

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 15th May, 2024

Morning Sitting

*The House met at the Senate Chamber,
Parliament Buildings, at 9.30 a.m.*

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

PRAYER

DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING

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

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

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

(The Quorum Bell was rung)

The Speaker (Hon. Kingi): Hon. Senators, I am informed that we now have quorum.

Clerk, kindly proceed to call the first Order.

QUESTIONS AND STATEMENTS

QUESTIONS

The Speaker (Hon. Kingi): Hon. Senators, according to the Order Paper, there are seven Questions that were due for response this morning. We invited three Cabinet Secretaries. Three Questions were meant to be responded to by the Cabinet Secretary for Agriculture and Livestock Development; two by the Cabinet Secretary for Water, Sanitation and Irrigation; and the last two by the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs.

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I am informed that the Cabinet Secretary for Water, Sanitation and Irrigation is in the House. Therefore, we will start with her. Thereafter, we will move to the two Questions directed to the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs.

I am, however, informed that the Cabinet Secretary for Agriculture and Livestock Development is not in the House and he will be able to attend for purposes of responding to these three Questions. I am informed that a letter came yesterday afternoon indicating that he will not be in a position to attend today's session for purposes of responding to those three Questions directed to his Ministry.

When we sat in the Senate Business Committee (SBC) yesterday, we had not received any formal communication from the Cabinet Secretary. That is why those Questions are in today's Order Paper. Hon. Senators, we are going to have only two Cabinet Secretaries responding to the four Questions. As far as the Cabinet Secretary for Agriculture and Livestock Development is concerned, we will not have those questions responded to. The three Questions were by Sen. Korir, Sen. Mungatana, and Sen. (Dr.) Murango.

Yes, Sen. Mungatana.

Sen. Mungatana, MGH: Bw. Spika, nilikuwa na swali kwa Waziri anayehusika na mambo ya kilimo. Nilikuwa nataka kumuuliza kuhusu mashamba ambayo yameathiriwa na maji na hatua ambazo Serikali imechukua ili kusaidia wananchi kuanza upya.

Nilitoka Kuantu ya Tana River jana usiku. Wananchi pia wanauliza maswali haya. Niliwaambia kuwa Waziri atahudhuria kikao hiki. Ni kitu gani muhimu zaidi kuliko *emergency* ya mafuriko ambayo tumeshuhudia? Kwa nini Waziri hawezi kuandika barua au kuja kwenye Bunge hili ili aeleze mambo haya kwa kina?

Tunakuja hapa na wananchi wanangojea majibu ilhali yeye amepotea. *What is wrong with this guy bwana?* Ni juzi tu ametoka kwa---

The Speaker (Hon. Kingi): Sen. Mungatana, you are a seasoned Member of this Parliament. If you choose to use one language, stick to it all the way.

Sen. Mungatana, MGH: Bw. Spika, ni nini kinachomsumbua Waziri huyo? Juzi tu ametoka kwenye kitanzi na sasa anahepa Bunge hili.

Nangoja ripoti ya Kamati ya Kilimo, Mifugo na Uvuvi ili Seneti itoe maoni yake. Hatutaki mchezo wanaofanya kule kwenye "Bunge Ndogo".

The Speaker (Hon. Kingi): Proceed, Sen. (Dr.) Murango.

Sen. (Dr.) Murango: Bw. Spika, kama vile Seneta wa Tana River amesema, kuna jambo ambalo limetokea ambapo linastahili Waziri aje hapa. Kuna European Union Deforestation Regulations (EUDR) ambazo zinapendekeza kukomesha uuzaji wa kahawa katika nchi za nje. Sheria hiyo itaanza kutekelezwa mwezi ujao.

Nilikuwa natarajia kuwa Waziri atahudhuria kikao hiki kwa sababu ifikapo mwakani, hatutaweza kufikia soko yetu kubwa kule ulaya kwa sababu ya kanuni za ukataji wa miti. Ingekuwa muhimu awe hapa ili ajibu maswali.

Tumemaliza ripoti yetu kama Kamati ya Kilimo, Mifugo an Uvuvi na tutaiwasilisha katika Bunge hili. Ripoti hiyo inaeleza mambo tuliyopata katika sakata ya mbolea ghushi.

The Speaker (Hon. Kingi): Hon. Senators, the reason the Cabinet Secretary is not with us this morning, as indicated in his letter, is because he is leading a Kenyan delegation to the launch of the China-Kenya Tea Trade Centre, which is in an event aimed at promoting Kenya tea export to China for improved farmers' earnings. This particular event is taking place between 14th and 18th May, 2024.

Proceed, Sen. Munyi Mundigi.

Sen. Munyi Mundigi: Bw. Spika, ningemuliza swali Waziri wa Kilimo na Mifugo kama angekuwa hapa. Tangu wiki iliyopita, kumekuwa na vita kati ya wafanyibiashara. Wakulima wa miraa kutoka Kaunti ya Embu hawawezi kuiuza Mombasa na kaunti jirani.

Serikali ya Kenya Kwanza ilitupatia pesa ili kuendeleza kilimo cha miraa. Swali langu kwake ni kuwa, je, ametusaidia vipi? Madereva wa lori zinazosafirisha mimea hiyo wanaitishwa pesa ambayo haistahili. Ni makosa makubwa sana yeye kutohudhuria kikao hiki.

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

Sen. Cherarkey: Mr. Speaker, Sir, I want to request for your Solomonic ruling. This matter has come up. I am standing under Standing Order No.51C. I do not know whether the SBC should define the timeline that warrants a Cabinet Secretaries not to appear.

I know that the ongoing China-Kenya Tea Trade event was scheduled. Most of the formal meetings are scheduled. Is it possible that in future, if a Cabinet Secretary knows that he or she will travel to lead a delegation for official business apart from Cabinet meetings, then they should communicate?

Mr. Speaker, Sir, I request for two rulings. I request for your direction under the Chairmanship, that any Cabinet Secretary who intends not to appear before this House should give an advance notice because most of the meetings are scheduled.

If the Senate Business Committee (SBC) was sure that that Cabinet Secretary for Agriculture, Livestock and Fisheries would not appear, we would have rescheduled other businesses on the Order Paper, such as Motions, Bills and Statements.

Mr. Speaker, Sir, Members should be kind to Cabinet Secretary, Hon. Mithika Linturi. He must be recovering from that horrendous process of facing serious allegations at the "Lower" House.

I have noticed that when Members ask supplementary questions, it just dies there. Is it possible that you direct Cabinet Secretaries to provide further information? When a Cabinet Secretary answers a question and the House feels that the response is not satisfactory, what is the recourse to the House? How do we treat such information? Should it be directed to the line Committee or re-engaged in future when the Cabinet Secretary appears?

At the end of the day, Sen. Mungatana wants to ask questions about the floods, submerged farms, miraa and the coffee in the market. Should it end there when the House is not satisfied or it can be processed further?

Mr. Speaker, Sir, I think you should not condone that. We have always relied on you. I am happy that the Senate Majority Leader is here. We should not allow Cabinet Secretaries to get away easily. The powers and privileges provide for mechanisms and systems on how non-appearance of witnesses before the House and the committees is treated.

I request that as you rule on those issues that I have raised, the issue of procedure and answering questions by the Cabinet Secretary, the Cabinet Secretaries should be told that Parliament does not sit in vain. There is a reason we are here; it is not a talk show.

We expected the Cabinet Secretary for Agriculture, Livestock and Fisheries to be here. We would have asked supplementary questions on the issue of non-purchase of maize since we still have maize in our stores in the North Rift. Also, the issue of top-dressing fertilizer for our tea and maize farms because we have now finished planting. Going into the future, if you guide us properly and engage with the Executive, we do not want to be adversarial. We want to work for the common good.

I think the intention of the President was to have a clear framework of engaging rather than in funerals or any other forums that are indecisive. Hon. Mithika Linturi should have been here. However, I think the past few weeks have not been easy for him. I am not his advocate, but I am just putting across my observations as a human being. Therefore, in future, he should be here.

I thank you.

The Speaker (Hon. Kingi): Thank you, hon. Senator for Nandi County. If you look at Standing Order No.51 (a) (6), immediately a question is approved by the SBC, Cabinet Secretaries are given seven days before they appear in plenary for purposes of responding to that question. Therefore, a Cabinet Secretary has seven days to look at the diary.

If they are not in a position to appear before Senate, then they can write to the Senate indicating the reasons they may not appear, and the possible date that they will appear.

Now, in this regard, I fully agree with you that this is a scheduled meeting. In fact, the Cabinet Secretary in charge of Agriculture, Livestock and Fisheries was cleared by State House to travel on 7th May, 2024. So, at the time he received these questions, he knew that he would be travelling to China between 14th and 18th. So, he ought to have written a letter much earlier.

When the SBC sat yesterday, we had no indication whatsoever that the Cabinet Secretary would not be able to appear in Plenary for purposes of responding to these questions. That is why the Questions appear in today's Order Paper. The wisdom that was given by SBC in this matter is that; one, adequate notice for non-appearance must be filled by the Cabinet Secretary; not just a notice to say "I am not in a position to appear".

In the same breath, that letter should contain a possible date when the Cabinet Secretary would appear, so that we can look at our calendar and try to schedule the

appearance of that particular Cabinet Secretary. That is the direction that was given by SBC. The Senate Majority Leader was to help SBC in this regard for purposes of communicating or transmitting this information to the Cabinet Secretaries.

Now, on the second limb, normally, when a Cabinet Secretary appears here and a supplementary question is asked by an hon. Senator, you will most of the time hear that, "I am inviting the hon. Senator to my office". Most of the time, it dies there.

The Rules and Procedure Committee sat twice last week to look at how to come up with a better mechanism of following up on such commitments. There are some amendments that will be brought before this House to make sure that any commitments given by a Cabinet Secretary are not just left to that individual Member. This is because, once left to individual Members, you can bet nothing will come out of that. That is the way forward on this particular matter.

Senator for Nandi County, have I left anything that you sought my directions on?

Sen. Cherarkey: No, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Good!

Sen. Chute, proceed.

Sen. Chute: Asante Bw. Spika. Ningependa kuongezea yale maneno Mhe. Mungatana amesema. Mhe. Mungatana ametoka Kaunti ya Tana River na labda amesafiri usiku wote akifikiria kwamba leo asubuhi atawakilisha watu wake wa Tana River.

Lazima tukubaliane kama Seneti kwamba Waziri hataweza kufika kama labda ni mgonjwa au ameitwa State House kwa mkutano muhimu sana. Tukubaliane kwamba Waziri yeyote ambaye atashindwa kufika hapa kwa sababu ya safari ambayo mipango yake ilianza miezi miwili iliyopita, ingefaa atume msaidizi wake kama vile *Principal Secretary*.

Waziri ambaye hajafika leo ni kama hajali maneno ya Bunge. Hii ni kwa sababu wakati alifika mbele ya Bunge kwa ajili ya mambo ya *fertilizer*, nilimwambia ajiuzulu kwa sababu *responsibility* ya kuhakikisha kwamba wakulima wanapata *fertilizer* kwa bei nzuri na wakati ufaao, ni yake. Wakulima walikosa *fertiliser* kwa wakati unaofaa. Pia walipata *fertiliser* gushi.

Bw. Spika, tungeleta *Censure Motion* kwa huyu Waziri. Ingawa ameachiliwa na Bunge la Kitaifa, bado maneno yapo. Ukitazama *poll* sasa hivi, karibu asilimia 99 wanasema huyu mtu aende nyumbani. Ako na heshima gani kuongoza nchi hii kama Waziri wa Kilimo?

Bw. Spika tunakuomba tukubaliane kuwa ikiwa Waziri atashindwa kufika mbele ya Seneti iwe tu kwamba ni mgonjwa au ameitwa *State House* katika shughuli ya kuzungumza na Rais wa nchi hii. Mambo mengine yote ni njia ya kuchelewesha mipango ya serikali, Seneti au Bunge.

Asante sana. Ni vizuri tuchukue hatua ya kusaidia nchi isonge mbele.

The Speaker (Hon. Kingi): Hon. Senators, as far as the Cabinet Secretary is concerned, let us terminate those interventions there. The reason that the Cabinet Secretary has communicated is a valid reason. The biggest problem, which is unacceptable, is the fact that the communication came in too late.

Clerk, can you confirm that the Cabinet Secretary in charge of Water, Sanitation and Irrigation is present?

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

You may usher him in.

(The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru) was ushered into the Chamber)

Hon. Senators, the Cabinet Secretary in charge of Water, Sanitation and Irrigation is present.

Hon. Cabinet Secretary, welcome to the Senate Plenary. You have two Questions that we are inviting you to respond to. The first Question is Question No.030 by the Sen. Mariam Sheikh. Kindly, proceed to ask your Question, Senator.

QUESTIONS AND STATEMENTS

QUESTIONS

Question No. 030

STATUS OF MANDERA WATER AND SANITATION PROJECT

Sen. Mariam Omar: Mr. Speaker, Sir, thank you for giving me the opportunity. *Waziri*, you are welcome.

(a) What has caused the delay in the completion of the Manderu Water and Sanitation Project that was funded by the Africa Development Bank (AFDB) in 2016 to address the suffering of the residents of Manderu due to water scarcity?

(b) Could the Cabinet Secretary provide a breakdown of the project's budget and state the amount paid to contractors and service providers to date, the recipients of these payments as well as the specific work done?

(c) What is the status of the project and could the Cabinet Secretary state the measures in place to ensure the timely completion of the project and indicate the projected date of completion?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may now proceed to respond to that question.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru): Good morning, Mr. Speaker, Sir and Senators. I thank you for inviting me once again to this august House to share information and insight on the Questions raised by the hon. Senator.

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Hon. Speaker, Sir, in response to Question number one, I want to respond as follows-

The Mandera Water Supply Project commenced on 31st January, 2019, with an original contract period of 18 months and hence original completion date was 30th July, 2020. However, the contract was extended five times leading to revised contract period of 47 months. The revised completion date was 31st December, 2023.

Due to the contractor's inability to complete the works, the parties to the contract agreed to mutually terminate the contract. The project is currently at 72 per cent in terms of works implemented. It is expected to serve about 400,000 people within Mandera Town and its environs when completed.

On the other hand, Mandera Sewerage Project commenced on 1st November, 2018 with an original contract period of 18 months. The original completion date was 30th April, 2020. The contract has been extended four times. Consequently, the revised completion date is 7th July, 2024. Currently, the project is at 73 per cent as per the works carried out and is expected to serve about 80,000 people.

Mr. Speaker, Sir, the main causes of delays in the project are as follows-

For Mandera Water Supply Project, which is being done by Suhufi Agencies in a joint venture with Shaanxi Water Resources and Hydropower Engineering Groups Limited, the first reason for the delay was master list approval. Approval of the master list took about one year and this led to delay in commencement of works. The contractor could not buy materials because exemptions were being waited for.

The number two reason for the delay was the COVID-19 pandemic, which resulted in restrictions that negatively impeded the project's progress. Additionally, price escalations of construction materials were experienced arising from the global effect of the pandemic.

The third reason was mobilisation. Inadequate mobilisation of staff, plant and equipment and construction materials by the contractor also caused the delay on the Mandera Sewerage Project that is being done by Sinohydro Corporation Limited. The other one reason for the delay was also master list approval. Approval of the master list took about one year and this led to delay in the commencement of works.

The contractor could not buy materials because the exemptions were being waited for. There was also the issue of insecurity. The project was suspended on 12th April, 2019 due to insecurities associated with the abduction of Cuban doctors that occurred in Mandera Town. The works remained suspended until 3rd November, 2020 when the Government managed to provide a secure campsite to the contractor.

The other reason for the delay of the Mandera Sewerage Project was the Resettlement Action Plan (RAP) issue. Due to the objection of the RAPs, the Government had to change the designs twice, thereby increasing the scope of works, which required additional funding, hence more time to execute the works.

As a result, an addendum was made to cater for the extra cost that amounted to Kshs484,261,223.81. The other reason was the additional works. Increased scope of work mainly due to Reclaimed Asphalt Pavement (RAP) issues required additional funding. The process of sourcing additional funds has been completed and approved by the

African Development Bank (ADB). However, the contractor had slowed work from the beginning of August, 2022 as they awaited the resolution of the issue.

Regarding the cost implication of the delays for Mandera Water Supply Project, the contractor has submitted two financial claims. Claim number one has been evaluated while claim number two is currently being evaluated.

The other one, currently the project engineer is carrying out final measurements to determine the remaining works. This will enable the employer to repackage the works and re-tender before the ADB financing grace period scheduled to end before the end of next year.

For the Mandera Sewerage Project, no direct cost implications as the contractor is paid for the works accomplished. It is good to note that the two projects were procured and are being implemented under a fixed works contract for works and consultancy services. Therefore, unless there are any other claims from the works or consultancy, there will be no direct cost implication due to the works.

Honourable Speaker, in response to question (b), I want to respond as follows-

The contract amount is as follows-

For the water supply projects, the amount was Kshs420,147,030. For the sewerage project, the contract amount was Kshs1,523,674,239.87. The total amount is Kshs1,039,413,014.06 plus the addendum sum of Kshs484,261,225.81, giving the total sum of Kshs1,523,674,239.87.

Regarding payments to contractors and service providers, I wish to report that the following are the contractors and payments made for the above-mentioned projects-

For the water supply project, the contractor, who is Suhufi Agencies, in a joint venture with Shanzi Water Resources and Hydropower Engineering Group, the amount which has been certified and paid is Kshs1,029,090,353.

For the sewer project, the contractor, who is Sinhydro Corporation Limited, the amount certified and paid is Kshs1,005,869,217. The specific works done to date are as follows-

(a) For water supply works Lot No.1, the total estimated length of water lines is 228.5 kilometres. To date, the total length laid is 215.1 kilometres, comprising both transmission and distribution lines, which are 94.2 per cent;

(b) The resident engineer's office administration block is 100 per cent complete;

(c) Two classroom blocks of five classes each at Shaffi Primary School are also 100 per cent complete;

(d) We have two-bedroom staff houses at Bulgalas, and the project laboratory building has been completed, therefore, at 100 per cent;

(e) Water treatment works - the clear water tanks, Bungalas water tank, and the infiltration wells are at various stages of completion, with an average of 57 per cent of work done.

The overall progress to date is 72 per cent. That was for water supply.

For the sewerage project, which is Lot No.2, the scope for the sewerage project and the status of works is as follows-

(a) the scope of laying 48.262 kilometres length of sewers ranging from diameter 225 millimetres to 900 millimetres. The completion status is at 89 per cent;

(b) there was also the construction of public toilets at the Shaffi and Mandera military camps. These works are at 60 per cent completion;

(c) there was the construction of wastewater stabilisation ponds with the capacity to treat an average of 6,000 cubic meters per day;

(d) the water stabilization ponds consist of the following-

(i) Inlet channel with measuring flume;

(ii) Two anaerobic ponds;

(iii) Two facultative ponds; and,

(iv) Six maturation ponds.

The overall completion for the wastewater treatment works is at 61 per cent.

(e) there were administration and laboratory buildings. These are at 92 per cent.

(f) there were two staff houses, a perimeter chain link fence with concrete posts, and two gatehouses. These are at 95 per cent completion.

(g) there is also the access gravel roads around the ponds. These are at a 10 per cent completion rate.

(h) plant and equipment for operation and maintenance of the infrastructures. These have not yet been installed. The overall progress to date is 73 per cent work done.

Mr. Speaker, Sir, in response to part (c) of the Question, the overall progress for the Mandera water project is 72 per cent, while the Mandera sewerage project is at 73 per cent. For the Mandera water supply project, the parties to the contract have currently agreed to mutually terminate the contract. A framework for the process has been agreed upon. The employer has constituted a claims adjudication committee for final valuation. The dispute has been referred to arbitration, and the proceedings are ongoing. In addition, the contractual parties are also at an advanced stage to enter a mutual agreement to separate.

As regards the Mandera Sewerage Project, following the execution of the addendum works agreement by the contractor, an instruction for remobilisation and resumption of works was issued by the engineer. The contractor resumed work in March, 2024. Currently, some of the contractor's key personnel and construction materials have been mobilised to the site. The projected date of completion is 7th, July, 2024. The construction works are progressing very well.

I think I can stop there and then I will answer the other question.

The Speaker (Hon. Kingi): Sen. Mariam? You may ask two supplementary questions, if you have any. If the response is comprehensive, you may allow your colleagues to ask any supplementary questions.

(Sen. Mariam Omar spoke off the record)

Very well. Sen. Mohamed Chute?

Sen. Chute: Thank you, very much, Mr. Speaker, Sir. I have a question for the Cabinet Secretary. The last time the cabinet Secretary was before this House, he

promised that the Marsabit Sewer System and Marsabit Water Supply, which is under construction, will be completed as soon as possible. What is the position of these two projects now in Marsabit?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you will take about four questions and you will respond to them together.

Sen. Ogola: Thank you, Mr. Speaker, Sir. To the Cabinet Secretary, there is a Statement that I made on the Ndhiwa Water Supply sometime in 2023. I am here to get a response. This is a water supply that was initiated and maintained by the Lake Victoria South Water Board. That water system lies in waste as the whole region it was supposed to serve suffers.

The Speaker (Hon. Kingi): Hon. Senators, a supplementary question must be related to the primary question and the reason is to enable the Cabinet Secretary to adequately respond to your questions.

If you ask a question that is not related to this primary question, the predicament then will be, first, the Cabinet Secretary may not be in a position to respond and he may, therefore, seek time to provide that information. If you ask a supplementary question, it will be easy for the Cabinet Secretary to respond to because then he has come here prepared for the primary question from which the supplementary question flows.

Therefore, hon. Cabinet Secretary, if you are in a position to answer a question that is not related to the primary question, you may proceed to respond to it. However, if you need time to give us a more comprehensive response to a question that is not related to the primary question, you may also indicate that. We would not want to have half-baked answers to the questions being raised by hon. Senators.

Sen. Gataya Mo Fire, you have the Floor.

Sen. Gataya Mo Fire: Asante Bw. Spika. Ningependa kuuliza maswali mawili ama matatu kuambatana swali ambalo---

The Speaker (Hon. Kingi): Sen. Gataya Mo Fire, under the Standing Orders, you can only have one supplementary question.

Sen. Gataya Mo Fire: Bw. Spika, swali langu linaambatana na swali la msingi. Ninakumbuka mwezi moja ama miezi miwili iliyopita, tulifanya msafara pamoja na Wariri wa Maji hadi sehemu za Tharaka-Nithi.

Kaunti ya Tharaka-Nithi ni kaunti ambayo imekumbwa na matatizo makubwa ya maji, sanasana, sehemu ya Tharaka Constituency. Ninakumbuka tulitembelea sehemu za Marimanti pamoja na Waziri ambapo kuna miradi kadha wa kadha ambayo imeanzishwa na wenyeji wa maeneo hayo.

Kuna Mradi wa Kathura Water Project ambao unasambaza maji mpaka Marimanti, mpaka sehemu za Maragwa, Tharaka North. Kuna mradi mwingine unaoitwa Sisi kwa Sisi ambao uko sehemu za Mukothima. Kuna Mradi unaoitwa Mukithi Water Project, ambao unashughulikia sehemu za Muwii mpaka Kithioroka. Kuna Mradi unaoitwa Magatianthe katika sehemu za Marimanti ambao unashughulikia sehemu za Rungu na Murinda katika Ciakariga Ward. Vile vile, kuna Mradi uitwao Kiramanti katika Marimanti.

Hii ni miradi ambayo imeanzishiwa wakaazi wa huko na eneo la Tharaka limekumbwa na matatizo mengi sana ya maji. Ni mikakati gani ambayo Wizara yako inafanya kuhakikisha kuwa miradi hii imepata pesa kwa serikali?

The Speaker (Hon. Kingi): Sen. Cheruiyot, you may proceed.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir. My question is related to the first, in the sense that it is about water, and the earlier question was also about water. To the best of my knowledge, because you have the Cabinet Secretary for Water, that is the right person to ask these questions because I do not know any other Cabinet Secretary.

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

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, allow me.

The Speaker (Hon. Kingi): Okay, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, the biggest promise that this Government made to the people of Kericho and Bomet counties concerning water is the construction of the Bosto Dam Water Supply project in Bomet County and the Soin-Koru Dam in Kericho County.

At the time of this administration coming in, both projects were at fairly advanced levels. The information we had was that for the Bosta Dam, the challenge was land acquisition. That intentionally, somebody had decided to frustrate that exercise through the usual monkey games that people introduce when they do not want to roll out a project. It has now been one-and-a-half years, and I would like to know what the status of that project is.

On Soin-Koru, works had commenced and the contractor was on site. However, the financing model that had been picked was the worst that you could ever imagine. It is a Kshs20 billion project that is supposed to be Government of Kenya funded. Knowing very well our financial position as a country, it might take far more than the lifetime of this administration and even the next one for the Government of Kenya to cough out Kshs20 billion on a single dam project.

Therefore, I would wish to know from the Cabinet Secretary what alternative plans they are making, or am I being too pessimistic? Maybe the Cabinet Secretary has figured out where to get the Kshs20 billion of Government of Kenya cash to build the Soin-Koru Dam. It will be important for us, the people of Kericho County, to know.

Otherwise, I appreciate him for his diligence. I know there is another project on Londiani Dam that he is considering, but it is we on the ground who have not provided the land that is needed to roll out that project. Therefore, I will not bother him with that question.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may proceed to respond to the four questions.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru): Thank you, Mr. Speaker, Sir. In response to the Water and Sewer projects in Masabit County, I want to let the hon. Senator know that the water project is complete. The sewerage project is at 89 per cent. So, work is ongoing, and we are sure the remaining part of the sewer will also be completed soon.

From the hon. Senator of Homa Bay concerning the question of rehabilitation works and water supply restoration from the Ndhiwa borehole, I have a comprehensive report on six questions that have been asked by hon. Senators. I commit that I am going to submit the whole report, which will answer those questions.

From the Senator of Tharaka-Nithi County, Sen. Gataya Mo Fire, *ni kweli tulikuwa na wewe tukizunguka na tukaona miradi ambayo tulijadiliana kuwa tuweze kuifanya*. There is a report that is being done, which I promise to submit once I get it. So, there is an ongoing report being done by the Tana Works Agency. I am sure it will cover all those areas that you mentioned.

In regards to the question asked by the Senate Majority Leader, we indeed have a mega project that is Boston. Currently, we have funding from China and we are finalizing on that project. Soon, it will be actualized. It is true that the Soin-Koru Dam project has given us a headache. As the Senate Majority Leader has indicated, it might be a toll order for the Government to support and fund it.

We are currently looking for investors through the Private Public Partnership (PPP) financing model. We are progressing well because we know the Soin-Koru Dam project will be useful especially to our irrigation scheme in Ahero. We are keenly following this project and ensuring we get investors who will embark on it.

I submit.

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

Sen. Cherarkey: Asante, Bw. Spika. Namshukuru Waziri kwa kuchukua nafasi hii kujibu maswali.

Swali langu ni kuhusu mkopo uliotolewa na benki. Kuna bwawa kubwa Kaunti ya Nandi linaloitwa Keben lilioanzishwa miaka kadhaa iliyopita. Vile vile, kuna bwawa lingine linaloitwa Kipkaren kwenye mpaka wa Kaunti za Uasin Gishu na Nandi.

Swali langu linahusiana na mkopo uliokopwa na Serikali kutoka African Development Bank (ADB). Kuna muda uliowekwa na benki hii inayofadhili mradi huu wa kujenga bwawa la Keben kwenye eneo Bunge la Nandi Hills.

Ni muda gani utatumika kukamilisha mradi huu na ule wa bwawa la Kipkaren lilioko kwenye mpaka wa Kaunti za Nandi na Uasin Gishu ili wakaazi wa Kaunti ya Nandi na Uasin Gishu wapate maji safi ambayo watatumia nyumbani na kilimo? Kilimo ni uti wa mgongo wa Kaunti ya Nandi. Ningependa Waziri ajibu na kutupa hakikisho kuwa miradi hii itakamilika wakati unaofaa.

Mkopo kutoka African Development Bank ukipatikana, kutengeneza na kumaliza mabwawa haya mbili itakuwa rahisi.

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

Sen. Seki: Thank you, Mr. Speaker, Sir. I request the Cabinet Secretary to give us more insights on the progress of projects across the Nairobi satellite towns that are under the Athi Water Services and the Northern Tunnel financed by the German Kreditanstalt für Wiederaufbau (KfW) Development Bank. Particularly, in Kajiado North, the infrastructure has been done to almost 95 per cent, but it has stalled for the last six months. There is a lot of expectation from the public to see the project completed, so that we can commission it. I want to know when this project will be completed, why it has

stalled for the last six months and when will we launch it so that the people of Kajiado North benefit from it?

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

Sen. Miraj: Asante, Bw. Spika. Karibu Waziri. Swali langu ni kuhusiana na mradi wa *climate resilient* ambao ulifanyika Likoni Sub-County. Ni jambo la kusikitisha na kutamausha ya kwamba, tangu mradi huo ulipofanyika miaka sita nyuma, hadi leo haujafunguliwa.

Watu wa Likoni hawajaanza kupata maji safi. Hivi leo watu wa Likoni wananunua maji yanayoitwa Malele, dumu moja kwa Kshs40. Mimi kama mwanamke, najua umuhimu wa maji. Asubuhi tukiamka tukitaka kufua tunatumia maji.

Wanaume wetu wakitaka kwenda kazini lazima tuwawekee maji ya kuoga. Kwa niaba ya watu wa Likoni, nakuomba utueleze kwa nini Serikali iliwekeza pesa nyingi, mradi ukafanywa lakini mpaka leo watu wa Likoni wameshidwa kupata maji safi ya kunywa kwenye mifereji ndani ya nyumba zao.

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

Sen. Mbugua: Thank you, Mr. Speaker, Sir. I want the Cabinet Secretary to tell this Senate since water is a devolved function and the national Government has continued to acquire loans and grants to fund water projects in the counties, what arrangements the Ministry has with the county governments on the running of the projects, so that we can recoup the money the Government has put in.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may proceed to respond to the four Senators.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru): Thank you, Mr. Speaker, Sir. I will start with the last question about water being a devolved function and what we are doing as a Ministry to ensure that the projects we do get back to counties.

As a Ministry, we embark on these major projects. Once we complete them, we give them to the county governments. To ensure we get money to repay the loans, we sell water in bulk to Water Service Providers (WSPs) that are under the counties. This is a sure way of getting back money from them. Their work will be to distribute the water. When we release water to counties, we plan to have bulk meters to charge them.

The other question was about the Likoni Water Project. It is true that we did this project a while ago. However, we have not completed the Mwache Dam. This project will get water from the Mwache Dam. Once the dam is complete, the people of Likoni will benefit. I can assure you that based on the design of the project, the whole of Likoni will benefit from this project.

On the question on Nairobi satellite projects, I would like to correct the hon. Member that no work has stalled. In fact, as we are talking, the northern collector is undergoing testing. I will give a comprehensive report and submit it to this august House.

The Keben Project is mega. The Government is keen to see that this project starts. I would like to correct the hon. Senator that no money has been given out. At the moment, we are designing the project and looking for a contractor using the Engineering, Procurement, Construction, Finance (EPCF) financing model. This way, we will be sure

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that once this project starts, it ends. Work is in progress as far as designing is concerned. Soon, we will go to the next level of sourcing for a contractor through the EPCF model.

For the Bosto project, we already have a contractor. We are now finalizing the financing. This project will soon start.

The Speaker (Hon. Kingi): Sen. Mariam Omar, proceed.

Sen. Mariam Omar: Thank you, Mr. Speaker, Sir. My question is on lot one of the water project. When the Cabinet Secretary was responding, I heard him say that one of the reasons for the delay in construction of the project was the inadequate mobilisation of staff, plant, equipment and construction materials by the contractor. At the same time, the contract was extended five times leading to a delay of 47 months. My question is, why was the project extended five times when the contractor is incapable?

Secondly, on lot two, which is sewerage, I agree the contractor is on site, but the contractor cannot do anything without a consultancy. Consultancy is not on the ground. Why is the consultancy not on the ground?

Additionally, do you think that by the end of December, 2025, this project will be completed?

I thank you.

The Speaker (Hon. Kingi): Proceed, Hon. Cabinet Secretary.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru): Thank you very much. The process of terminating a contract term can end up being very expensive. Therefore, before we reach that level, we usually engage the contractor until when we cannot negotiate anymore. That is why we were giving this contractor more time.

Also, it is good for us to know that there was the COVID-19 pandemic that delayed this project. We also had the master list that was delayed from the National Treasury. We looked at all these things combined. That is why we were always giving this contractor time. After we consulted with the contractor, we decided that the best thing was to terminate the contract.

On the issue of the consultancy, the consultant is there and we are committing to say that since it is a five-year programme under the Kenya Towns Sustainable Water Supply and Sanitation, this project will be complete before end of next year.

I submit.

The Speaker (Hon. Kingi): We shall now move to Question No.033. Proceed, the Senator for Wajir County, Sen. Abass.

Question No. 033

STATUS OF WATER PROJECTS IN WAJIR COUNTY

Sen. Abass: Thank you, Mr. Speaker, Sir. My questions are two and they are as follows-

(a) Could the Cabinet Secretary provide details of all water projects in Wajir County budgeted for by the national Government in the Financial Year 2023/2024, as well as those planned for the Financial Year 2024/2025?

(b) What is the status of implementation for each of the said projects, and could the Cabinet Secretary also outline the anticipated impact from the projects, particularly in terms of water capacity and improving distribution networks?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may proceed to respond.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru): Thank you, Mr. Speaker, Sir, and Senator for that Question.

My response to Question (a) is as follows-

The Ministry is implementing 16 projects in Wajir County in the Financial Year 2023/2024. The projects are being implemented by the Northern Water Works Development Agency (NWWDA), a State corporation under the Ministry of Water, Sanitation and Irrigation.

The project name, location, cost, scope, status and impact of the water supply are shown in Table 1.0 and Annexure one.

No	S	Project Name	Constit uency	Cost Kshs
1.		El Nur water supply project	Eldas	75,200,000
2.		Habaswein Water supply project	Eldas	35,900,000
3.		Long Term Wajir Water-Project Design	Wajir West	65,000,000
4.		Long Term Wajir Water Project Exploratory Boreholes	Wajir West	61,500,000
5.		Diff Mega Water Pan & Supply Infrastructure	Wajir South	60,024,241
6.		Construction of Bilhil Burr Pan	Wajir South	20,000,000
7.		Rehabilitation of Andaraka Water pan	Wajir South	10,000,000
8.		Construction of Bananey Pan	Wajir West	10,000,000
9.		Basanija borehole	Tarbaj	10,000,000
10.		Dadmarithi Water pan	Wajir South	50,000,000
11.		Gududow Borehole	Wajir South	9,000,000
12.		Drilling and Equipping of Borehole at Handaki Location	Wajir East	10,000,000
13.		Liban North Water Pan	Eldas	40,000,000

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14.	Jukala Water Pan	Eldas	30,000,000
15.	Dalsan Water pan	Wajir West	50,000,000
16.	Bojigaras Water Pan	Wajir East	50,000,000
	TOTAL		586,624,241

The Ministry has also proposed five key projects for implementation whose feasibility studies and designs are being undertaken. This is shown in Table 2.0 below and it indicates the five projects that are proposed for implementation.

No	Project Title	Constituency	Estimates (Billions Kshs)
1	Bute Dam	Wajir North	3.5
2	Basil Dam	Eldas	0.5
3	La hbohor	Wajir South	0.6
4	Mansa Dam	Tarbaj	0.4
5	Wajir Town Water Supply	Wajir East	5

Mr. Speaker, Sir, I do not know whether I should go through the table as there is a list of 16 projects, budgeted for and being implemented in Financial Year 2023/2024.

The Speaker (Hon. Kingi): Hon. Senators, that table has been circulated as an attachment to the response.

Sen. Abass, do you have that table with you?

Sen. Abass: Mr. Speaker, Sir, I do have it.

The Speaker (Hon. Kingi): Good. Hon. Cabinet Secretary, you need not to run through the table.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru): Thank you, Mr. Speaker, Sir. On Question (b) my response is as follows-

The Ministry, through the NWWDA, is implementing a long-term Wajir Water Project design which is funded by the World Bank. Under this project, we have drilled two exploratory boreholes in Ademasajida and two exploratory boreholes in Arbajahan to study the characteristics of the aquifers. A new site in Sarman was also proposed for two exploratory boreholes to increase the area of study to solve the problem of water in Wajir town. These exploratory boreholes will guide the study and inform the best site to get water to Wajir town.

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The 16 water projects under implementation in the Financial Year 2023/2024 have a combined budget amounting to Kshs586 million whereby some are complete and others are ongoing. These projects once completed will serve 5,355 households in Wajir County.

The Ministry is fully aware of the water scarcity in Wajir County and through the NWWDA has developed proposals for mega dams like Bute Dam and other dams that will solve the issue of water shortage in Wajir County.

Mr. Speaker, Sir, regarding all the projects mentioned above, the scope of works, implementation status and the expected impact of the projects to the beneficiaries are highlighted in detail in the following Annexes-

We have Annex I, which details the projects being implemented in the Financial Year 2023/2024 and Annex II, which details the proposed projects. I hereby bring to your attention that the biggest challenge faced by the Ministry in the implementation of the above projects has been the availability of exchequer releases.

I submit.

The Speaker (Hon. Kingi): I will allow the Senator for Nandi to ask Question No.029. Thereafter, we will invite supplementary questions to those two Questions; the one by Sen. Abass and the one by the Senator for Nandi.

Please, Proceed.

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

Well, according to my notes, the Senator for Nandi was supposed to ask the Cabinet Secretary for Water, Sanitation and Irrigation a question, but that was a mistake.

Sen. Abass, you may proceed to ask your supplementary questions. Please, proceed.

Sen. Abass: Mr. Speaker, Sir, I thank the Cabinet Secretary for the detailed reply as he has given us the real statements.

My concern, hon. Cabinet Secretary is, as you attested that Wajir Town where the county headquarters is, faces an acute shortage of water and at times people go without water. The project for Bute Dam and Arbajahan has been there for a long time. I wonder why the Bute project has taken 10 years yet it was designed during 2015/2016 Financial Year. I am surprised that up to now it is still at planning stage. As you have stated, Wajir faces an acute water shortage. Why has this project taken so long?

The Speaker (Hon. Kingi): Proceed to respond, Hon. Cabinet Secretary.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru): Thank you, Mr. Speaker, Sir. As indicated earlier, we know Wajir and many other areas across the country have a big shortage of water, but those designs are ready. What the Ministry is doing is to source for funding. Once that is done, Bute Dam is one of those earmarked, so that acute water shortage in Wajir can be dealt with once and for all.

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

Sen. Maanzo: Thank you, Mr. Speaker, Sir. The Cabinet Secretary has talked about exploratory boreholes, where they are making an attempt to study aquifers.

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Ordinarily though, we have many dry boreholes in many parts of the country and this usually attracts a criminal penalty.

What is the Cabinet Secretary doing about the people who have been given contracts to dig boreholes and they end up being dry boreholes and what is the cure? Other than exploring, there are many people who have wasted Government's money when they dig up boreholes. What is the result of that study?

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Zachariah Njeru): Thank you, Mr. Speaker, Sir. It is true we have boreholes that have ended up being dry and that is why we are doing these exploratory boreholes to make sure that the aquifer under has enough water.

At the moment, we are doing mapping in about 17 counties, so as to make sure that once we start that exercise, we will not be doing guesswork. We will be drilling knowing very well that we will get water.

The Speaker (Hon. Kingi): Sen. Gataya Mo Fire.

Sen. Gataya Mo Fire: Asante, Bw. Spika. Nitauliza swali linaloambatana na swali la kwanza kutoka kwa Seneta wa Wajir. Wajir na sehemu zingine za Tharaka-Nithi ziko sawa kwa ukame. Hii ni kwa sababu---

(Maseneta kadhaa waongea kwa sauti)

Bw. Spika, kuna watu ambao wanazungumza hapa.

Tumekuwa na Waziri kwa muda mrefu na tumekubaliana mambo mengi kuhusu sehemu kame zilizoko Tharaka-Nithi. Kuna mito mingi na tulipanga kutakua na madimbwi na mabwawa na vile vile, tutachimba visima zile sehemu za chini kule Tharaka hakuna mito.

Tuliweka pia mikakati na watu wakaja wakapima visima lakini, tumemaliza mwaka mmoja. Hatujaona kama kuna mipango yeyote ya Serikali na sijui kama hio mipango iliachwa ama bado iko. Ningependa kujua ni mikakati gani Wizara yake imetia.

Bw. Spika, ukienda sehemu kama za Gatunga, kule Maragua, wakati mwingi, watu hutumia maji na wanyama. Unapata mnyama anakunywa maji na binadamu pia, anakunywa yale maji---

The Speaker (Hon. Kingi): Senator, what is your question? You are giving us long speeches.

Sen. Gataya Mo Fire: Bw. Spika, swali langu ni kwamba, Waziri anajua vizuri sana kuwa hizo sehemu ni kame na tulikubaliana kutachimbwa visima. Je, Wizara inafanya nini ili kuhakikisha wale watu wamepata visima na maji safi ya kunywa?

The Speaker (Hon. Kingi): Sen. (Dr.) Boni? Hon. Cabinet Secretary, as you collect your thoughts on the question by Sen. Mo Fire, allow Sen. (Dr.) Boni to also pose a question.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, mine is a general issue on policy. The issue of water in Arid and Semi-Arid Lands (ASALs) has been addressed by the Constitution of Kenya through the Equalization Fund. Could the Cabinet Secretary tell the country how he intends to use the Equalization Fund which this House has now

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unlocked to ensure that these little questions that come from ASAL counties benefit from that fund?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may proceed.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir. I will start with Sen. (Dr.) Khalwale's question on the issue of the Equalization Fund.

This fund does not go through the Ministry, but through county governments. What we should do is engage county governments and see how they can use that Fund to help on water matters. The Ministry does not have control of that, but this is an engagement we can have with county governments, since we work together, and see how we can use that Fund to advance water in various counties.

Bw. Spika, kuhusu mambo ya Tharaka-Nithi na maji, kama nilivyosema hapo awali, kuna kaunti ambazo tunafanya mapping ili tuweze kuchimba haya mabwawa ya maji.

Tharaka-Nithi and other dry areas are some of the counties that we have mapped out, so that once we realize they have enough underground water, we can then engage and go ahead to sink those boreholes.

Kwa hivyo, Wizara inafanya mapping kwa zile sehemu ambazo ni kame ili tuone ni wapi kuna maji ndio tuweze kuchimba maji yale.

The Speaker (Hon. Kingi): Thank you, hon. Cabinet Secretary. We will terminate there as far as the Cabinet Secretary for Water, Sanitation and Irrigation is concerned.

We shall now move to Question No.029 and No.046, directed to the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs.

I thank the hon. Cabinet Secretary for making time to come to the Plenary for purposes of responding to questions.

(The Cabinet Secretary for Water, Sanitation and Irrigation was ushered out of the Chamber)

Clerk, you may usher in the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs.

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

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

(The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Salim Mvurya, EGH) was ushered into the Chamber)

(Several Senators stood up in their places)

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The Deputy Speaker (Sen. Kathuri): Hon. Senators, let us transact business. I can see the Cabinet Secretary is in the House. Welcome to the Senate, Cabinet Secretary for Mining, Blue Economy and Maritime Affairs. Thank you for getting time to appear before the Senate to answer a few Questions from the hon. Senators.

Hon. Senators, we start off with Question No.029 from the Senator for Nandi County, Sen. Chararkey.

Question No. 029

GOLD MINING ACTIVITIES IN KENYA

Sen. Cherarkey: Thank you, Mr. Deputy Speaker, Sir. Coincidentally, Nandi County is County No.029.

I rise to ask Question No.029 and it is as follows-

(a) What is the current status of gold mine activities at Kariba Gold Mine in Chemase, Nandi County?

(b) What is the total amount of money paid as royalties to the Government for gold mine activities at the said gold mine? Could the Cabinet Secretary provide a breakdown of how these funds have been shared between national government, the respective county government and local communities?

(c) Could the Cabinet Secretary provide a timeline for the processing of all current applications for mining permits and licenses and explain the regulatory framework governing artisanal mining in Kenya?

(d) Could the Cabinet Secretary provide a list of all companies issued with mineral or mining rights currently operating in the country and state the total revenue collected from the exports of minerals from the financial year 2022/2023 up to 2024/2025?

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Thank you. Cabinet Secretary, you can now respond to the Questions.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Salim Mvurya): Thank you very much, Mr. Deputy Speaker, Sir and hon. Members of the Senate for the opportunity. I go straight to do a statement on the Questions that have been raised.

First, concerning the issue of Karebe Gold Mining Limited, it was first issued with a mining location and a prospecting license number 264 under the Defunct Mining Act, CAP 306, on 15th April, 2009. The company applied for the renewal of the mining location in 2016, but it did not meet the requirements of Section 124 of the Mining Act, 2016 on award of a mining permit.

The company applied for a mining license on 1st April, 2021 of an area covering 78.8 hectares and valid for 25 years. The mining license is granted over the existing prospecting License No.264. Section 182 of the Mining Act requires a that a mineral dealer's license holder to pay fees or charges as prescribed in Regulations. Section 183

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(1) requires a mineral rights holder to pay royalty to the State in respect of various minerals mined at rates prescribed by the Cabinet Secretary. The company is currently engaged in active mining operations as per the Section and the mining rights that we give.

Question (b) sought to provide response to the amount of money paid so far, the royalty remitted to the Government from 2015 to date is detailed as follows-

In the Financial Year 2015/2016, they paid Kshs30,011,536. In the Financial Year 2016/2017, they paid Kshs33.7 million. In the 2017/2018, they paid Kshs49.047 million. In Financial Year 2018/2019, they paid Kshs31.2 million. In the Financial Year 2019/2020, they paid Kshs53.6 million. In Financial Year 2020/2021, they paid Kshs18.3 million. In Financial Year 2021/2022, they paid Kshs89.5 million. In Financial Year 2022/2023, they paid Kshs123.1 million. In Financial Year 2023/2024, they paid Kshs113 million. The total paid by Karebe Mining Company Limited so far is Kshs541,757,858 million.

Part (c) of that Question requires us to provide a response on the sharing between national and county Governments. I thank this House also for making sure that they passed the Additional Grants Act, which basically provided a schedule for sharing of royalties. The sharing of royalty revenue derived from mining activities is governed by Section 183 of the Mining Act 2016, which mandates a distribution ratio of 70-20-10 to the national government, county government and communities where mining operations are situated respectively.

The Government has budgeted Kshs2.9 billion in this Financial Year to be paid to the counties as part of 20 per cent of part of mineral royalties collected for the period 2016 to 2022. The 20 per cent share for Nandi County for the period 2016 to 2022 amounts to Kshs55,110,900 and will be disbursed to the County Revenue Fund (CRF) Account by the National Treasury before the end of this Financial Year.

The delay in disbursing the community share of the collected royalties stems from the absence of a regulatory framework governing mineral royalty sharing to communities. However, substantial progress has been achieved in establishing this framework. The relevant regulation has undergone prerequisite procedural scrutiny and is currently under review by the delegated parliamentary committee.

Mr. Deputy Speaker, Sir, since the law came into effect in 2016, there has not been sharing of mineral royalties. This is the first time. We have, therefore, consolidated sharing from 2016 to 2022.

Right now, we are working with various investors to ensure that they are prompt in the disbursements. If you look at the schedule, we have provided for Karebe Gold Mining Limited (KGML). You will find that the amounts have continuously increased because we have also provided other mechanisms to enforce it.

Part (d) of the Question was about the timelines of applications. Section, 191 of the Mining Act requires establishment and maintenance of an up to date computerised mining cadastre and registry system of mineral rights. The register is an online public document that can be accessed at any time via the portal that I have provided.

As at 30th April, 2024, the State Department for Mining had received 1,739 applications for various mineral rights and dealership trading and processing as follows. I

have tabulated there the columns for prospecting licences, where 12 of them have been granted, including prospecting permits, mining licences and permits, trading licences and processing.

We have a total of 177. One of the things that are clear from the table is that some of the applications are being returned and deferred because they have not met the requirements of the law.

Applications submitted through the online mining cadastre are evaluated, processed and decided upon based on the first come, first served principle, as well as administratively prioritised based on their potential for significant capital injection into the economy.

Moving to part (e) of the Question; artisanal mining is recognised by Section 95 of the Mining Act, as a form of mining. The law protects and provides for several rights under the category artisanal mining, artisanal prospecting permits, artisanal prospecting mining and dealership permits. Further, the law established Artisanal Mining Committees (AMCs) in every county with the chairmanship reserved for a representative of the county governor and with membership across the stakeholders and association of artisanal miners in the county.

The Ministry has so far gazetted 24 AMCs across the country, with more expected to be gazetted in coming days. These committees advise the representative of the Ministry at the county level on licensing for artisanal operations and permits and other regulatory issues around artisanal operations in the country.

To actualise the aspiration of the Mining Act, the Ministry developed the AMC Manual to, among others, provide greater clarity on the interactions between the AMC and the Cabinet Secretary. This framework operates under the guidance of Section 56 of the Mining Act, 2016, which mandates that mineral rights applications be reviewed, processed and determined on a first come, first served basis.

The workflow for processing the artisanal mining permit applications is there. It includes the representative of the AMC, director of mines and then the Cabinet Secretary.

Part two is on the artisanal mining permit processing flow. Once an application is received in the online mining cadastre, the licensing officer in the region receives and checks for accuracy and completeness of application documents and then prepares an evaluation brief. The evaluation brief is submitted to the representative of the director of mines, who then submits it to the AMC for evaluation.

Part (c)---

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, I want to help you a bit. I can see you have a comprehensive response. Members will go through the brief, especially on processing of workflows and also check the list of companies which have mining licences that you have provided so that we can make progress.

Sen. Cherarkey, this information is flowing. Instead of reading out all these companies from the first to the last, you can just have a look at the permits that have been issued. So that we make progress, if any Member has any issue, you may ask a supplementary question.

I am advising because we have the response. If you feel---

(Sen. Cherarkey spoke off record)

The Deputy Speaker (Sen. Kathuri): You will just say that. I want him to state the companies as he has submitted in the list up to that level. Kindly proceed.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Salim Mvurya): Mr. Deputy Speaker, Sir, I stand guided because I thought I needed to give the details to the House. Since they are there with clarity, I concur that we can make reference. However, the statement is very clear on the flow of artisanal mining permits.

In part (f), we have listed the companies that have mining rights and are operating across the country. The only other thing I would say about artisanal mining is that right now we have decided to register artisanal mining into co-operative societies. So, they are no longer going to be registered as individuals.

We have around a million individuals in the country doing artisanal mining. We have come up with a framework to register them as co-operative societies, so that they can access training and funding. Currently we have 240 artisanal mining co-operatives across the country.

I submit.

The Deputy Speaker (Sen. Kathuri): After that list, Sen. Cherarkey, do you have any supplementary question?

Sen. Cherarkey: Mr. Deputy Speaker, Sir, I will ask one for now so that I also allow my colleagues.

I thank my friend and brother, Hon. *Waziri* Salim Mvurya, whom we have worked closely with. He stated in his opening remarks and I am happy he has gone an extra mile of providing more details to the House and that is important.

What is the status of the revival of the Fluorspar mining, in Elgeyo-Marakwet County in Kimwarer, noting that it will revive economy in that area?

I know you know this country very well. Since fluorspar mining in Elgeyo-Marakwet was shut down, it has affected the economy of Elgeyo-Marakwet County and by extension, the North Rift. So, I want the Cabinet Secretary to give the status report on the revival of this very important and key driving economic activity in the North Rift.

That is my first supplementary question. I beg to defer the rest until Members have asked theirs.

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, you can respond to the Kerio Valley issue of fluorspar mining.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Mvurya): Thank you, Mr. Speaker, Sir and hon. Members.

One; the revival of fluorspar mining is not just revival, we have a comprehensive policy that we are developing on mineral value addition and processing. Our aim is to stop the export of raw materials. Therefore, we decided to zone the country depending on the potential.

For example, in Elgeyo-Marakwet, we have successfully identified an investor who will initially put Kshs4.8 billion. I am happy that we have now received concurrence from the Office of the Attorney General (AG) in terms of how we develop the contract. Therefore, we should be planning for ground breaking of this investment anytime.

Related to that, is gold processing, where we also have an investor in the Western Region who will initially put Kshs5.8 billion in Kakamega County.

In Vihiga County, we have granite processing at Kshs2.5 billion. All these three have already been processed and we have already identified the investors. We are finalising the paperwork and then we go to the ground.

The Deputy Speaker (Sen. Kathuri): Thank you, Cabinet Secretary.

Sen. Maanzo, proceed.

Sen. Seki, I cannot see your intervention or any intention to speak.

Sen. Maanzo: Thank you, Mr. Deputy Speaker, Sir. First, I congratulate the Cabinet Secretary Mvurya for coming up with the idea of cooperatives to manage mining in the whole country. This also being a devolved function, it should be by region and work with the county governments. This will go a long way to help Kenyans realise their potential in mining.

My question is about copper in Makueni County, where some unlicensed company was exploiting this alleged copper deposits in a place called Kathonzweni precisely, Kiangini, where he visited recently. What is the current status of that mineral for no further action has been taken since he came to Makueni? Did he close it down?

The Deputy Speaker (Sen. Kathuri): Cabinet Secretary, proceed.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Salim Mvurya): Thank you, Mr. Deputy Speaker, Sir and hon. Members. *Mhe.* Maanzo, thank you for the question.

First of all, we have dichotomized minerals into industrial and construction. Copper falls within the 14 minerals that we have zoned as strategic. What we are doing with strategic minerals is that; we have sent our teams on the ground to finalise the ground truthing. By 30th June, we will have covered 24 counties.

On copper specifically, the potential in our country is very huge and inspiring. Starting from Chyulu Hills to Kathonzweni where I visited, part of Kitui North to part of Tharaka areas around Kithiori. We are now working with several investors who have made applications. However, as I said earlier, we do not want investments that are going to take away our raw material. We want investments that are also going to take care of the value chain. Right now, we are in that process.

Away from that, we are firmly dealing with illegal mining across the country. It is only that the weather has not been conducive in other areas but if there are illegal miners of copper, we should be clamping on them anytime. However, the process we are taking is to make sure that we do not just entice investments in mining but also, look at value addition.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Seki.

Sen. Seki: Thank you, Mr. Deputy Speaker, Sir.

I also congratulate the Cabinet Secretary for comprehensive answers to several question particularly from Sen. Cherarkey.

Further, my questions are in regards to the Mining Regulations, 2017 as you indicated particularly, on the counties and communities sharing. I would want to know more about the delay of the policy or regulations on that.

Hon. Cabinet Secretary, you remember very well that I asked that question sometimes back. The issue was that; you are still planning to do regulations for communities to benefit from the 10 per cent as indicated in the regulation. What timelines will you give this House on when we are going to benefit because communities are suffering?

Investors are coming in and doing a lot of destructions on their land and they are not benefiting, yet the national Government has received the entire 100 per cent amount of loyalties and the Ministry has not given communities this money. Also, will the 10 per cent be given in arrears to the communities by the time you will be done with the policy or regulations?

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, that is a good one.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Mvurya): Thank you, Mr. Speaker and hon. Members. Thank you, Senator for Kajiado County for that supplementary question.

We have made very good progress on these regulations on 10 per cent. We had our first submission which was returned by Standing Committee of Justice, Legal Affairs and Human rights (JLAHC) with some comments, and now, we have resubmitted it to the AG.

I allay your fears about the lost funds. This money is ringfenced. We do not see a situation where you will lose. This is because even the Kshs2.9 billion, 20 per cent to county governments is consolidation from 2016. So, I assure you that, going forward, we will expedite the process to make sure that we conclude this.

Away from that, we also work with investors in various areas to establish community development agreement committees that receive 1 per cent of the revenue of the investor to do their community projects around their region.

We are on top of things and I assure this House that very soon we should conclude on the framework for 10 per cent.

The Deputy Speaker (Sen. Kathuri): Thank you. Proceed, Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, Sir. First, I commend this Cabinet Secretary before us. He is very much at home with his ministry and the issues therein.

When Cabinet Secretaries come here and are asked supplementary questions over and above what they are prepared for, they float and disappear. Waziri for Mining, my good friend former Governor Mvurya has responded with depth of knowledge in this State Department. Therefore, I must commend him for very good knowledge of his department.

Mr. Deputy Speaker, Sir, my question is with regard to a very topical issue under his docket. That is the issue of an influx of illegal miners who are taking advantage of our various communities that perhaps do not understand the kind of minerals being traded in.

If you had nothing due to poverty and someone shows up at your doorstep to offer you very little resources, you will accept even though they do not meet the legal procedures that are set out. We have passed laws in this House to ensure that individuals who owns land, or if it is communal land, that the community as well as the county, benefits from the resources that are in that particular county.

Mr. Deputy Speaker, Sir, various parts of this country have been flagged as red hotspots for illegal miners. What is the government doing about this particular issue to ensure that this industry develops and become a significant contributor to our Gross Domestic Product (GDP)? It has the potential to help us.

Instead of the many battles the administration is trying to acquaint Kenyans with the concept of paying taxes, we can grow this industry to help us reduce our debt exposure and meet our obligations as a government. Illegal miners that are spread across the country, for instance, in Kilgoris, Migori, Tsavo *et cetera*, are undermining all efforts. What are they doing about that particular issue?

Finally, have you strengthened the expertise and the knowledge of our officers in our border points who check on the minerals that leave this country? Someone explained to me that some of these minerals we mentioned cannot be easily traced with naked eye. There is expertise that is needed.

Knowing this country and how our fellow countrymen behave, I would not be surprised if somebody would pass even rare-earth in a sack and sign them off as *kokoto*. It can either be out of ignorance or motivated to look the other way. Therefore, how intense is the scrutiny on the border points where these minerals leave the country? Also, what is the assurance to this House that enough is being done to ensure this country does not lose in the mineral trade that it engages itself in?

I thank you.

The Deputy Speaker (Sen. Kathuri): Thank you. Hon. Cabinet Secretary, you can handle those two supplementary questions together.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Salim Mvurya): Thank you very much, Mr. Deputy Speaker, Sir and Hon. Members. I also thank the Majority Leader for the comprehensive nature of the supplementary question. I take this opportunity in this House to assure Kenyans that the reforms we have put in the State Department of Mining are bearing fruit.

One of the key reforms we are bringing forward is on decisive clamping of illegal mining activities across the country. Last year in October, the Cabinet passed a resolution to establish a mining police unit, which I report to this House that we have received. All the officers have now reported.

We have done orientation so that they can understand the mining law and issues. One of the things we have done is that there was a very big mining area in Dabel, Marsabit County, which has now been closed because of the issues of illegal mining. We have also closed Koru in Isiolo.

In the last two weeks or so, our officers were in Migori, Siaya, and Narok were able to close all the illegal mining operations in those counties. Further, we have recommended the deportation of some of the international investors who are doing illegal mining. They did not have papers to work in Kenya. We have recommended to our other colleagues to ensure they do a thorough investigation and deport them out of Kenya.

The process of clamping on illegal mining is ongoing. We have a timetable. We went low a bit because of the weather but with better weather, we will continue to do the same across the country. We are not just doing closure of mines, but also encourage investors to operate within the legal framework. They need to apply so that we can give them proper licenses.

I assure this House that we are bringing order in this particular sector. The challenge of illegal mine is bigger having had a lot of time when licenses were not being applied because of moratorium. We will make sure that we arrest this particular challenge.

The other issue that has been raised is testing and sampling. The issue is part of the reforms that we are carrying out in the sector. We have decided that we need to upgrade our mining labs across the country. One of the labs we have to upgrade to international certification is Madini.

We have also created nine new regions where we will be putting up testing and sampling centers so that then we do not have people coming up with fake minerals. I agree with the Majority Leader that you cannot identify minerals by the way they look. You have to test.

In some areas like Embu, in an area called Ndarawe, there has been a lot of mining of coltan and the locals would be told that it is *kokoto*. Many people smuggled these minerals. However, we have now put order and employed 167 new staff who will be posted to the various parts of the country. We have already posted officers at the Port of Mombasa.

We have also sent equipment so that they can test whatever is submitted to the Port of Mombasa. We are also working on the other entry points of our country to curb mineral smuggling. The Cabinet also approved mineral smuggling as an economic crime.

You can at least see the seriousness of the government in curbing all these vices that happen in the mining sector. I submit because when I speak about matters of mining, I can take you through a lot of other details.

The Deputy Speaker (Sen. Kathuri): Thank you, Cabinet Secretary.

Next is Senator Boni Khalwale.

Sen. (Dr.) Khalwale: Thank you, Mr. Deputy Speaker, Sir.

Cabinet Secretary, according to statistics from the State Department of Economic Planning, mining contributes Kshs120.3 billion per annum to our GDP. It is not acceptable that with this kind of fortune, our people from the gold mining areas like Kwale, Kakamega, Taita Taveta, Nyatike, or Migori still wallow in poverty.

It does not make any sense. It is not acceptable. Hon. Cabinet Secretary, among the various licences you have described from the podium there, there is the licence of

prospecting. We have unscrupulous companies to which your Department grants prospecting licences, but they come to do mining.

A case in point is in Kakamega, where Shanta Gold has been prospecting for 21 years. Three years ago, the people of Kakamega came together and refused - that Shanta Gold must go or start mining. They disappeared. Suddenly, we have seen the re-entry of Shanta Gold in recent months and weeks. Could it be that the Cabinet Secretary means to say that you have given Shanta Gold in the name of investing Kshs5.8 billion in Kakamega, where I was born and brought up, educated, and live and do bullfighting?

There is no such investment. If it was, it would be on Plot No.1269, Isukha Mkomari, which is my land, where there is gold. I beg the Cabinet Secretary, please come to Kakamega. There is a time bomb now. The locals have had enough of Shanta Gold. They have money. They influence some of the people in your department, and they get away with it. Protect us. We want the people of Ikolomani to enjoy their God-given resource. We are rich; richer than many counties in this country.

I beg the Cabinet Secretary. You come from Kwale where there is gold mining. Poverty there is too high, just like in Kakamega. Let us do something together, so that our people can enjoy minerals, the way people in Dubai enjoy the oil that they mine in Dubai. I want to see Dubai in Kakamega because we have the money; research has confirmed.

Cabinet Secretary, it is not a question. It is a crime. Please, take charge. Some of our local leaders including elected ones are working in cahoots with these people who are exploiting the commonwealth of the people of Kakamega.

The Deputy Speaker (Sen. Kathuri): Thank you, Sen. (Dr.) Boni. I gave you some time because I could see you were talking about the pride of the people in Kakamega. That is why I gave you time.

Sen. (Dr) Khalwale: Thank you, Mr. Deputy Speaker, Sir. I can cry, but I do not want to. How can we be burying people in golden graves, digging toilets in golden areas and then not become rich? We bury our dead in gold.

The Deputy Speaker (Sen. Kathuri): Yes, you love the Kakamega community.

Hon. Cabinet Secretary, help this Member from Kakamega County.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Salim Mvurya): Thank you very much. Mr. Deputy Speaker, Sir, the Hon. Senator is very right to be emotional about the riches on the ground and the poverty on the land. It is a very important passion that we recognise.

So, I hear you, Hon. Senator. I am aware that there is a comprehensive question that has been put forward on the issue of gold in Ikolomani, and we will come here again to provide you with a lot of details. However, for the time being, what I want to say is that gold mining in Western Kenya, and Shanta in particular, which has been there for quite some time, we have also given them notice that they cannot continue to do prospecting. They have to begin mining.

Secondly, the Kshs5.8 billion that will be doing ground-breaking soon, the investor is different. It is not Shanta; it is a different investor. Then, apart from the additional mining that is happening there, we want to work to make sure that we also

have formidable investments that can sustain the gold refinery activities that we should be able to begin soon. So, going forward, I assure the House that we are now very keen.

I am aware that before our regime, there had been a lot of malpractices on the issue of licensing, which we have now addressed. That is why, if we gave you the number of licenses that we have cancelled, there are very many. We are even removing some from the system.

Therefore, I assure the House that even though we have a situation report, a baseline, which everybody talks about, we are now going to better days where minerals will be beneficial to Kenyans. We have quite a number of initiatives that we will be working on with this House to ensure that we continuously update our regulations and policies, and we work together. Most of these business people who are doing all these malpractices, also have local agents.

That is why, right now, we have decided even to deport some of them so that they can set a good example. Then we begin to breathe fresh air in this particular sector. Therefore, I assure you, *Mheshimiwa*, first of all, we will visit Ikolomani.

I am not sure whether we will visit your plot, but if you invite us for *Ingokho*, we can visit. However, we want to work comprehensively on the potential for gold in Western Kenya including Kakamega, Vihiga, Siaya, Migori, and Homa Bay, so that we can have a central point where value addition can take place. Already the response is very good. A number of investors who would wish to make gold refinery investments in various parts of our country.

Thank you very much, Mr. Deputy Speaker, Sir. I submit.

The Deputy Speaker (Sen. Kathuri): Thank you. Let us now go on an expedition to West Pokot.

Sen. Murgor?

Sen. Murgor: Thank you very much, Mr. Deputy Speaker, Sir. I also thank the Cabinet Secretary for his eloquent presentation and for answering the questions. My question is about how devolved the Ministry is to the ground such that their presence is felt and guides the locals as to even what they have on their grounds. Then, help them in identifying and working with potential miners or people who are interested in whatever minerals they have.

West Pokot, for one, I am sure has a lot of minerals, very rich, but the locals do not know what is there. If an investor comes under the pretext that they are just finding out, they would not know. They might be getting out good goodies, but the locals do not know. So, how much are you devolved, or do you plan to be devolved?

Part of my second question is how can you protect locals and their lands from miners who excavate and just leave open holes and open places that become dangerous, either by collecting water and becoming pools and children can drown or things like that.

Thank you, Mr. Deputy Speaker, Sir.

The Cabinet Secretary for Mining and Blue Economy (Hon. Salim Mvurya): Mr. Deputy Speaker, Sir, on the issue of devolving the mining sector, I want to bring the House to speed.

Previously we have had a very big challenge on staffing and we divided the country into 19 regions, but we did not have staff on the ground. Right now, we are employing 368 new staff. We have done 167 and next month we are doing the final batch. That is the first point.

Secondly, we have artisanal mining committees across the country. We have now gazetted 24. These are responsible for making sure that they look at the issues of licensing and compliance at that level.

To make sure there is clarity on issues of mining once we post the new staff, then we also attach them to the respective county Government and the County National Coordination officers so that they can also bring to speed on issues of mining in those regions.

The Principal Secretary has been leading a team in most of the regions to training of artisanal mining committees and other institutions such as the cooperatives to make sure that they are up to speed with issues of law.

Also, during the application process, we have been very open and very emphatic on issues of consent. Consent given by landowners and communities has also to be confirmed by the local county leadership so that then communities cannot be exploited.

On matters of handling the risk issues, environment, and many others, we have developed mining and safety regulations that guide the mining operations on the ground. More importantly, every applicant who is doing mining also has to submit an environmental management plan, which we strictly follow to make sure they rehabilitate the areas where mining has taken place.

I also understand the hon. Senator that because of a previous history there are open mines in many areas. I assure you that with the regulations and enforcement, all investors will rehabilitate and regenerate all the mining areas as a post-mining activity.

That is what we want to emphasize. As we move on with the post-mining for example, in Kwale County, we have a post-mining team that is looking at all the issues of the environment and all those related to post-mining use of the land.

I also confirm what the hon. Senator has said. It is true in some counties; people might not be aware of the existence of certain minerals. That is why we have sent our teams for ground truthing. The good thing about West Pokot County is that it is part of the six counties where Coltan has been confirmed areas like Alale in West Pokot County, Kiritiri, in Embu County, Kora Wells, in Tana River County, Loima, Turkana County, and in Nachola area in Samburu County.

So, West Pokot County is one of the areas we are very keen on making sure that you can realize the inspiration of the county economy through the discovery of coltan in that area. So, we would be working together with the leadership and everybody to ensure that there is a benefit to the minerals in that County.

Mr. Deputy Speaker, Sir, I humbly submit.

The Deputy Speaker (Sen. Kathuri): Thank you, Cabinet Secretary.

Hon. Senators, I want to give some guidance. After the last supplementary call with Sen. Onyonka, I will request Sen. Miraj to ask her question. We can combine if there will be any other supplementary questions as we wind up.

Sen. Onyonka, you may proceed.

Sen. Onyonka: Thank you, Mr. Deputy Speaker, Sir. Unfortunately, I am not able to see the Cabinet Secretary and former Governor, where he is sitting, but I am sure he is hearing me.

The first thing I would like to say, hon. Cabinet Secretary that I sincerely appreciate because I knew you when you were the Governor of Kwale County. I have always found you to be a person of integrity, credibility and a person who serves well.

I am not disappointed that since you were appointed as the Cabinet Secretary, you have very quietly, and very slowly been figuring out what the issues are. So, I thank you for maintaining that kind of dignity in your office.

The Cabinet Secretary may not know, but when the President came to Kisii County, it was a very interesting debate. One of the announcements that came was that the local leadership was trying to ask him what to do with the soapstone material that is available in the County at a place called South Mugirango Tabaka.

The President was suggesting that the soapstone should not be mined out of Kisii County. He recommended that whoever is interested in that soapstone bring in the equipment and the machinery so that we can process the materials from the ground. That would create value addition and make sure that the people of Kisii County benefit from this soapstone.

In Kisii Count, the Chinese companies are now collecting the soapstone and shipping it to China and that is sad for us. I wanted to ask whether the Cabinet Secretary can follow up on this matter, since it was a Presidential Directive, and find out why we are still mining our soapstone.

Soapstone is only available in Kisii County and Brazil. It t is an important stone. Many people are now beginning to realize that that is a unique stone because what the Chinese are doing is taking it to China, hardening it and selling it to Italy and the USA for the very wealthy developers.

As an addendum---

The Deputy Speaker (Sen. Kathuri): You have an opportunity just for one supplementary question.

Sen. Onyonka: Mr. Deputy Speaker, Sir, I know, but this is just an addendum. I suggest that if there is anything that the Cabinet Secretary would have done for our country, please, do spatial planning on where all our minerals are. Do an audit for that so that if an investor wants to come, for example, to Kisii County, and they want a soapstone, they can just get online, know what it is, and you give the conditions and terms on how they engage.

Waziri, congratulations on the excellent work you are doing. We hope that our people will benefit from whatever you are doing.

The Deputy Speaker (Sen. Kathuri): Let me get just in one minute, one supplementary question from Sen. Gataya Mo Fire, then that Cabinet Secretary will combine and answer them all.

Sen. Cherarkey will close that chapter with his supplementary question.

Sen. Gataya Mo Fire: Asante Bw. Naibu Spika. Ningependa kutoa shukrani zangu za dhiti kwa Waziri kwa sababu amedhihirisha ufasaha na ustadi wa hali ya juu katika Wizara yake. Vile vile kwa maswali ya ziada ambayo yamemjia kabla ya kujitayarisha. Ameonyesha ya kwamba ana ustadi wa kutosha.

Waziri unakumbuka hivi kwamba miezi sita iliyopita, ulisafiri mpaka Kaunti ya Tharaka-Nithi. Nimesikia ukitaja pahali panapoitwa Kithiori. Isipokuwa umeitaja kujuuju, ulisafiri mpaka mahali panapoitwa Maragwa iliyoko Tharaka North.

Vile vile ukasafiri mpaka Kithiori ambayo ina historia ndefu sana ya madini. Watu wa Kaunti ya Tharaka-Nithi mpaka sasa hivi, hawajapata ripoti kuhusu safari yako ni nini mliona na ni nini mmepanga kufanyia watu wa Tharaka Nithi.

Bw. Waziri, eleza kama madini haya yana umuhimu wowote wa kiuchumi na ni mikakati gani ambayo watu wa Kaunti ya Tharaka Nithi wana arajia kuona?

Juzi kumekuwa na walaghai ambao walikuja bila idhini ya viongozi wa kisiasa na walifurushwa.

Waziri, watu wa Kaunti ya Tharaka-Nithi wangependa kujua Wizara yako inafanya juhudi gani kuhakikisha madini yaliyoko kwenye sehemu za Kithiori, Maragwa na mahali pengine kwenye kaunti hii inawafaidi.

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

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

Vile, Wizara inafanya juhudi gani kuhakikisha kwamba, walaghai, matajiri, mabwenyenye wanaopora watu na kuchimba madini huku wakiacha watu wakiwa na umaskini wanachukuliwa hatua?

Toa taarifa kamili kuhusu juhudi Wizara inafanya kuhakikisha kwamba madini haya yanafaidi watu wa Kaunti ya Tharaka Nithi, na walaghai walioko watachukuliwa hatua gani?

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

Sen. Cherarkey: Bi, Spika wa Muda, namshukuru Waziri kwa kutoa taarifa kuhusiana na suala la dhahabu kule Kerebe.

Sifahamu kama Waziri anajua kuwa Kaunti ya Nandi inatoa kiwango zaidi cha dhahabu nchini kuliko Kaunti zingine.

(Laughter)

Waziri anafahamu kuwa kulikuwa na familia zilizokuwa na tatizo na wawekezaji kwenye eneo la Chemase? Sifahamu mbona Waziri hakuangazia jambo hili. Familia hizi zilikuwa na shida kutokana na wawekezaji hawa waliochukua mashamba yao wakiwa na malengo ya kuchimba migodi ya dhahabu kule Chemilil/Chemase.

Kule Kaborogin eneo Bunge la Aldai, ni juhudi gani umefanya kuhakikisha familia hizi zimepata ridhaa kwa kutoa mashamba yao?

Kuna kesi kadhaa zilizoko mahakamani, kuhusiana na malalamishi ya Shamba ambayo Kiongozi wa walio Wengi alikuwa amegusia. Wawekezaji wakora wanatumia ujanja kuhakikisha wameandika taarifa ambazo hunufaisha wawekezaji hawa na hapo baadaye familia hizi hazipati haki.

Ingawa taarifa ya Waziri ni kutoka mwaka wa 2021, aangazie shida ambazo familia zinapitia kwenye maeneo ya Nandi.

The Temporary Speaker (Sen. Mumma): Thank you. We will have the Cabinet Secretary respond to those. Sen. Miraj, you can then prepare for your question.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Mvurya): Thank you, Madam Temporary Speaker and hon. Members for the comprehensive supplementary questions.

I would like to begin by responding to the question that has been asked by the hon. Sen. Onyonka. Thank you for the compliments on the profile.

Hon. Senator and the House, I assure you that the directives that were given after your meeting in Kisii are now in my office. I am aware of the issue of soapstone. We have concluded a feasibility study on the soapstone in Kisii. We are now working to identify potential investors.

I request we work together with the Kisii leadership in identifying areas where we can put these investments. We should be working with you outside the House to ensure we realize this dream.

I am aware that we have had other business people who have been working illegally. We have stopped some of them and the process continues.

Soapstone is critical and is one of the flagships we will be profiling in Kisii County. So, we will work together on this.

The second question was by Sen. Gataya Mo Fire from Tharaka Nithi County. I confirm that your sentiments are true. I visited Kithiori and Maragwa. When we went to Kithiori we looked at the Iron ore in that area. More importantly, we have also discovered deposits of lithium. The reason we have not made any announcements is that we have sent a team to Tharaka to look at the key strategic minerals, Lithium being one of them.

Tharaka-Nithi is among the 24 counties that we should be saying something about at the close of June when we have critical confirmations on what is on the ground.

Also, for the record, we have a report which identified 970 mineral occurrences across the country. Some of the occurrences are viable and some are not. We continue to confirm as we go along and prioritize as we look at the strategic minerals. We continue with this process. We should be making announcements as we go along.

Swali lingine ni kutoka kwa Sen. Cherarkey. Ameuliza swala hili kwa Kiswahili, na nitajaribu kujibu kwa Kiswahili.

Bi. Spika wa Muda na Waheshimiwa Maseneta, ni kweli kwamba kampuni ya Kerebe imefanya kazi Nandi kwa muda mrefu. Katika Wizara tuna ufahamu mkubwa kwamba kuna familia ambazo zinatafuta haki. Kesi zinaendelea mahakamani.

Ila naomba viongozi wa Nandi haswa Senator, tuwe na msimamo mmoja. Pale ofisini ninapata kundi moja linalosema wako sawa, lakini ikifika saa nane, kundi lingine linapinga. Imekuwa ni mtafaruku wa mambo. Lakini, ni suala liko kortini.

Korti iliamua tuandae kamati ya upatanishi. Tunaendelea na jambo hili na pia tutashirikiana na viongozi wa Nandi ili haki ipatikane. Nahakikishia Bunge la Seneti kwamba tuna ufahamu wa jambo hili, na tunaendelea kufuatilia haki za wananchi kwenye sehemu ya Kerebe, Kaunti ya Nandi.

Asante, Bi. Spika wa Muda.

The Temporary Speaker (Sen. Mumma): Thank you. We will move on to Sen. Miraj's Questions.

Question No. 046

POLICY AND LEGAL FRAMEWORK FOR
BLUE ECONOMY IN KENYA

Sen. Miraj: Thank you, Madam Temporary, Speaker. My Question to the Cabinet Secretary is—

(a) What progress has the Ministry made in the development of policy and legal framework for Blue Economy in Kenya?

(Sen. Miraj spoke off record)

The Temporary Speaker (Sen. Mumma): Sen. Miraj, you can ask all your questions.

Sen. Miraj: Thank you, Madam Temporary, Speaker.

(b) Could the Cabinet Secretary provide details on the disbursement of the Kshs1 billion under the “Investing in Women in the Blue Economy in Kenya Project” (IIW-BEK) by the Africa Enterprise Challenge Fund (AECF) funded by the Department of Global Affairs, Canada (GAC) and also indicate the number of women-led firms that have benefited under this programme?

(c) Could the Cabinet Secretary also clarify if the Ministry has a policy on women in the Blue Economy space, considering that they contribute up to 60 per cent of the labour force in the fisheries sector?

I thank you.

The Temporary Speaker (Sen. Mumma): Cabinet Secretary.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Salim Mvurya): Thank you very much, Madam Temporary Speaker and Hon. Members.

This question has different parts, and even though we have provided a detailed statement, I will also give an overview of the responses from the State Department of Fisheries and Blue Economy.

We began discussing comprehensively the Blue Economy after the 2018 Sustainable Blue Economy Conference, which was advancing and plays a big role in the economic development of our country. Since then, there have been a lot of multi-sectoral

efforts that have been brought on board. This is in terms of regulations and policy, to ensure that we harness our full potential in the Blue Economy Sector.

The Ministry of Mining, Blue Economy and Maritime Affairs, through the State Department, has initiated and developed policy, legal, regulatory and institutional reforms in the sector that includes, reviewing the National Oceans and Fisheries Policy.

During the consultation with stakeholders, it was proposed that the name be changed to the Kenyan Fisheries Policy to enable the inland waters to be incorporated into the policy. The Cabinet considered and approved the Kenyan Fisheries Policy on the 19th April 2023.

Secondly, developing the National Blue Economy Strategy; we have already validated the National Blue Economy Strategy through a stakeholder's forum. However, there are quite several comments that came, and we are now plugging them in so that we can finalise the National Blue Economy Strategy.

The key facets of this strategy are to ensure that we can unbundle, Blue Economy into the key sectors and provide guidance for all players, be it national, International, Non-Governmental Organizations (NGOs), County Governments and whoever wants to work in Blue Economy to get guidance. We are on course now to finalise the policy.

We also have the National Aquaculture Policy of 2011, which is under review and the Tuna Management and Development Strategy, 2013/2018, which is an ongoing process. The Ministry is also coordinating an entire relook at the Indian Ocean where we want to have a Marine Spatial Plan and a spatial plan around Lake Victoria. Both efforts have already received approval from the Cabinet.

Madam Temporary Speaker, allow me to just add one point on the issue of spatial plan. If you go to Lake Victoria today, you will find that it is very difficult to navigate because of cage fishing and many activities that happen in the lake.

The Lake Victoria Spatial Plan will make sure that our six per cent occupation of Lake Victoria is properly planned, so that we know where we do landing sites and invest in other marine activities. However, right now navigating Lake Victoria is a big challenge. The Lake Victoria Spatial Plan will be very critical to anchor our investment plan in the lake. If you look at the Indian Ocean, we are going to do the Marine Spatial Plan because we need to plan where we do small ports, landing sites and conservation.

Also, for the record, and which might be of interest to Sen. Mungatana, if you go to the Indian Ocean for example, you will find there is this area called Ungwana Bay which covers Sabaki and where Tana River enters the Ocean. The space which we call Ungwana Bay is very critical for shrimp investment because where the estuary, habitat, warm waters and cold waters combine they create a good habitat for the shrimp. Therefore, the Spatial Plan will help us to reorganize our investments in the ocean.

We also have the Lake Turkana Fisheries Management Plan. Looking at how we harness the potential of Turkana, which covers both Marsabit and Turkana Counties, we want to utilize the potential of this particular lake and begin to inspire the economy of the two counties and the nation at large.

We have a whole Lake Turkana Fisheries Management Plan, which we should be rolling out. On Friday, we will be visiting the lake to concretise these plans. We also have

a Small Purse Seine Fisheries Management Plan and I think I do not need to belabour on them because they are very clear. We have the National Aquaculture Development Strategy, which has illuminated the potential of Aquaculture in the Mount Kenya Region. We have embarked on Sagana because we want to inspire aquaculture activities in Mt. Kenya.

We have some strategies that have been put together to ensure that we inspire the Blue Economy Sector. This means we have also reviewed all the regulations that have been developed. Some of them are already with the Committee on Delegated Legislation in the National Assembly, and we are moving forward to ensure that we bring order in the fisheries and Blue Economy sector.

The second question that relates to the Kshs1 billion fund in terms of investing in women in the Blue Economy is critical. The Blue Economy Sector has many players and women have a huge contribution in most parts of the Blue space. It is for that reason that we decided to partner with the Canadian Government and the Africa Enterprise Fund, to bring on board a grant, which is going to help women progress in their enterprises.

This Kshs1 billion fund is currently in two regions, for instance, the Lake Victoria region covering the Lake Victoria Counties and the Coast region covering the ocean counties.

This fund is led by the private sector and we do not have any money as the Government on this one. It is purely a private sector-led programme, of course, with our guidance and looking at how they are going to work with vulnerable women who are struggling with business in this sector.

We launched this fund in August 2023 and approximately Kshs200 million has already been committed to three medium-sized enterprises in Lake Victoria at approximately Kshs155 million and other 20 small-scale enterprises in the coast region.

We have already given them Kshs50 million and we did this last month. The organisation was in Mombasa and we have tabulated the amounts on that page, and I do not have to go page by page. We have done this for Lake Victoria and the coast region.

Since Sen. Miraj was asking on behalf of the House concerning that money, I want to assure the House that the money is still there. Therefore, those who are in those regions can mobilise the enterprises together with our officers and the private sector to ensure that this money can be accessed. It is not a loan; it is a grant. You do not have to be a fisherman; you have to do a Blue Economy-related enterprise to apply for these funds. We have also worked with county governments for wider reach.

On Question No. 046(c) about the policy on women in the blue economy space, I would like to assure the House, firstly, that most of the policies I mentioned earlier in (a) that we are developing leverage on providing an enabling environment for women to participate in blue economy activities.

The blue economy in Kenya includes several artisanal and commercial scale activities from the traditional ocean and fresh-water industries, such as fisheries and tourism, to new and emerging activities, such as seabed extractive activities, aquaculture, honey harvesting and mangroves. Kenya has targeted response at policy level to address

obstacles faced by women and increase their participation in blue economy related activities and to empower to immediate and long-term benefits.

Madam Temporary Speaker, we have elaborated a number here, including, our engagement in the coastal and marine ecosystem and the Cabinet approval of the Kenya Fisheries Policy, 2023 which makes a lot of enabling environment for women participation. There is also the draft National Blue Economy Strategy is also key in enabling the same. Considering that Kenya is a member of many international organizations, we have subscribed to Agenda 2030 on sustainable development and many of these are critical to women. The place of women in the blue economy is properly placed in many of the instruments we have so far developed.

Madam Temporary Speaker, I hereby submit, and I thank you for the attention and the opportunity to provide responses to the questions.

The Temporary Speaker (Sen. Mumma): Thank you. Sen. Miraj, you have an opportunity for a maximum of two more supplementary questions. You may have that now if you so wish.

Sen. Miraj: Madam Temporary Speaker, I will allow my fellow Members to ask and then I will conclude.

The Temporary Speaker (Sen. Mumma): Very well. Sen. (Prof.) Kamar.

Sen. (Prof.) Kamar: Thank you, Madam Temporary Speaker. I will start by thanking the Cabinet Secretary for articulating the answers and congratulate him on the plans he has because it is said that if you do not plan, you plan to fail. The detailed plans he has for the two sectors are very impressive. I also want to say without doubt that we expect that the investment in women to be a success story.

He is among the first governors to hand over his seat to his deputy, not just a deputy, but a woman deputy and we congratulate him for that.

(Applause)

Congratulations *Waziri* and we know that he is not intimidated by women or any other person, and he plans and helps people.

The one question I have and which cuts across both sectors in his Ministry is on the human resource preparedness. Once upon a time, I was an Assistant to Hon. Michuki and we encountered a challenge. We were mining and the questions being raised today were raised then.

You would give someone an opportunity to explore, and an exploration of 21 years is not without a plan by crooked miners. This is because they knew more than we knew. Someone tells you they are taking coal and they take something else.

How are we doing in the human resource? Do we have enough human resource that can cover the sector of the blue economy as well as the mining sector? Do we have experts who can distinguish the green precious stones found in Taita Taveta because we are told, one green is different from another green and yet, they are almost the same?

Madam Temporary Speaker, if we do, how is the Ministry planning to sustain that human resource capacity so that Kenyans at any exit or entry point can identify the

concerned international miners? I also hope that the Ministry is planning on value addition as a goal for this country.

With that, I believe that this country can be run by the minerals sector the way hon. Michuki dreamt, but he passed on before he did it. I also believe that this Cabinet Secretary will do it.

The Temporary Speaker (Sen. Mumma): Sen. Mungatana.

Sen. Mungatana, MGH: Asante, Bi. Spika wa Muda. Swali langu linahusu uchumi samawati, chini ya ile *programme* ya Waziri ya Kenya Marine Fisheries Economic Socio-Development Project (KEMFSED).

Kwanza, nashukuru Waziri kwa kazi anayoifanya kwa sababu sisi tumeikubali na Wakenya wameikubali pia. Waziri alikuja kwetu Tana River na ukatueleza kwamba kuna vijana wanaotakikana kwenda wakafanyiwe masomo ya coxswain. Alisema utawalipia haya masomo na kweli, vijana 12 kutoka Kipini walienda. Saa hizi wako Kisumu.

Katika makubaliano, ilikua kila siku wanalipwa Kshs4,000 ili wapate mahali pa kulala, nauli na chakula. Siku 30 zimepita na kukawa sawa maanake waliambiwa, masomo yatakua siku 45. Lakini, zile siku 15, Kizungu, Kiingereza na Kichina vikaingia sasa. Wanaambiwa eti sasa pesa ni Kshs1,000.

Bi. Spika wa Muda, vile ninavyoongea na Bw. Waziri, jana, vijana wangu 12 walikataa kwenda masomoni kwa sababu hakuna nauli, chakula na mahali pa kulala ni shida pia. Je, Bw. Waziri anaangalia haya?

Kuna wizi unaendelea kwa program yake nzuri ambayo ameianzisha. Ningetaka atwambie hii mipango ya kuambiwa ni Kshs4,000 halafu inageuzwa inakua Kshs1,000 ni kweli, ni sawa na ni haki? Mtu ataishi hivyo namna gani?

Ninaomba Bw. Waziri akitoka hapa, afute kazi mtu kule Tana River kwa Fisheries, maanake ni lazima watu waonyeshwe ya kwamba, hatutaki wizi, ufiisadi na utapeli kwa wananchi wa kawaida. Watoto wadogo wanaenda kutafta elimu ili wasaidike halafu inakuwa namna hii. Swali langu ni, je, ni hatua gani atachukua kusaidia watoto wetu wa Kipini, Tana River?

The Temporary Speaker (Sen. Mumma): Sen. Boy Issa Juma.

Sen. Boy: Asante, Bi. Spika wa Muda, kwa kunipa fursa hii. Natoa shukrani kubwa kwa Waziri wetu wa Madini. Kuna viongozi wengi hapa wana hamu ya kusikia na kama Seneta wa Jimbo la Kaunti ya Kwale nitagusia ile madini yanayochimbwa na Base Titanium. Hili shirika liko karibu kufunga na kuondoka katika ile migodi wanayochimba kule Kwale.

La kwanza nikutoa shukrani kubwa kwa Waziri kwa sababu wiki iliyopita, tulikua pamoja naye Kwale na mdogo wake na viongozi wengine katika Wizara yake. Kulikua pia na Wabunge, Maseneta na Viongozi wa Wadi kutoka Kwale. Namshukuru pia kwa kuzindua kamati ya Coast Mining Committee ambayo mimi kama Seneta wa Kwale natoa shukrani kwa kuchagua hii Kamati.

Hii Kamati imejumuisha viongozi kutoka serikali ya kaunti ya Kwale. Sisi viongozi tulio na nadhifa za ubunge, seneta na madiwani tumepewa fursa ya kuweka watu kwa ile Kamati.

Saa hii tuko na changamoto nyingi kuhusu mambo ya Base Titanium, lakini naomba kama tungepata mwekezaji mwingine aendelee na huu mradi kwa sababu kuna watu wetu ambao karibu watoe Kshs1,600 ambao wanafanya kazi katika ule mgodi.

Kwa hivyo, natoa shukrani kwa niaba ya watu wa Kwale kwa sababu ulikuja kuzindua hiyo kamati ya *post-mining*. Tutakuunga mkono pamoja na kamati yako ili mtembee katika Kaunti ya Kwale kusikiliza wananchi wanasema nini kuhusu hii ardhi iliyochimbwa na madini.

Asante sana, Waziri.

The Temporary Speaker (Sen. Mumma): Hon. Cabinet Secretary, you may now respond to those ones.

The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs (Hon. Salim Mvurya): Thank you, Madam Temporary Speaker and hon. Members. You will allow me to answer the Questions as they have been asked. I made a statement on blue economy, but some of the issues have taken us back to mining. I cannot complain because I am also the Cabinet Secretary for mining. So, I will handle them as they have come, away from what I have presented.

The first concern is from hon. (Prof.) Kamar. Thank you very much for the compliments. It has always been my desire to support women, not only in leadership, but also in many other parts of our economy.

Concerning the issue of human resource, especially on matters mining, it is true we initially had a very big shortage. However, through the reforms that we had agreed with His Excellency the President, part of it is to increase our visibility and workforce so that our people are not cheated. This is because in areas with copper, for example, some people will be told it is marram. Copper as a major mineral also sits with other minerals like lead, silver, zinc and many others. So, we have already been granted approval to employ 368 new staff. Right now, we have done 167staff. Initially, there were no cars, but we have now purchased 18 cars that are going to be available for our staff on the ground.

The same applies to the blue economy. I confirm that we have experts. Kenya Marine and Fisheries Research Institute (KMFRI) has been very critical in understanding marine life, both in the ocean and inland waters. We are in the progress of upgrading our staff to understand blue economy beyond fisheries so that we move the mentality that blue economy is equal to fisheries. This is something we are working on and also cognizant of the importance of blue economy. That is why it is one of the pillars that His Excellency the President has identified as critical in inspiring the Kenyan economy.

Concerning value addition in blue economy and mining, we have a roadmap to ensure that we inspire the mineral sector to value addition and looking at who is in it. That is why I also presented three investors who have already accepted to work with us in the various regions. However, we are also working to isolate strategic minerals to make sure that we subject them to proper value addition and inhibit the export of raw materials out of our country.

The other effort is on value addition in blue economy. If you look at the life of the fishermen in the Indian Ocean, Lake Victoria and all lakes, you will agree with me that

these fisheries activities have been more traditional. They get one kilograms of fish, sell a half and eat a half.

What we are bringing on board is a critical look at how we can establish value addition points. Already in the Indian Ocean, we have identified points of value addition that we call landing sites. We have Mokoye in Lamu, Kipini in Tana River, Ngomeni in Kilifi and Kichwa cha Kati in Kilifi Central. We established Kidongo for Kilifi and Mombasa. In Kwale, we have Mwaepe, Gazi and Vanga.

More importantly, we are establishing a national mariculture centre which will also be a good platform to train those interested in mariculture, ranging from seaweed, crab, and lobster farming. These projects have already been procured and they will cost Kshs1.4 billion in the coast region.

If you go to Lake Victoria, we have equally done the same. We have mapped out the region all the way from Busia, where we have done Mulukhoba Fish Landing Site. We are also doing another one in Bumbe.

In Siaya, we have done Luanda K'otieno. We shall also do Asembo Bay and Wichlum. In Kisumu, we are going to do Ogal and Asat. As we move to Homa Bay, we shall do Mainuga, Nyandiwa and Wakula. In Migori, we have done Sori and Got Kachola.

Part of the other investment is on aquaculture and we shall do Kabonyo/Kanyagwal Centre of Excellence in the Nyando area, basically to inspire the efforts in value addition of our aquaculture products. That will also be augmented by another centre in Sagana for Mt. Kenya region. Those value addition points will be critical.

Part of the staff we have employed in mining is composed of geologists. Basically, these are experts in rock assessment.

On the question by Sen. Mungatana, I thank him for the compliment on training of coxswains. The President had directed that we train 2,000, but we have trained 5,410.

I take note of the issues with the 12. We shall ask our teams to do thorough investigations. I do not want to announce in this House the disciplinary measures we will take, but I can assure you that is part of the process. We shall conduct a thorough investigation and make sure whoever is responsible faces disciplinary procedures.

Madam Temporary Speaker, Sen. Boy asked about the tenure. I hear you and thank you. We formed a post-mining land use committee because Base Titanium gave us a notice last year that the resource, they have been mining is now depleted. Therefore, they will hand the mining rights back to the Government and close operations.

Part of the process we do when we get such notice is to form a post-mining land use committee, which is composed of multi-agency personnel. We have the Permanent Secretary (PS), Ministry of Mining, Blue Economy and Maritime Affairs as the Chair and representatives from the Ministry of Environment and Forestry, the National Treasury and Planning, and the Ministry of Water, Irrigation and Sanitation and local leadership representation. They work with the investor on matters transition and see how it can be seamless.

I want to assure the House that Base Titanium has equally made other applications in Kwale County. For example, they have made one for mining of titanium in Kuranze and another for prospecting in Chigombero, which are still being processed.

They have also applied for prospecting in Lamu and Tana River Counties. These applications are part of the process that the Ministry is working on.

I assure the House that I know he has been a good investor and the Ministry is working on the applications. If they pass the tests, they will be given new prospecting licenses to explore other areas within Kwale and in the region to find out whether they can be feasible for investments.

Madam Temporary Speaker, I hereby submit.

The Temporary Speaker (Sen. Mumma): Thank you.

We have more Senators; I request that you ask your questions quickly, so that we give everybody a chance.

Sen. Munyi Mundigi, proceed.

Sen. Munyi Mundigi: Asante, Bi. Spika wa Muda.

Waziri, kuna wakati ulitembea Embu. Ulienda Mbeere South kwa mlima unaoitwa Kiangongoro na ukapata dhahabu ambayo inaweza kusaidia *economy* ya Embu County. Pia, uliongea mambo mazuri sana ya kusaidia Wambeere ambao wanaishi kwa huo mlima na tulifurahia sana. Vile uliona, hiyo *area* imewachwa nyuma kwa maendeleo.

Pia, tulifurahia kwa sababu katika bajeti ya Kenya, upande wa dhahabu, ulipea Kaunti ya Embu Kshs2 milioni ambayo ni pesa kidogo sana. Kwa bajeti inayokuja, unatupangia nini watu wa Embu ili pia sisi tufurahie hiyo pesa ya dhahabu?

Pili, nakuomba wakati utakuwa ukitembea kwa kaunti, uwe unahusisha Maseneta. Mimi ni *Vice-Chairperson*, Committee on Agriculture, Livestock and Fisheries. Lakini, uliwacha vita kwa wale wako kijijini. Walibaki wakiuliza kwa nini sikuonekana ilhali mimi ni mtetezi wa watu wa Kaunti ya Embu; Wambeere na Waembu. Naomba wakati unatembea kwa Kaunti, ufanye kazi na Maseneta. Hawatakuangusha---

The Temporary Speaker (Sen. Mumma): Sen. Munyi Mundigi, please, hurry up.

Sen. Munyi Mundigi: Ninataka kusaidia Waziri hata kama namuuliza swali. Wale Wabunge utapata kule chini watakupotosha lakini hakuna wakati Maseneta watakupotosha.

Kwa hivyo, swali langu ni, je, watu wa Embu watafaidika aje na pesa mfukoni? Pia, umetuongezea pesa ngapi kwa hii *bajeti* inayo kuja? Kama hujatuongeza, unafanya nini ili watu wa Embu na Mbeere wa *benefit* na dhahabu mnayo pata?

The Temporary Speaker (Sen. Mumma): Sen. Ogola, I suggest you do it quickly, so that we give others a change.

Sen. Ogola: Thank you, Madam Temporary Speaker. I thank Sen. Miraj for the question on the disbursement of the Kshs1 billion under the Investing in Women Under the Blue Economy in Kenya project.

At the implementation, the Cabinet Secretary has reported that it is at the Coast and Lake Victoria Regions.

Cabinet Secretary, although you stated that it is largely under the private sector, of course with your guidance as a Ministry, I am interested in knowing who have accessed this funding in Homa Bay County, in particular and the nature of the work.

Secondly, I call upon the Cabinet Secretary because we are not doing so well around the Lake Victoria on marine studies. That would really be a solution to the unemployment situation in the country. You should be working hand in hand with the Ministry of Education, so that our institutions are at least geared towards marine courses.

The Temporary Speaker (Sen. Mumma): Thank you. Proceed, Sen. Veronica.

Sen. Veronica Maina: Thank you, Madam Temporary Speaker.

Hon. Cabinet Secretary, I join my colleagues in complimenting you for taking up your docket very well. Being born in a coastal county, it is important to acquaint yourself with good performance, so keep going. My question is a follow-up question to the one asked by Sen. Miraj on the investment in women in the blue economy in the Kenya project.

Hon. Cabinet Secretary, you know how public resources are utilised when such a grant is directed towards affirming a vulnerable group and how watchful you need to be when that fund is being rolled out. Have you considered giving these opportunities to other counties that have internal water bodies like rivers? We have many counties like Muranga, Kirinyaga and Turkana that have big rivers, which they can also utilise within the blue economy concept.

In the utilisation of this fund, how are you using it to enhance the safety and security of women and eliminate the notorious concept of fish for sex within the counties that are bordering Lake Victoria especially, where the fisher folk have to almost sell themselves in order to get fish?

Hon. Cabinet Secretary, according to the African Union (AU)---

The Temporary Speaker (Sen. Mumma): Sen. Maina, you are entitled to one question.

Sen. Veronica Maina: Yes, the other one is very short and crucial. Given the flooding we have experienced, there are some young men within certain counties where there were flood issues---

The Temporary Speaker (Sen. Mumma): Sen. Maina, you know the rule. That is the third question.

Sen. Veronica Maina: No, this is just about the flood issue. The young men who were trying to rescue people saved lives, yet they do not have the skills. In that programme you have for training coxswains, would you consider taking the ones who have saved and rescued lives to teach them on flotation skills and how they could help the communities within which they are living in?

We must upskill our young men and those who call themselves divers yet they have not been given the advantage of that skill. They are the ones risking their lives to save other Kenyan lives. Would you consider taking especially the ones who participated in saving the flood victims? Can the counties give you the names so that you train them?

The Temporary Speaker (Sen. Mumma): Senator Chute, please restrict yourself to one supplementary question.

Sen. Chute: Asante Bi. Spika. Kwanza nachukuwa nafasi hii kumshukuru Waziri na *Principal Secretary* (PS) wake. Tulikuwa na shida ya mining Moyale, tukapiga simu na tukawapata. Tunawapa shukrani kubwa sana.

Bi Spika wa Muda, kuna migodi Moyale inayoitwa Hilo. Inasaidia watu 5,000. Hivi majuzi hiyo migodi imefungwa kwa sababu ya watu kupoteza maisha yao. Ningependa kujua kutoka kwa Waziri; ni hatua gani anachukua kwa sasa kwa sababu watu wanaoishi Moyale, Marsabit na Isiolo wanategemea hiyo migodi.

Ni kweli watu walifariki pale na ikafungwa? Ni hatua gani unachukua? Hawa watu wa migodi wamekubaliana wakaketi na kutengeneza cooperatives ya kufanya hiyo kazi kwa njia inayokubalika kisheria.

Waziri atueleze ni lini ataketi na hao watu ambao wametengeneza *cooperative* ili tupate nafasi kama viongozi pia tuketin nao. Waletwe pamoja ndio hiyo sheria ya kufanya hiyo kazi iende katika njia inayotakikana.

The Temporary Speaker (Sen. Mumma): Sen. Orwoba?

Sen. Orwoba: Thank you, Madam Temporary Speaker. I will be quick. Waziri, the Indian Ocean has a huge economic value. A lot of activities are happening there. However, there are a myriad of issues. We have security issues there; we have illegal and unregulated fishing activities and organized crimes.

So, I want to know what your Ministry is doing to ensure that the environment for operating a business is safe and what threats the business people in the blue economy are facing.

What is your Ministry doing in that sense?

The Temporary Speaker (Sen. Mumma): Sen. Murango?

Sen. (Dr.) Murango: Asante sana Bi. Spika wa Muda. Yangu yatakuwa ni maoni nikiiongea kama Mwenyekiti wa Kamati ya Ukulima, Uvuvi, Mifugo na Uchumi Samawati.

Kati ya maswali ambayo yanaulizwa hapa kama Kamati tungeweza kujibu. Kwa hivyo, ningetaka niseme kama Mwenyekiti kwamba nasikitika kidogo kwa sababu mialiko ambayo tumekuwa tukifanya sikuona Katibu wa Kudumu Katika Wizara ya Uchumi Samawati.

Ningeomba, tunapoitana tena waje kwa sababu katika shughuli muhimu na maswali yanayoulizwa na Seneti ambayo ni muhimu, tumeshindwa kujibu kwa wakati tunaopewa kwa mujibu wa sheria na Kanuni za Kudumu za Seneti kwa sababu ya kukosa kuwajibika na kuwaona katika Kamati ya Ukulima.

Hilo nimeongea kwa kusikitika lakini tunaunga mkono, na asante kwa kazi nzuri wanayoendelea kufanya.

Asante.

The Temporary Speaker (Sen. Mumma): Sen. Miraj?

Sen. Miraj: Asante Bi. Spika wa Muda. Kwanza nampongeza Waziri kwa kufika kwa wakati. Niliuliza maswali haya wiki tatu zilizopita japo yanapaswa kujibiwa kwa muda wa wiki mbili. Waziri ameweza kuyajibu kwa wakati.

Ningependa kuwajulisha wakaazi wanaoniangalia kutoka mwambao wa Pwani wa gatuzi sita kwamba sisi tunaishi katika gatuzi hizi, tunaishi katika maisha ya uchochole.

Nazungumza hivi nikigongelea msumari mazungumzo ya Sen. Boni Khalwale. Tuko na wafanyibiashara wengi kuanzia Vanga hadi Kiunga.

Tunapovuka kivuko cha Likoni, kuna wamama wengi pale wanauza samaki. Sen. Veronica alipokuwa anaongea, amezungumza yale yaliyokuwa moyoni mwangu. Nimezungumzia maswala ya wanawake kwa sababu, mahali popote panapo zungumziwa kijana mwanamke ama mtu yoyote yule anayeishi na ulemavu, huwa kunaingia firfinyange.

Hadi wa leo wale wanawake wanaojihusisha na biashara ya kuuza samaki yaani wale wachuuzi wanaopika, kukaranga na kuuza rejareja. Pamoja na wale wengine ambao wako kando pale Likoni katika kivuko. Hawajafaidika na mradi wa aina yoyote katika Wizara ya Uchumi Samawati.

Waziri nakuomba na nimekuita hapa kwa sababu moja. Kesho utakapoondoka katika hicho kiti, watu wa Pwani wasiseme mtoto wetu alikuwa amekaa hapo na hakutusaidia. Ndiposa nikakuuliza je, kuna sheria inayokuzuia wewe kutokusaidia jamii ya Wapwani ambao wanazingatia sana na kutarajia uvuvi kama uti wa mgongo?

Sisi hatuna mashamba mengine ---

The Temporary Speaker (Sen. Mumma): Sen. Miraj, in the interest of time ---

Sen. Miraj: Naomba nizungumze tu tafadhali. Shamba letu kubwa ni Bahari yetu. Naomba ikiwa kuna sheria ambayo inakutatiza, niko hapa, yuko Sen. Boy pale na wako wengine katika Bunge.

Ninashukuru Rais William Samoei Ruto kwa hadhi aliyokuwa anaazimia akinitoa mimi kwa kuuza viazi na kunileta hapa Seneti. Hivi, yule aliye chini aweze kuja juu kwa sababu ilikuwa ruwaza ya Rais kuona “mahustler” wakiwa wamepata hadhi katika maeneo wanayofanyia biashara zao.

Asante, Bi. Spika wa Muda na asante, Bw. Waziri. Hongera sana kwa kufika.

The Temporary Speaker (Sen. Mumma): Hon. Cabinet Secretary, your time is limited but, please, proceed and do your best.

The Cabinet Secretary for Mining and Blue economy (Hon. Salim Mvurya): Asanteni sana kwa sababu ya maswali mengi ambayo yameulizwa. Mengine yalifungamana na madini na mengine yana ufungamano ya Uchumi Samawati.

Kama vile nimezungumza hapo mbeleni, nitayajibu vile yalivyoulizwa. Kwa sababu kama tungekuwa tumeangalia lile swali ambalo liliulizwa na Sen. Miraji peke yake, hatungekuwa na nafasi ya kuwa na upeo na ufasaha wa kuyaangalia maswala haya.

Kuna swali lililoulizwa na Sen. Munyi Mundigi, Seneta wa Jimbo la Embu kuhusu madini yaliyoko kaunti hiyo. Tumetembea sehemu ile na tumegundua madini ya Coltan ambayo yanatumika kutengeneza vyombo vya mawasiliano kama vile simu na *laptop*.

Madini ya Coltan ni mchanganyiko wa Columbite na Tantalite na ndiposa tulipoyatangaza, ni madini ambayo tunataka yaongeze uekezaji katika sehemu za Kaunti ya Embu na sehemu zingine.

Mheshimiwa amesema kwamba wakati ule mwingine asili mia ishirini ya mgao ilikuwa Kshs2 milioni kwa sababu hakukuwa na waekezaji ambao wanalipa. Ukiangalia ile Kshs2.6 bilioni ambayo tumegawa kwa kaunti 32, kwa zile kaunti ambazo zilikuwa na

waekezaji ambao walikuwa wanafuata sheria na kulipa, pia kima chao kimeweza kuwa kikubwa. Ndiyo maama sasa hivi tumesema kwamba tuweze kuingia mashinani na maafisa wetu kuona kwamba kila muwekezaji aweze kulipa.

Hapo Kaunti ya Embu, tayari tumetuma maafisa zaidi, tumewatumia gari na tutatengeneza maabara ama *testing and sampling labs in Embu County, so that you can have easier testing. This testing can be converted into investments and incomes.*

In subsequent financial years, we expect to have an increase, in investment and shareable, royalties for Embu County and many others.

Kwa kifupi tu, ningependa kujibu swali hilo *and also to go to what Sen. Ogola has also inquired about the synchronization of funding that is investments, and also building the human resource in marine issues.*

I assure you that we have been very alive to the fact that Blue Economy and anything marine---

(Interruption of Question Time)

COMMUNICATION FROM THE CHAIR

EXTENSION OF SITTING

The Temporary Speaker (Sen. Mumma): Hon. Cabinet Secretary, can I interrupt just for a few seconds, so that I make an announcement?

You can have your seat.

Hon. Senators, pursuant to Standing Order No.34 (2)(a), I wish to extend the Sitting of the Senate for 15 minutes, to expedite the remainder of the business and for the Cabinet Secretary to finish responding to the questions

We will also expedite Order No.9, on the Adoption of the Progress Report on the *Ad Hoc* Committee on the Compensation of the Kenyan Victims of the 1998 Bombing of the United States of America Embassy in Nairobi.

Hon. Cabinet Secretary, you may proceed.

(Resumption of Question Time)

The Cabinet Secretary for Mining and Blue Economy (Hon. Salim Mvurya): We are cognizant of the fact that marine and blue economy, even in terms of training, may not have received adequate attention may not have received adequate attention previously.

However, on the realization that the blue economy is a critical pillar of our economy, we are also making deliberate efforts to work with institutions of higher learning to ensure that we have experts and professionals in this sector.

For example, I am aware that the Technical University of Mombasa will be initiating courses on marine and blue economy. We also have a project in Kabonyo

Kanyagwal, where we will develop a center of excellence for aquaculture. This will initially cost Kshs1 billion, and we will then add Kshs1.5 billion to the project.

We are in a partnership with Tom Mboya University as the institution that will participate actively in this project.

When you look at the entire maritime area, we have found international partnerships so that Kenya can benefit from the experience and lessons of other countries. We have several Memoranda Understanding (MOUs) on capacity building that we have signed with Indonesia and many other countries to bring their experiences to Kenya.

Kenya Marine and Fisheries Research Institute (KMFRI) has been critical in research. We have agreed that we need to convert research into action. In many areas where research has been done, there is a gap in implementation. We also augment research and implementation, which is coming up well.

I assure the House that we are aware as we go forward. If you want to be a marine engineer today, you will have a challenge. We have made efforts to ensure that we augment this sector with new initiatives that will also benefit from technology.

More importantly, last December, Kenya was voted a Member of the International Maritime Organisation. This not a small profile. We already have a grant of Kshs336 million being managed by the Jomo Kenyatta University of Agriculture and Technology (JKUAT) to look at technology issues in the sector. So, we are very much on board.

The other issue I want to respond to is what Sen. Veronica Maina has put before the House. Apart from the Kshs1 billion fund we are administering in the coast and Lake Victoria, next week we are working with our partners, the International Fund for Agricultural Development (IFAD), and we are launching another Kshs1 billion fund for aquaculture in Mount Kenya region so that we can have investors in this region. Those at the bottom of the pyramid will benefit from this grant.

Next week, we will launch the Kshs1 billion fund for aquaculture, focusing on other regions away from Lake Victoria and the Indian Ocean.

The other part of the question relates to safety issues. It is true that when you visit the blue economy areas of Lake Victoria, Lake Baringo, Lake Turkana, and the Indian Ocean, you will find young and old people who may not have acquired formal education.

They do not have a degree in coxswain or anything, but they have a lot of skills which include diving, coxswainship, navigation and many others. When we were talking about Hiday, they were already telling us how the ocean behaves.

We have a lot of skills that people have acquired over the years. That is why His Excellency directed that the first batch of coxswains be trained not by considering any level of education, but the level of skills. That process is ongoing.

As I said, we were given a target of 2,000. We have done 5,410 and we commit to also train coxswains in Lake Baringo, Lake Naivasha and all other lakes in our country, so that we bring to speed those who are already in the sector and then thereafter we can upgrade the training to cover other people.

I am also cognizant of the fact that in the Blue Economy Sector and fisheries in particular, sometimes we have people who also take advantage, molest, intimidate women and do all sorts of things. I want to assure you that all the strategies, policies, and

regulations that I have put forward before this House have also created an enabling environment that will protect women.

Later this year, we will have a whole conference with the Common Market of East and South Africa (COMESA) and other countries to discuss this matter in great detail, so that we can also get much more commitment to the protection of women.

Sen. Chute from Marsabit, thank you very much. We indeed closed the Dabel.

Bi. Spika wa Muda, naona hii swali imeulizwa kwa Kiswahili na wakati mwingine hii sekta yangu inakosa misamiati.

Tulifunga Dabel sehemu ya Marsabit kwa sababu kulikuwa na mambo mengi ya uchimbaji migodi bila leseni kwa hivyo tukafunga. Hivi sasa tayari tumesajili vyama vya ushirika sita kwa sababu nia yetu ni kwamba wananchi wa kawaida wakiwa kwa vyama vya ushirika, wataweza kuwa na nafasi pia ya uchimbaji migodi pamoja na wale waekezaji wakubwa.

Wakati huu tuko kati shughuli hiyo na tumewasajili. Tutatembea tena twende tuangalie hiyo sehemu ndio tutengee sehemu ya ushirika na uwekezaji mkubwa.

Hizi ni shughuli ambazo tutazifanya tukishirikiana na nyinyi kama viongozi na sekta zingine za serikali kuhakisha pia kuna usalama wa kutosha. Kwa hivyo, hili ni jambo ambalo tunalitilia maanani na tunataka kuendelea kuhakisha tumeweza kuwa wabunifu katika sekta hii, na pia wananchi wa kawaida ambao wamekuwa wachimbaji migodi waweze kufaidika.

Jambo lingine muhimu ni usalama haswa katika ufuo wa bahari ambayo pia imeguziwa. Katika mambo ya usalama tunafanya kazi na vitengo vya usalama, *Coast Guard* na vitengo vingine vya jeshi letu kuhakisha kwamba Bara Hindi iko salama.

Hii ndio maana mwanzo wa mwaka jana Bara Hindi iliweza kutolewa katika ile hesabu ya zile fuo za bahari ambazo ni hatari na ikasemekana sasa iko na usalama wa kutosha.

Kwa hivyo, ni jambo ambalo tumechukulia maanani na tunatangazia kila mtu ya kwamba, Indian Ocean iko salama. Hii ni kwa sababu hapo Indian Ocean, mbali na kwamba tuna jeshi letu, *Coast Guard* na vifaa muhimu tumepata ambavyo vimegharimu Kshs3,600,000,000.

Bi. Spika wa Muda, pia tuna tugboats mpya ambazo zitazunguka na maafisa wetu ili kutela usalama katika ufuo wa bahari. Pia, tunajenga kituo hapo Mombasa na Ziwa Victoria ya *search and rescue*. Tutatumia teknolojia ili kuhakikisha kwamba tunajua mahali usalama umekosekana.

Mwezi wa Disemba, tulishirikiana na vyombo vya usalama ili kuona kwamba tunawanusuru wale mabaharia na wavuvi ambao walikua wamepotea na baadae wakarudi nyumbani. Hii ni kwa sababu ya hivi vifaa ambavyo tumeweka ili kuleta mambo ya usalama.

Bi. Spika wa Muda, nachukua nafasi hii kusema kwamba hizi sehemu nyingi za bahari, maziwa na mito, haswa wakati huu wa mafuriko, ni muhimu watu wawe waangalifu. Tumeona sehemu nyingi kama Baringo mahali kuna boti ilikua na watu wengi zaidi ya kipimo. Kwa hivyo, wananchi wajihadhari.

Mwisho kabisa kwa swali limeulizwa na Sen. Miraj na amezungumza moyo wake safi kwa ufasaha kuhusu vile kina mama wanashiriki kwa biashara ya samaki na uchumi samawati. Mbali na hii bilioni moja ambayo tumezungumzia inaangaliwa na sekta ya kibinafsi, kuna mradi mwingine tunashirikiana na Benki ya Dunia na ruzuku zingine zinavyofaidi vikundi vingine.

Bi. Spika wa Muda, Mheshimiwa Rais mwaka jana alipeana Kshs320,000,000 na baadae akapeana Kshs700,000,000 na hivi sasa tuko na Kshs1,200,000,000 ambayo iko tayari kwa akaunti zile. Tunatakiwa tufanye kazi na kaunti. Wananchi wanatakikana watume maombi kwa kaunti, watuletee yale maombi wamepitisha ili tuyaangalie hapa, tuwaandikie cheki na tuwatumie pesa ya kufanya biashara yao.

Hii ni nafasi nzuri ya kuhimiza kushirikiana vizuri ili tuhakikishe wengi wamefaidi. Kwa muda huu ambao tumefanya kazi na nyinyi, kumekua na uwazi na kwa hivyo, tunataka kwendelea kushirikiana na wale mama wa samaki ili waweze kufaidika na yale yote tunayapangia.

Bi. Spika wa Muda, kwa hayo mengi na kwa sababu ya muda, nitakomea hapo. Nitasema pia kikao kama hiki ni kizuri. Nimeona yule Seneta ameuliza mambo ya katibu na Katibu wa Blue Economy ako hapa na anapitakana wakati wote, na kama kuna habari zinatakikana kuelezana, hata mimi nitafika kuwaeleza.

Mungu awabariki na asanteni sana.

(Makofi)

The Temporary Speaker (Sen. Mumma): Thank you, hon. Cabinet Secretary. You may take your leave.

(The Cabinet Secretary for Mining, Blue Economy and Maritime Affairs was ushered out of the Chamber)

The next Order shall be deferred.

MOTION

DECLARATION OF CATTLE RUSTLING AND BANDITRY AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS

THAT AWARE THAT, cattle rustling/banditry is a major menace and security threat in the South and North Rift regions and some other regions of the country.

CONCERNED THAT, the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPS), disruption of educational health programs and

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other economic activities owing to the destruction and/or closure of educational, health and other institutions.

FURTHER CONCERNED THAT, the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution.

NOW THEREFORE, the Senate resolves that the National Government through the Ministry of Interior and National Administration and in collaboration with the Council of Governors-

1. Declares cattle rustling a National Disaster;

Establish a National Task force on cattle rustling/banditry to:

(i) Investigate the causes of the rampant cattle rustling and banditry in the said region and the Country at large;

(ii) Establishes the extent of suffering, loss and damage the cattle rustling/banditry has occasioned to the communities in all the affected Counties;

Create a Special Fund for mitigating the losses suffered by and in compensating all victims of cattle rustling/banditry and settle all internally displaced persons occasioned by the menace.

(Motion deferred)

MOTION

COMPENSATION TO KENYAN VICTIMS OF THE 1998 USA EMBASSY BOMBING

The Temporary Speaker (Sen. Mumma): Sen. Kavindu, it is time to rise.

Serjeant-at-Arms, you can hold on a little. We will allow you to read the Motion and then we adjourn.

Sen. Kavindu Muthama: Thank you, Madam Temporary Speaker. Will it be seconded?

The Temporary Speaker (Sen. Mumma): No, it will not be seconded, but it will continue later.

Sen. Kavindu Muthama: Thank you, Madam Temporary Speaker.

I beg to move the following Motion:-

THAT, the Senate adopts the progress report of the *Ad-Hoc* Committee on the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy in Nairobi, laid on the Table of the Senate on Thursday, 2nd May, 2024.

The Senate *Ad-Hoc* Committee on the compensation of the Kenyan victims of 1998 of the US Embassy was established on 29th June, 2023, but it held its first meeting

on 18th July. The Committee was able to meet with victims of the bomb blast tragedy, their lawyers---

The Temporary Speaker (Sen. Mumma): Sen. Kavindu, we will adjourn, and you will have 18 minutes when we resume.

Sen. Kavindu Muthama: Thank you, Madam Temporary Speaker.

ADJOURNMENT

The Temporary Speaker (Sen. Mumma): Hon. Senators, it is now 1.15 p.m., and having concluded the business for which I extended the hours of Sitting pursuant to Standing Order No. 34(2) (a), the Senate stands adjourned until today, Wednesday, 15th May, 2024, at 2.30 p.m.

The Senate rose at 1.15 p.m.