such people in the manner that it should be.

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

**The Deputy Speaker** (Sen. (Prof.) Kamar): Please, allow one minute for my favourite son.

**Sen. Ngugi:** Thank you, Madam Deputy Speaker. We need to ensure that we encourage these people, especially the young people because he is a young man, who is very innovative. If we can empower him, we will not have anybody importing what can be locally produced.

This also speaks to issues of loyalty. A week ago, I met a certain lady, with a beautiful dress and I told her: "I love your dress; it must have been made from Kenya." She said: "No, this is an import from USA, I do not wear anything that is locally produced." It means that we do not believe in ourselves and that is why even KFC have the audacity to import potatoes, when locally produced potatoes are rotting in the farm, and then we buy chips at a very high cost. These are the things that we should look into moving forward.

I thank you.

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

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

**The Temporary Speaker** (Sen. Kinyua): Let us now listen to Sen. Wario.

**Sen. Wario:** Asante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi. Naunga mkono Taarifa ya Sen. Khaniri. Hakika, sisi kukuza mali yetu kama Wakenya na pia talanta zetu ndani ya Kenya ni jambo muhimu kuliko kuleta vitu kutoka nje. Biashara nyingi zimekuwa za watu wa kutoka nje, hasa Wachina nchini.

Kama vile Senata mwenzangu alivyosema, sisi pia Wakenya tumeingia katika ubumbuwazi wa akili ya kwamba vitu vya Kenya ni vitu ambavyo havifai. Ndio kwa sababu wengine wanasema hawawezi kuvaa nguo ambazo zinatoka Kenya, mpaka wavae nguo za nje.

Ni jambo la busara kukuza talanta na biashara zetu ndani ya Kenya. Hii njia ambao itanua maisha ya Wakenya, hasa wale ambao wanafanya biashara ndogo ndogo. Tunaweza kukuza na kuuza mali ya Kenya ndani ya Kenya. Hii itakuwa ni desturi kubwa na ya manufaa makubwa kuliko sisi kuzingatia kwamba vitu vya Kenya na talanta za Kenya na biashara ya Kenya ni vitu ambavyo ni duni kuliko za kutoka nje.

Hii ndio sababu Wachina wameleta biashara kubwa kubwa na kuzishikilia. Hivi sasa wanataka kuuza hata maandazi ndani ya Kenya. Kwa hivyo, mimi ninaunga mkono Taarifa ambayo imetolewa na Sen. Khaniri.

**The Temporary Speaker** (Sen. Kinyua): Thank you, Sen. Wario.

We commit that Statement to the Committee on Tourism, Trade and Industrialization.

*(The Statement was committed to the Committee  
on Tourism, Trade and Industrialization)*

Next Statement by Sen. Kasanga.

LACK OF STAKEHOLDERS ENGAGEMENT IN THE DEVELOPMENT  
OF THE KENYA STANDARDS ON MANAGEMENT OF  
PERSONS WITH SUBSTANCE ABUSE DISORDERS

**Sen. Kasanga:** Mr. Temporary Speaker, Sir, if you will just indulge me a little to give a bit of background to my Statement, I will just take a minute.

This came to my attention from some of the stakeholders who work closely with National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA). The Statement today refers to standards for care that were created by NACADA, and they had two sets of standards. They had standards that were created in 2009 and they developed minimum standards of care. They did this with the proper consultation with industry players. They incorporated several process points that ensured adequate public participation had been done in the creation of those standards.

Mr. Temporary Speaker, Sir, it looks like those standards were revised in 2021 and there is no enough proof to suggest that there was adequate public participation that was undertaken in creation of these new standards.

We have said it over and above in this House that public participation is not a privilege. It is a significant part of the process that happens as per our Constitution and because of this, I raise this Statement.

Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order 48 (1) to seek a Statement from the Standing Committee on Health regarding the alleged lack of engagement of stakeholders in the development of the Kenya standards on management

of persons with substance use disorders by the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA).

In the Statement, the Committee should address the following –

(1) Explain the process that was followed during the development of the Kenya Standards on Management of Persons with Substance Use Disorders.

(2) Provide details of the people and the organizations involved as stakeholders, as outlined in Section 5 of the National Authority for Campaign Against Alcohol and Drug Abuse Act, and whether the said organizations are qualified to develop the standards.

(3) Explain why the Rehab Owners Association, the International Society of Substance Use Prevention and Treatment Professionals (Kenya) (ISSUP) (International), Addiction Prevention and Recovery Association of Kenya, among other professionals who are the main groups affected by these standards, were allegedly not involved or informed of the developments of the standards.

**The Temporary Speaker** (Sen. Kinyua): Proceed, Sen. (Dr.) Musuruve.

**Sen. (Dr.) Musuruve:** Mr. Temporary Speaker, Sir, I stand to support the Statement by Sen. Kasanga on public participation on the review of substance abuse by stakeholders. Public participation is very important. It is a mandatory requirement that is even enshrined in our Constitution.

We see people abusing substances live in our media stations. Sometimes adverts are played when children are watching. They see people drinking and smoking. There are also other foreign movies that seem to support substance abuse.

There is need for all stakeholders to be brought on board. Even parents and teachers are great stakeholders when it comes to public participation. Psychologists and medics are equally important. The essence of public participation is to have an enriching environment where policies, Bills and all that is being fronted is enriched to be better for the citizens.

When it comes to substance abuse, addiction is really rife. There are people, especially the youth who get addicted to some substances. Once they are addicted, they become inactive and stop being productive members of the society.

So, this concern by Sen. Kasanga should not be taken for granted. It is a concern that should be taken to the relevant Committee, so that the review is done afresh and key stakeholders participate.

I support Sen. Kasanga because most of our youth who abuse drugs walk shabbily. They are not able to do anything and eventually end up being mentally affected.

Sen. Kasanga has also talked about mental being. Sometimes it is brought about because of addiction to drugs. We have to arrest the situation by ensuring that public participation is done by all stakeholders, so that we come up with a review that is accredited and can stand the test of time.

**Sen. Wario:** Asante, Bw. Spika wa Muda, kwa kunipa nafasi. Naunga mkono Taarifa ya Sen. Kasanga. Kwa kweli, uraibu wa vitu vya kisasa, hasa na vijana, umekuwa changamoto katika jamii. Kuna uraibu wa aina mbali mbali. Mara nyingi watu huwa na uraibu wa pombe na mambo mengine kadha wa kadha.

Jamii ya kesho, ambayo ni vijana wa leo, ina kasumba ya ulevi na uraibu wa vitu tofauti tofauti. Kwa hakika, vijana hao ni wazembe kwa sababu ya ulevi na uraibu wa vitu vingine.

Iwapo jambo hili halitaangaliwa kwa kina ili kukomesha vijana kutokana na uraibu wa vitu tofauti tofauti, basi siku zijazo tutakuwa na jamii ambayo haitafanya kazi na utendakazi utakuwa wa chini sana. Kenya itajaa watu wazembe; watu ambao hawatafanya kazi ili kuzalisha mazao mashambani.

Bw. Spika wa Muda, ifahamike kuwa wafugaji pia wameanza kuwa na uzembe. Ufugaji ambayo wewe na mimi tunafanya hauwezi kufanya na vijana wa sasa kwa sababu ya ulevi na uraibu wa vitu tofauti tofauti.

Taarifa hii inafaa ishughulikiwe na Kamati ili ijadiliwe kwa kina. Wanafaa kuangalia nini kinawezafanywa ili kukomesha uraibu ambao vijana wameingilia.

Ukienda katika Mwambao wa Pwani, utakuta watu wameingia katika biashara mbaya ya vitu vya kutoka nje. Vile vile, kuna watu ambao wamejitayarisha kutokana na kuuza mihadarati kwa vijana wetu. Kwa hivyo, kuwafanya kuwa wazembe kwa sababu ya ulevi na uraibu wa dawa za kulevya. Kwa kiingereza, inajulikana kama *substance abuse*.

Endapo hali hii itaendelea, tutakuwa na jamii ya watu wazembe kwa sababu ya ulevi. Hatutakuwa na utendakazi mzuri. Watu hawatafanya kazi mashambani na hatutakuwa na ufugaji na biashara. Watu watakuwa wakikaa chini ya miti kungojea mambo yatendeke kimiujiza. Hiyo haitawezekana isipokuwa kuwa na watendakazi humu nchini na duniani.

Naunga mkono.

**The Temporary Speaker** (Sen. Kinyua): Asante, Sen. Wario. Nimesikia ukiwaita Wazembe. Nilidhani utasema kwamba ni wagonjwa kwa sababu hawafanyi kazi yoyote bali wanategemea wengine.

Sen. Cherargei, do you want to request a Statement or comment?

**Sen. Cherargei:** Thank you, Mr. Temporary Speaker, Sir, for this opportunity. From the outset, I commend Sen. Kasanga for this timely Statement.

The biggest threat that we are facing as country is substance abuse among the young people, especially from the coastal region and in most towns. Alcohol and drug abuse continue to be a threat to the present and future generations. Most of the young people are becoming zombies and unproductive at their prime age. That threatens the population growth of this country.

It is unfortunate that there is non-engagement of key stakeholders who should assist in rehabilitation. We have heard many stories that many Kenyans have been taken for rehabilitation because of drug and alcohol abuse and they have recovered. Those people should be well catered for. That should be guaranteed and guarded and the law must be followed to the letter.

One of the salient features of the Constitution of Kenya, 2010, is public participation. In any organization, be it private or public, public participation is key. Even in your own house, there should be public participation because it is now part of consensus building.

When you have an agency that does not involve other stakeholders, that is disappointing, yet we are celebrating the gains of the Constitution and there should be public participation. In any decision you make that affects the public, there must be public participation.

When you watch Americans advertising their drugs, they normally tell you what a drug can do. At the end, they tell you the consequences. So, it important at this time when

we are struggling with the issue of drug abuse like heroin and cocaine even in this and other major cities in the country.

Some of the drug peddlers have infiltrated even villages. People are dying because of drugs. The economy is also affected because when you have a productive age that does not work, you can imagine what happens. We cannot generate wealth as a country. It is said that a healthy nation is a wealthy nation.

I hope this matter shall be dealt with by a Committee of the Whole because this is a cross-cutting issue that is affecting everybody. It is affecting Senators from all counties.

The issues Sen. Kasanga has raised need proper attention. We hope that the Committee that this Statement will be directed to - I do not know whether it will be the Committee on Justice, Legal Affairs and Human Rights or the Committee on Health - this matter should be addressed because it is part of mental health.

I want to thank Sen. Kasanga because she has been a champion and has distinguished herself in this House. When the history of this House will be written, one name will feature prominently in issues of mental health. That will be the name of Sen. Kasanga. The President should give her a commendation. We should not be awarding people because of political expediency. We should award people who have stood up and highlighted mental health issues.

Sen. Kasanga should also thank me because when I was the Chairperson of the Committee on Justice, Legal Affairs and Human Rights, one of the Bills that we moved to court to protect was the Mental Health Bill. I should also receive some acclamation for participating and midwifing the process.

I thank you.

**The Temporary Speaker** (Sen. Kinyua): Thank you, Sen. Cherargei. Stop blowing your trumpet, let somebody else do it for you. The Statement stands committed to the Committee on Health.

*(The Statement was committed to the Committee on Health)*

Next Statement is by Sen. Cherargei.

INCREASE IN THE COST OF CONSTRUCTION  
OF THE NAIROBI EXPRESSWAY

**Sen. Cherargei:** Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order 48 (1) to seek a Statement from the Committee on Roads and Transportation on the increase in the cost of construction of the Nairobi Expressway.

In the Statement, the Committee should-

(1) State why the cost of construction for Nairobi expressway is now projected to be Kshs72.8 billion which is higher by Kshs7.6 billion than the initial cost of Ksh65.2 billion stated by Kenya National Highways Authority (KENHA).

(2) Provide the reasons for the conflicting figures for the construction provided by China Communications Construction Company (CCCC), the parent firm to China Road and Bridge Construction revealed while undertaking its regulatory filing while KeNHA stated a much lesser amount.

(3) Clarify whether the contract had escalation costs, stating the amount projected for escalation and variations on the construction of this Expressway.

(4) Provide a clear timeline of project completion given that the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works had indicated that the project would be completed by December, 2021. It should have been completed last year that is 2021.

In view of the effect of the project on businesses - many businesses have been disrupted while this Expressway is under construction, especially along Mombasa road due to the serious traffic jam. There have been cases where people have stayed in the Mombasa Road traffic jam up to 2.00 a.m.

(5) Finally, provide a comprehensive report on cost variations in all road construction projects under KeNHA from 2018 to date stating the amounts in variations.

I thank you.

**Sen. Wario:** Asante, Bw. Spika wa Muda, kwa kunipa fursa hii. Wakenya wengi wako gizani na wanataka kujua mwelekeo wa ujenzi wa hii *Expressway*. Hii *Expressway* ambayo imejengwa kutoka huko uwanja wa ndege wa JKIA na kupita hapa nyuma ya Bunge ndio barabara ninayotumia nikitoka nyumbani kwangu.

Wakenya wengi wanauliza kuhusu ujenzi wa hii *Expressway*. Kwa lugha ya Kiswahili *express* inamaanisha kupita moja kwa moja bila kusimama. Najua Bw. Spika wa Muda ni Mswahili na anaweza kufafanua vizuri haya mambo ya *Expressway*.

Hii *Expressway* ilikuwa ikamilike Desemba mwaka jana na itumike lakini mpaka leo tunaona bado watu wanaendelea kuijenga. Nadhani huu mradi ni wa Wachina. Tungetaka kujua kutoka kwa Kamati tekelezi; pesa iliongezwa kwa sababu gani? Pili, tulielezwa kuwa Desemba kazi hii itakuwa imeisha na bado haijaisha. Inaonekana hata hii Desemba ijayo hii kazi haitakuwa imekamilika. Tulitaka matunda ya Rais Uhuru, kuja kutuonyesha magari ikipita juu.

Ile kazi inayoendelea sio mbaya; ni nzuri. Ni kama hiyo barabara imepata gorofa. Watu wanatembea chini ya gorofa lakini huko juu utendekazi na usafiri hujaanza.

Wanakenya wengi wako katika giza, hawajui wakati barabara itaanza kutumiwa. Wengine wanasema kuna majumba yamejengwa ya kulipia pesa pale mbele. Sasa wanaulizana kama watatembea juu kwa *Expressway* ama chini. Haijulikani ni Wakenya wagani wataenda juu kwa malipo na wagani watatumia chini.

Tunataka ufafanuzi kwa kina, vile Waingereza wanasema '*in black and white*'. Waweze kujua kama kweli Wakenya watakanyaga kule juu. Pesa ni ngapi italipwa kupitia kule juu? Na kama huna utafanya nini? Kazi ya ujenzi itakamilika lini?

Isiwe ikawa Rais Uhuru Kenyatta amefanya kazi mzuri na hawezi *launch* ile kazi, ipitwe na wakati na kuzinduliwa na Serikali ijayo. Kama kazi ya ujenzi ingeisha na aizindue, kama vile Rais Mwai Kibaki alitengeneza Thika Superhighway na mpaka leo tukiitumia tunamkumbuka popote pale alipo. Na hakuna pesa unatozwa ukiwa unatumia barabara ile. Nimesikia tayari Wachina wanatengeneza vioski vya kulipa pesa ukitumia *Expressway*.

Sen. Cherargei, amefanya *research* yake na kujua pesa imetoka mahali fulani na kuongezwa. Waziri akuje kwenye makao ya Kamati na kutueleza kinaga ubaga ni vipi hadi pesa ikaongezeka nani kwa sababu gani? Barabara hii itaisha lini ili tuweze kuisheherekea?

Naunga Sen. Cherargei katika hii Kauli ametoa.



Asante, Bw. Spika wa Muda kwa kunipa nafasi.

**The Temporary Speaker** (Sen. Kinyua): Asante, Sen. Wario. Kile ambacho nimesikia ukisema ni kwamba mimi naelewa Kiswahili. Nilijua ulitaka kusema ya kwamba nitasema barabara ni ya moja kwa moja. Hukusema kwamba mimi najua mambo zaidi kuhusu ile barabara; najua ulitaka niseme barabara ile ni ya moja kwa moja.

Hon Senators, we do not have quorum to execute Order Nos 8, 9, 10, 11, 12, 13, 14, 15 and 16. I, therefore, defer them.

## **BILL**

### *Second Reading*

THE LANDLORD AND TENANT BILL  
(NATIONAL ASSEMBLY BILLS NO. 3 OF 2021)

*(Bill deferred)*

## **COMMITTEE OF THE WHOLE**

### *Second Reading*

THE LIFESTYLE AUDIT BILL  
(SENATE BILLS NO. 36 OF 2021)

*(Bill deferred)*

## **COMMITTEE OF THE WHOLE**

THE LAW OF SUCCESSION (AMENDMENT) BILL,  
(SENATE BILLS NO. 15 OF 2021)

*(Committee of the Whole deferred)*

## **COMMITTEE OF THE WHOLE**

THE PRESERVATION OF HUMAN DIGNITY AND  
PROTECTION OF ECONOMIC AND SOCIAL RIGHTS BILL  
(SENATE BILLS NO. 21 OF 2021)

*(Committee of the Whole deferred)*

## **COMMITTEE OF THE WHOLE**

THE SPECIAL NEEDS EDUCATION BILL  
(SENATE BILLS NO. 44 OF 2021)

*(Committee of the Whole deferred)*

**COMMITTEE OF THE WHOLE**

THE ELECTIONS (AMENDMENT) (NO. 3) BILL  
(SENATE BILLS NO. 48 OF 2021)

*(Committee of the Whole deferred)*

**COMMITTEE OF THE WHOLE**

THE COUNTY RESOURCE DEVELOPMENT BILL  
(SENATE BILLS NO. 45 OF 2021)

*(Committee of the Whole deferred)*

**BILL**

*Second Reading*

THE ELECTION (AMENDMENT) (NO.2) BILL  
(SENATE BILLS NO. 43 OF 2021)

*(Bill deferred)*

**BILL**

*Second Reading*

THE ELECTION CAMPAIGN FINANCING (AMENDMENT) BILL  
(SENATE BILLS NO. 51 OF 2021)

*(Bill deferred)*

**The Temporary Speaker** (Sen. Kinyua): Next order.

**MOTIONS**

RECOGNIZING AND APPRECIATING THE ELDERLY  
BY COUNTY GOVERNMENTS

THAT, AWARE that in 2006, the National Government initiated the Older Persons Cash Transfer (OPCT) Programme, popularly known as Pesa ya Wazee, which is an unconditional cash transfer programme to destitute elderly persons above the age of 65 years to cater for their subsistence needs;

NOTING THAT the beneficiaries receive a monthly stipend of Kshs. 2,000, delivered every two months through appointed payment agents, and also entitled to medical insurance through the National Health Insurance Fund (NHIF);

CONCERNED HOWEVER THAT the programme's credibility is marred by issues of delayed payments to beneficiaries, difficulties in processing of payments through the stipulated agents and payments to unregistered persons;

NOW THEREFORE, the Senate recommends that the County Governments complement the efforts of the National Government and assist in resolving these challenges by-

- (i) Developing legislation and policies to protect the elderly including ensuring all elderly persons in their counties are registered in the OPCT programme; and
- (ii) Organise value addition mechanisms such as financial training to help the beneficiaries of the programme to efficiently utilize this allowance.

*(Sen. Nyamunga on 02.03.22)*

*(Resumption of Debate interrupted on 02.03.2022 – Morning Sitting)*

**The Temporary Speaker** (Sen. Kinyua): Sen. Mwaruma is online and he had a balance of 11 minutes.

Sen. Mwaruma, *unatusikia? Twakusikiza, unaweza kulivalia swala njuga.*

*Wakati Sen. Mwaruma anapojaribu kutafuta pahali pazuri ndiposa tuweze kumsikiza kwa njia shwari, nitamwita Sen. Cherargei,*

**Sen. Cherargei:** Mr. Temporary Speaker, Sir, I rise to support the Motion on Recognizing and Appreciating the Elderly by County Governments.

As the House that protects devolution, we need to protect our elderly. Any society that does not appreciate the elderly is a society that is doomed for failure. Most of this elderly people gave their youthful years building, sacrificing and working for this nation. They have laid the foundation. It is a high time we must appreciate them as a nation.

Whenever I am in Nandi, I meet retired civil servants be it teachers or farmers. Life has given them a beating because they are old and cannot walk. They rely on their children. However, the children sometimes do not have jobs because of the high rate of unemployment. They cannot maintain their parents. One of the challenges that affects the elderly in the society is majorly health issues. Some of them have terminal illnesses and diseases because of old age.

Secondly, it is also because of food and shelter. When you visit some of those homes, you will find that these old grandfathers and grandmothers do not have anybody to support them. They need to buy medicine and food to sustain themselves as Kenyans. These are the people who gave their best years to the nation. What we are doing is their right under the Constitution. One of the celebrated features of the Kenyan Constitution of 2010 is recognition of the rights of old people.

What Sen. Nyamunga is trying to do is just to call upon county governments. I would have expected that in their wisdom, county governments should have started these

programmes. The national Government started this programme, *Pesa kwa Wazee* since 2006. They however still have gray areas. I remember there is a Statement that we brought here to question why only specific banks were being used? The question was, why would you use a bank to pay Kshs2,000?

Another question that we sought in this House is why that money could not be disbursed to them through their M-Pesa lines? The third question that we asked then was how we can become efficient in terms of ensuring that the right people get those funds? The fourth issue that must be addressed here is the registration process.

In Nandi County, we are sometimes told by the chiefs, Deputy County Commissioners (DCC) and many others that the registration process will begin soon. Our elderly are yet to be registered. Our representatives of the national Government do not know where to register and how it is being done. In as much as it has gray areas, that money has assisted some population of the elderly to access some of these basic services such as health, food and shelter even though it may not be enough. County governments should supplement what the national Government is doing. It is their role.

I was somewhere in Nandi County called Chebyoyet, Kamongei and Sosiat - a border that we share with Kakamega County. Whenever a *Mzee* stands in a public *baraza*, the question that they will ask is about the funds for the elderly. They say, 'We hear that there is money for *wazee*? Where is it? How do we register? How do we process?' The elderly who receive pension are not part of those that have been captured in this Motion.

In the wisdom of the sponsor of the Motion, it is upon us to support and ask the county assemblies to tailor make their own legislations and policies when they are doing budgetary allocations. We have witnessed situations where governors spend extravagantly to buy fuel, newspapers, flowers, *mandazi and chai* in their offices. If we can cut on those expenses, we can support our elderly. You get a governor having a fleet of vehicles that consume a lot of fuel. What is the need for that if we can allow that money to be used for such novel issues?

I celebrate many Kenyans, the Catholic church, a number of religious organizations, private individuals and organizations who have started programmes to assist the elderly. We need to celebrate them because there is nothing worse than to be an elderly, alone, sick and without food yet they have given their best years for the development and creation of the wealth and foundation of this Republic. Apart from creating a cash transfer programme, we also need to relook into the issue of housing in this legislation. I hope that we can make these resolutions. How can we ensure that the elderly have decent housing?

The third point is on how to create homecare services, especially in health. Some of these old people cannot use motorbikes. You will find an old person travelling all the way from Kilibwoni and wants to travel to Kapsabet to access medical care which is kilometers away yet they are old, tired and sick. The county governments should enhance a vibrant homecare services. I do not think it is expensive. For example, we have 30 Wards in Nandi County. It will be very cheap if we recruit at least two nurses to do homecare and palliative care to the terminally ill patients. The nurses would check if the elderly are diabetic, have pressure, Cancer or any other form of diseases. They can get a motorbike and hire two nurses per ward. If that happened, Nandi County alone would

employ over 60 nurses to take care of the elderly. Those motorbikes will ensure that they go to homes and visit those in homecare. They will also assist in recovery.

Mr. Temporary Speaker, diseases are not the only things that kill the elderly. It is about how they are being taken care of. Some of them die because of hunger and not because that they are sick as such. We must have a vibrant homecare process. The fifth point is to ensure that there is access in terms of registration. This is where the Kenya National Bureau of Statistics comes in. The population census of Kenya was done in 2019. The Kenya National Bureau of Statistics should tell us the updated figures. Why would old people complain of cash transfer programmes yet the Kenya National Bureau of Statistics has the statistics?

We need to encourage government agencies to share information. If the Ministry of Interior and Coordination of National Government wants information about the old people in the Republic, they should get. I have seen the demographics out there that has been done and it is very easy.

When you go to the village, even in Wajir County, the *wazee* will ask you how they can register. The National Government have the statistics through the Kenya National Bureau of Statistics? They can even tell which part of Laikipia you come from. If it is Marmanet or somewhere else. They can tell how many people there are in any ward. Even if it is in my brother's, Sen. Wario's Tana River County, they can easily tell. Why would you subject the old people through such processes?

These are old people. They do not have phones. What shocks me my and neighbor, Sen. Shiyonga, is why old people would be told something like, "*tumeweka kwa Whatsapp?*" or that they have put the calls for registration online. What do you mean? It is shocking.

How will somebody from Mosoriot, Ndalat, Kabiyet, Tinderet or Kamungei near Western, where she went with my team know about this? I met some Deputy County Commissioner (DCC) and I was shocked and mortified with fear. The *Wazees* were telling him that they did not hear about registration and he said that they had put it online, and that all Government services are put there. This is okay, but this is a 65 or 70 years old man. How will they access the internet?

We need to challenge this and ensure that we assist. The county governments have so much wastage and there is nothing to show for it. I was at a function in Chepterit around Koilot and some *wazees* stood and asked the governor of Nandi County about the stipends for the elderly in Nandi County, which he had promised when he was campaigning. One of his manifestos was to take care of the elderly in the society, but he has never delivered on the promise.

There is money. We see unnecessary privileges and wastage of resources in the county governments. For example, in Nandi County there was a case where we lost cement, nails, tyres and close to Kshs200 million and some of the county staff were allegedly involved, but the governor found it okay. We must be honest and speak the truth to power. That is what we can do as the defenders and protectors of devolution.

We fought here. You and I were in the same team saying one man, one vote, one shilling. Money was increased to Laikipia County and to Nandi County by Kshs1.6 billion from Kshs5.3billion. Why would the *wazees* be complaining in Laikipia, Nandi, Kakamega, Tana River, Wajir or Garrissa counties? This shocks me. In Nandi County we are approaching 900,000 people. I do not think even a quarter of those people are

above 65 years old. It cannot even consume close to Kshs30 million or Kshs50 million to give them Kshs3,000 only, so that they can buy Panadol.

I was in Kabiyet Sub-County Hospital over the weekend. There are no basic drugs and pain killers such as Panadol. These *wazees* have to go to Kabiyet, Imaki, Lessos, Kaptumo, Kobujoi or Serem centres where we share a border with Vihiga County. They might even need to go to Maraba, Chemase or Mosoriot where I come from yet we increased allocations to counties.

There was need for us to fight here for “one shilling, one man, and one vote” and then when we add money the governors decide to go for exotic holidays and getaways. They started to build mansions and accumulated ill-gotten wealth. *Saa hii* as we campaign we tell the *wazee* “*tupee mate*”. The *wazee* are more relevant now than any other season. You will see politicians inviting *wazees* “*ati watupee mate*”. The same people you cannot give *pesa ya wazee* yet you are asking them to give you blessings. Kiswahili is a bit complicated *kidogo*.

I have also seen my governor inviting the *wazees* to give him “*mate*” How can you? It is hypocritical and unfair to the elderly of this nation. Now at every rally you are asking the *wazees* to come and bless you.

Under the United Democratic Alliance (UDA), one of the key pillars of the bottoms up is to take care of the elderly. We will speak to the powers. I have not heard Presidential candidates because they have not launched their manifesto. I hope that when they launch them they will be able to tell us what they will do for the elderly, vulnerable, the innocent and Persons with Disabilities (PwDs).

We need to have a targeted approach on how to assist the vulnerable in society. It is good that Sen. (Dr.) Mwaura, the future Member of Parliament of Ruiru is in the House. He understands the unique challenges of the vulnerable in society. The elderly are among the vulnerable.

The next point so that I cede ground for other colleagues is that, as we approve this Motion for the elderly, there are these organizations known as community elder groups such as the *Njuri Ncheke*, *Miots* or the Nandi *Kaburwo* elders from where I come from led by *Mzee Kitur*, the *Nyumba ya Kiama*, the Kikuyu Council of Elders and also the Luhya Council of Elders. I know they are very active during political seasons. We should also see how we can use those organizations not just for political issues.

Mr. Temporary Speaker Sir, for instance, how can we use *Miot* or the Nandi Council of Elders to reach out to the elderly within Nandi or Laikipia counties where you come from Mr. Temporary Speaker Sir? Even in Kiambu County, which is almost a south city county, there are also the elderly. There are the elderly where Sen. (Dr.) Mwaura comes from. We need to see how we can use these organizations.

The seventh point is on how we come up with this Motion to ensure that we create a transfer of cultural values to the next generations. I pray that one day our county governments will build a cultural center and give the *wazees* stipend. They should call the young people to come sit and listen to the culture, values and stories about who they are.

They say if you do not know your past you cannot know your future. Most of the children we are giving birth to today are growing up in towns. It will reach a point where we will build cultural centers and invite the *wazees* to teach mother tongue to our children. It is not an offence to know your language.

It is negative ethnicity that is bad for this country. I know the Chairperson of the Committee on National Cohesion, Equal Opportunity and Regional Integration, Sen. Shiyonga, will be at the forefront now especially as we approach the general elections because we do not want leaders who will cause incitement.

When I talk about training on mother tongue it does not mean that we are encouraging negative ethnicity. We need to appreciate our unique nature and we want our children to know. How can we factor in apart from giving cash transfers - I was about to say handouts because I have seen *Azimio la Umoja* are giving Kshs6,000 handouts. It is about transfer.

Apart from giving the *wazee* cash transfers, can we also make use of them by building cultural centers within the county governments, so that if I want to know about the Kikuyu culture---

**The Temporary Speaker** (Sen. Kinyua): What is it Sen. Shiyonga?

**Sen. Shiyonga:** Mr. Temporary Speaker, Sen. Cherargei should withdraw what he has said that *Azimio la Umoja*; our movement, is working on handouts. We are working on a manifesto that will see our people better. The term handouts should be withdrawn. We are not giving handouts; we have various programmes in our manifesto.

**The Temporary Speaker** (Sen. Kinyua): After the programme, are you not going to handout that money?

**Sen. Shiyonga:** Mr. Temporary Speaker, I was just asking Sen. Cherargei to withdraw that statement because it is not a handout. Even if the money is going to be handed out or given, it is not a handout. There is a difference between handout, giving bribes or tokens and giving out money through a programme or a system that is certified by the Government. That is what we intend to do in our manifesto.

**The Temporary Speaker** (Sen. Kinyua): Everybody has understood. Proceed Sen. Cherargei.

**Sen. Cherargei:** Mr. Temporary Speaker, Sir, let me make it better by saying programmes of handouts. I think that is better, so that my sister can be comfortable---

**The Temporary Speaker** (Sen. Kinyua): Sen. Cherargei stick to your---

**Sen. Cherargei:** Yes, Mr. Temporary Speaker, Sir. I am sticking to it and coming to the point. I am just developing my---

**The Temporary Speaker** (Sen. Kinyua): Kindly forget about it. Stop that.

**Sen. Cherargei:** Mr. Temporary Speaker, Sir, I was just building my case by saying--- I can see my time is spent. As protectors of devolution, we need county governments to create cultural centers that are vibrant.

I once went to Kwale County during an official parliamentary visit, and we found Governor Salim Mvurya had built a very good cultural center. I thought that was brilliant. Instead of giving these elderly people cash transfers, these are people with lots of experience; some of them are retired doctors and civil servants in Government. How can we tap into their knowledge?

I remember in Meru county government - I do not know whether that program died - where Gov. Kiraitu Murungi had created the eminent persons of Meru, where retired senior civil servants like Amb. Francis Muthaura and many others were part of the advisors to the county government.

We can also tap into their experience. It does not mean that these old people are bogus. We can even tap into their cultural knowledge. If I want to know the culture of the

Kikuyu nation, I can just walk to Laikipia Cultural Centre; get an old man of 80 years who will tell me and my children about their history. It is very important.

Mr. Temporary Speaker, Sir, I hope that in the future, when you will be running for governor, maybe after 2027, because we know you are coming for the second term as the Senator for Laikipia, these are brilliant ideas that you can implement that will assist the relevant people. These old people will always be grateful.

This Motion is timely and I hope my sister, Sen. Shiyonga - since she is also running - can run with this idea and develop a manifesto to sell in Kakamega County.

Mr. Temporary Speaker, Sir, I support this Motion and look forward to having proper resolutions that will assist the elderly in our society.

**Sen. Shiyonga:** Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity to support Sen. Nyamunga's Motion on recognizing and appreciating the elderly by county governments.

I do support this Motion and appreciate Sen. Cherargei. This Motion is timely and well placed in the right House. We appreciate what the Government is currently doing when it comes to the cash transfer programme.

We had discussed this programme as the Committee on Labour and Social Welfare. It has some problems, especially on the stalled registration process for the elderly persons in our country during the COVID-19 period. We realized that these people are very important in the Republic of Kenya.

They are our own parents, relatives and people that need to be protected by the State. When the State does what it is doing, we need to realize that it needs to do more. This cluster of people is aged---

**The Temporary Speaker** (Sen. Kinyua): Senator, when you were in the Committee on Labour and Social Welfare, you realized that there was a problem of registering old people.

We have assistant chiefs, *Nyumba Kumi*, Deputy County Commissioners (DCCs), Assistant County Commissioners (ACCs), who know the people who live in that area. Many of the people in this country are not nomads to the extent that they would not know the old people.

Why are you telling this House that as the Committee on Labour and Social Welfare, you encountered a problem in registering old people who can easily be gotten from where they live by the chiefs and their assistants? What were the hiccups?

**Sen. Shiyonga:** Mr. Temporary Speaker, Sir, yes there were hiccups and we shared. We shall still share the progress of the report through the Chairperson of the Committee, which is a procedure in this House.

As a Member of the Committee, when we met with the necessary stakeholders, we discussed this issue. We realized there were problems, especially with the registration that stalled.

One of the reasons was that during the COVID-19 period, most of the people had attained the age of 65 years and were yet to be registered. However, the report will be laid on the Floor of the House, and so, I do not need to discuss it. From the discussions, there is a problem in it and there is much that needs to be done especially with regard to the system of registration, where we need to identify these people.

Most of them have not been reached. It is important that we realize that as time goes by, they are aging and the percentage is increasing unlike those benefiting directly.



The Government needs to do a lot. It is good when such a Motion comes and becomes a Bill. When one becomes of age and needs to be absorbed by the system, it should be automatic.

It is good to realize that the aged need not to toil by looking for people to register them. The registration should be free, fair and accessible. It should be mandatory that when you reach a certain age, you need to be registered automatically and enjoy the benefits through that registration.

When looking at the elderly, I like the county government participation. It needs to be 100 per cent participatory, especially through legislation by Sen. Nyamunga. They need to come up with legislation and policies that can protect these elderly, including ensuring that the counties register them.

It is from the counties that these people emanate. They are identified by the *Nyumba Kumi*. It is very important that we devolve this function from the national level, where it takes time. Some even die during the long process without the benefits too.

I support this Motion. It is important for us to identify that these individuals are at risk and need self-sufficient support. They need to be comforted and assisted with the community and the Government.

When it comes to medical care, they are prone to chronic diseases. Many of them, regardless of which area they come from, are prone to insecurity, chronic diseases and are lonely. This is because they no longer live with their relatives. They are left to survive on their own. It is survival for the fittest.

If the Government comes in through the county governments, supports them and have a realistic programme that will reach each and every one of them, then it shall be fair to them. Everyone will want to live and age well.

Technology is growing every day with changes in software, unlike when we used to have hard copies. When the elderly age, they become blind and cannot read and write. Some cannot even speak. They are supposed to have devices to help them communicate to the right people. By doing this, we will be protecting them from fraud using technology.

I heard some complaints during my visits to the counties. Looking at the equal opportunities that are given to this particular class of people, it is very hard. You will find somebody, probably the next of kin, trying to influence so that they get the benefits. It is good that we have this Motion.

The policies and legislation framework should also look at how to ensure that these people can access information. Benefits should be given directly to the beneficiary. Other people should not be given the benefits because they may influence the whole system.

The legal framework should also ensure that people are not prone to corruption. When returns are done at the national level, the process goes through the stages up to where the programme was initiated. You will find people claiming benefits for people who are not even there. When these people are dead, someone continues to get the benefits.

The programme is good and it should be cascaded down. We also need to look at the technology part of it and assist as much as we can, especially when it comes to the internet, because most of them come from rural areas where there is no internet. They have what we call “mulika mwizi” phones and they are not even able to read and write.

As we continue debating on this Motion, it is important for us to celebrate people in the society who have lived long. However, we should also assist them to address insecurity concerns and challenges that come with old age.

Otherwise, I support the Motion and congratulate Sen. Nyamunga for coming up with this.

I thank you.

**Sen. Wario:** Asante, Bw. Spika wa Muda, kwa kunipa nafasi. Wakongwe walio mashinani na wale ambao hawajabahatika ni watu walio na shida tofauti tofauti katika jamii na kaunti tofauti tofauti. Kwa hivyo, ni muhimu sana kuangalia masilahi ya watu hao popote walipo, hata iwe mashinani ambako tunawakilisha katika Bunge hili.

Kwa mfano, kuna jamii za kuhamahama ambazo mimi nawakilisha katika Bunge hili la Seneti. Wazee na wasiobahatika katika jamii wanaishi katika sehemu ambazo hakuna *network*. Kwa hivyo, ni vigumu sana kuwafikia.

Kama ilivyosemwa hapo awali, hata wazee wa “Nyumba Kumi” pia wako mbali na wazee ambao wanaishi katika sehemu hizo. Ni vigumu kwao kupata habari kikamilifu kuhusu yale yanayoendelea katika Jamuhuri yetu ya Kenya.

Kuna pesa ambayo wazee hupewa. Kule Tana River, wazee hukaa hata kwa miezi sita bila kupata pesa hizo. Utawahurumia ukijua mwendo wanaosafiri kwenda kwa benki ama posta.

Ili kupata hiyo pesa kidogo, humlazimu mzee kusafiri kilomita nyingi katika sehemu ambazo barabara ni mbovu na hazipitiki haswa wakati wa mvua. Kuna mito ambayo huwa wakati wa mvua. Kwa hivyo, huwa vigumu kwa wazee hao kuvuka na kufika katika sehemu za kupata pesa zao. Wazee hao wanafaa kufikiwa mahali waliko. Mzee wa miaka 70 au 80---

Acheni niwaeleze jambo: Wazee kutoka jamii za wafugaji hawafi haraka kwa sababu wanakunywa maziwa na kula chakula cha asili. Hawatumii vyakula vya kemikali za siku hizi. Wengi wao huishi zaidi ya miaka 100. Wazee wa miaka zaidi ya 90 au 100 wakiwa mbali na pahali ambako kuna huduma, basi wao hupata shida. Kunafaa kuwa na sheria ili wazee hao wafikiwe mahali walipo. Hiyo itasaidia watu sana hasa wakongwe.

Bw. Spika wa Muda, unafahamu vizuri kuwa wakongwe ni mbegu na sisi ni mazao. Sisi tumetoka kwa wazee. Ikiwa tutaacha mbegu zetu vibaya, basi tutakuwa na jamii ambayo haina mwelekeo.

Wengi wetu tulizaliwa na hao wakongwe. Wengine wetu tumebahatika kusoma. Wengine wetu ni Wabunge na wengine wanafanya kazi sehemu tofauti tofauti duniani. Baadhi ya watu wako nje ya Kenya. Ni vizuri kuangalia mbegu ambayo ilituleta. Mbegu hiyo ni wale wakongwe.

Tukiwa na sheria mwafaka jinsi Hoja hii inavyopendekeza, basi sisi tutakuwa jamii ambayo inajali maslahi ya watu wasiobahatika na wakongwe ambao wako sehemu tofauti tofauti.

Kuna wakati nilienda uzunguni. Huko kuna sehemu zilizotengwa na zinajulikana kama *homes for old people*. Inamaanisha kwamba kuna mahali ambapo wazee wametengewa. Serikali inawashughulikia kwa kuwapa pesa, kuwapelekea madaktari na kuwapa lishe. Kwa hivyo, wako katika hali sawa.

Sijui kama hilo linawezekana hapa Afrika kwa sababu ukipeleka wazee mahali moja, wanaweza kukataa wakidhani kuwa wanaenda kutupwa kama takataka. Tukipendekeza kuwa na makao ya wazee, vijana wengine ni vichwa maji. Wanaweza

kubeba wazee kwa lori na kuwapeleka huko. Pengine hiyo inafaa kuwa tu kwa Wazungu kwa sababu haitufai sisi.

Pia natoa wito kwa vijana na watu wengine walio na nguvu na waliobahatika. Kabla hatujasukuma Serikali kusaidia wazee, wao pia wanafaa kuangalia wazee. Kila mtu anafaa kushughulikia mzee wake.

Bw. Spika wa Muda, wewe na mimi bado ni vijana lakini tuna vijana kule nyumbani. Tukipitisha sheria kama hiyo, siku ile tutakosa nguvu, basi tutalazimishwa kubebwa kwa magari na kupelekwa huko. Itasemekana kuwa wakati ukiwa Spika, ulipitisha sheria kuhusu wakongwe. Kwa hivyo, hutaweza kukataa. Wacha tujaribu kuitengeneza vizuri.

Bw. Spika wa Muda, wewe ni mfugaji na ninajua kwamba wewe unajua maisha ya ufugaji vile inavyo kaa. Hebu angalia vizuri kama wewe ni mfugaji na umehama, na mzee leo hawezi hama na wewe, atakwambia mimi kichwa inaniuma, mara goti liko hivi. Kuna walemavu kadhaa ambao hawawezi kutembea kufika katika kituo cha pili mahali ambapo ng'ombe ama mbuzi zinaweza kuweka nanga zipate maji na nyasi. Itabidi wale ambao hawajabahatika kijamii wabaki katika sehemu ya mahame. Ukishawaacha katika hiyo sehemu ya mahame, basi utakua umepoteza watu muhimu.

Kwa hivyo, mimi ninaona Sen. Nyamunga, alileta hii Hoja wakati mwafaka na inafaa itengenezwe na ipitishwe. Na pia, bunge za kaunti popote pale walipo, bunge tofauti tofauti, wanafaa wao pia wapitishwe hizi sheria katika sehemu zao na pia watu hawa waangaliwe na watafutwe ili *ministry* ambayo inahusika isiwache wale wasio bahatika kijamii wawe wanateseka katika sehemu tofauti tofauti.

Asante kwa kunipatia nafasi.

**The Temporary Speaker** (Sen. Kinyua): Asante Sen. Wario. Nimesikia ukisema kwamba wazee wanasafiri mchana kutwa ndio waweze kupata mahali ambapo watapata malipo yao. Nilidhania utasema ya kwamba, zile Kshs2000 ambazo zinatajwa zinaweza zikawa ni chache pengine kuwe na mikakati ya kuongeza zile hela.

Sen. Isaac Mwaura.

**Sen. (Dr.) Mwaura:** Asante sana Bw.Spika wa Muda. Utaninuia radhi nina sauti ambayo sio sahihi zaidi kwa sababu nina homa kidogo, lakini ninaweza kusikika kidogo kwa sababu heri nusu shari kuliko shari kamili.

Ningependa kuunga mkono Hoja hii. Nimetoka kule Ruiru na nilikua na wana *boda boda* wengi sana; walikuwa 2,243 na nilikuwa na mtaji wao wa hela wa Kshs1 million ambao nilikua nawatunuku leo. Tumekuwa na msafara mkubwa sana Thika Road. Kwa hivyo, ni kweli kwamba nawania kiti cha Ubunge cha Ruiru na pia bado ninaongoza kwa kura ya maoni katika kiti cha Seneta wa Kaunti ya Kiambu. Ni jambo la kushangaza sana lakini nashukuru Mungu kwa jambo hilo.

Hoja hii ambayo imewasilishwa Bungeni na rafiki yangu Sen. Nyamunga, ambaye anagombea kuwa Seneta aliyechaguliwa kule Kisumu, na pia ashawahi kua Mwakilishi wa akina Mama, ambaye tunashiriki kabisa katika maombi na pia tulikuwa katika jopo la maspika kama vile ulivyo hapa. Ni jambo nzuri sana ambalo ameliwasilisha hapa tukija katika kipindi cha lala salama cha Bunge la kumi na mbili ambayo ni Seneti ya pili ya Jamhuri ya Kenya.

Watu wetu ambao ni wakongwe wameweza kutelekezwa kwa njia ambayo sio nzuri hata kidogo. Sio eti kusema kwamba kuna kutelekezwa ambako kunafaa; kama umetelekezwa ni kumaanisha kwamba hujatiliwa maanani.

Fauka ya hayo, sisi sote tunaweza kua watahiniwa wakuwa vikongwe kwa miaka inayokuja. Kwa hivyo, wakati tunazungumzia Hoja hii ikumbukwe kwamba sio eti kwa sababu ni wale ambao tunawaangazia. Na ikumbukwe kuna kitabu cha aliyetuwacha, makataba mkange “Walenisi”, kwamba wale ni sisi. Ni sisi ambao tunahodhi hii nafasi baada ya miaka michache.

Sasa ivi nimetoka kumuaga aliyekuwa Seneta Balozi (Dr.) Wilfred Machage tukiwa na Sen. Shiyonga na wengine tulio kuwa nao pale katika SDA Maxwell Church. Amefariki akiwa na miaka 65 tu. Alikua mchanga sana. Katika hili Jumba kuna Maseneta wengi ambao wana umri ambao umefikia zaidi ya hapo.

Kabla sijaendelea, ningependa kutoa rambi rambi zangu kwa jamaa na marafiki. Dr. Wilfred Machage tulijuana na yeye, na pia mtoto wake wa kwanza Steve Machage tulisoma na yeye Kenyatta University kutoka mwaka wa kwanza mpaka wa nne. Tumekuwa marafiki wa familia zetu mimi na mke wangu na mke wake, Mama Tema Mtupi, kutoka kule South Afrika. Kwa hivyo, ni watu ambao tumekua wa karibu kwa pamoja sana na wakati alipokua hapa alikua mmoja wapo ya jopo la maspika. Mungu ailaze roho yake mahali pema peponi.

Kila mtu ana jukumu la kuweza kuwaangazia hawa vikongwe. Juzi tu nimempoteza nyanya yangu mpendwa akiwa na miaka 90. Kwa sababu mungu amenipatia uwezo nikawa Mbunge, angalau nilikua namsaidia kila mwezi namtumia pesa. Baada ya yeye kufariki, nilijiambia kwamba hizo hela hazina maana kwa sababu ningelipenda kuwa na yeye kwa muda mrefu. Sidhani kuna watu wengi wa umri huu wangu ambao watafikisha miaka hiyo 90.

Mhe. Wario amesema tunachukua kemikali nyingi katika vyakula na hata kutoka katika mazingira ambayo tunaishi. Lakini kwa kweli kumekuwa na changamoto kubwa sana za kuweza kuwatunza wazee wetu. Kisa na maana ni kwa sababu, kitambo kidogo ilikua ni rahisi wawe kule vijijini alafu kama Isaac Mwaura akioa, atajenga kule, awe na wajukuu ambao watakua wakimliwaza nyanya au babu yao.

Lakini sasa hivi sisi tumetorokea mijini na inabidi kwamba wakuu wetu wagure waje kukaa na sisi kwenye vyumba ambavyo ni vidogo sana, kwenye mazingira ambayo hayawapatii nguvu na wanaonekana kana kwamba ni bugdha kwa jamii.

Wengi ambao pengine wamebarikiwa wana uwezo wa kuwajengea katika *the same compound* lakini utakuta ya kwamba visehemu ambavyo tumejenga vyumba ni vidogo na wale ambao tayari wamepanga ama kukodisha katika hizi *flats* inakua ni vigumu sana kwa sababu nyanya atakaa kwenye sebuleni, hana pengine chumba cha kulala na kadhalika.

Ni jambo ambalo tunafaa kuliangalia zaidi fauka tu ya kupatiana Kshs2,000 kila mwezi na matibabu ya National Health Insurance Fund (NHIF). Tujiulize, sera ile ambayo inafaa, sheria, nafikiri Mhe. Gathoni wa Muchomba amewasilisha sheria hii kule na Mhe. Cheruiyot alikua na nyingine hapa, ziweze kuwiana ili tuwe na sheria moja ya watu wazee ama ukipenda kwa kimombo, *senior citizen*, wakuu wetu ili waweze kulindwa kikamilifu na jamii.

Haifai tu kuwa kwamba hilo liwe ni jukumu la Serikali kwa sababu, ikiwa ni mambo ya majukumu ya kiserekeli, itabidi basi tuweze kutengeneza mabweni ambapo hawa wakongwe wetu wataishi. Kama tunakumbuka, wakati tulikua tunaenda katika shule za malezi, unakuta kwamba kukaa katika haya mabweni ni mateso matupu. Hawa

wakuu wetu wanahitaji kuwa wakiskia lile joto la kwamba wao wanaenziwa na familia zao, wanaweza kupata vichekesho na kadhalika.

Mimi ni mwana bodi wa Leonard Cheshire Disability Services katika nchi hii ya Kenya ambayo ni mojawapo ya muungano wa Leonard Chesire International na tuko na nyumba za wazee kule Kariobangi, Huruma na kadhalika ambazo zinashughulikia hawa wazee. Ni changamoto kubwa sana kuwa na hela na uhakikishe kwamba hiyo miji inaendeshwa sawasawa isipokuwa ni wale watawa ambao wamejitolea kutoka kanisa la katoliki ambao watusaidia sana kwa kujitolea katika jambo hili. Ni jambo ambalo Serikali haiwezi kuhoji kwa asilimia.

Nafikiri ni muhimu tuangazie mambo ambayo tunaweza kutengeneza kama vile marupurupu ya uzeeni, mambo ya afya, na mambo mengine kama hayo. Kama ni ujenzi wa nyumba za wazee kwa sababu mara nyingi wanajenga nyumba zao wakati wanastaafu. Pengine pia kuwe na ushauri kama vile ambavyo nimeona imependekewa hapa katika serikali zetu gatuzi ndiposa pia watu wazee waweze kujua kipato chao kitapungua, hawatakua na nguvu za mwili zitakazowawezesha wajikimu wenyewe.

Bw. Spika wa Muda, ikumbukwe kwamba, hata mambo ya kukaa na wazazi mijini inawapendelea sana akina mama. Akina mama wanapendwa na watoto wao ambao huwaita mijini lakini wazee wanawachwa kule mashambani na ng'ombe zikilia na kutafuta majani. Mwanaume wa kiafrika ametengwa sana. Ameambiwa awe mkali kama simba kwa nyumba, akiguruma watu wote wanatoroka. Hivyo hivyo, wanamtoroka akiwa mzee anabaki akiguruma peke yake huko kwa mashambani. Mara mama anaenda Marekani leo, kesho anaenda Mombasa na kwingineko. Mpaka mzee huyu wa miaka themanini anatafuta mtoto mdogo wa miaka kumi na tisa na kumuoja kwa sababu ya upweke.

Bw. Spika wa Muda, haya mambo kama tutaangazia mimi na wewe na wengineo tutakwenda kwenye msururu huo huo. Nafikiri hatuna suluhu la kutosha na jambo hili haliwezi likakamilika kwa kupitia hoja hii. Ni muhimu tuweze kuifikiria kisheria na kijamii jinsi ya kutenga nafasi ya kuwasawazisha wazee wetu wajihisi kwamba wao pia ni wadau baada ya kufanyia Serikali na uma kazi na kujitolea kwenye jamii kwamba hawatawachwa nyuma eti kwa sababu sasa hawana maana kama vile watu wanafikiria umeshatumika, hauna nafasi katika jamii.

Kwa hivo, kama Serikali zetu gatuzi, zingekuwa na mipango sambamba ambayo inajumuisha kile ambacho serikali ya kitaifa inafanya, itakuwa jambo nzuri sana ya kuvutia. Ningeomba pia wawe na idara maalum ambayo inashughulikia watu wakongwe ambayo itakua imefadhiliwa zaidi na imepatiwa pesa na bunge ya kaunti, ili waweze kushughulikia maswala haya.

Pia kuwe na watabibu katika hospitali kuwe na vitengo maalum katika zile referral hospitals ambazo tumeziona zikijengwa kilakukicha, ili waweze kuwa wakisaidia wazee wetu wanaingia kule na wale tunaita Community Health workers (CHW) ambao wanafayanya kazi nzuri sana ili kuwapatia chanjo, madawa na kadhalika.

Niliona vile nyanyangu aliteseka kabla ya kuiaga dunia. Pia, itabidi tuwe tunaajiri watu kwa nyumba hizo ambao kazi yao itakuwa kuwaangalia hawa wazee wetu. Kwa hivyo inafaa pia uwe hata na taaluma inayofunza jinsi ya kuwashughulikia wazee. Watu wafundiswe katika shule zetu hizi za teknolojia, kuwe na mafunzo maalum ambayo wanafunza kwa sababu tuanendela kuzeeka na miaka inayokuja watu wengi watastaafu katika afisi za umma.

Nadhania inakisiwa kwamba nusu ya wale ambao wameajiriwa sasa hivi ikifika mwaka wa 2025 watakuwa wakiondokea kazi zako. Wataenda wapi? Lazima tuanze kuangalia na hata kuwa na idara maalum katika serikali ya kitaifa na zengine katika serikali gatuzi ndiposa jambo hili lisiwe tu ni mzigo wa familia, watu ambao wa kipato cha chini kwa sababu uchumi umezorota na ndiposa pia tuweze kuwa na nguvu na uzoefu wa utaaluma.

Wakati nilikua naishi Uingereza, kulikua na majadiliano makubwa sana ya kwamba kuna watu ambao wamechukulia nyumba za wazee kama baishara na zilikua hata zinaweza kuwa na nafasi katika *London Security Exchange*. *Can you imagine?* Yaani watu wamefanya hio baishara kuwa kubwa mno hivi kwamba watu wanaweza kununua shares za kampuni hio kupitia London Security Exchange.

Sisi pia tunafaa kufika pale. Hatufai kuwa tunatoza shida hii ya kijamii iwe ni kama ni biashara ya mtu kibinafsi. Tuuchukulie huu mzigo uweze kubebwa na familia kwa kiasi lakini serikali iwajibike ndiposa usiwe ni mzito sana, watu tuanze kuona kama vile tumeweza kuona huku mjini wakongwe wanaanza kuomba omba kwa barabara kwa sababu hawana chakula na wanaonekama wamedhoofika.

Vile vile, mambo ya ulemavu yaangaliwe kwa sababu pindi unavyozeeka, ndivyo unazidi kuwa na ulemavu. Tunafaa kuangalia haya maneno na hata pia kupoteza fahamu na kuwa na upungufu wa akili. Haya ni mambo ambayo tunafaa kuyaangalia kwa makini ili kuhakikisha ya kwamba watu pia hawakuja na njia ambayo inaweza kujidhuru na tuwe tunaweza kujihami ya kutosha ndiposa tuweze kujali kila mtu ambaye atazeeka.

Kwa hayo mengi, naunga mkono hoja hii na niombe kwamba iweze kupasishwa. Hoja hii isikuwe tu ni mapendekezo kama vile iko hapa. Sheria kabambe iwe, na kama zipo, ziweze kuhakikisha kama zinaweza kupitishwa kabala hatujafunga muhula huu wa mwisho ya Bunge la kumi na mbili.

Naunga mkono. Asante sana.

**The Temporary Speaker (Sen. Kinyua):** Asante Sen. Mwaura. Ningelipenda kumuita Sen. Mwaruma.

*(Kinya)*

**Temporary Speaker (Sen. Kinyua):** Sen. Mwaruma ni kama hayupo. Sioni kama kuna senata mwingine anayetaka kuchangia hoja hili. Kwa hivyo, nitamuita Senata ambaye alikua ametoa hoja hii aweze kujibu.

Sen. Nyamunga, nafasi hii ni yako.

**Sen. Nyamunga:** Mr. Temporary Speaker, Sir, Thank you for giving me this opportunity.

I would like to also thank all the Members who have been able to contribute to this Motion. This is a very critical and important Motion. As all of us have mentioned, we appreciate what the National Government has done so far. However, this has to be cascaded to the county governments. What the National Government has done is good but we now expect it to go to the county levels because the National Government cannot involve everybody because of the amount of moneys that are involved. If we combine efforts with counties it will be very successful.

Mr Temporary Speaker, Sir, I thank all the members who have contributed. You have enriched this Motion and we expect it to move forward. Above all, we need legislation that should be put in place to enable the county governments also to be part of

it. It is not a mistake for anybody to be elderly. If anything, we all pray that we reach old age. The moment we reach old age, not all of us are able to take care of ourselves. When we have members of our country who cannot take care of themselves, it is important that the government comes in to support.

I support the proposed 'Baba Care,' which I know will be in place come September of this year after the General Elections. This 'Baba Care' will go a long way. It will enhance the figure from Kshs2000 to Kshs6000.

Many people have been arguing about this figure, but I believe that figures do not lie and for any leader of *Baba's* caliber to come up with such a figure, he must have done a lot of research. This is somebody who has been in Government and he knows that money can be made available to take care of the elderly.

I thank all the Members who have contributed to this Motion. It is a timely Motion and we want to push it to the very end so that county governments become part and parcel of it.

I thank you. I beg to reply.

**The Temporary Speaker** (Sen. Kinyua): Hon. Senators, this matter does not affect counties so it will be voice vote. I proceed to put the question.

*(Question put and agreed to)*

Next Order.

ADOPTION OF SPECIAL AUDIT REPORT ON  
UTILIZATION OF COVID-19 FUNDS

THAT the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty eight (28) county governments, laid on the Table of the Senate on Wednesday, 9th February, 2022.

**The Temporary Speaker** (Sen. Kinyua): Hon. Senators, I do not seem to see the Mover. The Order is deferred.

*(Motion deferred)*

**ADJOURNMENT**

**The Temporary Speaker** (Sen. Kinyua): Hon. Senators, there being no other business on the Order Paper, the Senate, therefore, stands adjourned until tomorrow, Thursday, 3<sup>rd</sup> March, 2022 at 2.30 p.m.

The Senate rose at 5.23 p.m.