Contribution she made: THE ONGOING STRIKE BY LECTURERS OF PUBLIC UNIVERSITIES

‘Thank you, Mr. Deputy Speaker, Sir. You pre-empted me. I sit in this Committee and I think, as a Committee especially of the Senate, we wanted to clear the issue, to ensure that there was synchrony so that we do not have the case as of the health workers. As a Committee, we were able to get all the players on board. We called all of the Union members and also held a meeting with the CS Education, but by that time, it had been resolved. By the time we met the lecturers they had been offered a Ksh10 billion but they wanted more. Further negotiations were done and the matter is amicably rested. We want to thank the Senate that we were allowed to play our role as a committee in arbitration for this CBA disagreement.’
Date: 4th April

Member of Parliament: Sen. Dullo Adan

Contribution she made: KILLING OF STANISLAUS NAMAI MUKOMA AT SHIBALE IN MUMIAS, KAKAMEGA COUNTY

‘Thank you, Mr. Mr. Deputy Speaker, Sir. I wish to go directly to the answer if that is okay with the House. On 24th November, 2016 a team of security officers were conducting an operation within Shibale informal settlement in search of stolen firearms from Booker Police Post. At about 4 a.m., the officers heard a huge explosion within the vicinity and rushed to the scene where they found a workshop engulfed in huge fire and smoke. The officers broke the door to access the locked workshop in order to secure a person who was screaming from inside. The victim suffered serious burns and was rushed to St. Mary’s Hospital where he was admitted in critical condition but succumbed to the burns after three days. Mr. Deputy Speaker, Sir, on the way to the hospital, the victim identified himself as Mr. Stanislaus Namayi Mukoma. He explained that the motorcycle workshop doubles as his residence. On that particular day, he lit a match box to light his home-made kerosene lamp; Koroboi. Unfortunately, while inside the workshop, one of the motorcycles caught fire which spread to the whole workshop. Police assisted by fire brigade from Mumias Sugar Company were able to put out the fire. Pursuant to the incident, an Inquest File No.2/2/016 was opened. A postmortem was later performed and the cause of death was found to be due to multiple organ failure due to extensive dry burns and not bullet wounds as alleged. Mr. Deputy Speaker, Sir, the Government does not intend to provide any assistance to the family since the victim succumbed to an accidental death due to carelessness. The Government was not culpable or in any way connected to his death. Similarly,
the Government will neither underwrite the hospital bill or the funeral costs. Lastly, the
Government will not take any action against the police officers since none of them was
connected to or culpable in the death of the deceased. It is imperative to note that during the
entire operation, neither the bullets nor teargas canisters were used. I thank you.’

‘Mr. Temporary Speaker, Sir, I have restricted myself to the questions that were asked by Sen.
(Dr.) Khalwale. With all fairness, it is not right to threaten whether one should vote for the
Government or not. However, as per the information I have, that is what I have presented but
Sen. (Dr.) Khalwale has requested that we should provide the report of the inquest so that they
can follow up. As far as legal issues are concerned, the families or leaders from that region have
a right to go to court. I thank you’

‘Mr. Temporary Speaker, Sir, the information I have has been provided by the Government.
However, it looks like my colleagues have more information regarding what has happened. I do
not have facts to that effect. I will request to further look into the information given. Finally, the
report of the inquest that Sen. (Dr.) Khalwale has requested will be provided as soon as it is
done.’

Date: 4th April

Member of Parliament: Sen. Godliver Omondi

Contribution she made: KILLING OF STANISLAUS NAMAI MUKOMA AT SHIBALE
IN MUMIAS, KAKAMEGA COUNTY

‘On a point of order, Mr. Temporary Speaker, Sir. Is the Senator giving the answer to the
question serious with what she is telling us? I come from Kakamega and I neighbour Shibale.
The answer she has given us cannot even make the family to vote for the Jubilee Government. Is she in order to add some pain to the family that lost a dear one? Can she give us an answer that can touch the mind and hearts of the people? People die in this country but justice has never seen the light of day.’

‘Mr. Temporary Speaker, Sir, it is just a concern over what you have ruled. Are you serious when you tell us that the answer is correct? Are we safe? If police officers are not safe, how sure are we that Kenyans are safe? Can the Chairperson tell us if we are safe?’

Date: 4th April

Member of Parliament: Sen. (Dr.) Agnes Zani

Contribution she made: VISITING DELEGATION FROM ST. THERESA TARTAR GIRLS HIGH SCHOOL, WEST POKOT COUNTY

‘Mr. Temporary Speaker, Sir, I wish to welcome the students. I think one set has gone out and another one is coming in. I am happy that they have joined us this afternoon, to see how we work as the Senate. As they go through the history of Kenya and this very important phase of devolution, they will know that they are part of it. They are the future of Kenya and the ones who will ensure, through the various capacities that are going to be built into them and the work they will do, that devolution gets entrenched and resources equitably reach everybody in Kenya. This is because everybody has their space. Those are the issues we articulate here. We need their support and wish them well in all that they do. That makes those dreams come true.’
Date: 4th April

Member of Parliament: Sen. (Dr.) Agnes Zani

Contribution she made: DELAY BY THE TSC TO PROMOTE TEACHERS IN ISILO COUNTY

‘Thank you, Mr. Temporary Speaker, Sir. This is a response to the Senate question from Sen. Dullo about the delay by the Teachers Service Commission (TSC) in promoting teachers, specifically those from Isiolo County. The first question that she sought was to state and explain the criteria that the Commission uses to promote teachers who previously held certificates and diplomas, but have since upgraded to a degree. The answer is that all teachers in employment of the Commission will be considered for promotion on the following:

(1) Successful undertaking of the relevant professional module.

(2) Availability of funded posts in the establishment.

(3) Performance of duties by the teacher.

The next question was to explain the delay by the Commission in promoting teachers from Isiolo County who have upgraded to degree since January 2014 to date. The answer is that: The number of teachers submitting diploma and degree certificates has surpassed the funded establishment. The Commission received 21,397 new higher qualification certificates between 9th January, 2014 and 31st December, 2016. Out of which, 10,245 were degree certificates.

Promotion on attainment of higher qualification is, therefore, not financially sustainable. Teachers who obtain degree certificates are promoted to job Group K when there are vacancies as per the staff establishment. The issue is not the fact that they are not qualified to have the
promotion, but the opportunities are not yet there. The teachers approved establishment for job Group K for the year 2016/2017 is 45,184. There are no vacancies to accommodate those who have submitted degree certificates. With regard to the third question, we were to indicate when the Commission intends to promote the teachers in paragraph two above. The answer is: The decision to delay promotions in recognition of higher qualifications affected all teachers in the country and not only those from Isiolo County. In the final question we were to explain the reason behind the decision by the Commission not to promote teachers who scored Grade C+ and below, in the Kenya Certificate of Secondary Education (KCSE), but have since upgraded to degree through a number of expensive accredited courses. My answer is as follows: The teachers who submitted certificates on or before 2014 were promoted without considering whether they scored Grade C+ and below, in KCSE. However, the Commission currently requires that for one to be registered, employed or promoted as graduate teacher, he or she should have a mean Grade of C+ and above at KCSE.’

Date: 4th April

Member of Parliament: Sen. Dullo Adan

Contribution she made: DELAY BY THE TSC TO PROMOTE TEACHERS IN ISILO COUNTY

‘Mr. Temporary Speaker, Sir, first, I thank Sen. (Dr.) Zani for giving me the answers. I have few issues to be clarified. First of all, the fourth answer is totally wrong because there have been very many teachers whose papers have been pending at the Teachers Service Commission (TSC) since 2014. We have graduates who have not been promoted up to now and there is no communication to that effect. Clearly, this is demoralizing for the teachers of this country Mr.
Temporary Speaker, Sir, the salary of most of the teachers is very small. Unfortunately, most of them take loans to go to colleges. Even after graduating, they are unable to get promotion. Honestly, that is frustrating for the teachers. The TSC has to do something especially on policy as Sen. (Prof.) Lonyangapuo has said, so that we appreciate the teachers for them to teach our kids properly. Something needs to be done. Mr. Temporary Speaker, Sir, lastly, there are teachers who got C Minuses and below. They were recruited but they have never been promoted for the rest of their lives and there is no policy or direction. Could the TSC inform those teachers not to go for courses? They need to tell them that they will not get promotion or salary increment even if they get certificates. That is very important. There should be proper communication on promotion by the TSC. Some of the teachers live and work very far and they do not even get communications from the TSC. Honestly that is frustrating. The TSC has to do something on policy direction in terms of promotion and salary increment. Mr. Temporary Speaker, Sir, we expect teachers to perform. We cannot expect them to do miracles so that our kids get better education.’

Date: 4th April

Member of Parliament: Sen. Naisula Lesuuda

Contribution she made: DELAY BY THE TSC TO PROMOTE TEACHERS IN ISIOLO COUNTY

‘Mr. Temporary Speaker, Sir, I just want to seek a clarification and make a comment on this matter because it does not affect Isiolo County alone but the entire country. It is important for us to be told as a matter of clarification whether Sen. (Dr.) Zani means that our teachers should stop seeking higher qualifications or education. It is ironical because our teachers should be the best
by acquiring more knowledge. I would like the Chair to clarify whether we imply that our teachers should put on hold and stop investing in further education.

Date: 4th April

Member of Parliament: Sen. (Dr.) Agnes Zani

Contribution she made: DELAY BY THE TSC TO PROMOTE TEACHERS IN ISIOLO COUNTY

‘Mr. Temporary Speaker, Sir, it is important for teachers to seek higher qualifications because it improves their degree of delivery at any capacity. It also enhances the work that they do. However, the problem is expansion since qualifications are being dealt with and that is an issue of policy. When Module 2 programmes came on board and they allowed more people to go for degree courses that---’

Date: 4th April

Member of Parliament: Sen. Beatrice Elachi

Contribution she made: THE COUNTY GOVERNMENTS (AMENDMENT) (NO.2) BILL (SENATE BILL NO.7 OF 2016)

‘On a point of order, Mr. Temporary Speaker, Sir. I think it is not just the Senate Majority Leader. It is also important for the Chairpersons of Committees since we have so many reports that we have not tabled in the House. Every week we have been sending messages to our Senators but I agree with “my Senator for Kakamega” that it is wrong that we have to send ten messages to one phone for one to be in the House yet you know very well that with the new
dispensation, we are here until August. You need to help us so that Senators know that what we are doing is wrong for the country.’

‘Mr. Temporary Speaker, Sir, is my Senator in order to say what he has said? While I agree with the rest, I am not given a phone but at the same time I think we have discharged our duties. I want to tell the Senators wherever they are, that when you go for any public office, it is your duty and responsibility to prove to your electorate that you have taken a duty that you will carry to the end. We have one obligation to ensure that we send the messages but to be very honest, if we are talking about ethics, it means that one does not have to be reminded. You have that obligation since you swore and told Kenyans that you will work diligently to the end. It is for the Senators to look, reflect and ask themselves: “I swore to be a Senator of a county. What are my duties? Am I able to deliver what I promised to Kenyans?” So, Senators, I wish every Senator would look at Chapter 6 and answer that question.’

Date: 4th April

Member of Parliament: Sen. Beatrice Elachi

Contribution she made: ADOPTION OF REPORT OF CPAIC ON FINANCIAL OPERATIONS OF VARIOUS COUNTIES FOR FY 2013/2014

‘Mr. Temporary Speaker, Sir, I also rise to support the report of the CPAIC on the inquiries into the financial operations of Kiambu, Busia, Tana River Trans-Nzoia, Nyandarua, Migori, Kwale, Samburu, Kisumu and Kericho counties. First, I would like to thank the Committee members and the governors who appeared to answer queries as raised by the Auditor-General. However, it is unfortunate that the report is for 2013/2014 Financial Year and we are now in 2016/2017 Financial Year. This means that the next Senate will have a big job to scrutinize accounts of
2016/2017 onwards. The queries that are being asked, for example, payment of creditors are critical. Many governors will be seeking for re-election in August this year. Therefore, many suppliers will suffer if we go for election before they are paid. We know that most counties owe them a lot of money. Secondly, we all know the term of the Transition Authority (TA) ended and they were replaced by the Intergovernmental Relations Technical Committee. It is a pity that we are going for elections and yet this Committee does not have an inventory of counties’ assets and liabilities. We do not even have a report that shows us that. Many issues have been raised, for instance, outstanding imprest, where across the board, every county has a challenge. In Parliament, we have a very good system. If the counties had borrowed such a system, today they would not be talking about outstanding imprest. Mr. Temporary Speaker, Sir, the other query is surrender of imprest. Most officers in the counties have not done so. Some are aspiring for political seats. I am wondering how they are being cleared. Political parties should also take it up; that, you must clear and ensure that as you contest for any position, you have surrendered the public funds that you have not used. There are many other challenges in the counties. I hope that when my Senator takes over the County Government of Kakamega, where my brother has been given direct nomination, he will follow up. I hope the Committee will recommend that as we go -

‘: Mr. Temporary Speaker, Sir, the other issue is uncontrolled revenue collection. We have seen this in many counties. The worst is Nairobi where Kshs25 billion of local revenue has been banked in commercial banks but when you ask the Controller of Budget, it cannot be located. The matter is in court. I will not talk about it. There are many challenges that governors will leave behind when they vacate office. If political parties are serious about Chapter Six, today we would have seen a different trend in the nomination process. This will ensure that for the first
time, Kenya moves in the right direction so that the next group of governors sanctifies what the first group of governors under the devolved system of government has done to our country.’

‘: Mr. Temporary Speaker, Sir, I would like to tell my Senator that we should wait until the nominations are done, and then, we can point fingers. We have faced challenges in our hospitals regarding un-surrendered revenue. We have also had the doctors’ strike. The national and county governments should look at it. Governors have given their submissions but it is important for us to appreciate the Public Finance Management (PFM) Act. It is clear on how we collect and surrender revenue and engage transparently for people to know how much we are collecting, not just from hospitals but we also have parking and market fees. These are some of the revenues that we are losing every day. Different markets have different market days. In a whole week, a county will have a market day every day in some place. Such revenues have made officers in the counties change their lifestyle in a day. The next thing you see is a county officer owning a building or a hotel. These are some of the issues that this report has raised. I support the recommendations of the Committee, that, we have to ensure that the Intergovernmental Relations Technical Committee ensures that before we go to the elections, they give a report to this Senate so that as the Senator for Migori, you can tell your people the financial position of your county. For instance, you can say, we are going to an election but we are not in debt, we have credit maybe and this is how the next governor will move to the next level. Mr. Temporary Speaker, Sir, if we do not do that, many counties will find empty coffers. The county will be in debt and will start borrowing money for recurrent expenditure; for example, salaries. If we do not do that many counties will be in debt. They will borrow money to even pay salaries and meet other expenses. Many other issues have been raised in this Report. Some counties hire vehicles while some fuel private vehicles. If this issue is not addressed, some people will use the same resources
in campaigns. Our Constitution is not very clear with regard to some issues. For example, whenever a governor uses resources it is difficult to tell whether he is campaigning or discharging his duties. The same applies to other political seats. We need to relook at these areas, to ensure that checks and balances are in place. Mr. Temporary Speaker, Sir, the Senate has done its work, but if we are not careful Kenyans will judge us harshly. We need to inform Kenyans where we have come from. This will help us to come out of this mess. Most Kenyans will understand that the Senators are the protectors of counties. They will appreciate that we have done our oversight roles despite not being allocated resources. We have produced a report and everybody knows the state of their counties. We need to put a caveat on the allocations to the counties, so that the governors who are likely to lose the elections do not misappropriate the money allocated to them. I want to thank the Governor of Makueni with regard to the use of resources. Makueni County has more than Kshs4 billion in its account. Even though the money could have been used to improve services in that county that money has not been misappropriated. Some counties are so much in debt that they looking for money to even pay their workers. The Committee’s recommendation that the county governments should expedite the completion of HRM regulations, so that they can be domesticated is very critical. It is also our responsibility, as the Senate, for the few months remaining before the general elections, to pass the many reports and consider petitions before the House. This will ensure that action is taken against those who have been implicated in the reports. A number of people have been named in the reports. Some officers in Nyeri were charged in court. However, going forward the governors who are responsible for misappropriation of funds should also face trial. Misappropriation of funds is rampant in many counties and everyone is blaming the other. Let
counties protect whatever resources they collect. By doing so, Kenya will prosper under the pillar of devolution. Mr. Temporary Speaker, Sir, with those few remarks, I beg to support.’

Date: 5th April

Member of Parliament: Sen. Dullo Adan

Contribution she made: THE PLIGHT AND WELFARE OF FORMER COUNCILLORS UNDER THE DEFUNCT LOCAL AUTHORITIES

‘Thank you, Mr. Temporary Speaker, Sir. I thank the Chair of the Committee on Labour and Social Services who issued the Statement. We are taking the former councillors for granted because this matter was discussed here at length and this House has made a decision. However, it looks like we do not care about our heroes because these former councillors are our heroes. I hope the meeting which has been scheduled for Monday with the CS, National Treasury is going to take place. I am requesting if the representatives of these councillors can attend that meeting on Monday. Secondly, I remember the last time we discussed this matter, Sen.M. Kajwang said that some of the counties have set money aside for this particular purpose. What is going to happen to that budget? What will happen to the counties that have not set aside money for this purpose?’

Date: 5th April

Member of Parliament: Sen. Naisula Lesuuda

Contribution she made: THE PLIGHT AND WELFARE OF FORMER COUNCILLORS UNDER THE DEFUNCT LOCAL AUTHORITIES

‘Thank you, Mr. Temporary Speaker, Sir, I want to join in the complaints. As you have said it is more about complaining. Given the long time that this answer has taken and then it comes in the
negative; that is actually wanting. We discussed this issue at length a long time ago. We are being pressurized by the people whom we represent; the former councilors. They have been asking us as Senators who take care of them in the counties what we are doing to address this matter. From your directive that the meeting be on Monday, I am requesting whether we could do it on Tuesday. We know most of our colleagues have other commitments over the weekend and probably they will be back on Tuesday. If we are going on recess, I am not so sure whether everybody will get the information. This is something that we would all like to interrogate and be assured that our former councilors will be taken care of.’

‘: Mr. Temporary Speaker, Sir, I am concerned about the rider that the Chairperson has just given, that we should be aware and channel some of the concerns to the SRC. Is it in order for the Cabinet Secretary to preempt the meeting about what we will discuss? It is important that the Chairperson communicates to the Cabinet Secretary to come here with an open mind and listen to the concerns of the Senators.’

**Date: 6th April**

**Member of Parliament: Sen. Judith Sijeny**

**Contribution she made: REPORTS TO VARIOUS PETITIONS**

‘Mr. Deputy Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, Thursday, 6th April, 2017: (1) Petition of Ms. Wanjiru Gikonyo on repeal of the National Government Coordination Act, 2013; (2) Petition by the Institute of Social Accountability (TISA) on procedure and timelines for advertisements and receipt of issues on Bills and other matters under consideration by the Senate; (3) Petition by Maj. (Rtd.) Joel K. Rop regarding the need to amalgamate existing proposals for constitutional amendment to produce a hybrid draft
for a national referendum; (4) Petition by Mr. Tony Watima on the need to address instances of conflict of interest in the Public Service; (5) Petition by Mr. Gibson Machanga Mareko for amendment of various provisions of the Constitution. I table the reports on behalf of the Committee on Legal Affairs and Human Rights.’

**Date: 6th April**

**Member of Parliament: Sen. Judith Sijeny**

**Contribution she made: INSECURITY IN BARINGO COUNTY**

‘Mr. Deputy Speaker, Sir, I have heard what my colleagues have said. According to the Committee this matter is very serious. It is, therefore, unfair for my colleagues to stand here and say that we have neglected our responsibility. Let me correct the situation. I was in the Office of the President yesterday to follow up on several statements that were requested for in this House. When a Ministry requests to be given more time to work on a statement, we need to understand. I appreciate that this matter is very serious, but it will be useless for us to stand here and read a substandard statement that does not answer what the Senators requested for. We are taking up our responsibility as a Committee. Since we do not have the answers, we push the Ministry to provide the information. Kindly bear with us, but we have tried our best as a Committee. Thank you.’
Date: 6th April

Member of Parliament: Sen. Naisula Lesuuda

Contribution she made: PAYMENTS OWED TO JEMILY CONSTRUCTION LIMITED BY MACHAKOS COUNTY GOVERNMENT

‘Mr. Deputy Speaker, Sir, even when you were reading the Petition, we shared with my colleagues here that probably the petitioners need to go to court and that is what you and others here have also said. However, it is important that this petition comes to the Senate and even goes to that Committee because it is a reflection not just of Machakos County but something that is happening in all our counties on issues to do with procurement, delayed payment of contractors. It is very unfortunate when it involves women and youth, when we say we have allocated 30 per cent to them and then delay in paying them. We probably do not know but the petitioner could even have contemplated going to court, but if your Ksh974,000 is being held somewhere, we know litigation is not a cheap affair. Maybe that is why they sought to bring it to the Senate. I therefore, think it is important for the Committee to look into it and give directions of policy and even the law and how it can protect contractors, especially the youth and women in our counties.’

Date: 6th April

Member of Parliament: Sen. Naisula Lesuuda

Contribution she made: VISITING DELEGATION OF PHD STUDENTS FROM JKUAT

‘Mr. Deputy Speaker, Sir, on a point of order. I also wish to join you in welcoming the students. They are doing the right thing as Kenya needs more intellectuals. We know there was a time
when there was an exodus of professionals from this country but we are glad there are more coming up. I am excited because I can see so many ladies there. I encourage you to continue with the spirit that what a man can do a woman can do better. So, continue working hard and God bless you.’

**Date: 6th April**

**Member of Parliament: Sen. Godliver Omondi**

**Contribution she made: VISITING DELEGATION OF PHD STUDENTS FROM JKUAT**

‘Thank you Mr. Deputy Speaker, Sir, for allowing me to join you in welcoming the visiting students from JKUAT. I appreciate their effort. I urge them to come up with a programme in entrepreneurship. They should come up with a mentorship programme that can mentor young Kenyans who are future leaders. That will empower young people. They should also come up with a programme that will empower the marginalised groups of people in this country. Otherwise I wish them a fruitful stay as they continue learning.’

**Date: 6th April**

**Member of Parliament: Sen. Godliver Omondi**

**Contribution she made: CHANGE OF LAPSSSET CORRIDOR ROUTE AND RELOCATION OF THE PROPOSED ISIOLO RESORT CITY**

‘Mr. Deputy Speaker, Sir, Sen. Dullo sought a Statement on the reported change of Lamu Port-South Sudan- Ethiopia Transport (LAPSSET) Corridor route and relocation of the proposed Isiolo Resort City. The response is as follows: With regard to whether the Government intends to change the LAPSSET Corridor route, the answer is that the initial LAPSSET Corridor study,
which was undertaken by Japan Port Consultants (JPC) in 2011, proposed that the road from Isiolo should pass through Nginyang. However, the feasibility and detailed designs study currently ongoing, which was commissioned by the Kenya National Highways Authority (KeNHA) has cited difficult terrain and environmental concerns as crucial factors necessitating new alignments. Accordingly, following consultations with the KeNHA, which is the implementing arm of the Government for the highways components of the LAPSSET Corridor Programme, the original route from Isiolo to Lokichar via Nginyang has been proposed for change and the final route will be determined on completion of the ongoing study, but preliminarily, the road will traverse through Isiolo, Lerata, Maralal, Baragoi and Lokichar. To address the concerns raised on the change of the alignment for this section, the LAPSSET Corridor Development Authority (LCDA) Board has proposed an access road to be constructed to serve the Isiolo-Nginyang section to facilitate service provision. As to whether the Government intends to relocate the site for Isiolo Resort City the response is as follows: The Resort City at Isiolo is one of the three resort cities that were proposed in the JPC study to bolster economic activities along the LAPSSET Corridor. The other two resort cities are in Turkana and Lamu. For Isiolo Resort City three sites were considered; Kipsing Gap, Archers Post and Kulamawe, where they were ranked 1st, 2nd and 3rd respectively. In compliance with statutory obligations, the LCDA commissioned a Strategic Environmental Assessment (SEA) study for the entire LAPSSET Corridor Program. The consultants, REPCON Associates, submitted a draft final report, which flagged Kipsing Gap as having a fragile ecosystem and also a wild animals’ migratory corridor and, therefore, the need for the ecosystem at Kipsing Gap to be preserved, resulting in the proposed alternative location. The draft final report was submitted to the National Environment Management Authority (NEMA) and the public invited to submit
comments. The draft final report is, therefore, under review to incorporate the proposals submitted by the public and will next be subjected to a validation workshop before finalization of the study. It is the recommendations, as validated in the final report, that will determine the final outcome of the Isiolo Resort City location. Primarily, the nature of the development of the proposed Resort City will need to take into account the concerns raised on the Kipsing Gap, being a migratory corridor for wild animals. Accordingly, it is proposed that the Resort City facilities be developed in Kipsing Gap, but only to a limited extent, which can be accommodated by a wildlife conservancy as is the case with Maasai Mara and Amboseli, among other integrated wildlife conservancies. In addition, it was the demand by the local leaders of Isiolo County during one of the stakeholders’ meeting for the Isiolo Resort City to be relocated from Kipsing Gap and they proposed Kulamawe. However, the actual location of the Resort City, either at Kipsing Gap or Kulamawe, will be known after finalization of the SEA Report approval by NEMA. The Senator also wanted an explanation on the rationale for the above proposed changes. The rationale for relocating the Isiolo Resort City is informed by the following: (1) The Kipsing Gap is a heavily migratory corridor for elephants and wild animals in Isiolo, Samburu and Turkana (2) The change of location to Kulamawe site was as a result of a request from leaders and was also envisaged in the initial JPC study. (3) The SEA study has flagged the environmental concerns and, therefore, the proposal for only light development conforms to SEA and environmental concerns that preserve wildlife migratory route. All measures on the proposed relocation of the Resort City shall be guided and informed by the SEA Report and carried out to mitigate social environmental concerns that are identified in the study. The Senator also wanted an explanation as to why stakeholders were not consulted on the proposed changes. The LCDA has conducted several stakeholders’ consultative meetings in Isiolo and other LAPSSET
Corridor Counties. These meetings have discussed all the components of the LAPSSET Corridor Programme, including the Resort Cities. Further to this, SEA Consultants carried out extensive consultations during the SEA scooping stage and undertook a validation workshop where various key organizations from Isiolo were invited to participate in the Isiolo leg of the said engagements. The Senator also wanted an explanation on the Government’s plan to compensate those who have already invested in the Kipsing Gap in anticipation of the Isiolo Resort City. The Ministry recognizes that individuals and entities may have invested in the areas earmarked for the LAPSSET Corridor Projects, in anticipation of upcoming developments. Our proposition is that these investments are still worth since the site offers one of the tourist attraction phenomenon being an animal migratory route. Accordingly, the investments can be nurtured in collaboration with the Ministry of Tourism and the County Government to harness the potential. The Government, therefore, may not undertake active compensation for an area that it does not identify for location of the Resort City. The Member also wanted to know whether the Government wanted to move the Isiolo Resort City to Igembe due to political considerations. The LAPSSET Corridor Programme is a Vision 2030 project and was conceptualized to provide a development paradigm shift for the country. The considerations made on the realignment of the LAPSSET Corridor or any other component is only on sound technical grounds and consultations with stakeholders. The originally proposed routing and location of project components was made based on the JPC feasibility study done in 2011. The feasibility and detailed design studies have to affirm the route based on actual ground condition when the projects mature into the development stage. Accordingly, political considerations are not an influencing factor for either location or alignment of the project components. Thank you, Mr. Deputy Speaker, Sir
Date: 6\textsuperscript{th} April

Member of Parliament: Sen. Dullo Adan

Contribution she made: CHANGE OF LAPSSET CORRIDOR ROUTE AND RELOCATION OF THE PROPOSED ISIOLO RESORT CITY

‘Thank you, Mr. Deputy Speaker, Sir. I thank the Vice Chairperson for the extensive answer that she has given though most of it is noncommittal. They are playing around with words as they answer the questions in this House. The first clarification I want to seek is on compensation. I know very well that Lamu corridor has been compensated. Unfortunately, for Isiolo, it looks like the route is changing from one place to the other. Could she explain what is happening? The statement says political consideration is not an influencing factor in terms of changing the route. Could she confirm whether the Igembe route will change or not?

Finally, there is no proper consultation on the ground. Could LAPSSET Corridor Development Authority consider involving the local communities and their leadership in the decision making process? We would like to know what is happening on that route. Currently, there is no proper consultation that has taken place as indicated in the report.’

Date: 6\textsuperscript{th} April

Member of Parliament: Sen. Naisula Lesuuda

Contribution she made: CHANGE OF LAPSSET CORRIDOR ROUTE AND RELOCATION OF THE PROPOSED ISIOLO RESORT CITY

‘Mr. Deputy Speaker, Sir, with regard to the LAPSSET and its route, I am aware the Samburu leadership gave their suggestions of how the route could be changed for the benefit of the people.
However, our views were disregarded. I want to know whose views were included in designing the route of this mega project. They could be views of consultants only. They did not take into consideration the views of local communities and their leadership. If they did, they would not have changed that route. The second issue is about the LAPSET opening up these areas as Sen. (Prof.) Lonyangapuo said. When will it reach those counties for our people to benefit? I have nothing against Meru County, but when will it reach Samburu, Laikipia, Turkana and other counties along that route? We thought it would be completed within the timeline. Where are we at the moment?’

Date: 6th April

Member of Parliament: Sen. Judith Sijeny

Contribution she made: CHANGE OF LAPSSET CORRIDOR ROUTE AND RELOCATION OF THE PROPOSED ISIOLO RESORT CITY

‘Thank you, Mr. Deputy Speaker, Sir. I wish to reiterate there is no final decision on the route that has been made so far. There is a report pending with the Government. As I said, it will be made public. I am glad Sen. Lesuuda has confirmed that there were some consultations with the leadership of Samburu County. Therefore, it is not true to say we are done with the route. The final decision will be made once the report is made public. With regard to the issue of original design sought by Sen. (Dr.) Machage, as I said the route will only be know after wide consultations with all stakeholders, including the local communities are completed. That is all I can say for now. We, as a Committee, have written to the Cabinet Secretary (CS), Ministry of Transport and Infrastructure. We have invited him to appear before our Committee next week on Wednesday, 12th April, 2017. I am sure this issue of route and other issues will be discussed in
that meeting. I would urge anybody who needs further clarification to attend this very important Committee meeting.’

Date: 6th April

Member of Parliament: Sen. Naisula Lesuuda

Contribution she made: CHANGE OF LAPSSET CORRIDOR ROUTE AND RELOCATION OF THE PROPOSED ISIOLO RESORT CITY

‘Mr. Deputy Speaker, Sir, it is a point of order. The Vice Chairperson of the Committee should take this matter very seriously. She says that it has not been completed. When they meet with The Lamu Port-South Sudan-Ethiopia-Transport (LAPSSET) Chair, board and everybody else that they will sit with, please take in to consideration the views that have been raised in this Senate seriously. Since you are the Chair, you talk on behalf of the representatives of those people in those counties that we need these things addressed. Even though they consulted us as leaders, we were told categorically that it could not be changed’

Date: 6th April

Member of Parliament: Sen. Dullo Adan

Contribution she made: CHANGE OF LAPSSET CORRIDOR ROUTE AND RELOCATION OF THE PROPOSED ISIOLO RESORT CITY

‘Mr. Deputy Speaker, Sir, with all due respect to my colleague and Vice Chairperson of the Committee, it looks like she is running away from all the questions. These routes were marked and that is why the project was implemented. However, we are being told that the routes are changed with the consultant’s report being waited for. Calling the CS here will not solve the
problem. Can that the Ministry go back to the ground and consult the communities on why those routes were changed? This is because I believe the issues of environment and all that should have been considered before the implementation of the project. As my colleagues have said, this are political gimmicks and there is a lot of interference taking place. Kindly consider going back to the drawing board and consult the affected communities.’ Mr. Deputy Speaker, Sir, I think Sen. Sijeny should be serious. This is because the report that is currently being done, there is no consultation taking place. Communities are not involved. For heaven’s sake, can you involve the communities in doing this report? This is serious. She is telling us what is not on the ground.’

Date: 6th April

Member of Parliament: Sen. Judith Sijeny

Contribution she made: CHANGE OF LAPSSET CORRIDOR ROUTE AND RELOCATION OF THE PROPOSED ISIOLO RESORT CITY

‘Mr. Deputy Speaker, Sir, I have noted and taken everything in to consideration. I will also look at the HANSARD and ensure that I follow up accordingly’

‘Mr. Deputy Speaker, Sir, I have given the response as best as we can in the circumstances. However, I have told them that should they feel that there are other concerns they want to raise, the Cabinet Secretary (CS) will be appearing before us on Wednesday next week. If there are further issues---‘

‘Mr. Deputy Speaker, Sir, I am satisfied. I have given the answer accordingly. I am just announcing that we are still going to meet the CS next week. That is all I would say.’
‘Mr. Deputy Speaker, Sir, it is in order to further give this further clarification sought for and since it is not closed, we are still going to have another meeting with the CS. We could address all these concerns. I also invite my colleagues who are here and want to seek further clarification. Within two weeks, I could come and give the position.’

Date: 6th April

Member of Parliament: Sen. Naisula Lesuuda

Contribution she made: KILLING OF LIVESTOCK IN LAIKIPIA COUNTY BY SECURITY PERSONNEL

‘Mr. Temporary Speaker, Sir, when I sought this Statement last week, all of us, including the speaker, and even the Vice-chairperson of this Committee agreed that this is a matter that needs urgent intervention and we need answers on what is going on in Laikipia. Even if there is an operation going on, why are cows, the only source of livelihood for those pastoralists, being shot and trodden upon by Government vehicles? I also sought to know why their makeshift homes are being burnt and everything is being taken away. On Tuesday, we were told the response will be issued on Wednesday, but it was not issued as promised. Yesterday, I rose and said probably there could even be some conspiracy because we are going on recess so that we continue to delay this while the people want to know why this is happening. It has never happened in the history of Kenya that livestock can be shot. Since the House is going on recess, I would like to rise on a point of order pursuant to Standing Order No. 45 (2) (a) so that we can further deliberate on this issue. I also have some photos I want to table in this House so that I can also help the Ministry officials if they are having a problem finding out whether this is true or not. We can help them with the evidence on what is going on in Laikipia.’
Date: 6<sup>th</sup> April

Member of Parliament: Sen. Dullo Adan

Contribution she made: KILLING OF LIVESTOCK IN LAIKIPIA COUNTY BY SECURITY PERSONNEL

‘Mr. Temporary Speaker, Sir, you are putting me in an awkward position. First, for the period that I have been in this House, the tradition has been that we do not generate statements as Chairpersons of Committees. On several occasions various Chairpersons were challenged whether they are giving their opinion or official position of the relevant ministries. In my opinion, what is happening in Laikipia is wrong. I am a human rights defender, a pastoralist and I cannot wish that to happen anywhere. However, my predicament is, if I am required to issue a statement in this House, I must issue statements based on the facts that I have got from the ground. Of course, Sen. Lesuuda comes from Laikipia, the area where those activities are happening. What we are seeing is what we get from the media. I really sympathize with the communities that are affected but I request the House to give me time to get a proper, comprehensive answer. We can dedicate a date when we can give that answer.’

Date: 6<sup>th</sup> April

Member of Parliament: Sen. Naisula Lesuuda

Contribution she made: KILLING OF LIVESTOCK IN LAIKIPIA COUNTY BY SECURITY PERSONNEL

‘On a point of order, Mr. Temporary Speaker, Sir. The reason we are raising concerns is because official communication that I had sought from the Government is not forthcoming. We are told it
would have been issued on Tuesday, then Wednesday and today is Thursday. We are going on recess and the atrocities continue. So, which other forum do I have? As we said earlier, we represent people. When they have concerns we raise them. It is not just that we rely on the media. We are relying on a statement that I have requested. It is not just what is in the media. There are specific questions that I would like the Committee Chairperson to get an official communication. We want to understand why such atrocities are happening. The questions are very specific. Further, as Sen. Karue said, yes, there are issues. If we got the answer from the Government, then, we would interrogate it. Definitely issues have been raised; there are people who have gone to private ranches. That is why we are also giving the other voice. Is there no better way of handling the problem that we have in Laikipia other than killing cattle? This is something we have never seen before in the history of this country. If anything, it makes the conflict more complex. People are committing suicide after losing their investments. Some pastoralists have evidence that they are paying for pasture and they have agreements with the land owners to graze. Mr. Temporary Speaker, Sir, as I conclude, pastoralists are saying, “Please let it rain. We are not the ones who brought drought.” I agree that it could be politically motivated because we are going into an election period. It is ironical to declare drought an emergency yet we wipe out the cattle of the people who are facing drought. That is their only source of livelihood. I would like to table these photos so that it is on record in this House.’

‘Mr. Temporary Speaker, Sir, we should get a report on the day of resumption. We cannot leave it hanging. Since the Committee has taken up the matter, I agree. As soon as we come back, they can issue the report. The Committee can also involve some of us who have an interest in the matter as they organise the visit’