



The SENATE

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Uasin Gishu County upbeat as the first bi-annual devolution conference beckons

Being the first under the watch of the 4th Senate, event provides platform for evaluating devolution one decade on, identifying challenges, and sharing of best practices, ideas and solutions



Uasin Gishu Governor Hon Jonathan Bii (centre), Uasin Gishu Senator Jackson Mandago (4th right), Nominated Senator (Prof) Margaret Kamar (3rd left), Council of Governors CEO Mary Mwiti (2nd right) and other DevCon planning committee officials in Uasin Gishu last week, when they assessed the county's level of preparedness for the conference.

Uasin Gishu County has pulled out all the stops to ensure success of the First Bi-Annual Devolution Conference that is expected to inject fresh perspectives and impetus into the execution of devolved governance as it enters its second decade.

The Conference is scheduled to take place at the Eldoret Sports Club in Eldoret, Uasin Gishu County from Tuesday, 15th August to Saturday, 19th August, 2023.

Initially an annual affair, Devcon, at is popularly known, is now a bi-annual event following a resolution of the Sixth

and Final Annual Devolution Conference held in Wote, Makueni County in 2021. It is here that stakeholders agreed that the subsequent conferences be held after every two years.

The other significance is that Devcon '22 will be the first conference under the watch of the 4th Senate of the 13th Parliament, whose life started in September last year, after the August 9th, General Election.

The theme of the event is, "Ten years of Devolution; the present and the future."

The sub-theme is: "Driving transformation from the local level county governments at the centre of economic development."

Devolution Conferences provide a platform for assessing the progress of devolution, identifying challenges faced by county governments, and sharing of best practices, ideas and solutions.

As the chaperon of Devolution, in line with Article 96 of the Constitution, the Senate remains a principal stakeholder in this discourse, and its participation in the Devolution Conference, alongside

that of the Council of Governors, County Governments and National Government, paramount.

With only a fortnight to go, preparations by all the players in the Devolution space have moved into higher gear.

Last week, the Conference Steering Committee made a third reconnaissance visit to Eldoret town, Uasin Gishu County to gauge its level of preparedness to host the key event.

Senator Prof. Margaret Kamar

represented the Speaker of Senate, Rt. Hon. Amason Jeffah Kingi, in the Steering Committee. The host Senator Jackson Mandago was in attendance during the visit.

In his communication to the Senate, Speaker Kingi emphasized the centrality of the conference in the devolution calendar. “Over the last nine years, the Council of Governors, in conjunction with the Senate, the National Government and the County Governments, have hosted an annual Devolution Conference in various parts of the country. The Conferences have generated conversations around certain thematic areas of concern to the counties, nationally and globally. Key among them being the devolved governance structure established under Chapter 11 of the Constitution following its promulgation in 2010.”

Addressing the Steering Committee during the tour, Uasin Gishu Governor

Jonathan Bii was emphatic: “We are ready to host the more than 10,000 delegates expected in Uasin Gishu County. We have the capacity to do so successfully.”

Council of Governor, Chief Executive Officer, Ms. Mary Mwiti, told the Committee that water reticulation at the venue has been done and four water points have been set up. However, the CEO asked the County to assure the committee of continuous supply of water to cater for deficit of 80,000 litres and provide the water pH levels.

Dr. Philip Brightone, who is the Chairman of the Senate Planning of Devolution Conference said the Senate was upbeat about the Conference and that the Senate Secretariat has already registered all Senators as delegates for the conference.

During the tour, the Steering Committee visited facilities such as the Kipchoge Keino International Stadium, Eldoret Arboretum and Eldoret Sports Club, which, alongside

the adjacent Hill School, are the main venues of the conference.

The Steering Committee heard that Kenya Power and Lighting Company has committed to connect three-phase power once the masts are hoisted at the Eldoret Sports Club and Hills School. Power termination points have been installed at the main plenary and at the exhibition area. The county has provided two mobile floodlights to light up the VIP parking area.

Uasin Gishu Deputy Governor, John Barorot, who is the Chairman of Uasin Gishu Planning Committee said that opening and grading of exhibition entry gate is on course, the gate has been installed and final works are in progress. The expansion of VIP exit gates has been done.

The rehabilitation of the stone wall perimeter of the Eldoret sports Club is complete as is the rehabilitation of the

Kisumu highway wall. The rehabilitation of the feeder roads is in progress. The grading and compacting is done and tarmacking has commenced. First layer of tarmac has been done. The County has received support from Kenya Urban Roads Authority (KURA) to rehabilitate six feeder roads around and within Eldoret Sports Club and to put up temporary road signage along the access routes.

“Uasin Gishu County has over 7500 bed capacity in its hotels. We can comfortably host 10,000 delegates and supply the overflow to neighbouring counties,” said Sen. Jackson Mandago, who is the host Senator.

Construction of wall of fame foundation is in progress. The list of athletes who will be engraved in the wall of fame has been received from the AK and is currently under validation by the host County.

Senate to honour top athletes with chance to address House plenary

Kenya's world beating sporting stars will soon have the unique opportunity of addressing the Senate.

Billed as the country foremost ambassadors and promoters of brand Kenya across the world, senators argue that the move is aimed at motivating the athletes for the great work they do in promoting the County to the outside world.

They added that the move will encourage and inspire those aspiring to exploit their talents through sports.

Majority leader Aaron Cheruiyot promised the House on Wednesday July 26, 2023 that together with the Leader of Minority leader Stewart Madzayo, they will write a letter to Speaker Amason Kingi requesting that Faith Kipyegon and Ferdinand Omanyala be allowed to address the House in recognition of the achievements on the track in recent weeks.

“I can't wait to write the letter and together with the Minority leader we shall be inviting the two to come and address this House,” Senator Cheruiyot told the House.

Standing Order 29 of the Senate Rules provide that the with consultation with the Senate Majority Leader and the Senate Minority Leader, the Speaker may allow a visiting Head of State or other

visiting dignitary, to address the House.

The leader of Majority made the revelation during the debate on a personal statement made by Nandi senator Samson Cherarkey.

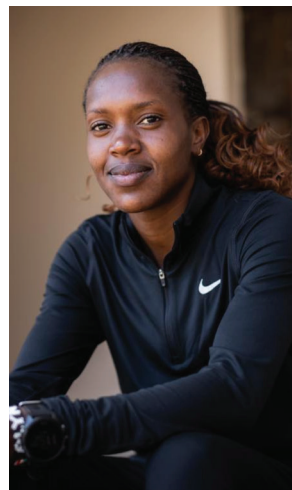
While making his statement, the Nandi senator had hailed the two athletes for being inspirational to the upcoming athletes and the youths going further to propose that athletes who achieve similar feat in future should be given an opportunity to address the House.

“They have flown the Kenyan flag high and made us proud. Such athletes should be honoured by way of being invited here to address this House. Through this they will feel appreciated and motivated to achieve more glory for our country,” said Senator Cherarkey.

On July 21, 2023, Kipyegon broke the one-mile record, setting a new mark of 4:07:64 at the Monaco circuit of the Diamond League, discarding the previous record of 4:12:33 held by Sifan Hassan of Netherlands.

The performance was part of the 50-day blitz that saw her set new world records in the 1,500 m and 5,000 m, respectively, in a span of 7 days.

Faith had on June 2 set the 1,500 M world record at the Florence Diamond



Faith Kipyegon



Ferdinand Omanyala



Hellen Obiri

League in a new time of 3.49.11. she was at it a week later, on June 9, when she demolished the 5,000-world record at the Paris Diamond League with a new time of 14.05.20.

In Monaco, Omanyala won the 100 m race with a time of 9.92, becoming the first ever Kenyan to win 100 m race in the Diamond League.

While this was also his first-ever Diamond League victory, it was a feat that also secured his qualification for the Diamond League Final in Eugene, which is scheduled for September.

“These blistering performance shows resilience, hard work, determination and focus pay,” said senator Cherarkey.

Majority Whip Boni Khalwale said the achievements by the two athletes has set a good example to Kenyan youths.

“It is teaching our youths that there are many other ways of exploiting their talents other besides being politics,” said senator Khalwale, adding Omanyala's win has dis-

approved the notion that 100 m races are a preserve of USA and Jamaica.

Nyamira senator Okongo Omogeni said the two athletes had made him a proud Kenyan. “Sport is a great unifier. I am a proud Kenyan and can't wait to hear Faith Kipyegon's address to this House because it will inspire many other aspiring athletes,” he told the House.

“Let the Majority leader and Minority leader move with speed, invite our athletes and let them address us,” the Nyamira senator added

He however lamented that Kenyan appeared to be loosening its stranglehold on the 3,000 Steeplechase, a sport it had dominated in major tournaments for many years, to Morocco.

“Omanyala has proved that we can challenge the US and Jamaica in the short races. We are expecting nothing less than a gold medal in the 2023 World Athletics Championships in Budapest.”

Speaker Kingi, Turkish Ambassador laud close ties between Kenya and Turkey, explore more opportunities for collaboration and partnerships



Speaker of the Senate Amason Jeffah Kingi in a meeting with Turkish Ambassador, H.E. Subutay Yuksel, who paid a courtesy call on him at the Senate on Tuesday last week.

Kenya and Turkey stand to reap much more from closer collaboration and trade ties, within the context of their diplomatic relations.

This was the viewpoint that emerged during a meeting between Speaker of the Senate Rt Hon Amason Jeffah Kingi and His Excellency Subutay Yuksel, the Turkish Ambassador to Kenya, when the latter paid a courtesy call on the Speaker last week.

Ambassador Yuksel hailed what he termed as mutually-beneficial engagements between the two countries which has seen Kenya become a destination of numerous Turkish exports and investments.

Similarly, Turkey has progressively continued to be a recipient of Kenyan produce, in win-win relations that have seen the volume of trade between the two countries hit an impressive US

dollars 350 million, he observed.

“The goods we produce in Turkey and export here meet the quality required in top markets, including Europe, while the price remains affordable. I am happy to note that there are many of our companies and business people doing business here in Kenya,” the envoy said.

He revealed that Turkey and Kenya have set out to formalize bilateral trade

agreements between them for greater mutual gain.

Speaker Kingi said that Turkey was fast becoming a favourite destination for Kenyan traders seeking affordable, high quality goods; gradually overtaking Dubai which has lately effected a prohibitive taxation regime.

“If you were to take a walk down the streets of our towns here in Kenya, you will find shops filled with Turkish goods after every few steps. It shows that the volume of goods from Turkey to Kenya has grown tremendously, these last few months,” Speaker Kingi said.

He said Kenya has stepped out to deepen its engagements with friendly countries on matters of trade with a view to attracting more investments locally and opening business and work opportunities for Kenyans abroad.

The two leaders concurred on the need to enhance collaboration and partnership between their two groups of parliamentarians to boost legislative support for governments in the two countries.

They agreed to initiate the establishment of a Parliamentary Friendship Group that would heighten engagements between legislators in the two countries through exchange programmes and sharing of best practices.

Speaker Kingi accompanies President Ruto in Coast region tour



Speaker of the Senate Rt Hon Amason Jeffah Kingi and President William Samoei Ruto during the president's tour of the Coast region last week. The President visited Lamu, Tana River, Kilifi, Mombasa and Kwale counties in his 4-day tour, and launched projects, commissioned new investments and addressed residents on what his government is doing to support devolution and make their lives better.

Petitioners seek Senate intervention over delayed degazettement of forest land occupied by squatters

The Senate Committee on Land, Environment and Natural Resources met with petitioners who have raised concerns over the delayed degazettement of land in Lugari/Turbo Forest.

The Petition is based on complaints by squatters at the Mautuma Central Settlement Scheme. They allege that they were given the land comprising the Lugari/Turbo forest in 1992 by then President Daniel Arap Moi and further claim that they are the legitimate occupiers of about 1,557.86 Hectares or thereabouts in the Lunga/Turbo Forest.

Despite occupying the land, the petitioners told the Committee that they do not have the legal title which exposes them various risk such as, land grabbing, alien occupation and evection. They further claim they have been denied their right to property as enshrined in the Constitution and the benefits that come with land ownership.

The petitioners claim that due process was followed including public participation, environmental impact assessment and approval by the Cabinet. A Cabinet Memorandum was



The Senate Committee on Land, Environment and Natural Resources in session last week.

subsequently forwarded to Kenya Forest Services for processing, they add.

The petitioners want the Committee to call for the report from the Ministry of Environment and Forestry containing the recommendation for degazettement of the Mautuma Central Settlement Scheme; Committee to summon the

Ministry of Environment and Forestry to explain the delay in the degazettement process and that the Petition be dealt with urgently.

The Committee resolved to invite Cabinet Secretary, Ministry of Environment, Climate and Forestry along with National Environment

Management Authority (NEMA) and Kenya Forest Service (KFS) to respond to the petitioners' complaints.

Caption: A session of the Senate Standing Committee on Land, Environment and Natural Resources last week.

Former PC Kaguthi objects to remuneration of Nyumba Kumi elders, says work is voluntary

Former long-serving and powerful provincial commissioner, Mr Joseph Kaguthi, has opposed a proposal to remunerate village elders serving under the Nyumba Kumi Initiative.

Mr Kaguthi is also a former Chairman of the National Committee, Citizens Participation on Security under the Nyumba Kumi Initiative.

The former provincial commissioner (PC) who appeared before the Senate Standing Committee on National Security, Defence and Foreign Relations said introduction of monetary inducements will dilute the major objective of having village elders in the initiative.

He told the committee that the elders should carry out their work voluntarily, arguing that patriotic elders will work passionately without necessarily being paid money.

According to Mr. Kaguthi, salaries will give birth to other issues such as

qualifications not forgetting political interests that might affect the initiative negatively.

He instead told the Senators to come up with a proposal that will require the government to come up with a

framework that will appreciate the elders through formal recognition.

Mr. Kaguthi appeared before the committee on invitation to give input regarding the petition by Mr. Benson Kagete, EGH, the Secretary General National Community Ambassadors who wants the Senate to amend the National Government Co-ordination Act No. 1 of 2013 to provide for village as the lowest administrative unit after a Sub location and establishment of a village Council besides causing the Ministry of

Interior and National Administration to develop a comprehensive policy on the recruitment and remuneration of village elders and in particular the policy to cover the terms of engagement, functions of the village elders, criteria for recruitment and termination of engagement.

Members of the committee present were Baringo County Senator William Cheptumo (Chairperson), Sen. Karen Nyamu (Vice Chairperson), Kajiado County Senator Seki Lenku, Isiolo County Senator Fatuma Dullo, Sen. George Mbugua and Garissa County Senator Abdul Haji.



Members of the Senate Standing Committee on National Security, Defence and Foreign Relations in a session with Mr Joseph Kaguthi, a former Provincial Commissioner. (Right), Mr Joseph Kaguthi addresses the committee.



Senators tour market following petition over alleged misuse of Sh63 million World Bank grant for refurbishment, expansion



Members of the Senate Committee on Devolution and Intergovernmental Relations led by Senator Peris Tobiko tour the Kajiado Municipality Market last week.

Senate Committee on Devolution and Intergovernmental Relations led by Senator Peris Tobiko toured Kajiado County, to inspect Kajiado Municipality Market following a petition to the Senate by Kajiado Municipality Market Traders.

The traders petitioned the Senate, citing misgivings over the use of Sh63 million from the World Bank for refurbishment and expansion of the market by the County

Government of Kajiado.

The County Government received an allocation of Sh63, 061,154.20 from the World Bank in July 2021 for the works that were meant to enhance capacity of the market to accommodate clothes vendors who had been displaced by the previous Kenya Urban Support programme (KUSP) project.

The agreement was that, the refurbished market was to meet the following objectives:

Provide adequate and viable space for all the clothes traders; provide a business space that shields the traders from rain and dust; provide a trading space that meets the health and sanitation standards and also provide a one stop market for all merchandise where all the town streets would be freed from street vendors thus guaranteeing all traders equal access to customers.

The petitioners alleged that all the above elements were either scaled down to less than 50% (while others such as solar lights, control gates, rain water goods, water tanks, upstairs' stalls, solid waste sorting chamber, street-mounted solid waste bins, reconstruction of the market storm water drainage channels, fittings and fixtures for the cultural high street, were left out.

During the fact-finding mission, the legislators assured both the County Government of Kajiado and the Traders (Petitioners), that the inspection was for the benefit of the Kajiado residents and to ascertain that they got value for money in the first phase of the Municipality market.

State Department of Housing and Urban Development Director, Dr Charles Kanyango, confirmed to the residents that if the matter is resolved as early as possible, World Bank has already allocated Kshs 400,000,000 for phase II, starting on August 1, 2023.

Lawmakers promised to give their resolution within the shortest time possible and also promised to act on the misunderstanding between the County Government and the traders for the benefit of Kajiado resident.

Senate ICT Committee scrutinises proposed Bill on Digital Literacy sponsored by Hon Nyamu

The Senate Committee on Information, Communication and Technology, led by the Chairperson Senator Allan Chesang, met at Parliament Buildings on Thursday to scrutinize the pre-publication of the proposed Digital Literacy Bill, 2023.

The proposed Bill, which is sponsored by Nominated Senator Karen Nyamu, seeks to provide a coordinated approach in the planning, designing, deployment and management of Government digital literacy programs in the country.

In her presentation to the Committee, Senator Nyamu urged the Committee to give the proposed Bill a nod, adding

that the legislation will bridge the digital divide in Kenya by offering digital programs at both the national and county level.

“According to Communication Authority, 94% of the Kenyan population is already covered by the 4G network. Therefore, this Bill proposes a framework for the Government and citizenry to leverage on and take advantage of this broad internet connectivity,” Sen. Nyamu said.

The Members of the ICT Committee subsequently deliberated on the contents and the consequences of the proposed legislation on Kenyans and promised to



Nominated Senator Karen Nyamu takes the Senate Committee on Information, Communication and Technology through her proposed Digital Literacy Bill, 2023.

enhance it so that it can serve Kenyans better.

“The Government wants to work on the Digital Superhighway across the country. So, this Bill is rightfully in the Senate and the ICT Committee; we will deal with its politics,” said Sen. Cherarkey.

If passed by the House, the proposed

Bill will equip Kenyans with the necessary digital skills to enable them to access Government services easily.

The proposed Bill will also address the growing demand for digital literacy in Kenya by ensuring increased access to technology and the internet in low-income and rural communities.

KU medical students take their grievances over Kenyatta University Teaching, Research and Referral Hospital to Senate



Left; A student leader addresses the Senate Committee on Health which is hearing a petition on the dispute between Kenyatta University and Kenyatta University Teaching, Research and Referral Hospital. Right; Members of the Senate Committee on Health

The Senate Committee on Health last week met with representatives of students, lecturers and leadership of Kenyatta University and management of the Kenyatta University Teaching, Research & Referral Hospital (KUTRRH) following a petition on the use of the hospital by medical students.

The Committee chaired by Uasin Gishu Senator Jackson Mandago convened the session to deliberate on the petition presented by Jafar Kasava on behalf of KUSA.

In what has become a high-stakes duel, the disagreement between the university and its own hospital has raised concern among various stakeholders, with potential implications for medical education and training at the University.

The roots of the conflict can be traced back to 2004 when KU established the School of Health Sciences with a grand vision of revolutionizing medical training. The government's approval of funding for KUTRRH was intended to create a state-of-the-art facility serving

as a national referral centre and aiding medical students in their training and research. The partnership between the university and the hospital was envisioned to be a harmonious alliance for the betterment of medical education.

The petitioners express distress over the establishment of KUTRRH as a stand-alone parastatal via Legal Notice No. 4 of 2019, a move that has disrupted medical training, with lecturers and students being denied access to the hospital for teaching and learning.

The denial of access to KUTRRH poses significant challenges for medical students, jeopardizing the quality of their education.

In support of the petitions, the students are urging the Senate to intervene and ensure full access to KUTRRH for Kenyatta University medical students. They also call for the revocation of Legal Notice No. 4 of 2019, seeking to restore KUTRRH to its original status as a University Hospital for use by students in the College of Health Sciences.

Adding to the complexity of the situation, the letter from University Academic Staff Union (UASU)- KU Chapter raises objections and concerns about the Memorandum of Understanding (MOU) between KUTRRH and Kenyatta University. The MOU was formulated without their involvement, and its legitimacy is questioned as the KU Governing Council Chair did not sign it. The failure of the MOU to address the original purpose of providing teaching, training, research, and referral services for Kenyatta University students raises concerns about a potential bias in favour of the hospital's interests.

Unravelling the complexities of electoral expenses: IEBC and Senate Committee tackle concerns over by-election cost

During the Senate Committee on Justice, Legal Affairs, and Human Rights (JLAHRC) meeting, convened to consider a statement sought by Senator David Wakoli concerning unpaid bills from the Bungoma County by-election, the Independent Electoral and Boundaries Commission (IEBC) came under scrutiny.

Chaired by Bomet Senator Wakili Hillary Sigei, the committee sought comprehensive answers from the IEBC, inviting its Chief Executive Officer (CEO), Mr Marjan Marjan, to provide a response. The hearing aimed to shed light on the allocation of resources, including funds and human resources, for the by-elections, and to address the lack of transparency in the financial planning and budgeting process.

During the meeting, Senator Wakoli's inquiries took centre stage, questioning the timing of funds released by the IEBC and the reasons behind the significant delays in payments. Mr Marjan, in response, revealed that all pending bills related to the Bungoma by-election had been settled, prompting Senator Wakoli to acknowledge receipt of the payment.

The essence of IEBC's financial approach became apparent during Mr Marjan's explanation to the committee. Unlike a specific allocation of funds for by-elections in advance, the IEBC follows a "need basis" financial request system, making requests to the National Treasury as necessary. However, this approach has faced criticism as the delayed payments raised questions about the commission's financial management.

Diving into the intricacies of the



A session of the Senate Committee on Justice, Legal Affairs and Human Rights (JLAHRC) with IEBC leadership last week.

election expenses, the committee dissected the high costs involved in conducting the by-election. Notable expenditures included Kshs 83,462,700 for wages, Kshs 47,585,500 for transportation, Kshs 43,133,300 for meals, Kshs 14,149,082 for printing, and Kshs 10,476,000 for security, in addition to miscellaneous expenses. Altogether, the by-election costs amounted to a whopping Kshs 262,990,772.

Mr Marjan attributed the escalated expenses to enhanced security features in the ballot papers and the printing being outsourced abroad. Furthermore, the constantly evolving technologies demanded continuous updates to election equipment and processes, adding to the financial burden. Lastly, the ever-rising population of voters necessitated procuring additional equipment and labour, further inflating the overall costs.

Senate CPIC directs Governor Otuoma to take charge of Busia water company and return it to profitability

The Committee on County Public Investments and Special Funds has directed Busia Governor Paul Otuoma to confront the challenges flagged out by in the Auditor General's Report on the Financial Statements of Busia Water and Sewerage Services Company Limited.

The Committee issued the order after the Auditor's report revealed weaknesses in the operations of the company.

According to the report of the Auditor General, the company registered a 67 per cent loss and the Committee, which is chaired by Vihiga senator Godfrey Osotsi, asked the Governor to bring down the losses to the recommended benchmark of 25 per cent and restore the company to profitability.

The Governor to constitute the Board of Directors and Chief Executive in accordance with the provisions of the Water Act, 2016 with a rider that all staff must be subjected to performance contracting if the fortunes of the company are to be improved.

"You must take a hands-on approach in steering the Company," Senator



Members of the Senate Committee on County Public Investments and Special Funds during a session last week with Busia County Governor Paul Otuoma.

Osotsi told the governor, adding that the changes must be aligned with the constitutional mandate of the agency and guided by the water laws.

"Our order is clear: to see Busia

Water Company fully embraced as a beacon of governance, owned wholly by the County Government itself."

The committee further gave the Governor 60 days to submit an updated

Asset Register for the company in line with the guidelines issued by the National Treasury.

Embassy bombing ruined our lives, victims tell Senators

The victims of the 1998 US Embassy terrorist attack in Nairobi have informed a senate committee that they have endured over 25 years of pain and sorrow as a result of the failure by the US Government to compensate them for their losses.

The attack, which claimed the lives of 213 Kenyans and injured over 5000 people, happened after terrorists detonated two suicide trucks in the Kenyan Capital bombing the US Embassy and the adjacent buildings.

Appearing before the Ad Hoc Committee on the Compensation of the Victims of the attack, the survivors narrated the health complications they have suffered from since the attack and pleaded with the Senators to help them get some form of reprieve.

"I was in a traffic snarl-up at Haile Sellassie Avenue when I heard a huge blast. I have never seen the light of the day again. I became blind," said Mr Douglas Sidialo, one of the survivors.

"I have got a lot of medical problems.

As you can see, I have cuts all over my body and one of my testicles is crushed. I have been in and out of the hospital," added Mr George Ngige, another survivor, amid tears.

Kituo cha Sheria led by Lawyer John Mwariri, who is representing the victims, informed the Committee that the US Government has extended the reach of the compensation to non-US citizen victims through the Foreign Sovereign Immunity Act (FSIA) but the Kenyan victims aren't included in the Act.

"The victims have moved from one office to another and have never accessed any remedy. This is unlike the American, Iran or Sudan citizens who were compensated. We view this as discrimination because these events took place in one transaction," Mr Mwariri told the committee, chaired by Machakos senator Agnes Kavindu.

The Committee acknowledged that the compensation of the victims is long overdue and pledged to ensure they're compensated.



Some of the victims of the '98 bomb blast in Nairobi and relatives when they appeared before the Senate Committee



1. Deputy Speaker of the Senate Hon Kathuri Murungi chairs the Senate Liaison Committee meeting at Parliament Buildings last week.
2. Petitioners seeking Senate intervention concerning the degazettement of land within the Lugari/Turbo Forest, when they appeared before the Senate Committee on Land, Environment and Natural Resources last week.
3. A meeting of the Senate Committee on Information, Communication and Technology, led by the Chairperson Senator Allan Chesang, at Parliament Buildings on Thursday last week to scrutinise the proposed Digital Literacy Bill, 2023, sponsored by Nominated Senator Karen Nyamu.
4. Kenyatta Secondary School, Nakuru County
5. Members of the Senate Ad Hoc Committee on the Compensation of Victims of the 1998 attack on the US Embassy in Nairobi during the session last Friday. The committee is chaired by Machakos Senator, Agness Kavindu.
6. Senator Esther Okenyuri talks to students and teachers from Cardinal Otunga High School, Mosoch, Kisii County outside Senate Buildings during their educational tour last week.
7. Pupils from Olkiramatian Primary School, Kajiado County pose with Kajiado Senator Seki Lenku and Kajiado West MP George Sunkuya at the Senate last week.
8. A visit by a students of Meswondo Secondary School, Bomet County



9. *Alsuhaime Girls' High School, Kajiado County*
10. *Pupils from Wathini Primary School, Makeni County*
11. *The victims of the 1998 US Embassy terrorist attack attend a session of the Senate Committee last week.*
12. *Students from Kamviu Secondary School, Embu County listen to their Senator Alexander Mundigi when they visited the Senate last week.*
13. *Nairobi Governor Johnson Sakaja addresses the Senate standing committee on Finance and Budget last week.*
14. *Members of the Senate Committee on Devolution and Intergovernmental Relations led by Senator Peris Tobiko when they toured Kajiado County, and talked to traders at the Kajiado Municipality Market following a petition they filed in the Senate.*



Probe on procurement of insecticidal nets continues as Senators meet teams from KEMSA, Global Fund

The Senate Health Committee, Chaired by Senator Jackson Mandago, continues their investigations in the probe of the Sh3.7bn tender for supply of insecticidal nets at the Kenya Medical Supplies Authority (KEMSA).

The Committee, chaired by Senator Jackson Mandago, met with the Global Fund Local Agent, Price Water House Coopers (PWC) led by their Partner Mr Francis Muriu, as well as with Mr. Irungu Nyakera the Chairman of KEMSA and his team over allegations of irregularities in the procurement of long-lasting insecticidal nets (LLINs).

Mr. Muriu took the committee through the various approval processes, procedures, guidelines and requirements of Global Fund in relation to the procurement of LLINs. He also expounded on Global Fund's submission guidelines to KEMSA in relation to the procurement of the LLINs.

The Chairman further provided details of meetings held during the pre-tendering and pre-award stages. Based on the review findings, Global Fund observed

that there were several instances where the evaluation was not done in line with the criteria stipulated in the tender document, the Public Procurement Act 2015, the Public Procurement Regulations and the Grant Agreement.

As a result, overall, all the bidders failed to apply to the evaluation criteria consistently, leading to the cancellation of the tender. Mr. Muriu further reiterated that Global Fund had concerns in relation to the management and operations of the Division of Malaria Control Program at the Ministry of Health and KEMSA due to weak and unstable leadership and financial management.

On his part, Mr. Nyakera (KEMSA Chairman) explained the tendering process starting with the initiation procurement process from the National Treasury; preparation of Tender documentation; the Tender evaluation process; the Global Fund pre-award review of Procurement Process; the distinct roles and responsibilities between the Ministry of Health and KEMSA with regards to procurement; and the loss of funds incurred to



Top Left; Senate Health Committee Chair, Senator Jackson Mandago. Top Right: Mr Irungu Nyakeria, Chairman of the Kenya Medical Supplies Agency (KEMSA) consults during his presentation before the Senate Committee on Health comprising Senator Raphael Chimera and Senator Hamida Kibwana.

KEMSA as the procuring agent of the Global Fund following the cancellation of the the tender which was computed to having been over USD 455,000.

The Chairman further admitted to the Committee, that indeed the procurement process within KEMSA is flawed and will take the necessary steps to rectify and improve the same.

Kilifi teachers allege allowances discrimination by TSC in petition

The Teachers Service Commission has been faulted for discrimination of teachers regarding payment of hardship allowances and enhanced house allowance in Kilifi County.

Teachers affiliated to the Kenya Union of Post Primary Education of Teachers (KUPPET) and residents of Kilifi County have petitioned the Senate seeking its intervention on the matter.

Petitioners argue that the Teachers Service Commission only listed Magarini and Ganze Sub Counties in Kilifi County as hardship areas allowing teachers to benefit from the hardship allowance leaving out Chonyi, Rabai Kaloleni Sub Counties, Oyombo area and Marafiki Island.

They say despite Malindi Sub County being classified as a major municipality for teachers to receive enhanced house allowance under category 2, teachers working in some schools within Malindi including Sabaki primary school, Sabaki Secondary school, Majivuni primary school and Kibokoni primary school get house allowance for other or reserve areas under category 4 as per the Salaries and Remuneration Commission (SRC) clusters of teachers' work stations.

In addition, the Petitioners submitted that Mtwapa and Mariakani towns are categorized under reserve areas for teachers to draw enhanced house allowance under category 4 as per the Salaries and Remuneration Commission clusters of teachers' work stations yet teachers pay high rates of rent occasioned by the towns being major touristic sites.

They told the Senate in their petition that despite making efforts to have the matter addressed by the relevant authorities, it has not been resolved to date.

The Petitioners now want the Senate to investigate and effect the inclusion of Chonyi, Rabai and Kaloleni Sub Counties, Uyombo area and Marafiki Island in Kilifi County as hardship areas to enable teachers working in the said areas to benefit from hardship allowance.

They also want the Senate to initiate inclusion of all schools in Malindi Municipality including Sabaki primary school, Sabaki secondary school, Majivuni primary school and Kibokoni primary school for teachers to receive enhanced house allowance under category 2 as per the Salaries and Remuneration Commission



Kericho Senator and Senate Majority Leader Aaron Cheruiyot

clusters of teachers' work station.

They further want the Senate to initiate inclusion of Mtwapa and Mariakani towns as major municipalities to allow teachers working there to draw enhanced house allowances of category 2 under major municipalities.

Pursuant to standing order 238 (1), the petition was committed to the Senate Standing Committee on Education.

The committee is required to respond to the Petitioner by way of a Report addressed



Kilifi Senator and Senate Minority Leader Stewart Madzayo

to the Petitioner and laid on the Table of the Senate in not more than 60 calendar days from the time of reading the prayer.

Senators led by Majority Leader Sen. Aaron Cheruiyot and Minority Leader Sen. Stewart Madzayo who contributed to the petition shortly after being read by the House Speaker the Rt. Hon. Sen. Amason Jeffah Kingi, EGH commended the petitioners for raising the matter calling on the Education Committee to handle the petition deeply and widely beyond Kilifi County.

Finance Committee adopts schedule for county disbursements

The Senate Standing Committee on Finance and Budget has adopted the Cash Disbursement Schedule for County governments equitable share for the 2023/24 financial year, paving the way for the release of funds to counties for the July.

The Schedule was tabled in the House on Tuesday July 8, 2023 and committed to the Committee to engage with the stakeholders.

In its consideration of the Schedule, the committee noted existence of a disconnect between the legal timelines for approval of the schedule and the approval of the County Allocation of Revenue Bill (CARB), which informs preparation of the Schedule.

Section 17 (7) of the Public Finance Management Act, 2012, the National Treasury in consultation with the Intergovernmental Budget and Economic Council is required to prepare a schedule detailing the planned disbursement of monies to county governments every month in a given financial year.

The committee also noted the National Treasury's failure to adhere to approved Schedule, which usually caused delays in disbursements to counties which in turn has hindered proper financing of programmes and employee compensation payments.

The monthly disbursement to counties is set at an average of 8 percent of the total



A session of the Senate Standing Committee on Finance and Budget presided over by Manderu Senator, Ali Roba (Right).

allocation which translates to Sh32.1 billion.

The law requires each county to receive a monthly disbursement on the 15th day of every month over the period that will run from July 15, 2023 to June 15, 2024.

April of 2024 has the highest proportion at 9 percent of the total allocation.

The allocations will be on an alternating basis where Counties will receive Sh30.8 billion in one month and Sh32.8 billion in

the following month with the exception of April 2024 when counties will receive the highest monthly transfer which is of Sh34.7 billion.

In the first quarter of the financial year 2023/24, counties will receive a total of Sh96.4 billion, second quarter Ksh.94.3 billion, third quarter Ksh.96.4 and fourth, and final, quarter 98.3 billion.

At the end of the financial year, counties are expected to have received a total of

Sh385.4 billion in equitable share allocated in the Division of Revenue Act, 2023.

The committee, which is chaired by Manderu Senator Ali Roba, gave directed the National Treasury to strictly adhere to the Schedule as required by Article 219 of the Constitution to avoid affecting operations in Counties.

Article 219 provides that county's share of equitable share revenue shall be transferred to the county without undue delay and without deduction.

LEGISLATIVE AGENDA

Report by Labour Committee reveals intensified legislative activity



Committee Chair Senator Julius Murgor

The Chairperson of the Senate Standing Committee on Labour and Social Welfare presented a report to the Senate on the status of legislative business that is currently under consideration by the Standing Committee on Labour and Social Welfare.

The Committee has considered and tabled reports on two Bills, namely, the Persons with Disabilities Bill, 2023 (Senate Bills No.7 of 2023) and the Heritage and Museums Bill, 2023, (Senate Bills No.8 of 2023).

It has also done prepublication scrutiny on two proposals and approved

their publication into bills, i.e The Labour Migration Management Bill, 2023; and The National Employment Authority (Amendment) Bill, 2023.

In addition, the Committee has tabled a report on the Petition regarding Linda Soka tapping into Kshs. 302 Billion economy. In considering the Petition, the Committee conducted stakeholder engagements with the petitioners who articulated their concerns about football management in Kenya, and held a meeting with the Ministry of Youth Affairs, Sports and the Arts on the same. One of the recommendations of the Committee was to sponsor a legislative proposal on football governance and seek review of the Sports Policy so as to transform football governance in the country.

There are other five Petitions that are being processed by the Committee. They include; Petition concerning alleged fraud by the First Choice Recruitment and Consultancy Agency Limited, Petition concerning unfair terms and conditions for Universal Health Coverage (UHC) staff and delay in internship posting. The Petition concerning the unlawful

deduction of salaries by KEWOTA. The Committee is scheduled to meet Stakeholders on the Petition by the County Football Association concerning the mismanagement of football in the country by the Football Kenya Federation, and lastly the Committee is processing the petition concerning discrimination against other health workers in the Ministry of Health.

The Chairperson reported that the Committee has so far received a total of 45 Statements and has concluded 15 of them. He further stated that, conducting the legislative business before it, the Committee adhered to the provisions of the Constitution and the Standing Orders on public participation by engaging with the public, concerned citizens and the relevant Ministries and stakeholders.

In conclusion, he informed the Senate that the labour and social welfare issues are matters of ongoing concern and the Committee is committed to follow-up and monitor the progress of implementation of various programmes under its mandate and the Resolutions on the reports it has tabled in the House.

Imarisha huduma za ferry katika kivuko cha Likoni, Serikali yaambiwa

Seneta wa Kaunti ya Mombasa, Mohamed Faki Mwinyihaji alitoa Kauli kwenye Seneti kuhusu kuzorota kwa huduma za ferry katika kivuko cha Likoni.

Sen. Faki alieleza Seneti kwamba huduma katika Kivuko cha Likoni ambacho kinaunganisha Sehemu ya Pwani Kusini na Kisiwa cha Mombasa, na vile vile Kenya na Tanzania kupitia barabara ya Malindi-LungaLunga/Horohoro-Tanga-Bagamoyo zimedorora sana.

Seneta huyo alisema kwamba kumekuwa na msongamano mkubwa wa magari na watu wanaotumia kivuko hicho. Hivi karibuni kulitokea mkasa ambapo bibi mmoja na bintiye walipoteza maisha pale ambapo gari lao lilirudi nyuma na kutumbukia baharini wakiwa ndani ya ferry.

Ilichukua takriban wiki mbili miili ya wawili hao kupatikana. Vile vile mnamo mwaka 1993 ferry ya mtongwe ilizama na zaidi ya watu 250 wakatoteza maisha yao. Hadi wa leo haijulikani ni nani anapaswa kuwajibishwa kwa ajali hizo. Mikasa hii inaashiria umuhimu wa usalama wa binadamu na mali uzingatiwe katika kivuko hicho.

Halmashauri ya Bandari inayosimamia Ferry za Kivuko hicho ilifunga daraja

linalotumiwa na wananchi wengi kuvuka kwa miguu kutoka Likoni kuenda Jijini Mombasa wiki mbili zilizopita jambo ambalo limesababisha msongamano mkubwa katika kivuko cha Likoni.

Vile vile, huduma za ferry ya Mtongwe ziliondolewa, hivyo kuwabidi watu wengi kutumia ferry za Likoni kuenda kisiwani kwa biashara na ajira. Kuna ferry nne tu ambazo zinahudumu lakini mbili tu ndizo zilinunuliwa hivi karibuni, zingine ni za zamani sana na haziwezi kuhudumu masaa yote bila ya kupumzishwa.

Kutokana na ongezeko la watu katika maeneo ya Likoni ni muhimu ferry hizi ziwe katika hali nzuri ili wananchi wasitatizike wakati wanatumia kivuko hicho.

Mkurugenzi Mkuu wa Halmashauri ya Bandari, Nahodha William Kipkemboi Ruto alinukuliwa akisema kwamba ukarabati wa daraja la kuvukia kwa miguu kutoka Likoni hadi Kisiwa cha Mombasa utachukua miezi kadhaa kukamilika. Mkurugenzi huyo pia alizindua huduma za kuingia kwa meli masaa ishirini na nne kila siku katika bandari ya Mombasa kinyume na hapo awali ambapo meli zilizuliwa wakati wa asubuhi mapema na alasiri kwa sababu daraja la wanaopita kwa miguu huwa limefunguliwa.



Seneta wa Kaunti ya Mombasa Mohamed Faki

Kauli hizi mbili zinaleta utata kwasababu iwapo meli zitaingia bandarini masaa ishirini na nne, daraja la wanaopita kwa miguu halitafunguliwa tena; hii itasababisha msongamano mkubwa zaidi katika kivuko cha Likoni.

Seneta wa Kaunti ya Mombasa alimalizia kwa kusema kuwa kuna wawekezaji wanaomiliki vyombo vya

usafiri na ambao wako tayari kutoa huduma hizo katika kivuko cha Likoni, lakini Halmashauri ya Bandari imekataa kuwapa kibali cha kutoa huduma za Ferry. Swala hili lina umuhimu mkubwa sana na aliiomba kamati husika kulivalia njuga swala hili, wazuru eneo hilo haraka ili wajionee masaibu wanayopata wananchi.

Tujizatiti pakubwa kuikuza lugha ya kiswahili, asema Seneta wa Mombasa, Mheshimiwa Mohamed Faki

Akizungumza kwenye Bunge la Seneti alipowasilisha kauli kuhusu maadhimisho ya siku ya lugha ya Kiswahili duniani, Seneta wa Kaunti ya Mombasa Mohamed Faki alisema ikizingatiwa kuwa lugha ni sehemu ya tamaduni ambazo zinatambuliwa Kikatiba, pana haja ya raslimali zaidi kutengwa kukuza lugha akifichua kuwa kwa sasa inasikitisha kwamba ni bajeti finyu tu hutengwa kufanikisha ukuzaji wa lugha.

“Lugha ni katika mambo ya tamaduni ambazo zinatambuliwa Kikatiba japo ukiangalia bajeti zinazotengwa kwa huduma hii utapata kwamba ni haba kiasi ambacho Kaunti zetu hazina chochote ambacho zinaweza kujivunia

katika nyanja hii,” alieleza Seneta Faki.

Hata hivyo Seneta huyo alipongeza hatua zilizopigwa katika kuikuza lugha ya Kiswahili akitoa wito wa kuwekwa kwa mikakati muafaka ya kukikuza na kukilinda Kiswahili zaidi.

Alifichua namna Bunge la Seneti na Idara ya mahakama zinafanya juhudi kabambe kukiendeleza Kiswahili akitoa changamoto kwa wahusika kufanya juhudi zaidi kukikuza.

“Hapa Seneti, tumeweza kutafsiri Kanuni zetu za Kudumu kwa lugha ya Kiswahili lakini bado zipo hatua nyingi zinazofaa kupigwa ili tuwe na matumizi ya Kiswahili katika Seneti, kwa mfano bado hatujaweza kutafsiri Miswada ya

Sheria, Ardihali na Ripoti za kamati kwa lugha ya Kiswahili,” alikariri Seneta Faki.

“Katika nyanja nyingine hatua pia zimepigwa kuhusu matumizi ya lugha ya Kiswahili, hivi maajuzi Mahakama Kuu hapa Nairobi ilisikiliza kesi ya kwanza iliyowasilishwa kwa lugha ya Kiswahili,” aliogea.

Seneta Faki anahoji kuwa hatua hiyo itasaidia pakubwa kuwapa ufahamu Wakenya ambao wanafuatilia masuala Bungeni na kesi mahakamani.

Kadhhalika Kiongozi huyo alisisitiza kuwa kutokana na hali kwamba Kiswahili kinatumika na idadi ya haja ya watu hasa Barani Afrika, pana umuhimu

kukikuza ili kienee kote duniani.

“Kiswahili ni Lugha ambayo inatumia na kuzungumzwa na zaidi ya watu milioni mia mbili katika Bara la Afrika na ndiyo lugha inayokuwa na kusambaa kwa kasi zaidi ulimwenguni, ikizingatiwa kuwa mataifa ya Uchina na Japan yameanza kufundisha lugha hii nchini mwao,” alikariri Seneta Faki.

Wakati uo huo Seneta Faki alisema kuwa jamii na hasa wazee wa jamii ya Waswahili wanaitaka Serikali ya Kitaifa iwarudishie Mama Ngina Waterfront iliyo Jijini Mombasa ambayo anasema ni turathi ya Waswahili ili waipate turathi hiyo jina lake asili ambalo ni Mzimle.

GUESS WHO!

How well do you know your Senators?



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Email us at: Senate.weekly@parliament.go.ke

The answer to last week's query is...

Hon. Tabitha Mutinda

Nominated Senator, Nairobi County



THEN

NOW

Winners Issue No.7 (July 24th - 30th, 2023)

1. Lucy Agenga; lucyagenga@gmail.com
2. Edwin Kariuki; email.edukaris10@gmail.com

This Week in History



"In the recent past, we have had problems of insecurity, especially in the North Eastern parts of Kenya. About four or five months ago, two teachers were killed by suspected Al Shabaab militia. As a result, the TSC decided to transfer all non-local teachers from northern parts of Kenya. Wajir in particular was affected seriously. Over 900 teachers were transferred at ago. As a result, students have suffered up to date."

Senator (Dr) Ali Abdullahi Ibrahim
Motion on the State of Education in Northern Kenya.

Tuesday, July 31st, 2018

"Having taught in a secondary school and the university, I can confidently say performance cannot be a one-man show, but it takes concerted effort. The tripartite relationship of parents, students and teachers is important. We cannot ignore this fact. This is a variable that affects performance greatly in our schools. If the tripartite relationship is not well nurtured, there is no way the students will perform well in school because discipline will be compromised. If you are not disciplined as a student, you cannot perform well in school. Good performance needs discipline."

Senator (Dr) Getrude Musuruve
Motion on State of Education in Northern Kenya

Tuesday, July 31st, 2018

"The 11th Parliament Senate rolled out numerous programmes towards capacitating and entrenching county assemblies. The leadership, staff, committees and members of the assembly were involved in benchmarking visits to the Senate. The Senate Speaker then ensured the establishment of the Senate Liaison Office, an exchange programme, for the induction of various county assemblies to the legislative operations of a legislature. The Senate has also initiated and operationalized the Annual Legislative Summit, whose central objective is promoting engagements between the Senate, county assemblies and the relevant stakeholders in devolution agenda."

Senator George Khaniri
Statement on the slow rate of absorption of Development Funds by County Governments

Wednesday, August 1st, 2023

"When I heard about this tragedy and having watched the news on television, it looked like a movie. It did not seem like real happenings until one realizes it is. It was sad to see children, women, old men and young men try to cling to anything to save their lives. It is equally sad to hear that some national and county government agencies, which are supposed to take care of our people during such a time approached their work with a lukewarm spirit as if they were not dealing with people's lives."

Senator Beth Mugo
Motion on adoption of report of the Select Committee on the Solai Dam Tragedy.

Thursday, August 2nd, 2023

Showdown, light moments as parliamentary staff and lawyers battle it out at 19th Mashinani Justice Games



Picture 1: Nyamira County Senator Okong'o Mogeni (Centre), Senior Counsel and Commissioner at the Parliamentary Service Commission (PSC) celebrates with victorious parliamentary teams during the Mashinani Justice Games held in Kisii town last weekend. Below, Pic 2: Parliamentary team prepares for action. Pic 3: Bunge FC coach Clifford 'Fode' Riang'a gives tips to his charges during the soccer match. Pic 4: The Blues: Senate staff spread the cheer during the games.

Echoes of excitement and camaraderie filled the air in bustling Kisii town over the weekend as the annual Law Society of Kenya (LSK) hosted the 19th Justice Games. This 2023 extravaganza brought together teams from diverse corners of stakeholders involved in the administration of Justice. It was more than just a mere sporting event; it was a social interactive platform that blended the thrill of competition with the warmth of laughter and the harmony of interlinkages in the legislative, legal and justice systems.

Under the captivating theme of "Mashinani Justice Games," this year's tournament took a bold step by devolving its splendour to the LSK South West Branch, Kisii County. This change of scenery injected fresh energy into the already vibrant proceedings, promising an experience like no other.

Among the distinguished guests who graced the occasion was Nyamira County Senator Okong'o Mogeni, a Senior Counsel and Commissioner at the Parliamentary Service Commission (PSC). His presence added an air of

prestige and glamour to the event, further highlighting its significance.

The Parliament of Kenya assembled their finest footballers, hailing from three services: The Senate, The National Assembly (NA), and the Parliamentary Joint Services (PJS). Like a well-oiled machine, each team prepared to display their skills and entertain the spectators.

As the day unfolded, the competition heated up, with the football matches reaching their climax. Amidst the laughter and friendly banter, two teams

rose above the rest - the PJS and LSK-South West Kenya. They advanced to the finals, leaving behind the NA and the Senate, who may have to rethink their game strategies for future events.

When the final whistle echoed across the field, the scores were forgotten, and the teams came together for a heartwarming display of sportsmanship. The joy they had experienced on the field transcended the competitive aspect of the games. Smiles and laughter reverberated as the PJS lifted the runner-up cup, celebrating their collective success as a parliament family with a dash of funny moves led by Senator Okong'o Mogeni.

As dusk settled and the 2023 Justice Games came to a close, it also bought the curtains down on the tenure of the Senate Wellness Committee's current office holders. Under the stewardship of Chairman Brian Kiberass, Vice Chair Brigid Sielei, Secretary Lucy Radoli, and esteemed members Mitchel Otoro, Sarah Rukwaro, Stephen Kamau, Rose Ometere, Lilian Osundwa, Lydia Kagumba, and Christine Sagini, this remarkable team has orchestrated successful wellness events, including not only the renowned Mashinani Justice Games but also the Standard Chartered Marathon, 2022 Senate Sports day and Kereita Forest hiking adventures. Their unwavering dedication to keeping us fit and healthy has been truly commendable.

As we bid farewell to this extraordinary team, we extend our heartfelt gratitude for their invaluable contributions and wish them all the best in their future endeavours. Let us also extend a warm welcome to the incoming office holders, with a genuine wish for their success in continuing the pursuit of our well-being. Here's to a bright future filled with more exhilarating and beneficial experiences!





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