

Sen. Olekina: Thank you, Mr. Deputy Speaker, Sir, for giving me an opportunity to condole my friend, Senator Okello.

I first met Sen. Okello at the Serena Hotel with his beautiful wife and we shared a cup of coffee immediately after we were both declared winners in the General Election. I found him to be a very intelligent and interesting person who was determined to work for the great people of Migori.

Mr. Deputy Speaker, Sir, the late Sen. Okello fought a brave and strong battle against cancer but he lost. This is a lesson that we all have to learn. I believe we invest 20 percent of our national budget in healthcare. The biggest question to ask is this: Do we even have a Cancer Research Fund in this country yet cancer is now undoubtedly the number one killer?

Cancer is consuming our population and if we had the Cancer Research Fund, how much of it would we invest in early detection? How much of it would we invest in better treatment of cancer around our country?

Mr. Deputy Speaker, Sir, the death of our colleague gives us an opportunity to interrogate this epidemic. I remember reading in history that way back in the 1800s when there was an epidemic of cholera, people in the United States and the United Kingdom went back to look at the way they lived without genetically modified food. That is the question we ought to ask ourselves.

Mr. Deputy Speaker, Sir, we now have data of food that can help prevent cancer. Our markets are now open and anyone is free to bring in any food. There are known pesticides that cause cancer but we are so gullible that we are welcoming so much and we do not take precautions. The high statistics of the people who are being killed by cancer is mostly caused by negligence by our Kenya Bureau of Standards authorities (KeBS). When you hear that counterfeit goods are being sold in the market, most of the people who end up suffering are in the rural areas. They cannot afford to be screened for the early detection of cancer.

It behooves us now to interrogate and maybe move a Motion in this House that will force the Ministry of Health to set up a Cancer Research Fund from which funds will be set aside to educate our public on how they can detect cancer and embark on early treatment.

Mr. Deputy Speaker, Sir, many Kenyans travel to India and other countries for cancer treatment yet we have Level Five hospitals here locally. We have hospitals here where people from Southern Sudan, Rwanda, Uganda and other neighbouring countries go to be treated, because they believe that our hospitals are the best. But we, as Kenyans, especially Members of Parliament, do not have faith in our healthcare system. So, we continue to pay for expensive trips to India and America. No wonder we can never really take our time and ask ourselves these hard questions: What are we doing wrong? What pesticides are our people being exposed to that are exposing us to cancer?

Mr. Deputy Speaker, Sir, if you go to Narok County, there is a place called Emburbutia or Caanan, in Loita Forest, people die there on a daily basis of cancer and kidney failure because of what they are exposed to. It is high time, with the death of our colleague, for us to really ask ourselves these hard questions: How do we deal with cancer? If we are serious about saving lives in the memory of our departed brother, we should set up the Cancer Research Fund. I hope the Treasury is listening because if we

establish that Fund, we can allocate money to it and educate our people on how to detect and prevent cancer.

We have data on foods like broccoli, cabbage, that you can eat to prevent cancer. We need to impart this information to our people. The reason why this House is in a somber mood today is because one of us has left us. Kenyans are dying on a daily basis of this epidemic called cancer yet there is nothing we are doing. It is about time that we helped those people who cannot be given an opportunity like the one we are giving our departed brother. We can help them avoid cancer by equipping our hospitals for cancer to be detected early.

It is time that this Parliament concentrated on developing legislation to that end. Last week, I spoke of a Coroners Bill that was passed by the National Assembly. If that Bill is fully implemented, it will give us an opportunity to detect the strains of cancer or the type of diseases that are killing Kenyans. Kenyans agree and accept when someone dies but if we want to change, it is about time that we invested our money and time in developing legislations that can help us pursue and follow through to see what type of diseases are killing Kenyans because, just being told that your colleague has died because of cancer does not help us.

We have Acts of Parliament but the problem is that we do not implement them. If we implement the Coroners Bill, when someone dies and a postmortem is done, we can tell the type of cancer that has killed that person. It is a sad day today and I hope that the people of Migori County will know that we are all passersby for it is like running a race. Our dear brother happened to be in front of us and he won today but it could be me tomorrow.

For posterity and continuity in this country, we must interrogate the amount of money that we invest in healthcare. It is not enough for us to lease expensive medical equipment yet no one is using them. For us, when we fall sick, we board a plane and either go to India, the United States of America or Pakistan because we can afford that but let us now try to focus on how we can help our brothers and sisters who cannot even afford to come to a hospital in Nairobi.

With those many remarks, I pray that the Almighty God rests my dear brother, Sen. Okello, in peace.

Sen. Olekina: Mr. Deputy Speaker, Sir, this is the right place for this Petition to be brought. Today my sentiments are going to be completely unorthodox. They are going to be different from what I stand for. I sympathise with the Government.

Many at times, courts issue orders but we know that this government operates in a very strict budget. Therefore, I put myself in the shoes of the Principal Secretary who has been ordered to make payment by a court yet he does not have a line item in the budget. Where do we suppose that Accounting Officer will get money to pay? We ought to look at this Petition differently.

During this period, when we are still discussing the Budget, Parliament ought to allocate money that can be used by Ministries to pay court fees and orders. I remember last year when Mr. Torome, the Principal Secretary, was found in contempt of court by Justice Serگون for refusing to pay Kshs17.2 million that had been awarded to a family in Mombasa, he said he did not have the money unless Parliament allocated the money. So,

the Treasury ought to put a line item because it is not only those ex-military officers who have not been paid whatever the court awarded them.

There are farmers whose crops were destroyed by wildlife and when you go to the Attorney-General, he will tell you that he has no money. There are people who worked in Government institutions who were dismissed. The court found that they had been dismissed wrongly but they have not been paid.

When we look at this Petition, we should do so from a holistic point of view. We should advise the Treasury to include another line item in the budget of miscellaneous. If it was in the middle of the year, they could have done a supplementary budget and then do an audit of all the money that is supposed to be paid to Kenyans who have been awarded by courts. Sometimes I wonder whether state officers or accounting officers deliberately disobey court orders.

The Deputy Speaker (Sen. (Prof.) Kindiki): You have one minute.

Sen. Olekina: In conclusion, the Committee that will be tasked to look into this should come up with a recommendation that mandates Parliament to allocate money that will be used to pay these people because it is a lot of money. When you go to Mombasa you will find people who have not been paid and when you go to Narok, you will find farmers who have not been paid. The Attorney-General should come up with a list of Kenyans who ought to be paid but they have never been paid and present to this Parliament for them to be paid.

I thank you, Mr. Deputy Speaker, Sir.

The Temporary Speaker (Sen. Pareno): Next is Sen. Olekina.

IMPROVEMENT OF KENYA'S RANKING IN WORLD
TRAVEL AND TOURISM COMPETITIVENESS INDEX

Sen. Olekina: Thank you, Madam Temporary Speaker, I beg to give notice of the following Motion:-

THAT AWARE that the Ministry of Tourism developed and published the Kenya National Tourism Blue Print 2030 in May 2017;

FURTHER AWARE that Kenya Tourism Agenda 2018–2022 launched in April, 2018, establishes the foundation for the National Tourism Blue Print 2030 and is a tool for initiating the components for the Blue Print;

ALSO AWARE that the contribution of travel and tourism to Kenya's GDP, stood at 9.7 per cent in the year 2017, up from 9.3 per cent the previous year;

COGNIZANT that in the next 10 years, every industry will be charged by technology;

ALSO AWARE that the Kenya Tourism Board has partnered with Google, Safaricom, Kenya Wildlife Service and Tourism Finance Corporation to create new digital content for local tourism;

CONCERNED that the Kenya tourism industry potential is underutilized;

AWARE that Kenya's position in the World Economic Forum Travel and Tourism Competitiveness Index is 80 out of 136 in 2017, having improved by two points from 2015, while having currently the lowest score in cultural resources and business travel with 1.6 points out of 7;

FURTHER CONCERNED that majority of the solutions proposed by the Tourism Agenda are brick and mortar type and not addressing the trends;

NOTING that in less than two years, the share of online booking globally has grown from 9 per cent to almost 33 per cent; and that, it is the most lucrative and fastest growing segment of the business tourism;

ALSO CONCERNED that Kenya will continue to attract only beach and park type tourists, ignoring the large numbers of conference and business travellers who largely never leave Nairobi and are offered minimal exposure to Kenya;

NOW THEREFORE, the Senate calls upon the Ministry of Tourism to approach tourist sector with modern innovation and implement tangible measures and impart solutions, resulting in improvement of Kenya ranking in the World Economic Forum Travel and Tourism Competitiveness Index 2019 by six positions, and improve the lowest scores of cultural resources and business travel by one point.

Sen. Olekina: Thank you, Madam Temporary Speaker. The role of this House starts from Article 93 of the Constitution. Many people do not recognise that the Senate is, indeed, a part of Parliament. Holding a session in Uasin Gishu will demystify the role of the Senate.

I support this Motion because it is important for people in Kenya to realise how important this House is. This House is tasked with making laws which is something that many people do not recognize. This House is also tasked with protecting the interests of counties and their governments.

Madam Temporary Speaker, the people of Uasin Gishu County have suffered a lot. I know that many farmers were not paid. Therefore, holding the session in Uasin Gishu County will give the people of Uasin Gishu County an opportunity to come and present their petition and understand how important the role of the Senate is.

I cannot emphasize the importance of oversight. We have had a lot of tug of wars and fights with the National Assembly in terms of them approving our resources for us to carry out our oversight function. This Motion will not only give us an opportunity for us to carry out oversight but it will show how creative this House and its Members are in ensuring that regardless of what barriers are put in front of us, we still proceed to carry out our oversight. People will realize the importance of this House.

Madam Temporary Speaker, we have many things that we can share with the Members of County Assemblies (MCAs). We realized that we are so blessed to have competent senior lawyers in this House who can guide us in terms of establishing legislation, dealing and interrogating matters on issues of the reports of the Auditor-General. You realize that in county governments, the assemblies are required to also

consider the reports of the Auditor-General. This is the time to enable us, particularly, in this year when the Senate is proving to be the most effective House of Parliament, to help build capacity for our MCAs so that they can make laws that will help improve the standards of living for their people.

Madam Temporary Speaker, earlier on, we were talking about the epidemic of cancer. When these assemblies see the way we interrogate the petition and are able to move, they can pick up the best practices and come up with legislation that will not conflict with the laws that we make either from the National Assembly or the Senate.

Madam Temporary Speaker, it is important for us to promote our work for the counties and the people of Kenya to realize that without the Senate, devolution will be dead. I am proud of this House because when we see legislation that claws back on the gains of devolution, we reject it. When we see legislation that does not support the spirit of devolution, we set it aside, discuss and interrogate it so that we can perform our mandate of promoting devolution.

Despite the fact that the National Assembly is still playing their funny games in terms of our oversight function, holding the session in Uasin Gishu County will give us more people to support us. I speak this with authority. Being a Member of the County Public Accounts and Investment Committee (CPAIC), we realized that there is need for capacity building for MCAs. Most of these county governments either ignore or do not understand most of the legislation particularly the Public Finance Management Act.

So, holding this session in Uasin Gishu County will not only open the eyes of those county legislatures but also give the citizens an opportunity to come and sit in the Gallery and listen to the Senate. The citizens will not have to pay for a bus ride or a flight from Eldoret to Nairobi to come and listen to the Senate. They will be listening to the Senate in their backyard.

Madam Temporary Speaker, I rise to support this and hope that when the House is considering it, it will not only be limited to holding it this year in Eldoret. I know there are a lot of expenses which will be incurred in holding the session outside of Nairobi but it is an expense that we are willing to go through.

For instance, if we go to Narok County next year, the farmers of Narok who may want to petition this Senate on the challenges they go through with their farming, will see us and walk in. We will also be able to demystify the procedures of this House. Many people in the rural areas do not understand our role. This opportunity will open their eyes. They will know that the Senate is not only limited to Article 96, but starts from Article 93, when Parliament is established as both the Senate and the National Assembly.

Madam Temporary Speaker, when you read the newspapers, most of the time, you will find that when they are referring to Members of Parliament, they only relate to Members of the National Assembly. Not every Kenyan knows that Parliament is made up of Senators and Members of the National Assembly. Therefore, holding this Session in Eldoret will give us an opportunity to share this with the people.

Madam Temporary Speaker, it is also important to promote partnership. In the last Senate there was a lot of war between the governors and Senators. By going to their neck of the woods, we will show them that we are only there to work together. Our role is very clear that we must protect the interests of the county governments and the counties, which is the people.

From the accounts that were tabled here today by the Chairperson of the Senate County Public Accounts and Investment Committee, we are still looking at the audit reports for the Financial Year 2013/2014. We have new governors who have come in and most of them constantly send letters of regret saying: "We are not able to come; we need more time to put this together." Holding this Session in Eldoret will show them that when they appear before a particular Committee, they are not going there to be crucified, but to share information, build partnership and share different ideas on how we can maintain and ensure fiduciary responsibility.

This is a tradition that I hope - and I agree with the Mover of the Motion - both Houses of Parliament will commit to be holding Plenary or even committee meetings in other places. For the whole week that we will be in Uasin Gishu County, we will proceed with our Committee meetings. You know that a lot of the work of Parliament is carried out during the Committee sittings. We will also have plenary sittings and ensure that during that week, the people of Uasin Gishu County know that they can come to us with a petition and participate.

Madam Temporary Speaker, I am happy to see the Senator for Nandi County. I hope that he will bring all the people of North Rift and South Rift to attend the Senate sittings.

Sen. Cherargei: And all the Maasais.

Sen. Olekina: We will also take all the Maasais who are in Narok there. It will enable us to discuss and agree on where we will hold the Session next.

Madam Temporary Speaker, understanding laws is very important. It is very sad that this House does not have original jurisdiction on legislation. Sometimes it takes the public to lobby the Members of the National Assembly to ensure that when legislations are passed here and taken to the National Assembly, it behoves them to move expeditiously to ensure that they pass those laws, so that they can become Acts of Parliament.

Public participation is also very important.

Madam Temporary Speaker, it is important for the people of this country to participate in the law making process. Most of the time when we are carrying out public participation sessions, only one or two people appear. It is because they do not know that they can go, attend a sitting of Parliament and share their views. I tend to believe that the day we will invest our resources in building public participation halls across this country is the day we will utilize public resources effectively.

Going to Uasin Gishu County will be an eye-opener not only for us, but also for the entire country. I hope that we will continue broadcasting to show the entire country that the sittings of the Senate cannot only be held in Nairobi, but also in *mashinani*.

Madam Temporary Speaker, Sir, in the last Parliament, there are some county assemblies that were holding their sessions across the county. That is something which we would like to encourage. When these county governments see that we have moved the entire Senate secretariat, Senators and the Senate office to Uasin Gishu County, they will know how serious we are.

I pride myself with having travelled across the whole country. I know very few of us here have been to Uasin Gishu County. This will not only give them an opportunity to

enjoy the good *mursik* of Uasin Gishu County, but also give them an opportunity to widen devolution in the right sense. When they go there, they could get investment opportunities in that county. We have various discussions on how we can maintain our cultures and this will be an opportunity to interact with the people of Uasin Gishu County.

They will know that even after the 2007 Post-Election Violence, people still came together. This is because in Uasin Gishu County, it is not only one ethnic group that exists. However, sometimes, people might think that because the Senator or Governor from that region is from one community, the people come from one community.

We should show the diversity that exists in this country and how we are embracing it. The way we are embracing diversity should be the same way we should embrace devolution.

I beg to second the Motion.

(Question proposed)