The Senate

NOTICE OF MOTION
COMMENDATION TO LUPITA NYONG'O FOR WINNING AN OSCAR AWARD
Sen. Dullo Fatuma Adan

- She gave notice of a motion of a motion for the senate to record its commendation to Ms. Lupita Amondi for being the first African woman to win an Oscar Award for the best supporting actress at the 86th Academy Award held in Los Angeles, United States of America, for her role in the movie; appreciating that it is through relevant education, training and hard work that she was able to win this award and many others; realizing that she is an inspiration and a role model to many including the African women and youth; cognizant of the fact that she has uplifted the Kenyan profile in the world.

MOTION
COMPENSATION FOR VICTIMS OF DETENTION AND OTHER HUMAN RIGHTS ABUSES
Sen. Naisula Lesuuda:

- She raised a point of order over Sen. Khalwale claims that the young senators in the house might not be able to identify with the old leader who suffered detention.

Sen. Zipporah Kittony:

- She raised a point of order to the fact that Sen. (Dr.) Khalwale had claimed that Dr. Robert Ouko had a second wife which was known in the public domain.

Sen. Godliver Omondi

- She asked clarification from the speaker as to why the perpetrators of the detentions should not be mentioned.

Sen. Beth Wambui Mugo:

- She supported the motion and reminded the house that a law on forgiveness and the truth, justice and reconciliation commission had been passed in the national assembly and all that awaited was its full implementation.
- She requested an in-depth look into the atrocities dating from the Mau Mau to modern injustices noting that her own brother was tortured for allegedly being a member of the Mwakenya movement.
- She also requested the house to be cautious when identifying individuals to be compensated by the government in terms of the time period and number involved.
- She called for the fast tracking of the compensation to Hon. Matiba and Charles Rubia and called for members to take non-personal stands in the debate.

Sen. Beatrice Elachi:

- She thanked the mover of the motion noting that the country had gone through a lot of challenges in terms of addressing the human rights injustices.
- She pointed out that Article 23 of the constitution placed mechanisms to safe guard and enforce the bill of rights.
- She proposed an amendment to deal that the issue be dealt with holistically and noted that the issue of the attempted 1982 coup was dealt with according to the military.
- She called on the house to use their recommendations in the TJRC report as a tool for moving the nation forward in terms of the historical injustices.
- She sought to bring an amendment to delete the words “and against those suspected of complicity in the coup attempt of August 1982” since it had already been overtaken by time.
- She called on faster compensation of Hon. Matiba, the families of Mr. Robert Ouko, J. M. Kariuki and of Dr. Guracha Galgalo.
Sen. Beth Wambui Mugo:
- She supported the proposed amendment noting that those who participated against the coup were against the law.

Sen. Naisula Lesuuda:
- She supported the amendment

Sen. Beatrice Elachi:
- She sought the guidance of the speaker noting that the amended motion was in conflict with the last paragraph which stated that “the Senate calls on the national Government to comprehensively deal with the compensation of former detainees and those unfairly dismissed from employment after the August 1982 coup”.

5-3-2014

COMMENDATION TO LUPITA NYONG’O FOR WINNING AN OSCAR AWARD

Sen. Dullo Fatuma Adan:
- She moved a motion that the Senate records its commendation to Ms. Lupita Amondi Nyong’o for her exemplary performance in the movie “12 years a Slave”, winning an Oscar Award and being an inspiration and a role model to many including the African women and youth.
- She congratulated the family of Sen. (Prof.) Anyang’-Nyong’o for nurturing Ms. Lupita Amondi Nyong’o
- She called on the government to build on the this success by implementing Article 21(3) of the Constitution obligates state organs and public officers to address the needs of vulnerable groups within the society including women, all the members of the society, persons with disability, children, youth, minority groups or marginalized communities and members of particular ethnic, religion or cultural communities.
- She also called for the implementation of Article 55(c) which obligates the state to take measures, including affirmative action programmes, to ensure that the youth have the opportunities to associate, be represented and participate in political, social, economic and other spheres of life.
- She called on streamlining of the local film industry.

Sen. Naisula Lesuuda:
- She seconded the motion and thanked Sen. Fatuma Adan for coming up with the motion.
- She congratulated Ms. Lupita Nyong’o for her achievement and called on the house to reflect on the strides women have taken.
- She congratulated the parents of Ms. Lupita Nyong’o for investing dearly in her education and called on the government to support and nurture the talents of young Kenyans.
- She also called on the prioritization of quality education provision and reawakening of the local film industry.
- She noted that the directive that the content aired in local media should comprise of 30% local content was not being followed and thanked the president for committing Kshs300 million in soft loans to improve talent.

Sen. Elizabeth Ongoro Masha:
- She called on the members not to trivialize the discussion by dragging in the name of the former Prime Minister in matters pertaining to the conception period of Ms. Lupita Nyong’o
She expressed her joy at the achievement of Ms. Lupita Nyong'o and hoped that the nation would invest in early childhood education, respect career choices by the youth, and market itself abroad as a brand to reckon.

Sen. Zipporah Kittony:
- She supported the motion and congratulated the movers of the motion and expressed her joy at the achievements of Ms. Lupita Nyong'o and other Kenyan women who had done the country proud.
- She called on other parents to give their children a chance to prove themselves and praised the parents of Ms. Lupita Nyong'o for her upbringing.
- She noted that women have had a long hard struggle in an effort to achieve equality and eradicate gender-based violence.

Sen. Janet Ongera:
- She congratulated Ms. Lupita Nyong'o for her achievement and called on more Kenyan youth to pick up on the talent.
- She called on the government to invest in the local film industry and develop the Nairobi Academy of Performing Arts.

Sen. Kanainza Nyongesa Daisy:
- She supported the motion and called on the Nation to remember the achievements made by other women in the nation.
- She called on Kenyans to embrace the local film industry which is struggling to find its feet.

Sen. Beatrice Elachi:
- She thanked the parents of Ms. Lupita Nyong'o for her upbringing and noted that it has taken a while for Africans to get to where they are.
- She called on the government to invest in the local film industry.

Sen. Godliver Omondi:
- She supported the motion and appreciated the achievements of Ms. Lupita Nyong'o.
- She called on the government to come up with mechanisms to nurture the talent of young Kenyans.

Sen. Catherine Mukite Nobwola:
- She supported the motion and appreciated the achievements of Ms. Lupita Nyong'o.
- She called on the government to come up with mechanisms to nurture the talent of young Kenyans.
- She thanked the parents of Ms. Lupita Nyong'o for her upbringing.

CONTINUED DISREGARD OF THE SENATE’S LEGISLATIVE MANDATE BY THE NATIONAL ASSEMBLY

Sen. Beatrice Elachi:
- She wanted the speaker to inform the Cabinet Secretaries that a Bill can come from either House and end at the House that it was moved.

Sen. Catherine Mukite Nobwola:
- She called for members to be patient and wait for a ruling from the National Assembly and a discussion between the speakers from the two houses.

Sen. Janet Ongera:
- She urged the speaker to be diplomatic in the handling of the issue and pleaded with the president not to assent to the bills causing the controversy.
Sen. Naisula Lesuuda:
- She seconded the motion and thanked the mover of the motion.

STATEMENTS

CONSTRUCTION OF SEAWALLS AND JETTIES ALONG THE COASTAL AREAS
Sen. Mshenga Mvita Kisasa:
- She sought a statement from the Committee on Energy, Roads and Transportation concerning the following:
  - The discontinuation of the budgetary provision for the construction and maintenance of sea walls and jetties in the 2013/2014 budget
  - A confirmation from the chairman that the ongoing works on sea walls along the Coast have stalled and that the Shimoni Jetty in Kwale county is about to collapse due to lack of funds.
  - To provide reasons for the discontinuation of the budgetary allocation and state measures to be taken for reinstating the project.

OUTBREAK OF FOOT ANDMOUTH DISEASE IN WEST POKOT COUNTY
- She noted that both the chairperson and vice chairperson of the committee on agriculture were not in the country and inquired if it was mandatory for the two to approve trips by members to affected areas.

MOTION

COMMENDATION TO MS. LUPITA NYONG'O FOR WINNING AN OSCAR AWARD
Sen. Janet Ongera:
- She inquired if it was in order for Sen. Wako to refer to the temporary deputy speaker Sen. Ongoro as “Mr. Speaker, Sir”

FORMATION OF A COMMITTEE TO UNDERTAKE SECURITY REVIEW IN KENYA
Sen. Dr. Agnes Nzani:
- She supported the motion and pointed a number of Kenyans were migrating to developed countries were they were assured of security.
- She noted that there was a correlation between national security and development.
- She was dismayed that criminals were becoming more and more sophisticated than the law enforcers and seemed not deterred by the penology system.
- She called on the Kenyans to retrospect into the issue and find out what is the cause of the insecurity in the country.
- She attested the need for the country to evaluate the means of wealth creation and promote hard work and honesty.
- She called for proper vetting of individuals who visit the country in order to avoid admitting criminals into the country.
- She noted that the nation has a habit of stepping into action when there is a security breach but taking no concern when there is none.
- She pointed out that the motion sought to have a security review in place to dissect the security situation in Kenya and provide solution for the same.

Sen. Elizabeth Ongoro Masha:
- She supported the motion and congratulated the mover for bringing it for debate.
- She pinpointed the significance of security in the development of a country and called for the proposed community to be all inclusive of the government departments.
- She called on the criminal justice system to be more resilient and to hold culprits accountable.
• She called on the nation to bridge the gap between the rich and the poor which she had identified as the main cause of insecurity.
• She identified poor remuneration of state security officers as the main cause of the inefficiency of the security personnel and linked poor witness protection as the main cause of failure by prosecutors to die down criminal cases.
• She also called for the inclusion of security studies in the education system.

**11-3-2014**

**STATEMENTS**

**STATE OF MOLO-OLENGURUONI ROAD**

Sen. Chelule Liza:

• She requested a statement from the chairperson of the Standing Committee on Energy, Roads and Transportation regarding the state of the Molo-Olenguruoni Road in which he was to address the following:
  ▪ Give a comprehensive status report on the progress of construction so far.
  ▪ Explain why the construction has taken so long considering that the road is only 54.5 Kilometers and why there has not been change of the contractor.

**MOTION**

**ELECTION OF SENATORS TO PRESIDE OVER SITTINGS PURSUANT TO STANDING ORDER NO.18 AND ARTICLE 107(1) OF THE CONSTITUTION**

Sen. Beatrice Elachi:

• She moved a motion that Sen. (Dr.) Machage and Sen. Mositet be elected to preside over the sittings of the Senate in the absence of the Speaker, the Deputy Speaker and Members of the Chairpersons Panel for the period 11th March to 20th March 2014.
• She called on Sen. (Prof.) Anyang'-Nyong'o to second the motion.

**MOTION**

**COUNTRYWIDE CIVIC EDUCATION ON NEW DEVOLVED SYSTEM**

Sen. Beatrice Elachi:

• She supported the motion noting an example of Ijara, Pokot and Turkana areas which have been politically enlightened.
• She noted that the motion came at time when a research showed that 90% of Kenyans knew little about the role of the senate and devolution.
• She called on Governors to map their areas of jurisdiction carefully and proposed that the house holds forums in the counties to educate the public about devolution.
• She noted that individuals could understand the significance of good governance through civic education.
• She called on the reduction of goverment wastage and urged public participation in the running of government business.

Sen. Dr. Agnes Nzani:

• She supported the motion and noted that little civic education had taken place after the promulgation of the constitution.
• She called on an all-inclusive civic education programme that will be continuous over a time period to encourage participation and ownership of the process by the public.
• She called on the leaders to pull in the same direction over the same issue and suggested that the programmes be evaluated after some time to evaluate their effectiveness.
• She noted that a civil education would enable Kenyans to understand the constitution well and praised the counties that have sought public participation in identifying developmental programmes

Sen. Catherine Mukite Nobwola:
• She supported the motion and congratulated Sen. Wako for bringing the motion to the house.
• She noted that civil education helped in equipping the public with knowledge to be used in interrogating the work of their leaders.
• She gave an example of an MCA from Trans Nzoia who had sought to recall senators from the region for failing to agitate for the allocation of more funds to the area.
• She called for leaders to encourage public participation

Sen. Chelule Liza:
• She supported the motion and called for leader to sensitize the public about the contents of the constitution.

Sen. Godliver Omondi:
• She supported the motion and noted that the issue of civic education was timely since majority of the Kenyan populace was not informed about events regarding devolution.

Sen. Mshenga Mvita Kisasa:
• She called on Kenyans to be responsible after the death of 15 passengers in a 14 seater PSV vehicle.

Sen. Dr. Agnes Nzani:
• She supported the motion and noted the significance educating the public on the constitution and devolution.
• She called for the inclusion of civic education in school syllabus

Sen. Mshenga Mvita Kisasa:
• She supported the motion and called for inclusion of civic education right from the syllabus to the day to activities such as masses.
• She called for Governors to be educated on their roles.

12-03-14

MOTION
PROVISION OF EDUCATION FOR DECEASED OFFICERS’ CHILDREN

Sen. Judith Achieng Sijeny:
• She supported the proposed amendment to the motion and noted that security officers took a lot of risk in protecting the nation.
• She noted that the motion would take care of the families of deceased officers and enable them to work whole heartedly with the knowledge that their futures are secured.

Sen. Beatrice Elachi:
• She supported the motion and pointed out to the many officers who had died in the line of duty
• She explained that the state security officers can only deliver efficiently if their affairs are taken into consideration.
• She called on Kenyans to appreciate the work done by then Kenyan troops in Somalia.
• She called on the house to look into the issue of police vetting to ensure that it does not get into witch hunt.

Sen. Chelule Liza:
• She supported the motion and expressed her joy that the motion would create an insurance scheme to take care for the compensation of deceased security officers.
Sen. Godliver Omondi:
  • She expressed her support for the motion and expressed her dismay that nothing is
done for officers who acquire disability during their line of duty.
  • She noted the significant role the officer's play in safe guarding the nation and
requested the government to take care of the needs of the security organs.
  • She called for leader to bring forth policies geared towards improving the welfare of the
security officers

13-3-2013
NOTICES OF MOTIONS
APPROVAL OF MEMBERS FOR APPOINTMENT TO THE PARLIAMENTARY SERVICE COMMISSION
Sen. Beatrice Elachi:
  • She questioned why Sen. Khalwale was castigating all the youths for an issue concerning
Sen. Mbuvi

STATEMENTS
INCREMENT OF PARKING FEES IN NAIROBI COUNTY
Sen. Beatrice Elachi:
  • She proposed that the issue be handled by the Committee for Finance to determine if
the issues are substantive and find solutions.

18-3-2014
NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.33
ONGOING STRIKE BY STAFF OF PUBLIC UNIVERSITIES
Sen. Dr. Agnes Nzani:
  • She gave notice of a Motion of Adjournment of the Senate to discuss the issue of the
ongoing strike by staff of public universities.

PROCEDURAL MOTION
REDUCTION OF PUBLICATION PERIOD OF BILLS
Sen. Beatrice Elachi:
  • She moved a motion that, pursuant to the provisions of Standing Order No.125, the
Senate resolves
That the publication period of the following Bills be reduced from fourteen days to eleven
days:–
(i) The County Industrial Bill, 2014;
(ii) The Alcoholic Drinks Control (Amendment) Bill, 2014; and
(iii) The Statute Law (Miscellaneous Amendments) Bill, 2014
  • She explained that the reason for the reduction was because the bills had to be taken to
the committees for discussion and more bills were in line to be brought in the house
hence the need to do away with continuity of Motions.
  • She called on Sen. (Dr.) Khalwale, to second the Motion.

MOTION
ADOPTION OF REPORT ON FAMILIARIZATION TOUR OF KPA, KPRL AND KPC IN MOMBASA
COUNTY
Sen. Beatrice Elachi:
  • She asked if it was in order for the Minority Leader to allege that the Jubilee
Government was boring Kenyans and yet he was part of the system.
  • She also had disputed allegations that the ban on night travels was bad for the economy
and claimed that on the contrary it had helped save millions of Kenyan lives.
  • Sen. Beatrice Elachi: Mr. Temporary Speaker, Sir, I want to state that I support this
report.
• She expressed her support for the report and noted that ministers had a tendency of going against the findings presented by a given report.
• She noted that the railway project was a noble idea but was now tarnished with the corruption. She pointed out that leaders were using the tendering process to acquire money leading to the cancellation of some tender projects or restarting of the whole process.
• She pointed to the hazy nature of the document detailing the railway project presented by the national assembly as an indicator to the corruption and underhand tactics involved in the tender process.
• She called for transparency in the award of tenders and proposed that toll stations be introduced to cater for road maintenance.
• She called for heavy fines for the drivers found with overloads and called on more effort to be placed towards reviving the railway project.
• She encouraged the government to invest in the marine venture as a way of revenue generation. She identified mismanagement of operations and maintenance as the main cause of the huge wage bill.
• She noted that Kenyans have intermarried politics with development hence scaring away potential investors.
• She also identified the many hurdles Kenyans place in the path of investors and gave an example of the construction of the southern bypass were negotiations between the contractor and the KWS took a whole year.

MOTION OF ADJOURNMENT UNDER STANDING ORDER NO.33
ONGOING STRIKE BY STAFF OF PUBLIC UNIVERSITIES

Sen. Dr. Agnes Nzani:
• She moved that the house adjourns to discuss the issue of the strike by the university staff which was on its 6th day and had exposed students to untold suffering.
• She noted that the problem had started with the Collective Bargaining Agreement (CBA) of between 2010 and 2013 CBA which allocated Kshs7.8 billion to public universities. The funds were to be distributed in two tranches of about Kshs3.9 billion each to cover for a salary and allowance increment of about 33% and 14.4% respectively.
• She noted that the outcry arose from the second tranche of the funds where they were diverted to functions not agreed upon such as paying casual laborers, hiring of more staff and in certain cases, for expansion of various projects pursued by respective universities.
• She noted that even in cases where the salaries had been disbursed, they were disputes in regard to the deviation from the agreed formulae of allocation i.e. the salary increment was supposed to be 23% but 17.5% was provided while 7.5% was allocated to the allowances instead of the agreed 14.5%.
• She indicated that the negotiations between the government and the University Academic Staff Union and the Kenya University Staff Union (KUSU) had failed to make any headway leading to the continued strike and students woes.
• She called on the universities to come clean on the amount of money they were allocated and noted the negative impact of the strike such as the lost learning hours and absence of the services provided by the striking staff.

Sen. Godliver Omondi:
• She supported the motion and noted that the stalemate in the universities was an indicator of the force corruption had gained in the nation. She further noted that even
the Free Primary Education (FPE) was being mismanaged thus exposing learners to bad learning conditions.

**20-03-2013**

**STATEMENTS**

**STATE OF MOLO-OLENGURUONE ROAD**

Sen. Chelule Liza:
- She indicated that she was very grateful for the insightful answer provided by the Committee on Energy, Roads and Transport and noted that over 80,000 potential farmers in Kuresoi were being affected by the bad state of the road.
- She called for a more in-depth answer as to why the road was underfunded.

**CANCELLATION OF KCSE RESULTS BY KNEC**

Sen. Beatrice Elachi:
- She requested a statement from the Ministry of Education regarding the cancelation of results in Karinge Boys in West Pokot and Maranda boys’ high school.
- She questioned the move by KNEC to allow the affected students to repeat yet the policy required them to stay out of the system for three years before they could repeat.
- She wanted KNEC to explain the alleged confusion resulting from the mishandling of the diskettes in the case of Maranda high school and provide reasons why examiners raised the issue with the school prior to the announcement of the results.

**MOTIONS**

**DEVELOPMENT OF POLICY FOR CARE OF THE AGED**

Sen. Mshenga Mvita Kisasa:
- She supported the motion and noted that the aged should be taken care of from their homes instead of constructing homes for the aged that will alienate them from their families.
- She noted that not every old person was accessing the Kshs2,000 provided by the government and called for investigations to be carried out over the same.
- She praised the jubilee government for the initiative and pointed out that most Kenyans could not afford to give support to their parents due to the high cost of living.
- She called on the government to issue title deeds and cheap medical access to the residents of Kilifi. She identified gender bias in the issue of the state funds for the aged and called for a change on the same.

**DEVELOPMENT OF CLEAR POLICY GUIDELINES FOR ADULT EDUCATION**

- She seconded the motion and noted that it sought to have the government develop clear policy guidelines for adult education, staff recruitment, training, deployment and discipline in order to promote adult education.
- She expressed her dismay that 61% of Kenyans were illiterate and pointed out that education was key in eradicating outdated cultural practices such as FGM and thanked the governor of Kilifi county for setting aside Kshs10 million to every ward for education.

Sen. Beatrice Elachi:
- She supported the motion and called for an amendment to compel the county government to take over adult education in a manner similar to Early Childhood Education (ECDE).
• She pointed out that adult education had helped the nomadic marginalized communities to access education.
• She noted that the government recognized adult education and presently there was a department of adult education at Nyayo House.
• She noted that the education standards were worrying and pointed out that Nairobi County had about 800 informal schools and 205 formal schools.
• She praised the motion and noted that it would allow all Kenyans to access education and pointed out that Nairobi University through its Kikuyu Campus had rolled out a program to train adult education instructors.
• She noted that recently created national schools were performing dismally and called for an approach that would cater for the needs of both the young and adult learners.
• She also identified an existing confusion over which department housed adult education and called for reforms in the adult education system.

**PETITION**

**EFFECTS OF LEAD POISONING ON OWINO-UHURU RESIDENTS, JOMVU CONSTITUENCY, MOMBASA COUNTY**

Sen. Emma Mbura Getrude:

• she brought a petition to the house for the protection of the environment and other Constitutionally protected rights and fundamental freedoms of the residents of Owino-Uhuru Village in Mikindani Ward, Jomvu Constituency, Mombasa County.

The petition sought to draw the attention of the Senate of the Republic of Kenya to the following:

1. **THAT,** Owino-Uhuru Village, a low income human settlement hosting a community of 8,000 residents on the outskirts of an island of Mombasa City, Mikindani Ward, Jomvu Constituency, Mombasa County, has been gravely affected by the poisonous lead emissions from entities corruptly and irregularly licensed to establish a lead smelting plant in the human settlement area.
2. **THAT,** the poisonous emissions from the plant have contaminated the soil, drinking water and the air in Owino-Uhuru Village. Even children’s playgrounds are laced with toxic dust.
3. **THAT,** lead poisoning is a medical condition in humans and other vertebrates caused by increased levels of the heavy metal, lead, in the body. Lead interferes with a variety of body processes and is toxic to many organs and tissues, including the heart, bones, intestines, kidneys, the reproductive and nervous systems. Lead affects practically all systems within the body. Lead poisoning interferes with the development of the nervous system and is, therefore, particularly toxic to children causing potentially Permanent learning and behavioral disorders.
4. **THAT,** systems of high levels of lead poisoning that are at above 80 micrograms per deciliter of blood can cause seizures, convulsions, comma and even death. At levels lower than the 80 micrograms per deciliter of blood, lead causes adverse health effects on the central nervous system, kidneys and blood cells leading to abdominal pain, confusion, headache, anemia and irritability. Lead blood levels as low as 10 micrograms per deciliter can impair mental and physical development.
5. **THAT,** the lead poisoning in Owino-Uhuru Village manifests itself via many symptoms in the general population. They include, but are not limited to the following: Memory loss, insomnia, delirium, cognitive deficits, slow and retarded growth in children, decline in mental functioning, mood disorders, irritability, learning difficulties, convulsions, body tremors, headaches, abdominal pain, vomiting, constipation, kidney failure, high blood pressure, male reproductive
problems, for example, reduced sperm count and abnormal sperm, loss of appetite, weight loss, sluggishness, fatigue, body muscular weakness, pain, numbness, tingling in the extremities, miscarriages, premature birth or babies born with deformities, death of the area residents, pets and trees.

(6) THAT, the following attempts to resolve the matter and/or seek relief have all failed:

(a) Visit to the management of the organization.
(b) Pleas by village elders to the Provincial Administration and others in authority.
(c) Pleas to civil society groups.
(d) Peaceful demos and marches.
(e) Pleas to the National Environmental Management Authority (NEMA) and similar authorities.

• The petitioner requested the senate of the republic of Kenya to urgently consider forming a Special Committee to inquire into the matter with a view to issuing:

(1) Orders to immediately close down and remove or relocate the offending plant from the area.
(2) Orders to compel the plant and its various owners over the years to pay for:
   (a) Immediate cleaning of the environment, including detoxifying and restoring the soil;
   (b) Replanting of destroyed trees;
   (c) Immediate testing of all residents of Owino-Uhuru Village for the lead exposure;
   (d) Detoxification of all infected persons and pets;
   (e) Removal of all hazardous waste that the plant has disposed of over the years and continues to dispose of at the Makirunge Dump Site;
   (f) Testing of all street children and other persons who scavenge for a living at the dump site;
   (g) Immediate and full compensation of all victims.
(3) Any further orders or reliefs that the hon. Senators will deem fit, just and expedient to uphold the rule of law and protect the rights and fundamental freedoms of the residents of Owino-Uhuru Village and of other Kenyans under the Constitution of the Republic of Kenya.

STATEMENTS

GOVERNMENT POSITION ON EXTRA CHARGES LEVIED BY SCHOOLS IN KISII COUNTY

PROCEDURE FOR ISSUING PUBLIC STATEMENTS ON BEHALF OF THE SENATE

Sen. Beatrice Elachi

• She answered a concern by Sen. (Prof.) Anyang’-Nyong’o over the comments by the Senate Majority Leader pointing out that those were his own views and not necessarily the opinion of the house.

MOTION

DEVELOPMENT OF CLEAR POLICY GUIDELINES FOR ADULT EDUCATION

Sen. Dr. Agnes Nzani:

• She pointed out that Article No.43 (1) (f) of the constitution granted every individual the right to education regardless of their age.
• She noted that Rousseau, in his studies of development emphasized the significance of one having education in various fields so as to have proper basic foundation.
• She called for Kenyans to embrace a reading culture and noted that the 8-4-4 system has produced learners who aim at cramming and rhetoric; passing exams is given precedence over understanding facts right.
• She noted that the extra-mural centres had been operational since early 70’s and wanted the Curriculum content to be aligned with the needs and vision of the country.
• She was however dismayed that on 13% of the adult population had embraced adult education and recommended that adult education be institutionalized by making it a Corporate Social Responsibility (CSR)
• She also noted that teaching adult learners was difficult since they already know something hence the need for professional to handle them. She pointed at lack of resources and contact time as some of the challenges facing the adult learners.
• She called for the content for adult education to be limited to specific areas that are related to the country’s vision

Sen. Naisula Lesuuda:
• She congratulated Sen. Karaba for coming up with the motion and noted that an educated individual to make informed choices especially in her pastoralist community.
• She noted that a key challenge for the pastoralist’s community was the bad attitude they had towards education. She explained that adult education would help in changing this perception.
• She explained that an educated population was more likely to engage their leaders than one which is illiterate.
• She also pointed out that adult education was a second chance for the women whose education had been cut short by early pregnancy.
• She urged the government to take necessary steps to revive the polytechnics and middle level schools and hoped that adult education would help channel the efforts of the pastoralists
• She pointed out that some counties such as Samburu had NGOs that were already channeling their efforts towards realization of adult education and called for the government to help push the same. She called for the devolution of adult education to the counties.
• She called for establishment of boarding schools in arid areas where learners face great challenges such as insecurity and long distances.

Sen. Chelule Liza:
• She supported the motion because it offered an avenue to education for those individuals who had no access to the same due to early pregnancy or lack of fees.
• She was surprised that an initial similar push by the government had borne no fruit and pointed that civil education of the public on the constitution would require an educated audience.

Sen. Godliver Omondi:
• She supported the motion and indicated that adult education was quite important to the society and went further to note that a paltry 0.1% of women with disability are able to access education to the university level.
• She also identified the role of adult education in building the confidence of the adult learners, expand their knowledge and skills.
• She pointed that education helps rural populations to best carryout farming and utilize the accrued benefits without being exploited by middle men.

MOTION FOR ADJOURNMENT UNDERSTANDING ORDER No.33
TERRORIST ATTACK ON CHURCH IN LIKONI, MOMBASA COUNTY

Sen. Dr. Agnes Nzani:
• She supported the motion and noted that it was sad when innocent lives were lost for no reason.
• She called on the government to avoid reactionary tendencies after events had taken place and noted the increase in crime would eventually get to the societal leaders.
She noted that the attack in the Joy in Jesus Church came at a time when the county government of Mombasa had stepped up security by purchasing vehicles for the police.

She was grateful that leaders from the Muslim community had come out strongly to condemn the attack and praised the police for thwarting an attack to another church.

She mentioned several incidents in the Coast such as the attack on a church seminar and Sheikh Ali Bahero that really pointed to the deteriorating security levels.

She called on the government to place more effort towards apprehending the security threat agents that pose a danger to the tourism industry in the coast.

She pointed out to decreased bookings in the coast hotels as a direct effect of the insecurity levels at the coast.

Sen. Mshenga Mvita Kisasa:

She congratulated Sen. Omar for coming up with the motion and sent out her condolences to the bereaved families and wished the injured quick recovery.

She called on the government to take security matters seriously and not to allow those whom are out to cause anarchy to take over the country.

She also called for speedy investigations into the issue was saddened that the hotels were losing business and employees due to matter that was not of their doing.

Sen. Chelule Liza:

She supported the motion and sent her to condolences to the affected families and wished the injured a quick recovery.

She urged the committees and leaders from the coast to carry out investigations over the issue.

Sen. Naisula Lesuuda:

She supported the motion and consoled with the families of the dead and wished the injured.

She noted that a similar report was in the house but its recommendations were yet to be implemented.

She called on the house to take the issue of insecurity seriously since it affected many sectors of the economy such as tourism.

She noted that the government was doing little towards solving the problem of insecurity despite many events in the near past.

Sen. Godliver Omondi:

She supported the motion and called for the implementation of the Nyumba Kumi initiative.

She called on all Kenyans to be vigilant in the fight against insecurity.

26-3-2014

STATEMENTS

RAID BY POLICE OFFICERS AT MASJID MUSA MOSQUE

Sen. Janet Ongera:
She queried if the Senate Majority Leader did have prior access to the forth coming presidential address to the house since he seemed to preempt what the president would talk about.

DELAY IN ISSUANCE OF BIRTH CERTIFICATES IN MEROU COUNTY

Sen. Dullo Fatuma Adan:

She responded a statement that had been requested by Sen. Murungi regarding the regarding the delay in issuance of birth certificates in Meru County. The statement sought the following:
(i) The number of birth certificates that have been issued in Meru County in 2012, 2013 and 2014.
(ii) The reason for the unreasonable delay in issuance of birth certificates in Meru County.
(iii) Whether the Government has any plans to decentralize registration of births and issuance of birth certificates to the sub-county level.
   • She pointed out that in 2012 and 2013, a total of 30,893 and 34,973 birth certificates were subsequently issued in Meru County while in 2014 saw a total of 7,494 birth certificates have been issued.
   • She admitted that indeed there had been delays in issuance of birth certificates in the country and not only in Meru County in December, 2013 and January 2014 due to lack of certificates by the Government Printer which resulted in delays in supply of certificate booklets to the department. This in turn led to delays in service delivery to the applicants. She explained that service delivery had been restored as February, 2014 even though by that time there was an accumulated backlog of applications in several registries.
   • She also explained that the government had increased the registration offices to a total of 107.
   • More finance had also been provided in the department to cater for offices, recurrent cost of running offices and acquisition of additional staff to run offices and serve the public.
   • She also noted that the department had made proposal for expansion in the Directorate of Immigration and Registration of Persons Strategic Plan.
   • She requested that the Hansard takes into the account the issues placed by members and pointed out that some of the issues raised by members touched on policy issues that require use of sensitive and accountable documents.
   • She promised to bring a concrete answer in two weeks.

Sen. Emma Mbura Getrude:
• She questioned if it was in order for individuals to produce identity cards of the family members when registering for a birth certificate.

Sen. Beatrice Elachi:
• She requested that the vice-chairperson of the affected committee to be given time to investigate on the issue and give a more concrete answer.

Sen. Chelule Liza:
• She called for the vice-chairperson to be given more time to come up with more comprehensive answers.

CONSTRUCTION OF SEA WALLS AND JETTIES ALONG THE COASTAL AREAS

Sen. Mshenga Mvita Kisasa:
• She asked why a statement she had sought from Chairperson of the Committee on Roads and Communication regarding the jetties and the erosion which is taking place at the coastal strip had not been answered yet.

Sen. Chelule Liza:
• She notified the house that the chairperson of the committee was not in the house and requested that they be allowed to provide an answer in a week’s time.

DIFFICULTIES WITH THE PUBLIC ADDRESS SYSTEM IN THE SENATE CHAMBER

Sen. Dullo Fatuma Adan:
• She sought direction from the speaker on whether a statement should be issued since the statement had been brought in the house by Sen. Hassan Abdirahman who had has not been in the House for two days.

MOTIONS

DEVELOPMENT OF CLEAR POLICY GUIDELINES FOR ADULT EDUCATION

Sen. Halima Abdille Mohamud:
• She raised appoint of order that Sen. (Dr.) Kuti was addressing a wrong motion
• She indicated that county education officer in charge of adult education were in place but their presence was not being felt because of lack of clear policy guidelines on recruitment, staffing, punishment and motivation
• She pointed out that majority of the pastoralist community members were illiterate and noted that education played a role in improvement of enterprise since they became aware of their environment.
• She also related education and adoption of technology and called for the devolution of adult education due to varying county illiteracy levels.

Sen. Catherine Mukite Nobwola:
• She supported the motion and noted the significant role played by adult education and called that it be devolved.
• She called for creation of good policies to facilitate the implementation of the adult education programme so as to aid in poverty eradication and obtain an interactive electorate.

APPROVAL OF SENATE CALENDAR FOR THE SECOND SESSION – 2014

Sen. Mshenga Mvita Kisasa:
• She supported the motion which enabled the house to plan in time.

Sen. Catherine Mukite Nobwola:
• She supported the motion and noted that it enabled the house to plan ahead.
• She noted that the recess was long enough for them to interact with their electorate.

Sen. Halima Abdille Mohamud:
• She supported the motion and thanked the Rules and Business Committee (RBC) for coming up with the calendar
• She noted that the time allocated for recess was adequate and would allow the members to re-energize and to attend to their constituents.

Sen. Elizabeth Ongoro Masha:
• She supported the motion and strongly condemned the church attack in Mombasa.
• She proposed that senators use the time during recess to find out the root cause of the attacks.
• She cautioned the police against obeying the shoot to kill order.

Sen. Beatrice Elachi:
- She supported the motion saying it was in line with standing order No.28 that called for senators to plan well within the time allocated to them.
- She called for the chairpersons of the different committees to use the time to bring their reports to the house and debate on the issues they want to work on.
- She called for members to use the recess duration to interact with their electorate, county assembly members, interrogate their effort towards building synergy towards devolution.
- She called on members to use their time in the house in terms of interrogating reports and supporting them.
- She also called on members to use the recess to work on their committees.

Sen. Judith Achieng Sijeny:
- She supported the Motion and congratulated the RBC for coming up with the calendar.
- She pointed out that the calendar allowed the house to plan ahead of time and allow them to carry their vacation such as sitting in the committees duties during recess.
- She called on members to use the duration to carry out research, build their capacities and those of the county government.
- She indicated that the Committee on Delegated Legislation had begun building the capacities of our its Members and hoped that they will do the same for the members of the county assembly during recess.

MOTION
RELEASE OF KCSECERTIFICATES WITHHELD BY SCHOOLS ON ACCOUNT OF FEES BALANCES

Sen. Judith Achieng Sijeny:
- She noted that it was unfortunate that free education was not as free as indicated by the government.
- She pointed out that it was bad for schools to withhold the students' certificates because it prevented them from pursuing further education and employment opportunities.

Sen. Beatrice Elachi:
- She supported the motion and pointed out to Article 43 of the Constitution that gave the right to education to every Kenyan.
- She noted that the issue is historic and called for schools to provide information over the amount of arrears for the government to assist.
- She explained that by withholding the certificates, the students were denied a chance to search for employment.