

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 30th March, 2021

*The House met at the Senate Chamber,
Parliament Buildings, at 10.00 a.m.*

[The Speaker (Hon. Lusaka) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

STATUS OF THE COFFEE BILL
(SENATE BILLS NO.22 OF 2020)

Sen. Olekina: Mr. Speaker, Sir, I thank you. I rise to support the petitioners and largely so maybe seek that the Committee that will be dealing with this matter try to look at the whole concept of compulsory land acquisition and the issue of public participation.

I know this House has been dealing with the issue of passing the legislation on public participation. I know there was a piece of legislation which was sponsored by the distinguished Senator for Busia County, the former Attorney General, Sen. Wako.

That legislation has never really become a piece of law. I think it is about time that we really defined this issue of public participation.

Mr. Speaker, Sir, the issue of public participation, coupled together with the issue of compulsory acquisition, is affecting many people. When you look at the energy sector, there is so much that this country is losing in terms of the conflict between the citizens and agencies of the Government. When you have a Petition that has been submitted by a Justice of a High Court of Kenya, they find themselves between a rock and a hard place.

I would, therefore, like to beseech the Committee that you will task that Petition to, to come in with the view of having a solution to the issue of expediting public participation legislation, and more so, the issue of bringing dialogue to the table. When a county demolishes property, where do they expect the people to go? We have to do things in this country with the view of having solutions.

Mr. Speaker, Sir, Kenya the Electricity Transmission Company Ltd. (KETRACO) is having serious problems because farmers are not allowing them to go through their land. People stand there and say, "No, you cannot do this." That is just one institution. The people say that there is no public participation and no compensation. Now we are talking about a Government entity. These citizens are going to the assembly to seek redress there and they are not able to get anything. Their plight is not heard.

Mr. Speaker, Sir, this Senate must come up and resolve this matter. I hope that this is not just going to be the regular things that we do here. We hear the matter for 60 days then give the petitioner a response. I think that the most important thing is, what are we going to do to solve this problem? We must take the issue of Petitions seriously.

It should not just be written in the law that every Kenyan has the right to come in. However, when they petition this Senate, we deal with the matter in a very casual way. Yet we know that when they came here, they came here because they believed that the buck stops here.

Mr. Speaker, Sir, I support that Petition of the residents of Mombasa, and I hope that even the County Government of Mombasa will sit down. I call upon my friend, Governor Joho, to sit down with the assembly and look at the people who say that there is no public participation.

Involve them, compensate them and let people live. These are very hard times. We are going through a pandemic, we are leaving people out there homeless, and we say that we are leaders. We are not.

Mr. Speaker, Sir, I support this Petition. I hope that things will be done differently than we are used to doing them.

Sen. Olekina: Mr. Speaker, Sir. I beg to lay the following Paper on the Table of the Senate today, Tuesday, 30th March, 2021-

Report of the Standing Committee on health on inquiry into allegations regarding irregularities in the procurement of various pharmaceutical equipment and products by the Kenya Medical Supplies Authority (KEMSA).

(Sen. Olekina laid the document on the Table)

The Speaker (Hon. Lusaka): Sen. Olekina, you can give the Notice of Motion after that.

Next order.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON THE DEATH OF THE LATE PROF. KEN WALIBORA

Sen. Olekina: Mr. Speaker, Sir, I rise to give Notice of the following Motions-
THAT, the Senate adopts the Report of the Standing Committee on the alleged negligence of the late Prof. Ken Walibora prior to his death at the Kenyatta National Hospital (KNH), laid on the table of the Senate today, Tuesday, 30th March, 2021.

ADOPTION OF REPORT ON INQUIRY INTO ALLEGATIONS REGARDING IRREGULARITIES IN THE PROCUREMENT OF VARIOUS PHARMACEUTICAL EQUIPMENT AND PRODUCTS BY KEMSA

THAT, the Senate adopts the Report of the Standing Committee on Health on inquiry into allegations regarding irregularities in the

procurement of various pharmaceutical equipment and products by the Kenya Medical Supplies Authority (KEMSA), laid on the Table of the Senate today, Tuesday, 30th March, 2021.

ADOPTION OF THE FIRST PROGRESS REPORT ON
THE COVID-19 PANDEMIC SITUATION IN KENYA

THAT, the Senate adopts the Report of the Standing Committee on Health on the First Progress Report on the COVID-19 pandemic situation laid on the Table of the Senate today, Tuesday, 30th March, 2021.

Sen. Olekina: On a point of order, Madam Deputy Speaker.

The Deputy Speaker (Sen. (Prof.) Kamar): Is it on the same amendment?

Sen. Olekina: Yes. It is on the same issue.

The Deputy Speaker (Sen. (Prof.) Kamar): I thought you were the next to contribute.

Sen. Olekina: Madam Deputy Speaker, contributing is different from the amendment.

The Deputy Speaker (Sen. (Prof.) Kamar): We have not yet prosecuted the amendment. I hope that your point of order is related to---

Sen. Olekina: Madam Deputy Speaker, my point of order is in relation to the point of order raised by Sen. (Dr.) Ochillo-Ayacko.

Procedurally, if there is an amendment that he proposes to bring, the Senate deliberates on it so that the Motion which has already been moved and seconded is contributed to as amended.

I am being pragmatic in terms of the procedures. My friend, Sen. Khaniri, is contributing to the Motion the way it has been moved and seconded. We have an amendment to that. It would be much neater if we listened to the amendment and vote on it. If we do not agree on it, then we can revert to the Motion as moved and seconded.

The Deputy Speaker (Sen. (Prof.) Kamar): Senator, be at peace. Our Standing Orders are clear. I will call him on time. Allow Sen. Khaniri to---

Sen. Olekina: My concern is one. I am second on the list to contribute. I will be contributing to the Motion as moved and seconded. If it can be amended and we vote on it, it will save us more time.

There is no point for me to contribute on a Motion as moved and seconded when there is an amendment, which we must listen to. Let us vote on it and continue with the Motion as amended or the Motion as moved and seconded.

Sen. Olekina: Madam Deputy Speaker, I thank you. I rise to support this Motion, of course, with amendments. I am anticipating some amendments. I think you speak through the Speaker. The way it is, I am cognizant of the fact that this disease is very serious. We cannot continue to behave as if we are immortal.

I am a Member of the Senate Committee on Health and I know. I am privy to information on how dangerous this disease is. While we are sitting here, truth be told, none of us can actually stand here and say they are not aware of one person; a relative or a friend who has suffered Coronavirus disease (COVID-19) pandemic and even maybe died.

Madam Deputy Speaker, the most important thing is for us to ask ourselves what is the most responsible thing that we should do as a legislative arm of Government. I am not averse to the fact that there are three arms of Government which are independent. There is the Judiciary, Executive and Legislative arm of Government. They are all independent bodies.

I completely agree with my good friend, Sen. Khaniri, when he says that the President cannot control Parliament. However, we are not blind. We know what is happening. People are dying on a daily basis.

Madam Deputy Speaker, I support the fact that when we are sitting here right now, in fact, what we are doing is that we are trying to play dumb. We are trying to behave as if we are immune to this pandemic which is taking away the high and mighty of this world. The truth of the matter is that do we need to adjourn? Yes, we do; but what does it say in terms of our work as Parliament?

Can we continue with our work as Parliament? Yes, we can but we have to do it in an intelligent way that does not put our families in danger.

When we stand here, we represent communities. We represent people who elected us to be here. However, we have to do so in a very wise way. When we call for these amendments, one of the reasons why I am supporting this Motion of Adjournment, but of course with amendments, I hope that those amendments will be brought by Sen. (Dr.) Ochillo-Ayacko, which I will be happy to second on how we can continue doing our work.

Madam Deputy Speaker, let us not get into this argument of who is more powerful between the Executive, the Judiciary or the Legislative arm. We are three independent arms of Government. However, the fact remains that there are many things that we must do. When we go into this adjournment, the work of Parliament must continue.

There is no way you can continue spreading the disease virtually. We have issues relating to Cabinet Secretaries (CSs) that we have called. We have asked them to appear before the Committee to respond to matters dealing with the vaccine. They can do so virtually. It does not mean that they cannot appear virtually.

Madam Deputy Speaker, when we sit here as distinguished Senators, we must put everything on the table and say we are happy to adjourn. However, if we are happy to adjourn, how do we ensure that our work continues?

Sen. Khaniri spoke of an issue which I believe and I fully support him. The Executive is continuing and doing their work. One of the things that this Parliament must know is that since we started borrowing money as a country, the National Government has received Kshs214 billion to fight COVID-19. However, the money that has gone to the county governments is only Kshs7 billion which is a mere 3.7 per cent.

Madam Deputy Speaker, the question we should be asking is: If, indeed, we are going to adjourn, how do we ensure that more counties receive more money to fight this pandemic and deal with this issue of COVID-19?

I have stood here before and said that the truth is like a lion. You do not have to defend it. Let it go out there and it will defend itself. Let us be very honest. Why are we adjourning?

Madam Deputy Speaker, are we adjourning because we are scared of the effects of COVID-19 or we are scared that when we are here, someone else will bring another

Motion and it will take the day? There are so many debates, which are going on. Let us be candid. The work of our committees is very important. However, let us not lie to Kenyans that we represent them.

I am sure many people are afraid to ask about the status of the Building Bridges Initiative (BBI); where it is right now. When I stand here, I know that I represent the people who elected me to stand here and speak the truth.

Madam Deputy Speaker, I support this Motion entirely but I would wish that at least, we can be honest. I was not happy with the directive of the Speaker. When the Speaker gave a directive, it rendered our powers as distinguished Senators useless. Parliament pronounces itself through resolutions and Motions. This is a Motion that we are discussing.

Nothing stops a distinguished Senator from bringing in an amendment to make it wise that when we are adjourning, we can continue performing our work. I wish that we can be candid. Are we afraid that maybe the BBI will pass the way it is or it will be brought here and bulldozed and we will be reduced to voting machines?

Madam Deputy Speaker, are we adjourning because we are scared of COVID-19? If we are, indeed, scared of COVID-19, then let us adjourn knowing that we have a fiduciary responsibility as distinguished Senators who serve in different committees. I serve in the Committee on Health. When I am in that Committee, I would like to ensure that I do my job diligently to ensure that the people who are at home can get vaccinated.

I am not quite happy when I know that I live in Narok County and together with Kajiado, Machakos, Kiambu and Nakuru Counties, we have been zoned. Kajiado County borders Narok County. They have been zoned as red zone areas. I cannot be able to get there.

Madam Deputy Speaker, are we doing anything? Have we asked the hard questions? The question we need to ask is this. About Kshs214 billion has been disbursed into this country through loans not grants. The national Government has taken loans worth Kshs214 billion to fight COVID-19.

However, we in this Senate of the Republic of Kenya, which represents and protects the interest of counties as Article 96 of the Constitution says are only happy and clapping their hands. Only about 3.7 per cent of the Kshs214 billion has gone into counties. That is where the disease is spreading.

ting.

Sen. Olekina: Madam Deputy Speaker, I am very happy for the intervention by my good friend, who I serve with in the Committee on Energy. That is precisely the reason as to why I am saying that I would want to support this Motion with amendments, so that the Committee on Health can continue performing its function.

Today we tabled a report in this House---

Sen. Malalah: On a point of order, Madam Deputy Speaker.

Sen. Olekina: Madam Deputy Speaker, I am happy that my colleagues are raising those concerns, which are the same concerns that each one of us here who has a fiduciary duty to protect the interests of their counties should be raising. COVID-19 is there and it is real. It is decimating our populations. There are reported and the unreported cases. There are those who are lucky to be able to go to hospitals and those who are unlucky.

Yesterday, we heard the Cabinet Secretary saying that other people - and I am sure these are the rich and famous - have been able to gift themselves with the oxygen cylinders that are supposed to be in hospitals to help everybody. I have no problem with my colleagues questioning my support for this Motion. The reason why I say this is because I would not want this Motion to fail on this Floor.

We have to lead by example. The economy has essentially been closed; it has been shut but we are going on here. Kenyans will be saying that Members of Parliament are happy to continue staying in office because they are getting allowances. I am saying that we should save face. Let us be honest and candid and say: Yes, we want to close because it is dangerous. I support the idea that---

Even before we come here on a weekly basis, we should be submitting our negative results to the Clerk. That is what is happening in other countries. However, if we are standing here and contributing and we are saying that we are opposing, we want to continue doing business, what business are we going to do when the *mama mboga* out there cannot go to the market because Nairobi is considered a Red Zone, and yet she gets her goods from the other zone?

Madam Deputy Speaker, let me change it a little bit. When I started saying that other people who want to continue sitting here on a daily basis and are not thinking about those people who elected them, those people who are jobless, and they say that they want to continue working here, they are not raising issues or serious concerns like what Sen. Kinyua has raised.

Sen. Kinyua has said that I sit in the Committee on Health and I should tell the House what we are doing. The only way that I can continue doing this is when we pass a resolution in this House which is supported by a majority of the distinguished Senators that says let us adjourn, but adjourn in a way that we can continue doing our job.

Madam Deputy Speaker, to finalize, I want to state as follows: I will support this Motion with amendments. I hope that those amendments will be allowed to come in.

The Deputy Speaker (Sen. (Prof.) Kamar): Senator, please do not refer to amendments. That is what is making Members impatient with you.

Sen. Olekina: Madam Deputy Speaker, then let me put it this way: It is not a book of lamentations as Sen. Khaniri would call it. It is a fact. We lay the facts on the table and say that we are in deep shit. We are in problems as a country. What is happening in this country right now is that we are not willing to tell the truth. The Speaker gave ---

Sen. Olekina: Madam Deputy Speaker, my 120 seconds will begin running now. I put my foot on the ground and say: Listen, gentlemen, let us not pussy foot here. Let us be honest and speak the facts as they are. COVID-19 is real. I want to continue doing my job as a Member of the Committee on Health, to be able to help this country.

I want to be able to put the National Government to task. I want to continue with my job to ensure that when Sen. Kinyua asks me how much money has gone to Laikipia County, I can tell him that it is X amount of money. The truth of the matter is that because we are now intertwined in this relationship between the Executive and the Legislative arm of Government, it is very difficult for us as Parliament of Kenya to stand for what we were elected to defend.

Madam Deputy Speaker, I hope - I am speaking plain English here - that there will be amendments that will come in, that will change this Motion, so that when I fully support it, I can be able to defend it.

The Deputy Speaker (Sen. (Prof.) Kamar): Order, Senator!

Sen. Olekina: My 120 seconds are not over.

Finally, I want to continue doing my job. As I do so, I hope that Sen. Khaniri, and Sen. Wambua, whose Mung Bean Bill I supported--- *Ero, mimi ndio nilikupatia support mingi sana.*

(Laughter)

I supported him entirely with the Mung Beans Bill and therefore, I hope that they will support an adjournment of this House, but with amendments, so that we can continue working.

(Laughter)

Madam Deputy Speaker, the reason why I am insisting on this is because I have seen that the Speaker did not approve my amendments, which means that this House will not adjourn.

The Deputy Speaker (Sen. (Prof.) Kamar): Sen. Olekina, you are busy introducing more complicated issues and you are attracting another point of order.

Sen. (Dr.) Langat, since he has left, you can drop your point of order for now.

Sen. (Dr.) Langat: Madam Deputy Speaker, why can you not save my good neighbour by allowing these amendments that he is looking forward to so much, to save us from this agony?

Sen. Olekina: On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Pareno): Proceed, Sen. Olekina.

Sen. Olekina: Madam Temporary Speaker, I hate to stand and question my good sister's intention. This is a House of record. She should have quoted the Standing Orders because they are quite clear that before the commencement of any Motion, that is when a Senator can rise and seek for a limitation of time. I find her point of order not really appropriate.

In my view, it will be proper if we were to talk about adjournment and allow Senators to express their views. We do not know whether they are supporting or not supporting. It is a matter which we will still have to go on Division.

Madam Temporary Speaker, I just want to request that when my colleagues stand here, they have to remember that when the Motion was being moved, it was quite clear that it had to proceed to the end. Therefore, it will be proper for us to allow Senators to address the matter in accordance to our Standing Orders which we must follow them to the letter.

Sen. Olekina: I want to read my Statement. Do I need to contribute to the Statement first? I can contribute.

The Temporary Speaker (Sen.(Dr.) Lelegwe): Proceed.

Sen. Olekina: Mr. Temporary Speaker, Sir, I rise to support the Statement raised by Sen. Omanga on misappropriation of funds in the transport sector. If transverse this country, you see a lot of development taking place in central Kenya and you wonder why other parts of Kenya are not getting money for development. When you hear a Senator---

(Sen. Kang'ata stood up in his place)

The Temporary Speaker (Sen.(Dr.) Lelegwe): Order, Sen. Kang'ata! You are on your feet while you have not been given a chance---

The Temporary Speaker (Sen. (Dr.) Lelegwe): Order, Senators.

Sen. Olekina: Mr. Temporary Speaker, Sir, could I finish because it will only be three minutes and I will give my colleague time to add?

The Temporary Speaker (Sen. (Dr.) Lelegwe): Sen. Cherargei, what is your intervention?

Sen. Cherargei: On a point of order, Mr. Temporary Speaker, Sir. Is it in order for Sen. Olekina, if I heard him correctly, to isolate one region by saying that all development is going to Central Kenya? He should substantiate because it is a serious allegation.

We would not want Kenyans to believe that only one region is benefitting from Government development. I wish he would give us the necessary facts and figures so that we do not have rumour mongering in the country.

The Temporary Speaker (Sen. (Dr.) Lelegwe): Sen. Olekina, substantiate or withdraw your statement.

Sen. Olekina: Thank you, Mr. Temporary Speaker, Sir. I just do not utter words for the sake of it. Facts are very stubborn. I am standing here to support the Statement sought by the distinguished Senator, Sen. Omanga, on misappropriation of funds.

I wish to school my dear colleague here in terms of Statements and when a Senator rises to seek clarification---

Sen. Cherargei: Address me through the Speaker.

The Temporary Speaker (Sen. (Dr.) Lelegwe): Order, Sen. Cherargei.

Sen. Olekina: Relax!

The Temporary Speaker (Sen. (Dr.) Lelegwe): Order, Sen. Olekina, address the Chair.

Sen. Olekina: Mr. Temporary Speaker, Sir. When the distinguished Sen. Omanga rose and sought a Statement, she stated clearly that she would like some clarification in terms of misappropriation of funds. I rose and said that I traversed this country called Kenya and I have seen a lot of development. I am from Narok and I have not seen the road being expanded to Narok.

Last week, I drove to Marsabit and I was quite perplexed and mesmerized by the number of developments going on in Central Kenya. Therefore, these are facts. Anybody who has eyes can clearly see.

When a Senator rises to seek a Statement, we are given time to contribute to be able to seek clarity. Therefore, when you commit this Statement to a Committee what I would like to get more clarity on is the percentage of development that is skewed towards Central Kenya.

It would be proper for us to get an itemised list of development projects being spread countrywide, and then, maybe my dear colleague, Sen. Cherargei, who I respect very much, would not say that I am rumour mongering. These are facts because I have seen the projects for myself.

Mr. Temporary Speaker, Sir, I know you come from Samburu. If you drive to Samburu through Archers Post-Kenol-Kirinyaga, all the way to Laikipia County, the number of development projects that are being undertaken that side will mesmerize you.

I am happy that my colleague, Sen. Omanga, has sought this Statement. Therefore, what I would like the Committee to do is to go further and request that we be given an itemised list of all the development projects which are going on across the entire 47 counties. It would be good for us to know this under Article 96 of the Constitution.

We sit in this House to defend the interests of our counties and their governments. Therefore, we want to know because earlier on when I stood here, I indicated clearly that Kenya has received over Kshs214 billion in terms of fighting COVID-19, but only 3.7 per cent of that money, Kshs7 billion, has gone to the county governments. What business will we be transacting here if we cannot be able to question?

Mr. Temporary Speaker, Sir, for us to get clarity, when you commit that Statement, hopefully to the Standing Committee on Roads and Transportation - I can see my dear colleague is consulting with the Chairperson of the Standing Committee on Roads and Transportation - we can actually get to know how much of the development projects in terms of roads went to Samburu County and how much went to Narok County.

We cannot just be sitting here and saying we are happy with what is going to county governments from the Division of Revenue or from the County Allocation of Revenue Act. It is peanuts.

What perplexes me is that we have Kshs214 billion in COVID-19 funds and people are spread across the 47 counties, but the 47 counties only get Kshs7 billion. Therefore, these are issues that we must raise and get answers. If we do not get those answers today or we do not demand for those answers today, then who is going to demand for them? We might as well just go home and lament like all other Kenyans.

Mr. Temporary Speaker, Sir, without wasting more time, I want to thank Sen. Omanga for this Statement and I hope that we will get answers. Hopefully, the details that---

I can see she is giving the statement to the Chairperson of the Standing Committee on Roads and t who is also the Whip. I know he is a man who is diligent, especially when it comes to the issue of the green note. We can get real answers.

I support.

Sen. Olekina: Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No. 51 (1) (a) to make a Statement regarding the COVID-19 pandemic situation that is currently ravaging this country.

According to the World Health Organization (WHO), as of 22nd March, 2021, there were 122,922,844 confirmed cases of COVID-19 and 2,711,071 attributed to the pandemic across the globe. In Africa, the WHO reported 3, 600, 474 confirmed cases and 76,241 deaths. While in Kenya, it reported 120, 910 confirmed cases and 2, 011 deaths. This represents almost double the number of confirmed cases and deaths that had been reported in Kenya in November, 2020.

Mr. Temporary Speaker, Sir, according to the Ministry of Health, these figures are continuing to rise at an alarming rate. Indeed, with the current patient demand outstripping hospitals bed capacity, there are fears that this country is in the midst of a third wave that is more deadly than the first two waves that we had experienced.

Mr. Temporary Speaker, Sir, under Section 36, 38 and 42 of the Public Health Act, Cap 242 on rules of prevention of disease, power of entry and provisions for multinational responses respectively, the Ministry of Health, through the Office of Director of Medical Services, is empowered to require any person, owning or having charge of any land or any building or dwelling, not occupy it or any person owning or having charge of tents, transport, bedding, hospital equipment, drugs, foods and other appliances, materials or articles urgently required in connections with an outbreak to hand over the use of any such land or building or to supply or make available any such articles subject to the payments of a reasonable amount as hire or purchase price.

Mr. Temporary Speaker, Sir, in such a time as this where this country is in a crisis, we demand that the provision of the Public Health Act be put in full force and that the Cabinet Secretary (CS) for Health use the powers that have been bestowed on him to ensure that no patient is turned away from any hospital, whether public or private, due of lack of space or bed capacity.

Mr. Temporary Speaker, Sir, I wish to inform this House that in response to the escalating number of confirmed cases and deaths attributed to the COVID-19, the Standing Committee on Health held a series of meetings with various health stakeholders that were aimed at getting a clear understanding of COVID-19 pandemic situation and chatting a way forward. These include, but are not limited to-

Government agencies and departments, including the Ministry of Health, the Council of Governors (CoG), the Kenya Medical Practitioners and Dentists Council (KMPDC), the Kenya Medical Supplies Authority (KEMSA), the Pharmacy and Poisons Board (PPB), the Kenya Bureau of Standards (KeBS), the Kenya Medical Research Institute (KEMRI) and the Kenya Medical Laboratory Technicians and Technologist Board (KMLTTB).

Representative of health workers groups, including unions and professional associations at the county branch level such as doctors, nurses, clinical officers, allied workers and private sector representatives, including the Kenya Health Federation (KHF) and the Christian Health Association of Kenya (CHAK), *et cetera*.

Mr. Temporary Speaker, Sir, as a result of these meetings, I have the pleasure to inform the House that the Committee on Health has today tabled the First Progress Report on the COVID-19 situation as well as the Committee Report on KEMSA.

Mr. Temporary Speaker, Sir, in addition to this, last week, Wednesday, 17th of March, 2021, and Thursday the 18th of March, 2021, the Committee on Health met health workers representing groups, the Ministry of Health and the CoG to deliberate on the status of the national COVID-19 vaccine deployment and vaccination plan, 2021. The statement of both the Ministry of Health and the CoG have been annexed herein to the information for all the Members.

Mr. Temporary Speaker, Sir, the Committee takes note that from the meeting last week, there appears to be a high level of vaccine hesitancy among health workers, which had translated into low uptake and acceptance of the vaccine among health workers.

The Committee also notes that the Ministry of Health has since opened up the vaccine to members of the public, thereby driving up the uptake. However, in view of the fact that health workers remain uniquely vulnerable to infections, the Committee notes that the Ministry of Health must put in place the necessary measures to increase the uptake and acceptance of the vaccine among special groups.

The Ministry of Health further needs to scale up efforts to sensitize the public, to raise awareness on this very important matter, so as to ensure that Kenyans are not left behind. The Committee further recommends the Ministry of Health to use services of vernacular radio stations and local churches to raise more awareness on the need for Kenyans to accept the vaccine. The Committee will continue to closely monitor the vaccination drive and will table a comprehensive report on the same at the close of the first phase which is scheduled to take place in June, 2021.

Mr. Temporary Speaker, Sir, further to the above, I wish to inform the House that the Committee is seized of a special audit report of the Auditor-General on the actualization of the COVID-19 funds by county governments and is set to commence hearings with various county governments. Further to the above, the Committee is scheduled to conduct a series of county visits aimed at assessing the level of preparedness for the COVID-19 pandemic by counties. A comprehensive report on the same will likely be tabled before this House in due course.

Before I conclude, I wish to state that even as we struggle to tackle the crisis of the COVID-19 pandemic, it is important that health workers avoid falling into the dangerous assumption that all cases arriving at hospitals are as a result of COVID-19 infections. We, therefore, appeal to the Ministry of Health to review all its treatment guidelines and protocols with a view towards ensuring that all patients receive appropriate and proper treatment.

Finally, Mr. Temporary Speaker, Sir, I wish to assure this House and this nation that the current COVID-19 pandemic situation is a matter that the Standing Committee on Health has and will continue to take very seriously.

I thank you.

The Temporary Speaker (Sen. (Dr.) Lelegwe): Sen. Olekina, proceed.

Sen. Olekina: Mr. Temporary Speaker, Sir, I thank you. I rise to make a few comments on the Statement on the rise of the cost of energy in this country.

Let me thank Sen. Mutula Kilonzo Jnr. for bringing this matter. I am speaking as a Member of the Energy Committee. Last year when we were dealing with the issue of passing the Petroleum Act, there were several pieces of taxes which had been proposed that we tried to stop.

I know we will deal with this matter in detail, but since this is something which is out in the public, it is important to be candid to Kenyans, to share with them the reason the cost of petroleum is going high. I will not be doing my job as a Member of the Energy Committee if I do not take this opportunity. I am grateful that my colleague has raised this matter.

It is important for Kenyans to know that the reason fuel prices are going high is because of the current situation of the economy in the country. We cannot control the Dollar, the exchange rate or the taxes that the Parliament of Kenya; both the Senate and the National Assembly, approved that all the fuel which is coming to this country to be

charged. I do not know how we will give a different answer. I do not intend to respond 100 per cent to the query that has been sought by my colleague. I am concerned---

The Temporary Speaker (Sen. (Dr.) Lelegwe): Hon. Senators, on your concerns on time as to Order No. 10, we need to hold our sitting until conclusion of business appearing on the Order Paper. So we proceed.

Proceed, Sen. Olekina.

Sen. Olekina: Thank you, Mr. Temporary Speaker, Sir. Just for the record, it is important because this is information that we will provide later. We have several taxes. In fact, what happened here is that the taxes remained constant. The only thing that went up is the Value Added Tax (VAT) because of the landing costs. When fuel landed into this country, it was Kshs49.84. The profits which the oil marketers are getting have remained constant at Ksh12.39.

This is the conversation that I am willing to have with my colleague Sen. Mutula Kilonzo Jnr. What are we going to do with these taxes? First, the Petroleum Regulatory Levy, the Railways Development Levy, the Anti-adulteration Levy, the Merchant Shipping Levy, the import declaration fee, VAT, and all the taxes. If you add all of them, they add up to Kshs57.33. When the oil or fuel landed in Mombasa, it was at Kshs49.84. That was heavily affected by the exchange rate of the foreign currency which we cannot control because of the current pandemic.

Mr. Temporary Speaker, Sir, what I like about the Statement sought by my colleague is that the next question is what happened to that levy? Is that levy supposed to cushion? With that aspect, I am willing to go to a greater extent as a Member of that Committee to see what happened to that money. Can we use that money to cushion Kenyans? However, the buck stops with us now limiting the amount of taxes that we will charge. Are we really going to be able to do that? I think that is the question that my friend, Sen. Mutula Kilonzo Jnr. and I need to ponder on. We are both Members of the Committee on Finance and Budget.

Mr. Temporary Speaker, Sir, in terms of the issue of the taxation, how will the country function if we limit the taxes? I support that and I look forward to receiving that Statement in our Committee so that we can give a more comprehensive response to the query that the Senator has sought.

The Temporary Speaker (Sen. (Dr.) Lelegwe): Sen. Shiyonga, proceed.

Sen. Shiyonga: Mr. Temporary Speaker, Sir, I stand to support the Statement by Sen. Mutula Kilonzo Jnr. on the increase of the prices of the petroleum products---

(Loud consultations)

Mr. Temporary Speaker, Sir, kindly protect me from Senators?

The Temporary Speaker (Sen. (Dr.) Lelegwe): Order, hon. Senators! Consult in low tones.

Sen. Shiyonga: Mr. Temporary Speaker, Sir, thank you. I would like to support the Statement by Sen. Mutula Kilonzo Jnr. on the prices of petroleum products in Kenya. When we look at the petroleum prices in Kenya, especially this time of the COVID-19 pandemic that we are struggling with, it is very expensive. Kenyans are digging more into their pockets when fueling their cars.

It is important that when the Committee is looking at this particular Statement, then it should come up with remedies we can put in place to cushion our people. We can think of reducing taxes levied on the petroleum products so that we ease the burden on our people. Currently, life has become unbearable to many Kenyans because our economy is depressed. It then means that we do not have any laws that can assist Kenyans to control their own economy.

I, therefore, urge that when the Committee will be looking at this particular Statement, they look for any remedies that can help Kenyans save the money in their pockets, because the pandemic has already decayed their pockets.

Thank you.