

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 20th September, 2018

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Deputy Speaker (Sen. (Prof.) Kindiki) in the Chair]

?

The Deputy Speaker (Sen. (Prof) Kindiki): Sen. Olekina.

Sen. Olekina: Mr. Deputy Speaker, Sir, thank you for allowing me to ride on this Statement requested by Sen. Pareno.

Mr. Deputy Speaker, Sir, the issue of the EAPCC is not something new. It has brought a lot of untold suffering. When people started losing their jobs in this Company, the Government ought to have been alarmed that this was going to create a big problem in the community.

There are about 500 Kenyans of Maasai origin coming from Kajiado and Narok counties who have been rendered jobless. These people think that they are being targeted because they are from one clan versus the other clan. It is this thought that this has raised political tension in the area and clanism, because when you find that a majority of the people who are being forced to go back home are from one clan, it raises the question as to why they are being targeted.

I wish that this Committee moves expeditiously to visit the site, to interrogate those people and meet with the employees. You are aware that there was a lot of politics about other companies being allowed to come in to this country. The EAPCC is a state corporation; something that we hope we can be proud of as being our own. We have all these resources; we have a lot of clinker and other raw materials. The people of Kajiado County should benefit.

I really support this Statement. I hope that those people who have been rendered jobless, who have been sent home--- It got even nastier to a point where people are being given compulsory leave. Unfortunately, they all have---

The Deputy Speaker (Sen. (Prof) Kindiki): Conclude.

Sen. Olekina: Mr. Deputy Speaker, Sir, I would really like, in conclusion, to encourage the Senator for Kajiado County who is here--- In fact, this House has got three Senators who happen to be from Kajiado. If they can all come together and support the Committee to ensure that if it is not a clanism issue but a real crisis, then a way is found to resolve the matter.

I support.

The Deputy Speaker (Sen. (Prof) Kindiki): Sen. Seneta.

Sen. Olekina: On a point order, Mr. Deputy Speaker, Sir.

Madam Temporary Speaker, it is not necessary to talk of development that the country can ill afford. We should not overborrow to develop Kenya while Kenyans cannot afford to put food on their table, pay school fees for their children and have a decent living. It is important – and when I say this, I say this as a supporter of the current Government, which I support a 100 percent – but at the same time, the Government should be advised where it goes wrong.

Madam Temporary Speaker, this country has over Kshs5 trillion in terms of loans. Some of this money goes to the pockets of individuals through corruption. We have not been able to stop this corruption. A few years ago, the National Youth Service (NYS) was reported as having lost Kshs1 billion through corruption. Today, we are hearing of the same institution having lost Kshs9 billion through corruption. This should not be encouraged. We should not tax Kenyans for a few individuals to involve themselves in corrupt practices and siphon out money from their Ministries. Billions of shillings have been siphoned even outside Kenya. We cannot borrow it from our banks. It cannot help Kenyans because it is stuck in foreign accounts in Switzerland, America and Britain such that Kenyans have no access to this money. This money is helping foreigners. It is time we thought of how to run this country; let us not just talk of development.

The Big Four Agenda is nothing if corruption will continue in this country. This is because Treasury will give money to the projects of the Big Four Agenda but those projects will never see the light of day. That money will be stolen by individuals and taken out of this country and Kenyans will not have access to it.

It is good for us in this House and those in the National Assembly to talk because the purpose of coming to this Chamber is to talk for the people who are not in this House. They have done their work by bringing us to this House and, therefore, we should talk on their behalf.

What is happening in Kenya today is a sad story, because we are headed to where Zimbabwe is. Very soon, we will be carrying money in briefcases to do very small purchases. Money is going to be devalued because of the kind of things that are happening in this country. This is not for the good of the common *mwanaanchi*. There are Kenyans with too much money that they do not know what to do with it, so they do not care whether there is inflation because they will afford. If you bring inflation to high levels, they will still afford. But as they afford the cost of living, there are those who cannot put food on the table; they struggle day in, day out. They cannot have a one square meal a day. I would have understood if the Government had totally stopped corruption.

Madam Temporary Speaker, this House wants to stop corruption. This House is constitutionally charged with the responsibility of oversight. We give over Kshs300 billion to the county governments and yet we cannot afford even Kshs1 billion for oversight. Governors will take this money as and when they wish; they will loot it the way they want and yet there is no oversight. Nobody should lie to Kenyans that we oversight; we do not, because we are not facilitated. We do not want to talk about it because we do not want Kenyans to know what is happening. It is better to tell Kenyans the truth; that the Senate that is supposed to oversight governors has not been facilitated to do its oversight role.

We do not get even a single shilling for oversight and we are expected to oversight counties. We are expected to use our salaries to go and oversight. This is impossible because our salaries can only do oversight for a day or two. What happens to the other days?

Madam Temporary Speaker, the Senators and Members of the National Assembly should feel free to advise the Government. We should not always work with information coming from the Government. This House is supposed to be independent and that also applies to the National Assembly. Unless we become independent in our minds, there is no way we will advise the Government. If we told the Government the truth, it does not mean that we are anti-government. We want things to be good in Kenya because we belong to this country and want it to develop. We want to be judged rightly in posterity. We want our children to enjoy even when we will be gone. If we move at this rate, we have a very big problem.

Madam Temporary Speaker, why would one want to own Hilton when they cannot afford it? Each and every Kenyan would like to own Hilton, but we must go step by step. Let the economy evolve so that we can get involved in projects that we can afford. We do not have to overborrow. We will spoil the name of this country because of borrowing so much that we cannot pay back. Let us borrow just what we can afford to pay. We should be good planners and know what we can afford. That will allow the economy to evolve. I am not saying that we should not borrow, but we have borrowed far too much that we have to punish Kenyans by making them pay taxes that they cannot afford.

(Loud consultations)

Madam Temporary Speaker, please, protect me from some Members here, who cannot allow me to talk because they are making noise.

Sen. Olekina: Thank you, Madam Temporary Speaker, for giving me an opportunity to also comment on this very sensitive matter. I rise to support this Motion on the rising cost on public debt and taxation.

Madam Temporary Speaker, we are at cross roads in this country. If you go outside there, you will see what Kenyans are going through. You should not blame the Senators when there is a revolution in this country within a short time. This is because Kenyans out there are sick and tired of the public debt. Currently, we are paying over Kshs700 billion a year and next year, it is going to be about Kshs 900 billion. I am surprised that with all that knowledge of the heavy taxation and the heavy debt, Kenyans are being subjected to yet more taxes. Kenyans out there ought to know that this House, the Senate – which is the House of union – has nothing to do with what is happening in the National Assembly. If I was in the National Assembly today, I would have ensured that we whipped all Members to contribute on this thing and to ensure that Kenyans do not get taxed. Taxes will not help us. What is happening right now and the President ought to close all loopholes on corruption.

Madam Temporary Speaker, I was one of the most frustrated and disappointed Member of this House this afternoon. We had an opportunity to prove to Kenyans out there that we are different, but we failed. We had an opportunity to prove to Kenyans out

there that they brought us into this House to defend them, but we failed when we did not discuss the Ruaraka Land Report, where Kenyans lost billions of shillings. I want to go on record as having stood here and fought for us to debate this Report, but for some reason, there were some very strong powers that objected to it. These powers are the ones that are killing this nation. Today, Kenyans ought to know that the Port of Mombasa will soon be owned by the Chinese. The Port of Mombasa has been given out as collateral for the loans that we are getting on a yearly basis from China. I am sure that when my dear good friend, Mr. President, travelled, he did not come back empty handed. What he did is that the poor little children who were born today – like the triplets born to a poor lady in Narok whose family could not even afford to support them – now have a burden of Kshs100,000 on top of them. I think people should stop giving birth; because it is sad.

Madam Temporary Speaker, when you have been elected by people from your constituency and you have been brought here, you loathe the fact that they are being treated unjustly. You develop hatred for all the challenges that they have to go through. A poor *mama mboga* at home who relied on a *gorogoro*, a small tin of corn or maize – God has been faithful and gentle to us – is now buying it at Kshs30. When she has to take it to the *posho* mill, where she would pay Kshs5 before, she now has to pay Kshs20. I mean, seriously, if you do not care about those poor people, what is all this nonsense of the Big Four Agenda? Why can you not go back to living within our means? It is sad that the former county councils used to collect more revenue. Where is that money going? I think the President missed an opportunity here when the Members of the National Assembly sent the Bill to him and suggested zero VAT or actually suspending the tax. The MPs wanted to suspend the tax by two more years to see where else the President can collect that money; or whether he can sensitize communities to know that choices have consequences, but he did not take it. He should have taken that opportunity to ensure that cigarettes are taxed. When you go to Dubai, you will find that a packet of cigarettes is Kshs1,000, while here it is Kshs230. Similarly, a bottle of Glenfiddich, which sells here for Kshs9,000, probably sells there for about Kshs15,000 or Kshs20,000. Why not tax this?

Madam Temporary Speaker, one of the things that really disappointed me today is on this betting tax and all these other hidden taxes that no one is talking about. People are so fixated to talking about the 8 per cent VAT, but they are not looking at the cost to them when transferring money from one account to another. They are not looking at all the other hidden taxes. It is imperative that even when these Members of the National Assembly are going through clause by clause, they should be open enough to tell Kenyans that we are in shit and that we can no longer survive. When you do not have money to buy something to eat, you should not try to drive a Lamborghini; just drive a Probox; a “problem box.” Solve your problems with a problem box. Trying to drive a Lamborghini when you cannot afford it is ludicrous.

The Temporary Speaker (Sen. Pareno): Order Senator! Your time is up.

ADJOURNMENT

The Temporary Speaker (Sen. Pareno): Hon. Senators, it is now 6.30 p.m., time to interrupt the business of the Senate. The House, therefore, stands adjourned until

Tuesday, 25th September, 2018, at 2.30 p.m. at the County Assembly of Uasin Gishu in Eldoret.

The Senate rose at 6.30 p.m.