



**THIRTEENTH PARLIAMENT**  
**THE SENATE**  
**OFFICIAL REPORT**



**Fifth Session**

**Wednesday, 13<sup>th</sup> May, 2026 at 9.30 a.m.**

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Wednesday, 13<sup>th</sup> May, 2026

### Morning Sitting

*The House met at the Senate Chamber,  
Parliament Buildings, at 9.33 a.m.*

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

### PRAYER

#### DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

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

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

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

*(The Quorum Bell was rung)*

**The Speaker** (Hon. Kingi): Serjeant -at- Arms, ring the Quorum Bell for another 10 minutes.

*(The Quorum Bell was rung)*

**The Speaker** (Hon. Kingi): We are yet to have quorum. Serjeant-at- Arms, ring the Quorum Bell for another 10 minutes.

*(The Quorum Bell was rung)*

### QUESTIONS AND STATEMENTS

### QUESTIONS

*Question No.047*STRATEGIES FOR CHILD ONLINE  
PROTECTION FRAMEWORK

**Sen. Kibwana:** Thank you, Mr. Speaker, Sir. Welcome, *Waziri*.

I beg to ask the Cabinet Secretary for Information, Communications and The Digital Economy the following Question.

(a) *Bwana Waziri*, kindly, explain the legal, regulatory and administrative safeguards currently in place to protect children in Kenya from cyberbullying, online exploitation, harmful content, gambling exposure and abusive data harvesting practices on digital platforms.

(b) What progress has been made in operationalising child online protection standards such as age-appropriate design, parental controls, platform accountability, reporting mechanisms and enforcement obligations for service providers operating in Kenya?

(c) Has the Ministry undertaken an assessment of the exposure of minors in Kenya to harmful online content, manipulative digital advertising, gambling applications and unlawful data processing in the last five years and if so, what were the findings?

(d) What plans are in place to strengthen Kenya's child online protection framework by drawing from comparative approaches in jurisdictions such as the United Kingdom (UK), Australia and European Union (EU) on platform duties, child safety by design and age assurances systems?

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, you may now respond.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): Thank you, Mr. Speaker, Sir, and good morning. I rise to respond on behalf of the Ministry of ICT and The Digital Economy to the questions raised by Sen. Hamida Ali Kibwana, Member of Parliament.

(a) Her letter dated 8<sup>th</sup> April, 2026 was on the protection of children in Kenya from cyberbullying, online exploitation, harmful content, gambling exposure and abusive data harvesting practices on digital platforms.

Before I delve into the substance of the Ministry's response, permit me to convey the apology of my Ministry and my own personal apology for not having appeared before this House on 29<sup>th</sup> April, 2026, the date originally appointed for the laying of this response.

I am grateful to the Chair and this House for the accommodation now granted. Hon. Senators will recall that the date in question fell within the Connected Africa Summit 2026, which the Government of the Republic of Kenya had the honour of hosting at the Edge Convention Centre in Nairobi from 27<sup>th</sup> to 30<sup>th</sup> April, 2026. As a line Cabinet Secretary, the Ministry of Information, Communications and Digital Economy---

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, I note that your response is fairly long. Now that you have already circulated the written response to the House, I urge you to paraphrase, so that we save on time.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): I am guided. Thank you. The main response is about 30 pages. I have done a summary of about 10 pages, which carries the substance.

As I was saying, I trust that the House will appreciate that neither of these engagements, the ones I have just referred to, but I hope I have the indulgence of the House to proceed with the substantive matter.

*[The Speaker (Sen. Kingi) left the Chair]*

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

**The Temporary Speaker** (Sen. Mumma): Proceed, Cabinet Secretary.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): I wish, at the onset, to thank the hon. Senator for bringing this matter before this House. The questions she has raised go to the heart of the constitutional obligation owed by the State and by all of us to safeguard the dignity, privacy and welfare of our children, indulging and especially, in the digital spaces in which they now live, learn and play.

The Senator has asked four substantive questions. She has asked, first, what legal, regulatory and administrative safeguards are presently in place. Secondly, she has asked what operational progress has been made on age-appropriate design, parental controls, platforms accountability, reporting mechanisms and enforcement.

Thirdly, she has asked whether the Ministry has, in the last five years, assessed the exposure of our children to these harms. Fourthly, she has asked what plans we have to strengthen the framework drawing from the experience of the UK, Australia and the EU.

“Mr. Speaker, Sir”, the position of the Ministry is twofold.

**The Temporary Speaker** (Sen. Mumma): It is Madam Speaker, Cabinet Secretary.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): I noticed the change of Chair. I beg your pardon, Madam Speaker.

(a) I wish to state it, plainly at the outset, that Kenya has established substantial constitutional anchored framework for the protection of children in the digital environment. Secondly, that framework remains a work in progress with specific gaps, which the Ministry acknowledges candidly and which the reform agenda I shall outline today is designed to close.

Madam Temporary Speaker, the response has been consolidated by the Ministry of Information, Communications and The Digital Economy with input from the Communications Authority (CA), the Office of Data Protection, the Media Council, the Kenya Film Classification Board (KFCB), the Gambling Regulatory Authority (GRA) and the National Computer and Cybercrimes Coordination Committee.

Allow me, with your indulgence, to take each question in turn. On the legal, regulatory, and administrative safeguards, the safeguards presently in place are anchored

on the Constitution of Kenya, 2010, Article 28, which recognizes every person's inherent dignity. Article 29, which guarantees freedom from violence, from cruel, inhuman and degrading treatment. In the digital context, this extends to protection from cyberbullying, harassment and the long-term effect of harmful online exposure.

Article 31 guarantees the right to privacy, including respect of the unlawful collection, processing and dissemination of children's personal data. Article 33 protects freedom of expression, but expressly excludes propaganda for war, incitement to violence, hate speech and advocacy of hatred.

Article 46 protects consumers, including children, as vulnerable consumers. Article 53 guarantees the right of the child, including the principle that best interests of the child are of paramount importance in every matter concerning the child. These constitutional guarantees are given statutory force through several amendments or enactments.

The Kenya Information and Communications Act, Cap 411A, mandates the Communications Authority of Kenya to facilitate and regulate secure electronic communications and transactions. The Children's Act, Cap 141A criminalizes conduct frequently encountered in the online environment, including grooming, solicitation, cyber enactment and exposure of children to obscene content.

The Computer Misuse and Cybercrimes Act, Cap 79C, as amended in 2025, criminalizes unauthorized access, the production and possession of child pornography, cyber-stalking and the non-consensual sharing of intimate images.

The Sexual Offences Act, Cap 63A, addresses sexual exploitation, including in its online manifestations. The Data Protection Act, Cap 411C, provides heightened safeguards for the processing of children's personal data, requiring parallel or guardian consent and prohibiting the profiling of children for direct marketing purposes.

The Gambling Control Act 2025 prohibits persons under the age of 18 from participating in any form of betting, gambling or gaming. The Films, Stage, Place and Publication Act Cap 222 empowers the Kenya Film Classification Board to classify audio-visual content, including content distributed through digital and online channels.

Madam Temporary Speaker, this statutory framework is operationalised through three regulatory instruments issued in 2025, which constitute the heart of the present regime. They are the Industry Guidelines for Child Online Protection and Safety in Kenya 2025, issued by the Communication Authority of Kenya (CAK), the Code of Conduct for Media Practise of 2025, issued by Media Council of Kenya (MCK) and the Kenya Information and Communications Regulations, Telecommunication Service Subscribers Regulations of 2025.

Together, these instruments require age-appropriate design, default high privacy settings, parental controls, content moderation, watershed period restrictions and parental or guardian involvement in the registration of minors on telecommunication networks.

The Consumer Protection Regulations are presently under review and undergoing public participation. Hon. Senators, the institutional architecture of the enforcement of these frameworks was classified by the High Court in 2024 decision in the *Kenya Union of Journalists versus CAK and another*. Following that judgement, the position is now

settled. The Media Council of Kenya leads on media content standards under Article 34(5). The CAK retains responsibility for sectoral regulation.

**The Temporary Speaker** (Sen. Mumma): Sen. Khalwale, what is your point of intervention?

**Sen. (Dr.) Khalwale:** Madam Temporary Speaker, almost 10 minutes into the Cabinet Secretary's response and he is merely citing the relevant articles of the Constitution and Acts. The purpose of the question is for him to tell us what he is doing with persons and organisations who are providers of Information Communications Technology (ICT) so as to protect our children. The laws he is reading were enacted in this Parliament by him and myself.

**The Temporary Speaker** (Sen. Mumma): Sen. Khalwale, your intervention is noted.

Hon. Cabinet Secretary, kindly get to the gist of it. I think the response is very extensive in terms of citing the statutory provisions. The Mover of the question wants to know why we continue having issues regardless of what you are citing in terms of the regulations and the law. Move quickly to explaining what is being done, so that Members can also ask their supplementary questions.

Thank you.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): Madam Temporary Speaker, indeed, I am trying very much to answer the questions as asked. I was not only citing the law itself, which I am aware of; I was struggling with the first question which was asking about what laws. I explained the laws themselves, the regulations and the amendments that we have done. I may avoid that part; allow me to proceed.

(a) On the operational progress and the empirical code, I now turn to the Hon. Senator's second question, which is about what operational progress has been made. I wish to take the unusual, but I believe necessary step of laying before this House the empirical record of regulatory enforcement during the period under review because the proof of any framework lies not in its statutes, but in its conduct.

Hon. Senators, between February, 2025 and April, 2026, the Media Council of Kenya took 31 recorded enforcement actions in matters touching the protection of children. Of these 31 actions, approximately 61 per cent of the total concerned gambling and lottery promotions or published in breach of disclosure, age restriction, gambling licence display, or watershed requirements. Eight actions concern sexual, vulgar, or otherwise age-inappropriate content broadcast during the watershed period and disseminated onwards via social media.

Four actions concern the identification of minors who were victims of social violence or other sensitive matters in news reporting and four other actions concerned other matters affecting children, including the publication of suicide scene images, images of deceased persons made accessible to minors and the broadcasting of live protests during the watershed period.

Madam Temporary Speaker, I draw three observations to the attention of this House. First, the fact that gambling-related actions account for some 61 per cent of the

recorded enforcement directly evidence both in the scale of the gambling exposure risk to which the Hon. Senator's question refers and the active regulatory response to it.

Secondly, the second largest category, sexual content broadcast during the watershed and disseminated onwards via social media. This confirms the convergence of broadcast and online distribution channels and the need for platform agnostic enforcement.

Thirdly, the recurrence of certain media house cross-multiple actions has informed the Council's decision to escalate from individual case responses to systematic measures, including mandatory training and legislative amendments, which I shall describe shortly.

The National Kenya Computer Incident Response Team Co-ordination Centre (KE-CIRT/CC), reporting channels and intake. On reporting mechanisms, the National Kenya Computer Incident Response Team Coordination Centre operates multiple channels, email, the mobile application, telephone, written responses, and physical visits. Childline Kenya operates a child helpline 116, a 24-hour line. The National Centre operates a digital forensic capability that supports the investigation and prosecution of cybercrimes, including online child sexual exploitation and abuse.

On intake, in the First Quarter of the Financial Year 2025/2026, the National Centre recorded eight reports of child abuse, and in the Second Quarter---

**The Temporary Speaker** (Sen. Mumma): Hon. Cabinet Secretary, allow me to guide you. Let the Members note the detail of your report. I realise the timing for the question is coming to an end, you might want to summarise a bit more and just refer the Members to the relevant paragraphs.

Thank you.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): Madam Temporary Speaker, thank you for the guidance. I have offered both in print and soft copy my Executive Summary of what I have been trying to capture; I was on page 8 of 15. Hon. Senators, you may note that---

**The Temporary Speaker** (Sen. Mumma): Probably you may want to say something on the third and the fourth questions. I think the response to the second question is quite comprehensive and Members can read the detail for themselves. You probably want to say something about the third and the fourth question.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): I am guided, Madam Temporary Speaker.

(a) Hon. Senators, on the issue of assessment of minors' exposure, the Hon. Senator has asked whether in the last five years, the Ministry has undertaken an assessment.

I must be candid with this House. The Ministry has not, in the last five years, commissioned a single dedicated published national assessment covering all four vectors raised by the Hon. Senator, which is not yet available. I acknowledge this gap and I do not seek to minimize it.

The Communications Authority of Kenya (CAK) has accordingly commissioned the University of Nairobi to undertake a national survey on child online protection and safety in Kenya. In the interim, however, the Ministry does not come before this House

empty-handed. The evidence available is drawn from the State of the Media 2025 Survey Report of the Media Council of Kenya, the Disrupting Harm in Kenya study of 2022, the National KE-CIRT Quarterly Report and the compliance engagement records of the Office of the Data Protection Commission. The State of the Media 2025 survey report documents these issues, and a detailed response of 40 pages is available.

Madam Speaker, this is the finding I commend, particularly to this House: Sixty-three per cent of Kenyans are unable to identify content generated by artificial intelligence. Sixty-three per cent of our children are interacting principally with digital, mobile, fast, algorithmic, curated platforms with limited editorial oversight, against a population baseline that is not equipped to identify manipulated synthetic media.

This is the risk landscape in which the safeguards of the Hon. Senator's question must be made to work. On gambling exposure specifically, the data from the Office of the Data Protection Commissioner is striking. Of 224 gaming and betting firms identified by the Office, only 15, that is, 6.7 per cent, are fully registered. Thirteen firms are partially registered and five hold expired certificates.

Action needs to be taken on this and the Ministry is engaging the Office of the Data Protection Commissioner, the Gambling Regulatory Control and Licensing Board, on a coordinated enforcement push. The Ministry will report progress to this House as it comes.

(a) On the plans to strengthen the framework, I turn finally to the Hon. Senator's fourth question: What plans are in place to strengthen the framework?

Drawing from comparative approaches in the UK, Australia and the European Union, set out in full in Annex 3 of the Principal Statement, the Ministry has settled on eight planned reform agenda, which are detailed in my summary and in the main report, together with three candid acknowledgements I would like to make.

Madam Temporary Speaker, the Ministry owes this House three further candid acknowledgements. First, the 2025 amendment to Section 6 of the Computer Misuse and Cybercrimes Act, effected by Section 3 of Act No.17 of 2025, which would have expanded the powers of the National Computer and Cybercrimes Coordination Committee to render websites and applications inaccessible, where they promote inappropriate sexual content involving minors, terrorism, regulations or extremes of cultism, has been challenged in the High Court. Interim conservatory orders have been issued suspending implementation of that amendment pending the determination of the petition. The Ministry respects the judicial process and will act in accordance with the court's orders.

Secondly, Kenya does not yet impose a statutory duty on online platforms to publish periodic transparent reports on takedowns, complaints, content classifications or recommended system risks. Closing this gap is the principal purpose of the proposed Kenya Online Survey Bill.

Thirdly, the data handler registration deficit is in the gaming and betting sector, to which I have already referred, that requires concerted effort. The Ministry is coordinating with the Office of the Data Protection Commissioner and the Gambling Regulatory Authority on this work.

Madam Temporary Speaker, in summary, the Ministry makes the following four respectful recommendations to this honourable House-

(1) That the House receives this Statement and allows the Ministry to revert with the findings of the National Survey on Child Online Protection and Safety in Kenya upon conclusion of the fieldwork.

(2) That this House substantively engages with the legislative components of the reform agenda and in particular the Kenya Online Safety Bill and the proposed amendments to the Media Council Act, Cap 411B, when those instruments are introduced.

(3) That this House supports the inter-agency compliance and inspection cycle through its relevant Standing Committees.

(4) That this House take note of the litigation in respect of Section 6 of the Computer Misuse and Cybercrimes Act, which constrains the Ministry's present ability to compel the takedown of such content.

In closing, I thank the honourable Senator for placing this matter before the Senate. The questions she has raised will outlast this Parliament. The harms to which they speak to our children's safety, the dignity of their privacy, their right to grow up free from exploitation in the digital spaces in which they now live their daily lives, admits no partisan answer.

My Ministry remains committed to ensuring a safe, secure and inclusive digital environment in which Kenyan children can access and benefit from digital technologies, while being adequately protected from harm. The Ministry affirms its readiness to support the Senate in advancing legislative, regulatory and policy interventions that safeguard the rights and welfare of children in this digital space.

I submit.

**The Temporary Speaker** (Sen. Mumma): Thank you, honourable Cabinet Secretary. You may sit as you wait for subsidiary questions from Sen. Hamida. Hon. Senators, I will allow two more questions after Sen. Hamida. One from the Majority Side and another from the Minority Side, so that the Cabinet Secretary can answer all of them together.

Sen. Hamida, you have the opportunity to ask two supplementary questions.

**Sen. Kibwana:** Thank you, Madam Speaker. Cabinet Secretary, I appreciate, at least, the efforts that have been made in response to my question. I was wondering whether there are investigations that have been undertaken, whether prosecutions have been initiated and whether convictions have been secured on this issue.

Does the Ministry have any county-by-county data on awareness of this programme undertaken on child online safety? Have public funds been allocated to this matter? If funds are allocated annually towards these child online protection initiatives, do you have any county-by-county data?

Thank you.

**Sen. (Dr.) Mungatana, MGH:** Madam Speaker, thank you very much for allowing me to ask this question. Waziri, welcome. We are always happy to see one of us come here because you know how it has been before.

Tana River County has a very robust online community. It has served as a means of communication between the people and leaders. But now, we are going into the electioneering period and things are changing. Things are not only changing in Tana River County, but across the 47 counties. More hatred and lack of decorum is coming into the political discourse.

**The Temporary Speaker** (Sen. Mumma): Sen. (Dr.) Mungatana, I am tempted to guide you. Please, ask the question.

**Sen. (Dr.) Mungatana, MGH:** I am getting there, Madam Temporary Speaker, thank you.

There is lack of decorum from participants in the internet space. The Independent Electoral and Boundaries Commission (IEBC) is preparing for the General Election and we hope they will deliver a good election. *Waziri*, what proactive preparations are you making, as the Ministry of Information, Communications and The Digital Economy, to go into this internet space, so that good political discussions are done and not this dirt?

Madam Temporary Speaker, I saw one of our colleagues being exposed here fighting another colleague.

**The Temporary Speaker** (Sen. Mumma): Senator, your question is clear. I will allow you to see it. You are taking opportunity to actually make a contribution.

**Sen. (Dr.) Mungatana, MGH:** Madam Temporary Speaker, I am asking if he has seen one of our colleagues being beaten to the ground, just for someone to generate another AI-generated video showing him beating his opponent. It is becoming nasty. What is the Ministry doing?

**The Temporary Speaker** (Sen. Mumma): Senator, your question is very clear. Can we hear from the Senate Minority Leader?

**The Senate Minority Leader** (Sen. Madzayo): Asante sana, Bi. Spika wa Muda. Nataka kuuliza Waziri swali. Waziri, Wizara yako imetengeneza sheria gani ili iweze kuhakikisha ya kwamba watoto wetu ambao wanaingia mitandaoni hawaingi katika ukorofi? Kuna wakati hao huweza kuangalia watu wazima wakifanya mapenzi ilhali hao ni watoto wadogo.

Wizara yako imechukua hatua gani kuona ya kwamba watoto wetu hawaoni mambo kama hayo?

**The Temporary Speaker** (Sen. Mumma): Hon. Cabinet Secretary, I will add two more questions.

**Sen. Tabitha Mutinda:** Thank you, Madam Temporary Speaker. Thank you, *Bwana Waziri*, Hon. William Kabogo, for the great response, but we do have a few concerns.

There is a draft cyber security strategy that has been mentioned before. How many security professionals does Kenya need in terms of the opportunities that exist for our young people in the space of cyber security? What is your take as the Cabinet Secretary with the discussion that is in place?

**The Temporary Speaker** (Sen. Mumma): Sen. Tabitha Mutinda, the rule is one question and you have done that.

**Sen. Tabitha Mutinda:** Madam Temporary Speaker, I just wanted to hear from the Ministry on what they have done with the curriculum factor. Have they thought of something in terms of curriculum? This is about our young people.

Thank you so much.

**Sen. Oketch Gicheru:** Thank you, Madam Temporary Speaker, for the opportunity. I have listened to the Cabinet Secretary very keenly. He has looked at the legislations, legal actions and framework that exist in terms of this response. On this question, could the Cabinet Secretary be clear on what the Ministry is doing to hold the platforms accountable? The European Union has the Digital Services Act. That Act is given life by the relevant ministries holding platforms accountable.

Is there a framework that the Ministry has put in place, in this digital citizen world, that ensures that Meta, which owns *Facebook*, *WhatsApp* and *Instagram*, has an accountability framework to the country? This is the fundamental question I need to ask the Cabinet Secretary.

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

**The Cabinet Secretary, Ministry of Information, Communications and The Digital Economy** (Hon. William Kabogo): Thank you, Madam Temporary Speaker. I may not comprehensively answer the substantive supplementary questions, but as usual, I undertake to give comprehensive answers to all questions, and any other that may arise from the questions of the honourable Senators.

We have had several discussions with the Office of the Director of Public Prosecutions (ODPP) to give us information on the successes or failures of the many cases that they have forwarded. That information is yet to come to us from the ODPP. I hope that by the time of close of the month, we shall have all the necessary cases prosecuted, their successes, failures and reasons thereof.

The Senator for Tana River County has asked if we are prepared for the electioneering period and what we are doing in preparation of the elections and the things that may happen, as has been witnessed from some of the Members here. We have put together a committee of different departments, including security, our offices and the IEBC, to make sure that we are properly prepared during this period. Going forward, we want to have this as a continuous process which should not just happen during elections. I hope that by the time we get near December, we should be able to say the exact thing that we have planned.

It is also incumbent upon us, as leaders, to talk to our children and those under our care on how we discipline ourselves on the use of the Internet space. I say this cognizant of the fact that there are countries like the United Kingdom that does not have a constitution, but they have the modes of how they operate. So, we need to start talking about safe *Mtandaoni*. That can only come from us discussing, as Kenyans, leaders and all involved parties.

Sen. Madzayo ameuliza hatua ambayo tumechukua kama Wizara. Sheria ambayo imepelekwa kortini ni ile ya kuondoa maneno ambayo yamewekwa mitandaoni, lakini mahakama imesimamisha hiyo sheria na zingine. Nia yetu, kama Wizara, kutengeneza ile sheria ilikuwa ni kuruhusu shirika kama *Communication Authority* kuweza kuondoa

mitandaoni, habari ama maneno ambayo yanatekelezwa katika mitandao. Tunatarajia ya kwamba hivi karibuni, korti itaondoa amri hiyo ilituweze kung'ang'ana na kuondoa maneno ama habari mbaya ambayo inafanyika mitandaoni.

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

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

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): I think it was Sen. Eddy, who says we need to have very clear, as a Ministry, on the framework that we are doing. I tried to explain on the frameworks, but you directed that I do not go into details. I undertake to be able to bring a comprehensive answer on the frameworks and what it is the Ministry is doing currently and the proposed actions in the future to make sure that this space is free and good for our children to indulge. I submit.

**The Speaker** (Hon. Kingi): Sen. Eddy, what is your intervention? Certainly, it cannot be a point of order.

**Sen. Oketch Gicheru:** Mr. Speaker, Sir, I think that either the Cabinet Secretary got my question wrong or did not just answer it at all. I did not ask about legal frameworks. I indicated that the Cabinet Secretary has centred on legal frameworks that exist.

What I asked the Cabinet Secretary is, how is the Ministry holding platforms accountable? This is because the legal frameworks are there to ensure that there are robust standards, to ensure that the safety standards are implemented according to our Constitution within those legal frameworks, to ensure that there is fast reporting mechanisms and protection of minors. All these things exist.

What is lacking is, how do you hold those stakeholders who are owning these platforms accountable? For instance, *Meta*, that owns *Facebook*, *WhatsApp* and *Instagram* are registered in Ireland. They are not registered in Kenya, yet their platforms are distributing content that do have impact on our children.

What is the Ministry doing to hold *Meta*, *TikTok* and all these social media platforms accountable to the frameworks and standards that have been established by the country? That is my question.

**The Speaker** (Hon. Kingi): Hon. Cabinet Secretary, please, proceed.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): Mr. Speaker, Sir, I quite agree with Sen. Eddy that the issue of framework has been exhaustively explained. On what we are doing with players like *TikTok* and *Meta*, one action is the takedown action.

The other action is that Communications Authority of Kenya, through regulations, has been mandated now to stop operations of those platforms in the event of breach. However, we have issues that make people run to court to stop us from doing certain things. We have undertaken to deal with these broadcasters, be it *TikTok* or *Facebook*, and some of them, we have also given conditions in their licensing that they must have

offices here in Kenya, so that in the event of issues that they have brought up on their platforms, they should be held accountable here in Kenya.

If I may add, a platform like the one for Elon Musk, we have given them temporary approval licences to operate in Kenya on condition that, in the next three months, they shall have an office here. So, we are taking action by having them here in Kenya and being subjected to our laws and measures that are there to protect our children.

I submit.

**The Speaker** (Hon. Kingi): Sen. Khalwale, please, proceed.

**Sen. (Dr) Khalwale:** Mr. Speaker, Sir, two weeks ago, Safaricom announced profits of Kshs100 billion. What is the Cabinet Secretary doing to ensure that this open theft by a company, which is not in business but is doing profiteering, young people are protected by having access to cheaper rates of using ICT, especially, in view of the fact that your Government promised Kenyans, especially the youth, free Wi-Fi for them to be elected?

**The Speaker** (Hon. Kingi): Sen. Mwinyihaji, please proceed.

**Sen. Faki:** Langu ni swala kuhusiana na matangazo ya rejareja kuhusiana na mambo ya *betting*. Ukifungua radio, kila baada ya dakika kumi, kuna tangazo la *betting*. Je, Wizara yako inafanya nini kupunguza ama kuondoa kabisa haya matangazo ya kamari ambayo yamekithiri katika vyombo vya habari katika nchi yetu?

**The Speaker** (Hon. Kingi): Sen. Kathuri, please proceed.

**Sen. Kathuri:** Thank you, Hon. Speaker, for this opportunity also to ask my supplementary question. The question asked by Sen. Kibwana falls under the law that we passed in this House last year, which is the Computer Misuse and Cybercrimes (Amendment) Act, 2025.

That is where you will find we amended the principal Act by inserting in Section 6 (j)(a), which now refers to where it is proved that a website or application promotes an unlawful activity, inappropriate sexual content of a minor, terrorism or religious extremism and cultism. So, my question is; what is the Ministry doing to operationalise this law? This is because there is a lot of cyberbullying.

I am a culprit this week, where something is circulating on social media that I was in a place. I do not know where it was. Somebody pretending to have a voice like Kathuri Murungi, which is not myself. So, my question is, because there are so many such issues-- I even saw at one time, the President of the Republic of Kenya was actually in these cybercrimes. He was put in a coffin somewhere like he is dead. So many cases are being reported.

*(Sen. Cherarkey spoke off record)*

**The Speaker** (Hon. Kingi): Order, Senator for Nandi County.

**Sen. Kathuri:** My question is, because there are so many cases which are being reported out there, but the police, even once you go report to the CID, they have nothing to do. They cannot protect you because I am asking this question painfully. I passed this law in this House, I voted for it, and I am now a culprit. This law is not even helping me.

I went to ask very senior CID officers, and they told me there is nothing much they can do because they need a lot of technology, so that they can identify the principal source of these issues.

Sen. Kibwana approached me yesterday. It is like she knows who was the first person to do this thing because, yesterday, she asked me leading questions. It is like she is even aware who did this to me; character assassination.

**The Speaker** (Hon. Kingi): Thank you, Sen. Kathuri. You have asked your question.

**Sen. Kathuri:** My question is on the operationalisation of this law.

**The Speaker** (Hon. Kingi): Thank you. Sen. Mumma, please proceed.

**Sen. Mumma:** Hon. Cabinet Secretary, thank you so much for a comprehensive report. However, Kenya is becoming well known for good laws, good Constitution, but no implementation. You admit to the fact that the gambling companies that are operating in Kenya, and misleading our young people, are way more than the ones that are legal. I would want to know exactly who is supposed to deregister these companies, because you cannot come here and say there are so many that are not working. It is the Executive that should actually be implementing the law that should not facilitate such companies to operate, because we know what they are doing to our young people.

**The Speaker** (Hon. Kingi): Sen. Karungo, please proceed.

**Sen. Thang'wa:** Thank you, Mr. Speaker, Sir, and good morning Cabinet Secretary. I am always happy when I see a citizen of Kiambu serving the nation.

My question, having scanned through the response, which I can say is unusually honest, because it reveals weak enforcement, weak data and weak accountability, is, from the reports, only 15 out of 224 gambling and betting firms are fully registered. Therefore, 93 per cent of them are not registered. Can the Cabinet Secretary explain why? This is because they are out there collecting data from Kenyan citizens and mostly Kenyan minors. That is in Table 1 of your report.

Thank you, Mr. Speaker, Sir.

**Sen. Chesang:** Thank you, Mr. Speaker, Sir. I have one concern. I would also like to know what the Ministry's plan is in terms of solving this issue. The Government has spent so much money to put infrastructure and open so many ICT hubs in the country, including in our polytechnics, the ones that are being built now, the centres of excellence, and the ones that are deployed through our Members of Parliament, the 1,450 hubs in the country.

Mr. Speaker, Sir, as the Chairperson of the Committee on Information Communication and Technology, I have so far accompanied the Ministry in opening so many of those ICT hubs. My worry is that the ones that we have gone back to are not working in the way that they are intended to work in terms of assisting many of our youths, creating employment and---

**The Speaker** (Hon. Kingi): Sen. Allan, what is your question? Avoid making a speech, please.

**Sen. Chesang:** Mr. Speaker, Sir, many of our youths are not monetizing in those ICT hubs. Now that the 1,450 hubs that are being built across the country in each and every ward, what is the Ministry's plan to make sure that when these hubs are completed

and fully equipped - we have many of our youths in all these 47 counties in these hubs - they serve the purpose that they are intended to?

**The Speaker** (Hon. Kingi): Sen. Madzayo, I am told you had already asked a supplementary question. Under our Standing Orders, you are only allowed to ask one supplementary question.

So, Cabinet Secretary Kabogo, you had noted the question by Senator Madzayo. You need to clarify further, because the honourable Senator is saying that it was inadequately responded to.

You may proceed, Cabinet Secretary.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): Mheshimiwa Spika, swali la Mheshimiwa Madzayo, nilijaribu sana kulijibu kwa lugha yetu ya Kiswahili. I did it to the best of my ability as I sit here. However, as I started answering supplementary questions, I gave an undertaking that after we get proper questions on the HANSARD, the Ministry will undertake to bring a supplementary paper on all questions that are asked on the Floor of the House.

Mr. Speaker, Sir, on the question asked by the honourable Boni, on the issue of Safaricom, I am afraid, I am not aware of Safaricom making dubious profits. I probably would want to seek further guidance on that statement the honourable Boni asked. However, on the issue of Wi-Fi, we did promise Kenyans that we shall put public hotspots. Initially, only about 3,500 public Wi-Fi hotspots were working when I joined the Ministry. The problem that we have on the many that are not working is that sustainability issues were not considered during inception. A team has been put together to make sure that we get a sustainable way of maintaining them, because some of them is not even bills. It is just an issue of maintenance.

What we have proposed and are doing now in the Ministry on the issue of public Wi-Fi, is to give this Wi-Fi business to the young boys and girls where they are; for them to maintain at a small fee of about Kshs5 for anyone who wants to use this Wi-Fi. It is now undergoing public participation between the Ministry and other involved parties, so that we may actualize the issue of making sure that public Wi-Fi hotspots are maintained by young Kenyan boys and girls where they are. So, I envisage that by the end of the year, we should have about 10,000 public Wi-Fi hotspots working and running in those public areas.

Mr. Speaker, Sir, on the issue of betting, kutoka kwa Mheshimiwa Haji, nilisema katika taarifa niliyopeana hapa kuwa shida kubwa sana imesababishwa na mambo ya *betting*. Asilimia 70 ya shida nyingi ambazo zinapatikana mitandaoni haswa zinasababishwa na mambo hayo ya *betting*. Tuna habari kwamba hata vijana wengine huwatishia akina mama nyumbani kwa kisu ili ampe shilingi 100, ili aweze kuenda kufanya *betting*. Kwa hivyo, kipaombele katika wizara yetu ya mawasiliano ni kufuata sheria, ijapokuwa changamoto ni kuwa kila sheria ikitungwa na ni nzuri, Wakenya hukimbia kortini na kusimamisha utekelezaji wake.

Mheshimiwa Spika, ninatoa ahadi hapa katika Seneti kuwa wizara itakabili na shida hizi zinazoambatana na *betting* vilivyo ili tuweze kusaidia nchi yetu isonge mbele bila shida hizi za *betting controls*.

On the other matter raised by Hon. Kathuri, a very serious concern, yes, many of us have suffered. This is what I expressed in my statement, that we already now have laws and regulations to deal with this issue; especially, one, the takedown part of it, which I have said, we have been stopped by the current matter in court. We hope that this matter will be cleared soonest for us to be able to take action.

Also, we have a committee between the Ministry, the regulators and the office of the Directorate of Public Prosecution, to make sure that most of these cases are prosecuted as soon as possible. Again, we have a problem there because, as you know, our criminal procedure systems require certain procedures to happen as people are taken for criminal prosecution,

Sen. Karungo asked, out of 224 cases of licensing, only 15 are fully licensed. The others are partially. I have explained there that we have given the agencies 40 days to make sure that those that are in the process of properly registering, are registered within that period, without which their licenses should be cancelled. That process is ongoing.

Sen. Chesang asked about the issue of the 1,450 digital hubs and what plans we have. We currently have training programmes for young Kenyans who will be engaged as trainers. They will be taken into those digital hubs, where they shall become Trainers of Trainers (TOT), responsible for training young Kenyans who are using these hubs as platforms for the digital economy. I want to inform the House that recently we engaged a company that is providing 700,000 training opportunities to young men and women. These will be issued with certificates for online platform usage. Therefore, the Ministry is aware.

We are also a little slow on the issue of completion of these digital hubs. We have spoken to Members of Parliament (MPs) to expedite construction. We currently have devices ready to be taken to those hubs that are complete and this exercise is ongoing. Sen. Chesang, being the Chairperson of the Standing Committee on Information, Communication and Technology, is very involved in the process of bringing these hubs into operation.

Mr. Speaker, Sir, that is all, unless I have missed anything. As I said, once we get the proper questions from the HANSARD, we shall bring a substantive answer for each of them.

**The Speaker** (Hon. Kingi): Yes, Sen. Kathuri. What is your intervention?

**Sen. Kathuri:** Hon. Speaker, I am not sure whether he attempted to answer my question. Perhaps he can do that before he leaves.

**The Cabinet Secretary for Information, Communications and The Digital Economy** (Hon. William Kabogo): Mr. Speaker, Sir, this is the matter I mentioned that we are having issues in taking down the things he referred to because of the current court case. We are trying to lift that ban in court, so that we can start doing it, but our hands are tied at the moment. Between us, the regulators and those involved, the Ministry is working to ensure that such content can be stopped before being aired. That is happening, while not trying to circumvent the matter before the court.

Again, I said we shall make sure that comprehensive answers are provided to each question. We also requested that supplementary questions, which were not asked, be forwarded to the Ministry, and we shall be more than willing to respond.

**The Speaker** (Hon. Kingi): Thank you, Hon. Cabinet Secretary. You may now take leave.

*(The Cabinet Secretary for Information, Communications and The Digital Economy (Hon. William Kabogo) was ushered out of the Chamber)*

Hon. Senators, we will move to Question No.027 by the Senator for Kisumu County, Hon. Tom Ojienda.

*(The Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development (Hon. Wycliffe Oparanya) was ushered into the Chamber)*

Hon. Cabinet Secretary, welcome back to the Senate. We will go straightaway to Question No.027 by the Senator for Kisumu County, Hon. Sen. (Prof.) Tom Ojienda.

*Question No. 027*

MEASURES TO CUSHION SMALL-SCALE TRADERS  
AGAINST RISING COMMODITY COSTS

**Sen. Beth Syengo:** Thank you, Hon. Speaker. I am standing in for Sen. (Prof.) Tom Odhiambo Ojienda, SC.

I beg to ask the Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development the following Question-

(a) Could the Cabinet Secretary outline the measures the Ministry has adopted to cushion small-scale traders against eroded profit margins caused by the rising cost of essential commodities?

(b) Could the Cabinet Secretary clarify whether the Ministry intends to expand access to affordable credit through the Hustler Fund, SACCOs or other credit guarantee schemes for informal traders in Kisumu County, given that the current interest rates remain as high as 23 to 24 per cent?

(c) What safeguards exist to ensure that women and youth traders who form the majority in Kisumu's informal markets are equitably included in these credit support programmes?

I submit.

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

**The Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Thank you, Mr. Speaker, Sir. I wish to respond to Question No.027 by the Senator for Kisumu County.

In response to part (a) of the question, the Ministry, through the state agencies, has implemented multiple initiatives to support and cushion small-scale traders against eroded profit margins caused by the rising cost of essential commodities.

The Ministry, through the Micro Small Enterprises Authority (MSEA), has rolled out quite a number of targeted strategies and flagship projects aimed at enhancing MSME

resilience, creating decent jobs and positioning youth-owned enterprises as key drivers of inclusive economic transformation.

Some of the interventions and measures include grants and affordable financing, market access platforms, capacity building, digital transformation, Constituency Industrial Development Centres (CIDCs), work sites in various modern markets being built, cold storage facilities, formalisation of MSMEs and circular economy and value chains.

Regarding part (b), in order to ensure expanded access of affordable credit to all Kenyans, and particularly in Kisumu County, the Ministry of Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development has expanded access to affordable credit through the Hustler Fund, which is available to all Kenyans who are 18 years and above at the interest rate of 8 per cent per annum for those who repay on time and 9.5 per cent for those whose loans are beyond 14 days.

The Ministry also, through the Kenya Industrial Estates (KIE), promotes small and medium industries with a focus on rural industrialisation. Kenyans, including Kisumu traders and specifically those with a focus on machinery, qualify for credit facility with an interest rate of 10 per cent per annum. The Ministry has also supported development and growth of Savings and Credit Co-operative Organisations (SACCOs). SACCOs are key players in realisation of the Vision 2030 and the Kenya Kwanza Plan of Bottom-Up Economic Transformation Agenda (BETA) by mobilising savings and credit uptake for investment.

Moving to part (c), the Ministry of Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development, through Uwezo Fund, aims to enhance socio-economic empowerment of women, the youth and Persons with Disabilities (PWDs) through entrepreneurship training, provision of affordable credit, market linkages and mentorship. The programmes are delivered at the constituency level as a revolving fund, whose activities are implemented by the respective constituency Uwezo Fund Management Committee.

The Fund has provided affordable credit amounting to Kshs197,984,000 to 2,212 groups. That is, 1389 women groups, 745 youth groups and 78 groups of PWDs. These groups have benefitted with Kshs130,669,440 to women groups, Kshs60,453,000 to 85 youth groups and Kshs6,861,275 to PWDs groups. A total of 35 to 41 individuals have also benefitted from the Fund.

The Fund provides training of beneficiary groups before they are issued with loans. So far, 82,659 beneficiary groups have benefitted from these programmes within Kisumu County, with 276 groups of youth and women having been trained on business development services. This builds skills of entrepreneurship and enables the groups to take advantage of procurement opportunities provided through Access to Government Procurement Opportunities (AGPO).

Mr. Speaker, Sir, all these initiatives and many more have not fully addressed issues such as sector specific support, associations alignment and a comprehensive engagement structure. In order to continually address these gaps and provide a more holistic approach to supporting MSMEs in Kenya, the Ministry has developed a platform that brings together both the public and the private sector with an objective of

establishing an MSMEs development sector ecosystem for sustainable and social economic growth that is geared towards bringing all the stakeholders together through the Kenya Public-Private Sector MSMEs Dialogue named MSMEs Connect.

Already, the engagements with MSMEs have been done in five counties, with one held in Kisumu on 28<sup>th</sup> November, 2025, where there was a participation of over 1,000 enterprises. This has provided an opportunity to all MSMEs in all counties to market their products, network and contribute to the policy framework discussion, while aligning the business owners to adopt a saving culture through the co-operatives.

The Ministry is also intentionally facilitating reliable markets for MSMEs goods and services through national, regional and cross-border trade fairs and as such expanding revenues, reduce risks and generate jobs by enabling MSMEs to scale up. To this end, the Ministry hosted the East African Community (EAC) MSMEs Trade Fair from 7<sup>th</sup> to 16<sup>th</sup> November, 2025, in Nairobi, which hosted over 5,000 participants across the eight EAC countries, who exhibited their goods and services. During the trade fair, the Ministry held a high-level ministerial meeting, with discussions centred on access to finance, digital transformation, access to market and clean competitiveness. Thereafter, a declaration was announced and signed off by the stakeholders.

Mr. Speaker, Sir, once again thank you. I submit.

**The Speaker** (Hon. Kingi): Sen. Beth Syengo, do you have any supplementary question?

**Sen. Beth Syengo:** Mr. Speaker, Sir, this is my supplementary question to the Cabinet Secretary. Women and youth traders in Kitui County face exploitation by middlemen and brokers and their MSMEs are not supported. What interventions has the Ministry put in place to protect them and take them through training for capacity building to enable them access markets directly and affordable credit support programmes as well?

**The Speaker** (Hon. Kingi): Proceed, Sen. Mungatana.

**Sen. (Dr.) Mungatana, MGH:** Asante, Bw. Spika, kwa kunipa nafasi kuuliza swali.

Waziri, swali langu ni kuhusu pesa ambazo zinatumiwa kwa *women empowerment* na kusaidia wale wanaoishi na ulemavu. Umesema kuwa pesa zilizotumiwa kule Kisumu ni shilingi 197,984,000. Ningependa kujua ni pesa ngapi zimetumiwa kwa Kaunti yetu ya Tana River kwa sababu kina mama wengi wanaofanya biashara katika masoko makubwa kama vile Garsen, Hola na Madogo wanalalamika kwamba hawanufaiki na mipango hiyo. Wanasikiliza ikitangazwa na Serikali lakini hawaioni. Sisi tukienda kuiongelea, tunaulizwa ziko wapi. Kwa hivyo, ningependa kujua ni pesa ngapi zimeenda kwa Kaunti yetu ya Tana River.

**The Speaker** (Hon. Kingi): Sen. Eddy Oketch, you have the Floor.

**Sen. Oketch Gicheru:** Mr. Speaker, Sir, it is good to see the Cabinet Secretary here again today.

Bw. Cabinet Secretary, there has been a lot of challenges facing MSMEs in the recent past in the wake of flooding disasters. You find a place like Migori County, and to some extent places like Budalangi, floods wiping out simple assets that MSMEs depend on to do their businesses. It takes years for these small and medium enterprises to build these small assets to make sure that they can progress with their businesses.

What is the Ministry doing - not with credit facilities - but with flexible capital, to intervene and help those traders in Migori market, or even in Kabuto and Sori, Budalangi in western Kenya so that these small traders are able to regain their cadence in terms of doing their businesses by acquiring simple assets to continue with their businesses, especially because even the Kenya Meteorological Department (KMD) has said that in the next seven days we are still going to experience the same kind of floods and rains that could even affect these small markets that we have in our communities?.

I thank you, Mr. Speaker, Sir.

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

**Sen. Cherarkey:** Thank you, Mr. Speaker, Sir. It is good to see my neighbour, Cabinet Secretary (CS) Oparanya. Mine is on the issue of the Hustler Fund, Nyota Fund and Youth Fund.

He has indicated in response to the issue of access and the high interest rates on the commercial bank loans. My issue is, *Waziri*, as a ministry, do you have intention either to waive these interests, to give them a holiday in terms of payment, or even cancel or absorb some of the loans, not only in Kisumu County, but across the country?

I yield back.

**The Speaker** (Hon. Kingi): Sen. Wakwabubi, please proceed.

**Sen. Wakwabubi Consolata:** Thank you, Mr. Speaker, Sir. CS Oparanya, thank you for the presentation. I would like to begin by appreciating you for empowering vulnerable groups in Bumula Sub-County, Bungoma County, last week. We have eight more sub-counties to go, and the entire Kenya because I stand for all parties in the country.

My question is, what interventions is the Ministry putting in place to stabilise prices of key commodities like fuel, electricity, transport, basic goods, and the issue of collateral security, when these vulnerable groups come to seek for loans and all those affecting small-scale traders country-wide?

Thank you, I yield.

**The Speaker** (Hon. Kingi): Sen. Mumma, please proceed.

**Sen. Mumma:** Thank you, Mr. Speaker, Sir. I welcome CS Oparanya to the Senate.

My question is about the Hustler Fund. Hon. CS, among the first days you came here, you indicated that the default rate on the Hustler Fund was quite high. Would you kindly share with this House how much, in terms of percentage, we lost as a country in terms of bad debt relating to the Hustler Fund and what lessons have been learned and can be shared country-wide openly, in order such funds to perform better in future?

**The Speaker** (Hon. Kingi): Sen. Mwenda Gataya, please proceed.

**Sen. Gataya Mo Fire:** *Waziri*, ningependa kuuliza swali kuhusu huduma ya *Fuliza* muliyoanza kwa msisimko mkubwa sana. Walakini, nimepata taarifa kutoka kwa wafanyibiashara wengi wadogo ambao wanasema kuwa hiyo huduma imefifia. Je, Wizara yako ina mpango gani wa kufufua huduma hiyo?

**The Speaker** (Hon. Kingi): Hon. CS, you may now respond.

**The Cabinet Secretary for Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, Sen. Syengo asked about how we are dealing with the small-scale traders in her region. Let me say categorically that the interventions that I mentioned are country-wide. We do not segregate for a particular region. We sensitise organisation of these groups. We have officers all over the country who sensitise these groups and ensures that when these groups are together, they are registered under Micro and Small Enterprise Authority (MSEA). That is a process we call formalisation.

Each sub-county has an officer from MSEA to ensure that those groups are put together, registered, and trained. After being trained, it is up to those groups to make sure that they apply facilities from the many funds that have been created by the Government. Thereafter, if they get the funds, we go in to train them for financial literacy, so that they are able to know how those groups would manage their finances. We have done this countrywide. However, as I mentioned, we have also the MSMEs Connect. This is a forum where we, the Government, involve private sectors.

There are Non-Governmental Organizations (NGOs) in the private sector who are also dealing with these small traders. We are also putting them together so that we have a uniform way of dealing with these small traders, encouraging them to come together, in terms of the curriculum when we are training them for financial literacy.

Sen. Mungatana, uliuliza ni pesa ngapi ambazo tumesaidia Tana River nazo. Sikujua utauliza swali kama hilo. Walakini, ukitaka ujue zile pesa ambazo hupitia kwa hizi miradi ambayo tunayo katika Wizara, niko tayari baada ya kutoka hapa tuende kwa ofisi au nilete hilo jibu kupitia kwa Mheshimiwa Spika.

On the issue of Migori County, you talked of disaster. Disaster is a cross-cutting issue. It is very difficult to pin disaster on one particular ministry. When we have disaster, mainly the Ministry of Interior and National Administration plays a leading role. Multi-ministerial agencies that come together to deal with disasters. So, you are apportioned to one that is applicable to my ministry, and you see how to deal with it.

In most cases, if the disaster is not material, we leave that disaster to be dealt at the county level. So, county governments have also a role to play. For instance, if in Migori County, we have minor disasters like floods along the river involving few traders, your first contact to help you should be the County Governor. However, if it is excess, then the national Government comes into multi-agency.

*Ningetaka kuzungumzia kuhusu Hustler Fund.* At the moment, it is a very successful Fund. Over 27 million Kenyans are now borrowing from the Hustler Fund and repaying. The Senator says that we give them a holiday or waive. There is no free lunch. This money is given for these people to do business. As you know, the Government does not do business. Sometimes, the Government also borrows this money elsewhere to make sure that they cushion these traders, and the Government has to pay with even a low interest rate.

However, UWEZO Fund is interest-free. In UWEZO Fund, we encourage groups to come together and work together and we train them. Those funds are interest free. I encourage Senators to be very close to their constituents, especially those women groups

and youth groups, to help and sensitize them on what the government can do for them. This is because as their representative, you have more information and knowledgeable than them.

On the question from the Nominated Senator from Bungoma, thank you, Senator, for attending my functions when I was there. Facts have been misrepresented, but I thank you for coming.

Stabilization of prices is something that cannot be approached from one Ministry. It is a whole-government, multi-ministerial approach, but the Ministry of Finance and National Planning plays a key role in stabilizing monetary and fiscal issues, although the role of the Central Bank of Kenya (CBK) is very critical.

This is not an issue that I can tell you that I can have the right answer for you. As a Ministry, we are just trying to cushion small businesses by making sure that they get affordable credit from various funds created by the Government. This also improves in stabilization of prices to some extent, because then their products are fairly priced to the people.

On collateral, it has been an issue, especially when you talk about small traders who do not have fixed assets at the moment that they can use for collateral, which is why the Government has introduced the Hustler Fund, which is a digital financing ecosystem where you do not need collateral at all. If you are a good borrower that borrows and repays, the limit of borrowing is up to Kshs150,000 at a very low interest rate, but no collateral at all.

I encourage Senators to be part of the ecosystem of the Hustler Fund, because unless you are in need, then you cannot educate members of your community.

On the Hustler Fund default rate, usually when a new thing comes up, people rush to test to see what is in there. That is what happened with the Hustler Fund. About seven million people came in, borrowed and some disappeared. We have been talking to these people, and I can assure you that some of them have paid.

It is not all lost. We are encouraging them to pay because when they do their credit limit is enhanced, and they are able to borrow more. In any case, if we want to follow them legally, we have the National Identification Card (ID) numbers, because the borrowing is attached to ID numbers. We have not lost, but there are small pairs.

At the moment, the default rate is very low. Out of that, which is borrowed, 90 per cent is paid within the expected period.

Seneta was mwisho aliuliza mambo ya mkopo wa Fuliza. Fuliza haiko chini ya Serikali ya Kitaifa. Hayo ni mambo ya Safaricom, Kenya Limited ambayo siyajui. Mambo yangu ni Hustler Fund. Kama ni mambo ya *Fuliza*, tulikuwa na Waziri wa ICT ambaye angetusaidia kwa hayo. Ukiwa na maswali kuhusu Hustler Fund, niko tayari kujibu.

*(Interruption of Questions)*

**COMMUNICATION FROM THE CHAIR****VISITING DELEGATION OF  
THE FORMER KENYA PLANTERS'  
COOPERATIVE UNION, KPCU, STAFF AND FARMERS**

Honourable Senators, I would like to acknowledge the presence in the Speaker's Gallery this morning of a visiting delegation of the former Kenya Planters Cooperative Union (KPCU), staff and farmers.

The delegation is in attendance to follow the proceedings of the Senate in relation to question number 35 and 36 by the hon. Beth Syengo, to the Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development.

On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

*(Resumption of Questions)*

**The Speaker** (Hon. Kingi): We now move to Question No. 35 by the Nominated Senator Beth Syengo. Before that, allow me to make this communication.

Honourable Beth Syengo, as you rise to ask the question, you can extend a warm welcome to the delegation.

**Sen. Beth Syengo:** Thank you, Mr. Speaker, Sir for giving me this opportunity. I welcome the guests who are seated to follow the proceedings and the answer to the Questions that I have raised because they are directly affected by this.

I come from Eastern Kitui County and these great citizens of Kenya, the majority of them come from Central Kenya. This is a message to say that Kenya is one and we need a united country.

Feel welcome, follow the proceedings. I am happy that you got time to be here.

*Question No.35*

**DELAYED SETTLEMENT OF OUTSTANDING DUES TO  
FORMER KPCU EMPLOYEES**

Now going to my two Questions. Honourable CS, who is also my friend, I have this concern for Kenyans who have served in this country and have been following their dues as my Question goes.

(a) When will the Ministry Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development ensure payment of outstanding terminal dues to the laid-off staff of the defunct KPCU, numbering 402, who were severed from service between 2002 and 2010 and are owed approximately Kshs400 million?

(b) Could the Cabinet Secretary state whether the Ministry has comprehensive payment schedule for settlement of the said staff dues, indicating timelines, amounts paid

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for and beneficiaries, and whether the schedule provides for interest accruing from the date the payments fell due, including timelines for payment of such interest?

Honourable Speaker, I do not know whether I will leave it at that because the following Question is also mine.

**The Speaker** (Hon. Kingi): Are they related so that honourable CS can take them at once?

**Sen. Beth Syengo:** Okay, let him respond to that, then I will ask the second.

**The Speaker** (Hon. Kingi): Honourable CS, you may proceed to respond.

**The Cabinet Secretary for Ministry of Cooperatives and Micro, Small, and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Thank you very much, Mr. Speaker, Sir. I also acknowledge the presence of the delegation from the KPCU. It shows how this particular answer is important to them. Therefore, I wish to respond to Question No.35 by Sen. Beth Syengo.

Mr. Speaker, Sir, I beg to reply.

(a) The Ministry will settle the outstanding staff terminal dues amounting to Kshs528,691,304.81 under the Coffee Debt Waiver Programme in the second quarter of the Financial Year 2026/2027.

For (b), the Ministry has a comprehensive payment schedule for settlement of the said staff dues at the time of receivership, the staff terminal dues stood at Kshs528,691,304.81. These comprise of a former Managing Director (MD) and the deputy at Kshs12,371,448.10. General staff dues Kshs7,896,687.55, statutory liabilities Kshs64,640,371, staff creditors Kshs3,340,438,017.86 and provision for court awards, legal costs and interest on staff dues of Kshs103,344,584.66. The outstanding staff terminal dues shall be paid under the coffee debt waiver programme in the second quarter of Financial Year 2026/2027.

I want to add and apologise that these payments have been outstanding for long. I know the affected employees have really suffered. I want to make a commitment here that we shall make sure that these payments are made as stated in my statement.

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

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

**The Deputy Speaker** (Sen. Kathuri): Very well, hon. CS. Sen. Beth Syengo, do you have any supplementary question?

**Sen. Beth Syengo:** Thank you, Mr. Deputy Speaker, Sir. I really appreciate the CS for his response. However, I have this supplementary question. Some of the staff have passed on while those who are sick are unable to access medical care and other expenses such as food, shelter and school fees. The Ministry has been promising, as you have already indicated, that you are going to pay. What guarantee is there that this matter will be concluded?

*(Loud consultations)*

**The Deputy Speaker** (Sen. Kathuri): *Bwana* CS? No. That is my formula.

Hon. CS, respond to the prime supplementary question.

**The Cabinet Secretary for Ministry of Cooperatives and Micro, Small, and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Thank you, Mr. Deputy Speaker, Sir. I want to promise here that already this payment has been approved by the Cabinet and it is going to be allocated in the coming financial year.

The debt waiver was audited and established at Kshs6.8 billion. Out of that, already the Ministry has been given Kshs2 billion. We are expecting Kshs4.8 billion, of which we have prioritized payment of these staff dues. These matters arose because there was a receivership. When there is a receivership, sometimes our hands are tied. We have to operate within the receivership regulations and laws. That is why it has taken quite a bit to pay these particular staff. Let me guarantee you, Sen. Syengo, that this amount will be paid as stated. This was a commitment by His Excellency the President when he promised to waive coffee debts.

These staff were lucky that part of the receivership amounts that were outstanding from the old KPCU, amounting to Kshs1.4 billion, was included in that particular amount.

**The Deputy Speaker** (Sen. Kathuri): Let us get other supplementary questions.

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, I extend a warm welcome to the suffering KPCU members. I hope this matter can be---

I thank CS Oparanya because he is very brief and to the point. I hope other CSs will learn from him. So, my only concern is that he has said that there is an outstanding Kshs528,691,304, but at the end of the response, he indicates that it has coffee debt waiver programme in the second quarter of Financial Year 2026/2027. My concern is the CS has not gone on record to indicate whether it was there during the Budget Policy Statement (BPS).

If the budgetary allocation is not there, then this is just a statement. So, how much was allocated to clear this Kshs500 million plus? Some of them have died, some of them are sickly and some of them are depressed. We do not want to subject Kenyans. They say if you want to know the strength of a nation, you know how they treat their most vulnerable in times of need. So, can the CS go on record and tell us the amount cited here has been allocated by the National Assembly in the Financial Year 2026/2027?

I yield back.

**Sen. Wakwabubi Consolata:** Thank you, Mr. Deputy Speaker, Sir. I happen to come from a coffee-growing region and that is why I will keep coming on stage to advocate for anything that relates to coffee.

I have this supplementary question to CS Oparanya. I have been following you in various platforms advocating for people to plant a lot of coffee. Now that the pool is becoming vast, can you tell this House the long-term policy interventions the Government will implement to prevent recurrence of unpaid terminal dues in parastatals and cooperative institutions undergoing restructuring?

**The Deputy Speaker** (Sen. Kathuri): Let us get this other one from Sen. Mbugua.

**Sen. Mbugua:** Thank you, Mr. Deputy Speaker, Sir. CS, the question by Sen. Syengo had initially asked for a figure of Kshs400 million. In your response, you are

saying you are ready to pay Kshs528 million. Could you provide a comprehensive list, even if it is not now, for these Kenyans to know that their names will not be missing when their payment time comes?

**The Deputy Speaker** (Sen. Kathuri): Respond to the three supplementary questions, hon. CS.

**The Cabinet Secretary for Ministry of Cooperatives and Micro, Small, and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Thank you, Mr. Deputy Speaker, Sir.

On the first question, let me assure this House that, as mentioned earlier, the total figure that His Excellency the President committed himself to pay as coffee debts, of which Kshs1.4 billion is included under the receivership of the old KPCU. An amount of Kshs2 billion was already disbursed to the Ministry by the National Treasury this financial year. However, the Kshs2 billion paid those coffee farmers who had borrowed from commercial banks because they were under stress to be auctioned. That is why we gave those particular debts a priority when we used the Kshs2 billion.

Mr. Deputy Speaker, Sir, I assure this House that in the coming Financial Year 2026/2027, we have already agreed with the necessary agencies that Kshs2 billion will again be allocated to us. I assure this House that these staffers are going to be given the first priority in being paid part of the Kshs2 billion; they have suffered enough. If they are not paid out of the Kshs2 billion, I am ready to be summoned and grilled here on why I lied to this House.

The other question by my sister, the Senator from Bungoma, is on the issue of long-term interventions and payments. As a Ministry, we found out that there were weaknesses in governance in cooperatives and in Savings and Credit Cooperative Organizations SACCOs. That is why, some of these issues have been reoccurring year-in, year-out. As a long-term solution, the Ministry has come up with a revised Cooperative Bill 2025 that has already gone through this House. It has also gone through the National Assembly and now, it is at mediation level.

We are certain that if that particular Bill is enacted, most of the weaknesses that we have been having in cooperatives will be sorted out. Issues of governance, term limit and supervision have all been addressed within that Bill.

Secondly, we also have the SACCO Societies (Amendment) Bill 2025 that is already before the National Assembly; they have gone through it. It is on its way to this House. Please, I plead with you that when it comes before you, look at it objectively, so that we are able to pass it. If the two Bills, that is, the mother Bill and the SACCO Bill pass, they will be able to resolve some of these issues. There will be no non-payment because they medicate against such issues.

I think those were the three questions.

**The Deputy Speaker** (Sen. Kathuri): The last one from Sen. Cherarkey.

**The Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): The last one is about the list of beneficiaries. I have the list and it can be availed. I have my colleague here from new KPCU, who is supporting me. I direct him to provide that list of beneficiaries,

so that it can be forwarded to your office for the consumption of the Member of Parliament (MP).

Thank you very much.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, what is your point of clarification?

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, I only want one commitment from the Cabinet Secretary on budgetary allocation. He is saying that there is Kshs2 billion, but he has not committed that out of the Kshs2 billion, the amount of Kshs500 million plus will be allocated to pay these employees of KPCU.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, he gave his commitment to clear the pending bill of the former employees first. I even saw the former employees nodding because they were happy. I do not know whether we are speaking the same English.

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, I went to the great school of Kapsabet Boys that has produced two or three presidents of this country, including the current one.

He has said that there is Kshs2 billion that has been allocated to the Ministry for purposes of looking into this issue of coffee debt waiver. My only concern is that; is he willing to pay as per the schedule list of beneficiaries of former employees, including the estates of the deceased, the sickly who cannot access those funds and the administrators so that the administrators or beneficiaries of any person who has passed on can benefit from the payout; Sen. Syengo has put it correctly?

I appreciate the way he is committed to resolve this matter once and for all in this financial year. I yield back.

**The Deputy Speaker** (Sen. Kathuri): I do not want to bring the Cabinet Secretary back to the podium on that matter because this House has clearly absorbed his commitment on record that he will clear all the issues. He has also committed to give the list to the representatives of the KPCU members.

The Cabinet Secretary has also said that he does not mind being summoned to this House again if he does not pay. With regards to where he comes from, I know he is really committed because my culture and his culture are almost the same. So, when a man says that they commit, you take that as the gospel truth. The Cabinet Secretary is also aware that if we say, yes, it is a yes and if we say no, it is a no.

Let us go to the next Question.

### *Question No.036*

#### OUTSTANDING COFFEE PROCEEDS OWED TO FARMERS BY DEFUNCT KPCU

**Sen. Beth Syengo:** Mr. Deputy Speaker, Sir, I beg to ask Question No.036 to the Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development:

(a) Could the Cabinet Secretary explain when the Ministry plans to pay outstanding proceeds due to coffee farmers for coffee sold through the defunct KPCU in the coffee pool year 2008/2009, amounting to approximately Kshs60 million?

(b) Could the Cabinet Secretary further explain whether the Ministry has a payment schedule for the affected farmers, indicating timelines, amounts, payable and beneficiaries and whether the schedule provides for interest accrued from the date that proceeds fell due, including timelines for payment of such interest?

Thank you.

**The Deputy Speaker** (Sen. Kathuri): *Bwana* Cabinet Secretary, you may respond.

**The Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Mr. Deputy Speaker, Sir, from the onset, let me say that such issues of delayed payment will never happen again. Since then, reforms have been undertaken and at the moment, farmers who sell their coffee through the Nairobi Coffee Exchange get their payments within five days after the auction date. So, that is a commitment and those are reforms that have happened in the coffee sector all along.

Mr. Deputy Speaker, Sir, I wish to respond to Question No.036 by Sen. Beth Syengo as follows-

(a) The Ministry plans to pay the outstanding balance of Kshs56,392,928.87 proceeds due to coffee farmers for coffee sold through the Kenya Planters Co-operative Union (KPCU), in the coffee pool year 2008/2009, under the Coffee Debt Waiver Programme, in the second quarter of Financial Year 2026/2027.

(b) The Ministry has a payment schedule for the affected farmers. The outstanding amount to coffee growers in the coffee pool year 2008/2009 was Kshs56,392,928.87. This is after the previous settlement of Ksh50,667,514.99.

That means the total figure was over Kshs107 million, not only Kshs60 million. Out of that, Kshs56 million has been paid, leaving an outstanding balance of approximately Kshs50 million. This amount is inclusive of interest accrued over that time. The outstanding amount to coffee growers shall, therefore, be paid under the Coffee Debt Waiver Programme in the second quarter of Financial Year 2026/2027.

I want to state categorically that this question is related to the previous question, because this amount is part of the Kshs1.4 billion owed to staff and various suppliers of the old KPCU, which has been included in the Coffee Debt Waiver Programme for the second quarter of 2026/2027. I confirm that this amount has been proposed for allocation in the budget for Financial Year 2026/2027.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): Sen. Beth Syengo, do you have any supplementary questions?

**Sen. Beth Syengo:** Thank you. Clarity was on the budgetary allocation because he has mentioned two. Which financial year?

**The Deputy Speaker** (Sen. Kathuri): Any other supplementary questions?

**Sen. Cherarkey:** A further clarification on this payout under KPCU and proceeds to coffee farmers. Waziri, if it is not too much trouble, there was also a matter that arose

with the old Kenya Co-operative Creameries (KCC) and the New KCC. I would like to find out whether there are other sectors, apart from coffee, where payments are outstanding.

There is the matter of non-payment of former KCC workers and payments to old KCC farmers. If any other sectors need to be paid and whether the Ministry has made provision, I would be grateful for a response now or through the Speaker in the few days.

I yield back.

**The Deputy Speaker** (Sen. Kathuri): I am interested in the KPCU issues first.

**Sen. Mandago:** Thank you very much, Mr. Deputy, Speaker, Sir. I want a confirmation from the Cabinet Secretary, who said there is a proposal in the Budget for Financial Year 2026/2027. Did the proposal originate from the Ministry and does that specific figure have priority for the Ministry? Is there any evidence to show that it is in the proposal?

When you look at this matter, it dates back to 2008. We are now in 2026. Even the very farmers we are trying to pay, for some of them, I do not know how they will receive it. Perhaps when we offer offerings in church, they will celebrate in heaven. So, the few who are still alive should be paid as soon as possible.

So, we want confirmation and evidence that it is actually in the budget. It is upon the Ministry to ensure that the allocation remains in the budget. Is it a priority?

**The Deputy Speaker** (Sen. Kathuri): Sen. Mandago, you have just come in and we had already canvassed that matter. In the interest of fairness, since you are one of the key representatives from the Rift, I will give you an opportunity for that assurance. However, he has already committed himself to those figures.

Any other Member? Hon. Cabinet Secretary, you may answer those two questions and if you can, also address the KCC and New KCC matter.

**The Cabinet Secretary for Cooperatives and MSME Development** (Hon. Oparanya): Thank you very much. I want to state categorically that the financial year I am referring to is 2026/2027. That is where we have provided for that amount. It is now up to the National Assembly to either reduce or increase. Otherwise, it has gone through the various stages.

We are hopeful that this figure of Kshs2 billion will be in the final Budget approved by the National Assembly. As I have said, I commit myself that this amount is part of the Kshs1.4 billion, which we are giving priority, to have the matter of the debts of the old KPCU rested, so that we can now deal with the issues of the new KPCU.

On the issue of KCC, I am not attempting to answer, but I categorically say I have the capacity because I know what is happening. On New KCC staff, the issue is different from the old KPCU staff issue. The old KPCU issue involves staff dues that are directly there. On the New KCC, it involves even SACCO deductions, staff who used to work there, in addition to staff of the old KCC.

The New Maziwa Sacco is no longer there. We have, pursuant to the directive of this House, formed an inter-ministerial committee comprising the Ministry of Cooperatives and MSME Development, the National Treasury and the Ministry of Labour and Social Protection. The three ministries have formed a technical committee, which has already met and produced an interim report that I will present to this House.

The report contains proposals on how to settle the amounts owed to the New KCC staff, old KCC staff and the Maziwa Sacco, which is now defunct.

Thank you very much.

**The Temporary Speaker** (Sen. Kathuri): We go to the next Question, Question No.039. Senator for Nyandarua County, Sen. Methu. Sen. Mohamed, you may ask on his behalf.

**Sen. Faki:** Yes, I have been authorised by Sen. Methu to ask this Question on his behalf.

*Question No.039*

IMPACT OF SUSPENSION  
OF SACCO SOCIETIES REGISTRATION

Mr. Deputy Speaker, Sir, I rise to ask Question No.039 to the Cabinet Secretary for Cooperatives and MSMES Development.

(a) Could the Cabinet Secretary provide justification for the suspension of Sacco societies' registration in the country and state whether public participation was conducted before the decision was taken?

(b) When will the registration resume?

(c) What measures has the Ministry put in place to mitigate against the adverse impact of the suspension on financial inclusion, savings mobilisation and access to affordable credit, especially among the youth, who have already organised themselves under the proposed societies, such as the Rise Up Savings and Credit Cooperative Organization (SACCO) Society in Githurai 45, but are unable to obtain formal registration due to the suspension?

Thank you, Mr. Deputy Speaker, Sir.

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

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

**The Cabinet Secretary for Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Mr. Temporary Speaker, Sir, I rise to respond to Question No.39 by the Senator for Nyandarua County.

For (a), the Ministry has noted the mixed performance of the SACCO sub-sector. In order to reform this sub-sector, the Ministry appointed a team of experts on 20<sup>th</sup> May, 2025 to review the legal and institutional frameworks and other operational areas and come up with recommendations to assist the Ministry to develop policies and guidelines towards the improvement or transforming of the sector.

During the formal engagement of the committee of experts on SACCO sector reforms in May, 2025, the Ministry announced the suspension on the registration of new SACCOs. This decision was taken as a precautionary measure to safeguard members'

interests and allow for comprehensive review of the sector's regulatory and governance landscape.

The reasons for suspension were to-

- (1) allow time to reform the legal and regulatory framework;
- (2) prevent the brand dilution and market saturation;
- (3) enable clean-up of existing SACCOs landscape;
- (4) protect members' savings amid governance failures that have occurred in the sector; and,
- (5) align Kenya with global best practices.

The suspension of registration of SACCOs was not a freeze, but a strategic pause to protect members, restore integrity and lay the foundation for a resilient, well-regulated SACCO sector. It was to ensure that future SACCOs are not just registered, but ready to serve, govern ethically and align with Kenya's financial inclusion goals and objectives.

Mr. Temporary Speaker, Sir, Section 93 of the Cooperative Societies Act, Cap. 490, provides that the Cabinet Secretary may from time to time direct the Commissioner for Cooperative Development on the exercise of his powers and duties under the Act, hence this does not require public participation.

For question (b), the committee of experts handed over its report on the transformation of the SACCO systems in Kenya just last month. This landmark report made a significant recommendation and if the recommendations are adopted, this is going to be a milestone in our collective efforts to build a SACCO system that is resilient, transparent, well-governed and fit for the future. As a result, the registration of SACCOs has resumed, but under new administrative registration guidelines.

For question (c), my response is that the moratorium on the registration only related to SACCOs because of their financial mediation business involving collecting deposits from the public and offering the same as loans, which calls for Government intervention to protect members' said deposits. As earlier stated, the registration of SACCOs has resumed, but under new administrative registration guidelines.

It is important to note that every minute small SACCOs are registered all over the country to only provide back office service activity called Back Office Services Activity (BOSA), or otherwise known as non-deposit taking, many of these are inactive and exist just on paper. Those that are active are neither stable nor financially viable because they serve just a few members with a limited impact on financial inclusion.

Consequently, a time has come for the SACCO sector to explore market-driven solutions for consultations and mergers of these very small BOSA-only SACCOs. This is the only way to ensure their financial viability and stability. In this regard, officials of SACCOs operating within the same or similar traditional economic and social common bonds are being requested to immediately start conversations relating to mergers as a solution to their survival. This is the way to go in order to have a prosperous SACCO sector. The Ministry shall issue guidelines to facilitate the amalgamation of the cooperative societies.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Faki, do you have a supplementary question?

**Sen. Faki:** Sina swali la ziada. Ningependa tu kutoa maoni kwamba kusimamisha kwa usajili wa vikundi vya SACCO kwa sababu ya mikakati ya kurekebisha sheria za usajili ni sawa na kuzuia watu wasiweze kuzaa kwa sababu baadhi ya watoto wanaozaliwa ni wahalifu. Waziri amekubali kwamba wameanza kufungua. Kwa hivyo, tuna matumaini ya kwamba SACCOs zitaandikishwa.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mungatana, do you have a supplementary question?

**Sen. (Dr.) Mungatana, MGH:** Thank you, Mr. Temporary Speaker, Sir. SACCOs are very famous as instruments of doing business in the matatu industry. Many people are investing in this business every single day because matatus are a necessity for many Kenyans who go to work and back home, including those who go upcountry.

So, it was quite sad to hear that the Cabinet Secretary had suspended the registration of new SACCOs. Although he has explained a good reason for doing so, which we accept, what we need are clear timelines. Kenyans listening to him would want to know when they can now resume registration.

People are buying vehicles every day and they sometimes do not want to go to established SACCOs, especially on certain routes, because those SACCOs, as you well pointed out *Waziri*, are very badly managed. You have agreements with them, the owners of the vehicles are not paid on time, management is not good, the workers are not disciplined and that investment does not pay. So, what we wanted to know is what the framework is for telling Kenyans that this is the time they can go and register new SACCOs in the different lines for matatus to operate.

I thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Cabinet Secretary, please proceed.

**The Cabinet Secretary for Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Lile swali la kwanza, wakati niliingia ofisini, wale ambao wanaendelea kusikiza mambo ya SACCOs katika nchi hii, nakumbuka wakati huo tulikuwa na lile shirika la KUSCO ambapo pesa nyingi za wananchi zilipotea, karibu Shilingi bilioni 13.

Wakati huo huo tulikuwa na shirika la Metropolitan kule Kiambu ambapo Shilingi bilioni 7 za wananchi zilipotea. Kwa hivyo, nikiwa Waziri, singeweza kukaa tu na kuangalia pesa za wananchi zikipotea. Tuliamua kama Wizara tuangalie ni nini suluhisho ambalo linaweza kusaidia pesa za wananchi zikiwa kwa SACCO, ziwe zinaangaliwa vizuri. Ndio nikaunda hiyo kamati ya wataalam ambayo imeleta mapendekezo mazuri.

Pili, tulisema tuko kwa *register* ya SACCOs katika nchi hii na SACCOs 14,000. Ukiangalia zile ambazo zinaleta *returns* ni chache sana. Kwa hivyo, niliamuru Kamishna wa Ushirika aandike barua kwa hizi SACCOs zote zilete *returns*. Kwa hizo 14,000, karibu 2,000 peke yake ndizo zimeleta *returns*. Ni kuonyesha kwamba zingine ziko tu kwa majina lakini hazifanyi kazi yoyote. Zikiwa hivyo, tuko na wananchi wengine walaghai ambao wanatumia zile *inactive* SACCOs kuchukua pesa kutoka kwa wananchi. Ule mkondo ambao mimi nimechukua ni kuona kwamba pesa za wananchi ambazo ziko kwa SACCOs zinachungwa vizuri.

On the issue of registration of SACCOs by Sen. Mungatana, on the timelines, I have already said that we now have new guidelines that are very clear. For anybody who wants to register, there are new guidelines. One, you must show that you have their specific promoters, who are the promoters of this SACCO. Is there a bank account? If the bank account is there---

**The Temporary Speaker** (Sen. Abdul Haji): Cabinet Secretary, there is an intervention from Sen. Mandago, who wants to seek clarification on the initial answer.

**Sen. Mandago:** Mheshimiwa Speaker, nasimama kuuliza kulingana na Kanuni za Kudumu za Bunge. Ukianza kujibu swali kwa kutumia lugha moja, unafaa kutumia lugha hiyo mpaka ukamilishe. Waziri ameanza kujibu swali kutumia Kiswahili. Je, ni sawa akifika pale katikati aende kwenye Kiingereza ilhali wananchi wakulima walikuwa wanafuatilia kwa Kiswahili?

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mandago, nitakujibu hilo swali. Alikuwa anajibu swali la Sen. Faki ambalo aliuliza kwa Kiswahili ndio akaamua kumjibu kwa Kiswahili. Sen. Mungatana aliuliza kwa Kiingereza, ndio anamjibu kwa Kiingereza kwa vile anafuata Kanuni za Kudumu za Bunge. Lazima ukumbuke Waziri alikuwa Mbunge, anajua sheria.

**The Cabinet Secretary for Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Thank you for protecting me. Sen. Mandago is taking me as a layman. He knows my experience in this House. I think he was just pulling my leg. Thank you for protecting me.

I have said, for those who want to register a SACCO, they must have promoters. They must have a bank account. That bank account must at least have Kshs10 million. To show some viability, there must be proper bylaws, and they must complete application forms, take them to the relevant director of cooperatives at the county level, who will countersign before it is forwarded to the Commissioner of Cooperatives for consideration. They must also attach a cash flow for the next three years, to show that this is a viable SACCO. These are some of the conditions that we have put in place to make sure that we have serious institutions that will be taking care of the interests of the members.

Lastly, I want to commit myself to the fact that those SACCOs can now register immediately, having fulfilled the conditions that I have pointed here, so long as they satisfy them.

**The Temporary Speaker** (Sen. Abdul Haji): We will take two supplementary questions from Sen. (Prof.) Kamar, followed by Sen. (Dr.) Murango.

**Sen. (Prof.) Kamar:** Thank you, Mr. Temporary Speaker, Sir, for the opportunity. First, I want to thank the Cabinet Secretary for the questions that he answered earlier in the day, and the assurance that he continues to give this House that he is ready to even come back. I want to assure this House that Moi University SACCO has been revived courtesy of the Cabinet Secretary's promise to this House. We want to thank him for that. In fact, the registration certificate is already out.

I just want to ask the Cabinet Secretary two clarifications. One is that cooperative societies are actually, except for policy, devolved. If they are devolved, what role did the county governments play in this? Do they have their own? Public participation really,

from the questioner, is not for us or for anybody else, but for county governments to participate because of the way they do their things. They must have public participation. Were they involved in any way or are they being inducted? Are they aware already as county executive committee members of cooperatives or chief officers of cooperatives, so that we do not have the same mistakes?

The second clarification is that 2,000 out of 14,000 having responded. This is a very low figure, as you have said, *Waziri*. What are you doing with the balance? Are you writing letters to them; warning letters? What will happen to make them respond because they are still there on the ground? Are we going to have a session for them to come back or are they going to re-register?

Thank you.

**Sen. (Dr.) Murango:** Asante, Mheshimiwa Spika wa Muda. Swali ambalo nataka kumwuliza Waziri, mwanzo ni kwamba, kabla ya kuvunjilia mbali, kuandikisha kwa vyama vya akiba na mikopo, kuna kitu kimoja ambacho naona kinakuwa makosa makubwa.

Kuna wahusika wakubwa. Ninajua wako hata Kirinyaga, ambao bado tunangoja majibu, kama Mweteithia Rural SACCO na Rwama Cooperative, ambao walipotea na pesa za umma. Sababu kubwa ya watu kujiandikisha kwenye vyama vipya vya ushirika na vyama vya akiba na mikopo ni kwa sababu vyama havina uwazi. Kuna wizi katika vile vyama. Pia, kuna utepetevu kwa sababu katika ofisi yako, Waziri, ni kwamba sio lazima mngoje hadi vyama vya ushirika viibe pesa za umma. Tunajua kuna SASRA, mojawapo ya taasisi ambazo zinafaa kuangalia hizi vyama. Halafu wakifanya ubadhirifu wa pesa, mnafungu kuandikisha. Hiyo ni sawa sawa - mtu akiwa na ugonjwa wa kuhara lakini badala ya kutafuta dawa unafikiria kushona mahali shida inatokea.

Kwa hivyo, ninauliza Waziri, ni lini tutawajibika vizuri ili kuhakikisha kwamba wananchi hawapati shida kwa sababu ya vyama vya ushirika na vyama vya akiba na mikopo bila kufunga njia ya haki na ya kisheria ambayo wamepewa kuviandikisha vyama? Hilo ni swali la kwanza.

La Mwisho, nikipitia, haya ni maoni yangu tu kwa sababu Waziri ni rafiki yangu. Alikuwa Kirinyaga juu ya vyama vya ushirika na matatizo tuliyo nayo ni kwa sababu ya deni la kahawa. Waziri, ukienda utukumbeke.

Asante, Mstahiki Spika.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Murango, ninataka nikupe nafasi ubadilisha lile neno ulisema ili utumie lugha ambayo inafaa Bungeni. Unajua hicho Kiswahili. Kunayo maneno mengi ya hayo maradhi ulisema mtu akiwa nayo.

**Sen. (Dr.) Murango:** Mstahiki Spika unajua kwamba kwenye mwili wa binadamu kuna viungo tofauti. Sijui kwa nini tunaona haya, tunataja mdomo na mapua, lakini tukifika sehemu zingine ni aibu. Hata kwa Kamusi hilo neno liko na sikulitaja. Nimepeana---

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Murango, sikusema usimame na ufafanue kile ulichosema. Ninakwambia ubadilisha kwa kutumia lugha ambayo ni ya Bunge.

**Sen. (Dr.) Murango:** Mstahiki Spika, ni neno gani hilo kwa sababu sikulitaja?

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Murango, usifanye nirudie. Unalijua vizuri sana lile neno ninalokuambia ubadilishe.

**Sen. (Dr.) Murango:** Mstahiki Spika wa Muda, ninaomba nikumbushwe kwa sababu sikumbuki nikisema neno lolote ambalo sifai kulitumia.

**The Temporary Speaker** (Sen. Abdul Haji): Mkumbushe, Sen. Mandago.

**Sen. Mandago:** Mstahiki Spika wa Muda, Seneta wa Kirinyaga anajaribu kucheza mchezo wa paka na panya. Ulitoa mfano wa ugonjwa wa kuendesha lakini neno ambalo ulilitumia sio kuendesha.

*(An hon. Senator spoke off record)*

Hilo neno ndilo unafaa urekebishe.

**Sen. (Dr.) Murango:** Mstahiki Spika wa Muda, nitabadilisha neno 'kuhara' niseme 'kuendesha,' lakini kuhara na kuendesha, maana ni sawa.

**The Temporary Speaker** (Sen. Abdul Haji): Sawa, Sen. Murango. Cabinet Secretary?

**The Cabinet Secretary for Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Thank you, Honourable Speaker. Thank you, Sen. Kamar, for appreciating what we did for the Moi University SACCO. I think it has now been revived. As a Senator of that region, I hope you put your interest there, so that the SACCO is able to serve the people at the university.

Therefore, these are some of the issues that we have now addressed in the new Cooperatives Bill. The Bill has clearly defined the responsibilities of county governments and the national Government. It has also assigned roles clearly. The types of cooperatives have also been segmented in terms of primary cooperatives, secondary cooperatives, federal cooperatives and apex cooperatives. The secondary and primary cooperatives operate within the county. National and federal cooperatives operate nationally, while apex cooperatives are at the national level. So, the two, apex and federal cooperatives have been assigned to the national Government and the primary and secondary cooperatives have been assigned to the county government. So, the roles are now very clear.

On the issue of 2,000 versus 14,000, the Ministry will put in the newspapers the 2,000 SACCOs that have responded by making sure that their returns are up to date. We will give 30 days to the balance of the 12,000 to respond. If they do not respond in 30 days, we will assume they are either inactive or they are not there, they are not operating and, therefore, they will be clearly deregistered. We will contact the Kenya Bankers Association (KBA) to make sure that if any of those ones are holding bank accounts elsewhere in any of the banks, then those bank accounts should be closed, so that they are not misused in the future to defraud innocent people their hard-won wealth. That is what we are doing.

Kuhusu mambo ya wizi wa pesa katika SACCOs, hapo awali nilisema ya kwamba wakati nilichukua ushukani katika Wizara, tulikuwa na mambo ambayo yalikuwa

yanaendelea katika KUSCCO na Metropolitan. Pesa nyingi zilipotea; kule KUSCCO, Shilingi bilioni 12 na kule Metropolitan Shilingi bilioni saba.

Lazima tuwe na njia ya kuhakikisha ya kwamba wananchi wakiweka pesa zao katika SACCO, hizi pesa zinatumiwa vile inatakiwa. Pesa ziliendelea kupotea – Tulikuwa na *complaints* nyingi; barua nyingi kutoka kwa sekta fulani. Ndio tukaamua kuangalia - *tustopishe* na kuunda Kamati ambayo itaangalia mambo haya, yaani *experts*. Nikapata hao wataalamu wa kuangalia mambo haya. Nilipata wawili kutoka kule ng'ambo watusaidie. Pia, tuna Wakenya ambao wamesomea haya mambo. Niliwaweka hapo watu watano ili wayaangalie. Sasa hivi wameleta ripoti ambayo itasaidia sekta hiyo. Hiyo ndio sababu tulisimamisha usajili wa vyama hivi.

Hapo awali nilisema kuwa tayari tumeanzisha usajili wa wale ambao watakuwa wanafuata zile sheria ambazo zinatakiwa. Nina hakika ile SACCO *amendment* ikija hapa - itakuja hapa, iko katika National Assembly - muiangalie kwa makini kwa sababu tunataka tulinde mali ya wananchi. Hiyo ndiyo kazi ya wizara.

SASRA ilikuwa na mamlaka limited. Ilifaa kukagua SACCOs zilizo na mali ya Shilingi milioni 100 na zaidi. Mapendekezo yaliyopo sasa yanasema kwamba shilingi iliyopo kwa benki iko sawa na shilingi iliyopo kwa *cooperative*. Kwa hivyo, mamlaka ya SASRA yamepanuliwa ili yaangalie *cooperatives* zote na si zile zilizo na mali ya Shilingi milioni 100 na zaidi pekee kwani shilingi ni shilingi hata iwe kwa *cooperative* ndogo au kubwa.

Asanteni.

**The Temporary Speaker** (Sen. Abdul Haji): Thank you, Cabinet Secretary. We will take the last batch of questions, starting with Sen. Kinyua.

**Sen. Kinyua:** Thank you, Mr. Temporary Speaker, Sir. The Cabinet Secretary has indicated that over 10,000 SACCOs risk being deregistered. That will lead to less competition, resulting to a higher interest rates on the loans, but a low interest rate on the savings of members. What is the Cabinet Secretary going to do to caution Kenyans?

**The Temporary Speaker** (Sen. Abdul Haji): Thank you. The next question is by Sen. Joe Nyutu.

**Sen. Joe Nyutu:** Thank you, Mr. Temporary Speaker, Sir. I refer to the response by the Cabinet Secretary for part (a) of the question. He mentioned that the justification for suspension of SACCO registration was prevention of broad dilution and market saturation. He continued to state that there was a proliferation of under-resourced and poorly managed entities.

We know SACCOs that started very humbly, like Equity Bank, that started as a very small SACCO. My concern is, if we make it a condition that SACCOs should be over-resourced, then we will risk having investors with humble beginnings from being deregistered, therefore, killing their dreams.

Finally, any SACCOs that have been closed and have sunk members' savings, such as two of them in Kirinyaga; Mwietheri and Rwama Famers Cooperative SACCO, what is the guarantee that the Cabinet Secretary is giving that members who had saved in these SACCOs will receive their savings? Are you taking legal action against such offenders? Sinking people's money is an offence.

Thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mandago.

**Sen. Mandago:** Thank you, Mr. Temporary Speaker, Sir. I would like to ask the Cabinet Secretary, now that there is a report of the task force that was looking at the legal framework and the reforms in the SACCO sector, have they sensitised the cooperatives on the new legal framework as the stakeholders in that sector?

**The Temporary Speaker** (Sen. Abdul Haji): The last question is by Sen. Cherarkey.

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir. My supplementary question is on the issue of suspension of registration of cooperatives by the Cabinet Secretary. I wanted to get further clarity since he quoted Section 93 on the powers of the Cabinet Secretary and Section 93 and 93A of the Cooperative Societies Act, Cap. 490. The powers of the Cabinet Secretary do not involve the power to order suspension of a cooperative society.

Where did the Cabinet Secretary get the legal powers or precedent to order suspension and registration? Looking at the powers of the Commission and the Cabinet Secretary, that authority is not provided. Maybe he can clarify that.

I yield back, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, put us on the same page. What are the powers given to the Cabinet Secretary?

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir. Section 93 of the Cooperative Societies Act Cap 490 states that the Cabinet Secretary may at any time on any matter direct the Commissioner as to the exercise of his powers and duties under this Act.

“93. The Cabinet Secretary may at any time and on any matter direct the Commissioner as to the exercise of his powers and duties under this Act.

93A. Other powers of the Commissioner

Without prejudice to any other powers under this Act, the Commissioner may-

- (a) call for elections in any cooperative society;
- (b) attend meetings of a cooperative society and require every society to send him at a proper time, notice and agenda of every meeting and all minutes and communications in respect thereof;
- (c) require that societies update their bylaws; and
- (d) exercise such other powers consistent with this Act as may be prescribed.”

In all these powers of the Cabinet Secretary and Commissioner, there is nowhere he has the power and authority to order suspension or cancellation or removal of a SACCOs under this Act. Maybe he can clarify that.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, can you refer to Cap 490, as described by the Cabinet Secretary?

**Sen. Cherarkey:** Yes, it talks about the power of the Cabinet Secretary. He keeps referring to the new cooperatives law. Unless and until the new Cooperatives Bill is signed into law, we can refer to it. I needed clarity because the Bill is yet to be assented to by the President. It is in mediation.

I thank the Cabinet Secretary, who is a seasoned politician, a former Member of Parliament (MP) and a political party luminary. I wanted to find out, is it hard for him to

tell us which power he is using? Is it the power of the Bill or the Act itself? That is my only query. In fact, Sen. Murango, who opened the door for the people of Kirinyaga, is the one leading the mediation.

**The Temporary Speaker** (Sen. Abdul Haji): Thank you, Senator. Cabinet Secretary, you may respond.

**The Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development** (Hon. Wycliffe Oparanya): Thank you, Mr. Temporary Speaker, Sir. On the question raised by Sen. Kinyua, I have clearly stated that the Cooperative Societies Act Cap.90, which was established in the 1970s, provides that 10 people can come together and form a SACCO. Things have since changed.

Looking at what has been happening over the last 40 years, most cooperatives formed by such a small number have collapsed. That is the experience. So, we are speaking from evidence. Even if the law currently provides for 10, things have changed. That number is not viable. That is why out of 14, only two are active.

We have also noted that when elections are around the corner, registration of SACCOs goes up. During that time, there are also harambees being conducted for SACCOs. A SACCO should be a self-sustaining institution. Whenever you hear of a harambee, know that such a SACCO will never survive after the election.

As responsible citizens of this country, we must guard the resources of innocent members who come together to form a SACCO. This is the essence of what we are saying. SACCOs are all over; they have opened boundaries and are not tribalistic. You can join a SACCO in any corner of this country. Nowadays they are digital, so you can join any SACCO. We are telling people to come together for economies of scale.

As a Ministry, we have provided guidelines if you decide to come together. We are saying that all SACCOs must be digitised. How do you digitise when you have no capacity because you have Kshs500 only in your bank account and you are waiting for a *harambee* to be conducted? We must be serious. People are saying that we are now empowering SACCOs. After elections, that will be nothing. If we want to, let us empower women groups. Call them groups and not SACCOs.

Hon. Members, I have looked at these issues critically. That also answers the next question, where the Member wanted to know about the guarantee. These people have lost money. These are part of the reforms we are bringing. We will create a Deposit Guarantee Fund.

For SACCOs that will be under genuinely, like what happens to banks, there will be a Deposit Guarantee Fund that will be managed independently. That money will be there to make sure that your deposits are refunded to you when a SACCOs is under receivership. That is part of the guarantee that we have. Therefore, support that Bill when it comes here.

Concerning the reforms, the committee of experts went to all the 47 counties and listened to co-operative members and officials. What they have recommended to the Ministry was actually from the people at the grassroots. At the same time, the National Assembly and the Senate have a chance to also go for public participation on issues that have been raised. If it is done by the committee of experts, the National Assembly and possibly by this House, that will be enough sensitisation on reforms that we are bringing.

On the issue raised by *Mheshimiwa* on the powers, if you read clearly, who registers SACCOs? It is the Commissioner for Cooperatives Development. You can have powers to register, but you do not have powers to stop. I have said clearly that I directed the Commissioner. Section 93 of the law gives me powers to direct the Commissioner on performance of his duties. That means that if the Commissioner has overlooked something, I have the power to direct him to relook at that particular thing. Therefore, those are the powers that I used. Powers should not apply one-way, but two-way. Therefore, you cannot register and not deregister.

I thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Thank you, Cabinet Secretary.

There being no further question, we shall allow the Cabinet Secretary to take leave. Cabinet Secretary, we thank you for your time. We wish you all the best in your duties. *Karibu sana*.

*[The Cabinet Secretary for Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development (Hon. Wycliffe Oparanya) was ushered out of the Chamber]*

Clerk, let us move on to the next Order.

## MOTION

### NOTING OF REPORT ON PAP COMMITTEES AND ORGANS HELD IN SOUTH AFRICA, 2024

**Sen. Mungatana, MGH:** Thank you, Mr. Temporary Speaker, Sir, for giving me the Floor. I beg to move-

THAT, the Senate notes the Reports of the Kenya Delegation to the Sittings of the Pan-African Parliament (PAP) Committees and other Pan-African Parliament (PAP) Organs held at the Gallagher Convention Centre in Midrand, South Africa on 13<sup>th</sup> September to 20<sup>th</sup> September, 2024; and 28<sup>th</sup> October to 17<sup>th</sup> November, 2024, laid on the Table of the Senate on Tuesday, 2<sup>nd</sup> December, 2025.

Mr. Temporary Speaker, Sir, this Motion speaks to two reports of sittings that we held in South Africa to represent the PAP as a Kenyan delegation. The Kenyan delegation comprise of three Members from the National Assembly and two Members from the Senate. As required by the PAP Rules, it is balanced between the side of Government and Opposition and the gender question. In fact, Kenya is doing well when it comes to female representation of that delegation of five.

There are five Members from each of the 55 countries that sit in the PAP. Some Members have been suspended because as soon as your country experiences a military coup or there is an unconstitutional change of government, then that country is suspended from all organs of the African Union (AU), including the PAP.

These two reports are extensive. I know Members of this House have had an opportunity to interact with the materials. In general, just like any other parliament, when

we go there, we debate on various issues. We also belong to different committees and operate just like any other parliament that does its business in a sitting of the Assembly.

We debate various issues affecting Africa because we are the voice of the people of Africa. Ordinarily, the people of Africa have heads of states, who meet in Addis Ababa to make executive decisions on their behalf. In those executive decision-making processes in Addis Ababa, there is hardly any provision for debate. When we go to Midrand in Johannesburg, where the PAP is located, we debate and pass Motions and legislation that are supposed to help us move forward.

For the two reports, there are extensive issues that have been raised, but I want to focus on the African Continental Free Trade Area (ACFTA). In both reports, the question of establishing a free trade area through Africa that was passed by heads of states and the protocol that was passed and endorsed by almost all African states in record time is a continuous focus for us in terms of debates at the PAP.

One of the issues that we have debated in both the reports is the need for Africa to increase its intra-Africa trade. It is a running theme. As I speak, many African states do more business with Europe and America than within Africa itself. So, one of the questions that we have debated and have concurrence on in both reports, is the fact that African countries need to develop structures that will ensure that trade within Africa is promoted and increased.

Mr. Temporary Speaker, Sir, many of us will remember the time that Kenya was taking coffee to Ghana and it took more than three months, from the time the president flagged it off here in Kenya for it to be received in Accra. This is because connectivity between Kenya and Accra is a problem. For a normal person who wants to trade with Accra, Nigeria and Sierra Leone, connectivity between here, on the eastern side of Africa, all the way to the western side of Africa, if you are not using aeroplanes, becomes very difficult because there is a dense forest in between and transportation is a challenge.

So, in terms of making a reality the increase of trade, the Pan-African Parliament (PAP) has sent us as one of their recommendations, that in passing legislation within our countries, both at the national and country levels, we must take into consideration the fact that we need to create structures and infrastructure that will allow movement of goods and persons within Africa to be increased.

As Members of Parliament from the northern side to the southern side of Africa, to the eastern, western and central side, because we divide ourselves into those five caucuses, we have a concurrence on this. That, when we come back home, one of the most critical things for us to do is to advance the fact that infrastructure for Kenya should be enhanced, so that we can have connectivity with other African countries.

Mr. Temporary Speaker, Sir, this will be done in this manner. We appreciate what the Government is doing right now in the northern corridor, and with the plan to create the connectivity and expand the Standard Gauge Railway (SGR) all the way to Malaba. We appreciate what the Government is doing with a plan to create the connectivity and expand SGR all the way to Malaba because it will mean that people who are trading from Kenya can go efficiently to Uganda.

Mr. Temporary Speaker, Sir, equally, as a nation, we have opened our skies so that African nations and African nationalities who come to Kenya do not have to apply

for visas before they come to Nairobi. Instead, you get your visa while you are here. We have made it easier and Kenya is leading in this direction. As a result, in this country now, we have many people who are from different African nations living here and making a life in this country.

So, Mr. Temporary Speaker, Sir, I urge the Senate to note the contents of this report and take it with us. That, in the Pan-African Parliament, we want to increase intra-Africa trade. We want trade to flourish and as we are passing legislation, we have the Africaness within us to make sure connectivity is possible from one state to another and to increase the amount of trade within Africa.

Mr. Temporary Speaker, Sir, with those many remarks, I beg to move and ask Sen. Cherarkey to second this Motion.

Thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, please proceed.

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir. I will try to be as brief as possible as I second this Report by Sen. Danson Mungatana, the leader of the delegation, alongside his colleagues for the two reports that of the sittings that were held between October and September, 2024.

It is very interesting because as Africa, we are a having great opportunity. This comes following the Africa Forward Summit (AFC), where His Excellency President Macron and His Excellency President Ruto co-hosted more than 30 heads of state at the Kenyatta International Convention Centre (KICC) just across, to discuss the role of Africa. The issues Sen. Mungatana captured in these two reports basically look at the discussions we were having at the AFC. We celebrate President Ruto and President Macron of France, and other heads.

I saw the CNN reporter, Larry Madowo, asking if the African Heads of States were summoned. I like the response of President Hakaide Hichilema who responded that it was not France that summoned the African states. This is a partnership in terms of agriculture, trade, good governance, peace and stability, cooperation and development.

I agree with Sen. Mungatana that we need to improve on intra-trade between African states. He cited that it takes three months to travel from here to Ghana by road, yet it takes within 24 hours to travel to America or London.

We note this Report also calls for improved cooperation among regional economic communities. As a country, I think Kenya is now well positioned in terms of local and international trade. As Kenyans, we must come together. It is about the country.

I miss Baba, the Hon. Raila Odinga. Despite being an opposition leader, when the issues of international concern came, he would show up and be part of the conversation about the country. It is tragic that the current crop of opposition leaders, led by the impeached Deputy President, yesterday, tried to demean the international conference to village matters. For us who understand him, his thinking cannot go beyond village mentality. That is why he thinks around Wamunyoro only. He is suffering from what I call “villagitis” syndrome. Yesterday, he demeaned the status of Kenya by discussing issues when the UN Secretary General was in the country.

We are discussing the stability of the horn of Africa and trade, but this limitation of village mentality has made him to think that everything revolves around his village,

somewhere in Wamunyoro. I do not know if he knows where Garissa is or any other part of this country, but they must be called out. I was even surprised that he did not even attend a side event of even addressing the embassy staff let alone a diplomat. He could not even meet an embassy staff.

With those many remarks---

**The Temporary Speaker** (Sen. Haji Abdul): Sen. Cherarkey, I just want to inform you that we have extended the sitting, so that we can conclude this Motion.

**Sen. Cherarkey:** I was just bringing the point home by saying even as the opposition leader, he has not even met even one embassy staff, let alone a diplomat. How would you want to be leader of a country if you do not know how international relations operate?

I hope Sen. Mungatana will find time and engage some of these opposition leaders who do not know their role, so as to respect the President. If we have differences at the local level that can be handled, but when it comes to international issues, we must sit as a country.

We thank the President because for the last 63 years, no President such as H.E William Ruto has held international summits such as the Change Summit. He has now co-hosted the African Forward Summit (AFS) with France. President Ruto will be attending the G7 towards the end of this year, to represent the position of Africa in trade, economic situation, stability and food security. No President has even done that. This is a God-sent President.

Mr. Temporary Speaker, Sir, I know from where you sit, you are old enough to know when the country is working. We celebrate the President for putting his best foot forward. State House nowadays is looking better for international engagements.

So, in this Report, I want to appeal that as Parliament, let us take the lead. As Sen. Mungatana has said, let us take the lead on issues of food security, trade, good governance, transparency, accountability and human rights.

In the interest of time and to allow my colleagues also to comment, I beg to second this Report. I request the House to note the contents of these two reports.

I yield the microphone.

*(Question proposed)*

**The Temporary Speaker** (Sen. Abdul Haji): It is time to debate.

Proceed, Sen. (Prof.) Kamar.

**Sen. (Prof.) Kamar:** Thank you very much, Mr. Temporary Speaker, Sir, for giving me the opportunity. I start by thanking our leader of delegation to the Pan-African Parliament (PAP), Hon. Sen. (Dr.) Mungatana.

I thank him for the very detailed report that he has presented. I want to add one thing in two minutes, if you allow, on the energy insecurity in Africa. That was one of the major topics when we had committee sessions in September, 2024 as reported. Energy insecurity in Africa has caused a lot of problems because industrialisation cannot proceed.

I request Members to read the full report because it is going to enrich their own knowledge about what is going on and the importance of PAP. Some Members may not really know as much. This is the only way we can let them know through these reports. I really urge them to read.

We had a very detailed report on the importance of the energy sector and the fact that legislation has to be improved at the national level. We should be doing that even in this House, to make sure that legislation frameworks are put in place to make sure that we are energy secure as a continent.

I congratulate the success of the African Forward Summit (AFS) that just ended the other day. I congratulate the President and his colleague from France for coming up with one solution that might be the deal breaker, on the energy sector, as far as Kenya is concerned. Nuclear energy has been discussed and demonised by many industrialised nations, while they are using it.

We were very grateful to listen to the President of France who uses over 90 per cent nuclear energy in France. He said that they are ready to do technology transfer and go into collaboration with this country. If that collaboration is done, it will be a game changer in the industrialisation of this country. The price of energy will come to almost 10 per cent that the President has been talking about. I really believe that this is going to be the game-changer.

If we can move towards that, we know that we have scientists who can be able to handle it. We know that we do not have the technology as it is in the West. However, with the promise of a nation as strong as France, we can have a very secure nuclear energy plant. That will not only change the cost of energy in Kenya, East African Region, but also in the continent. This is because that will be the arrival of nuclear energy in the continent of Africa, which we look forward to.

I want to thank you for the opportunity. With that, I again reiterate that this Report that has been presented by Sen. Mungatana is so detailed that Members of this House should read. I commend it to them, so that they may be able to get a bit of information about what is going on.

I support.

**The Temporary Speaker** (Sen. Abdul Haji): Mover, you can reply.

**Sen. (Dr.) Mungatana, MGH;** Thank you, Mr. Temporary Speaker, Sir.

I thank my seconder, the Hon. Cherarkey, Senator for Nandi County and Hon. (Prof.) Kamar with whom we serve with in the Pan-African Parliament (PAP). She is one of the most highly regarded Members. In fact, she was elected to serve as the Chairperson of the Committee of Health in the PAP. We celebrate her; thank you so much, Professor, for your remarks.

As I reply in just one minute, I pick it up from where Sen. Cherarkey spoke about the African Forward Summit (AFS). I have had the privilege of serving as an Assistant Minister in the Ministry of Foreign Affairs many years ago. When we served in that Ministry, the question of protocol was a very important. How we address and deal with members of other states is well settled in the Vienna Convention. We have high regard for all member States that are signatories to the convention.

There is also a way in which protocol advises us on how to deal when people from other states are within our nation. For example, if a minister, a deputy president or a president is here on an official visit, there is a way in which the country behaves and how we handle them. This is similar to when we have a state of emergency, where maybe the country is going to war. At the time when such an emergency happens and God forbid, we all rally behind the leadership of the President.

If a head of state is here, we all rally behind the leadership of the President because the President is our one single voice when we are dealing with foreign affairs. What he says represents all of us. Therefore, it was unfortunate when Hon. Steven Kalonzo Musyoka, a long serving Member in this Parliament and also a long serving Foreign Affairs Minister spoke against Africa Forward Summit saying that it was just hosted here because it was not possible to host it in West Africa.

Even worse was when the impeached former Deputy President took to a press conference and tried to make it look like our country is not even democratic and should not even be hosting this. He brought in other extraneous matters that have nothing to do with the African Forward Summit.

Colleagues who are in this space of politics, I beg you that even if we have political disagreements, which we are going to have because it is how we operate in this democracy, we do not have to wash our dirty linen before other heads of states. This Senate pleads with all leaders to please try and hold themselves when we have visitors. It is in the African customs and something we practice at home. You do not wait for your father-in-law or your sisters, cousin or other visitors to come to your house so as to start saying the problems you are having with your wife, children or immediate members of the family within your homestead.

It was unfortunate to see the impeached former Deputy President speaking. There is a way of looking for relevance, but sometimes, I think you over do it and it starts looking like a bad thing for this nation. I thank colleagues from this side of the Government because none of them has gone after him. When Jesus Christ was hanging on the cross, He said “forgive them father for they do not know what they are doing”. So, same case, sometimes we forgive this man because he may not be knowing what he is doing.

Mr. Temporary Speaker, Sir, with those many remarks, I beg to reply and request you to defer the putting of the question to a later date, pursuant to Standing Order No.66(3).

Thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Putting of the Question has been deferred.

*(Putting of the Question on the Motion deferred)*

**ADJOURNMENT**

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senators, it is now 1.11 p.m. and having concluded the business for which I extended the hours of sitting, pursuant to Standing Order No.34(2)(a), the Senate stands adjourned until later today, Wednesday, 13<sup>th</sup> May, 2026, at 2.30 p.m.

The Senate rose at 1.11 p.m.