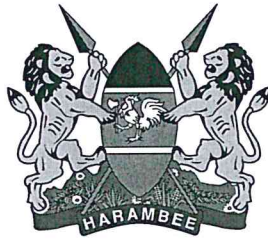


**REPUBLIC OF KENYA**



**TWELFTH PARLIAMENT (FOURTH SESSION)**

**THE SENATE**

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**AD HOC COMMITTEE ON THE COVID-19 SITUATION IN KENYA**

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**7<sup>TH</sup> PROGRESS REPORT**

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*Clerk's Chambers,  
First Floor,  
Parliament Buildings,  
**NAIROBI.***

**9<sup>TH</sup> JUNE, 2020**

**Mr. Speaker,**

The Ad Hoc Committee on the COVID-19 Situation has, to date, held a total of **62 Sittings**. Save for the first sitting of the Committee which was held in the Senate Chamber, the other 61 sittings, including with stakeholders, have been held virtually.

As noted in the previous Progress Reports of the Committee, during the initial stages of its work, the Committee clustered all emerging issues arising from the COVID 19 outbreak situation in Kenya into five thematic areas, as provided below:

- a) *Health Issues* – including community health, testing, quarantine, isolation centres, ICU facilities, human resources for health, drugs and supplies, role and engagement of county governments, and mental health;
- b) *Economic and Finance Issues* – including macro-economic effects, impact on businesses, trade facilitation, and measures to cushion borrowers and financial institutions;
- c) *Social, Public Order and Human Rights* – including protection for vulnerable persons and groups, protection of women and girls at risk of domestic abuse, measures to enable learners to continue with their studies, enforcement of the nationwide curfew, access to justice, and decongestion of prisons and remand facilities;
- d) *Access to Food, Water and other Basic Commodities* – including measures to ensure the continuous production and supply of food, water and other essential commodities; and
- e) *Support Services and Cross-Cutting Issues* – including awareness creation on measures to prevent infection and combat stigmatization, and the role of ICT in combating the COVID-19 pandemic.

The Committee proceeded to review best practice from comparative jurisdictions and analyze key issues and concerns arising from each of the five thematic areas.

Subsequently, the Committee held engagements with various government Ministries, departments and agencies, the judiciary, county governments, the private sector, civil society, representatives of employers and employees, players across different sectors of the economy, health workers, youth, and other diverse stakeholders.

Cabinet Secretaries have continued to not honour invitations to appear before and respond to queries raised by the Committee on matters falling within their respective dockets.

In the case of the Cabinet Secretary for Interior and Coordination of National Government, the Committee was forced to issue Summons to the CS to appear before the Committee, after he failed to honour four invitations to appear.

Similarly, this week the Committee directed that Summons be issued to the Cabinet Secretary for Education, requiring him to appear before the Committee on Tuesday, 16<sup>th</sup> June, 2020 at 10.30 a.m., after he failed to honour three successive invitations to appear before the Committee.

**Mr. Speaker**, this is a clear breach of Article 153(3) of the Constitution, which provides that: -

*(3) A Cabinet Secretary shall attend before a committee of the National Assembly, or the Senate, when required by the committee, and answer any question concerning a matter for which the Cabinet Secretary is responsible.*

Article 125 of the Constitution further confers on either House of Parliament, and any of their committees, the **power to summon any person to appear before it for the purpose of giving evidence or providing information.**

**Mr. Speaker**, the Ad Hoc Committee will continue to pursue meaningful engagements with the concerned Cabinet Secretary and, where its invitations are not honoured, will not hesitate to invoke and take the necessary measures as provided under the Constitution and in the Parliamentary Powers and Privileges Act (No. 29 of 2017).

**Mr. Speaker,**

Pursuant to the Senate resolution establishing the Ad Hoc Committee on the COVID-19 Situation, the Committee has so far submitted Six (6) Progress Reports to the Senate, with three of these substantively addressing Thematic Areas 1, 2 and 3, respectively. The Committee is meeting additional stakeholders this and next week, which will enable it to finalize on and table substantive reports on Thematic Areas 4 and 5.

These are: -

- a) Statement on the death and burial of Mr. James Oyugi Onyango, a resident of Siaya County – Sen. James Orenge, EGH, SC, MP.
- b) Statement on the dismissal/demotion of Dr. Joel Lutomiah from the position of Director, Centre for Virus Research, at the Kenya Medical Research Institute (KEMRI) – Sen. Cleophas Malalah, MP and Sen. Petronilla Were, MP.
- c) Statement on the restriction of movement of persons and related measures in and out of the Nairobi Metropolitan Area – Sen. Enoch Wambua, MP
- d) Statement on the exclusion of Health Administrative Officers from payment of COVID-19 Medical Emergency Allowance and benefits for frontline healthcare workers – Sen. Cleophas Malalah, MP
- e) Statement on the challenges experienced in Isiolo County regarding COVID-19 pandemic preparedness – Sen. Fatuma Dullo, CBS, MP; and
- f) Statement on the impact of COVID-19 on the prevention and control of other diseases of public health concern – Sen. Petronilla Were, MP.

**Mr. Speaker**, the Committee has concluded consideration of three (3) of these statements and is scheduled to consider the remaining three (3) over the coming week. These are the request for statement by Sen. Fatuma Dullo, MP, where the Committee is scheduled to visit Isiolo County on Thursday this week, and the requests for statements by Sen. Cleophas Malalah, MP and Sen. Petronilla Were, MP, where the Committee has received written responses, and is scheduled to discuss these with the Cabinet Secretary for Health, on Monday next week.

**Mr. Speaker**, this 7<sup>th</sup> Progress Report comes at a time when the spread and impact of COVID-19 has hit a number of milestones globally and at the national level. As at yesterday, 8<sup>th</sup> June, 2020, the number of coronavirus infections globally topped **seven (7) million** while the number of those who have died from the virus passed the **400,000** mark.

The epicenter of the virus has since moved from Asia, to Europe, to North America, and is currently in South America, where the highest death tolls are currently being recorded in Brazil, Peru, and other Latin American countries.

In Africa, a total of **190,000 COVID-19 cases** and **5,200 deaths** had been recorded as at yesterday, 8<sup>th</sup> June, 2020. In Kenya, a total of **2,862 cases** had been confirmed from a total of 98,439 tests. Of this number, **85** have

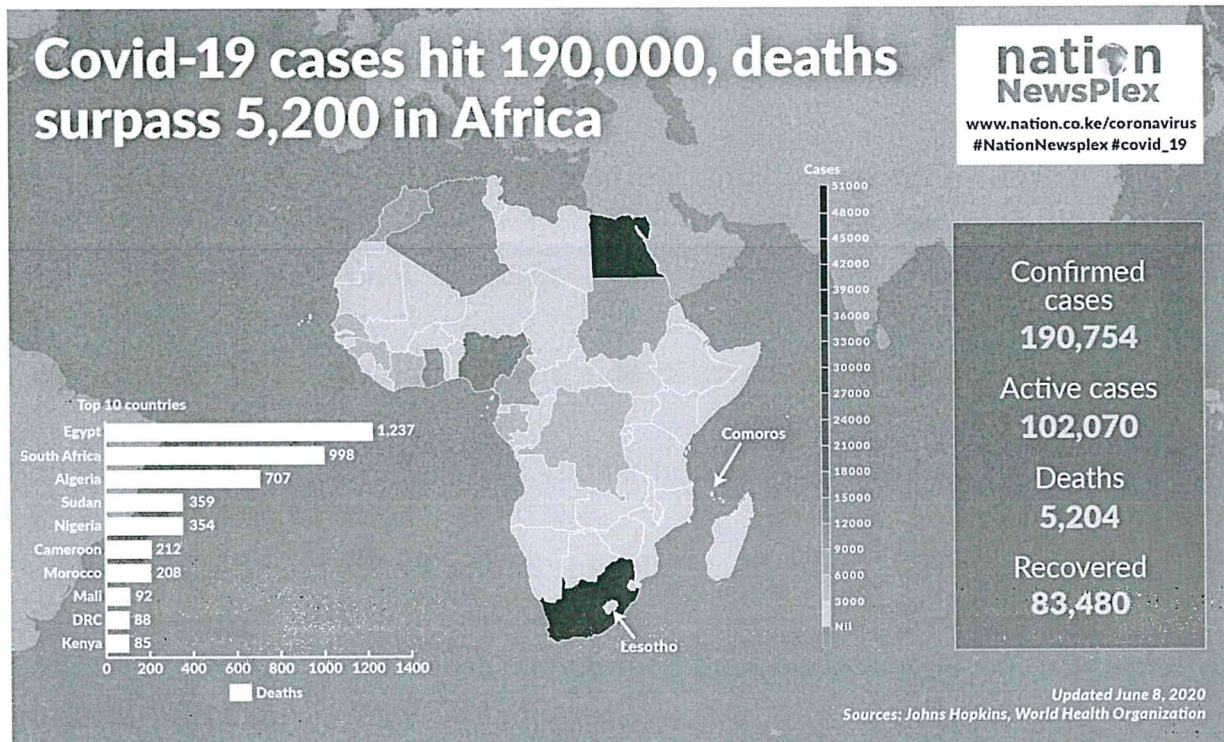
**ADOPTION OF THE 7<sup>TH</sup> PROGRESS REPORT OF THE SENATE AD HOC COMMITTEE ON THE COVID-19 SITUATION IN KENYA**

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**We, the undersigned Members of the Senate Ad Hoc Committee on the COVID-19 Situation in Kenya, do hereby append our signatures to adopt the 7<sup>th</sup> Progress Report-**

Sen. Johnson Sakaja, CBS, MP	-Chairperson	
Sen. (Arch.) Sylvia Kasanga, MP	-Vice-Chairperson	
Sen. (Dr.) Michael Mbiti, MP	-Member	
Sen. Abshiro Soka Halake, MP	-Member	
Sen. Mithika Linturi, MP	-Member	
Sen. Erick Okong'o Mogeni, SC, MP	-Member	
Sen. Mwinyihaji Mohamed Faki, MP	-Member	

At the continental level, Africa had so far recorded a total of 190,000 cases and 5,200 deaths as at 8<sup>th</sup> June, 2020. The leading country in the number of positive COVID-19 cases and deaths was Egypt, followed by South Africa, Algeria, Sudan, Nigeria, Cameroon, Morocco, Mali, the Democratic Republic of Congo (DRC), and Kenya coming in at tenth. The graphic below show the spread of the virus in Africa as at 8<sup>th</sup> June, 2020.<sup>2</sup>



The COVID-19, which has since been declared a global health pandemic by the World Health Organization (WHO), can easily be spread from person to person, through contact with droplets produced by a person who is sneezing or coughing or contaminated surfaces or objects. COVID-19 causes severe symptoms like fever, cough, headache, body aches and difficulty in breathing.

## 2. Establishment, mandate, and membership of the Ad Hoc Committee

During the sitting of the Senate held on Tuesday, 31<sup>st</sup> March, 2020, the Senate, by Resolution, established the Ad Hoc Committee on the COVID-19 situation, with the mandate to oversight actions and measures taken by the national and county governments in addressing the spread and effects of COVID-19 in Kenya

This action was taken in recognition of the need for an integrated and multi-sectorial intervention towards a harmonized comprehensive response to the

<sup>2</sup> <https://www.nation.co.ke/dailynation/news/covid-19-cases-rise-to-2-862-549148>

## **CHAPTER TWO**

### **NEXT STEPS**

During the following two weeks, the Ad Hoc Committee on COVID-19 is scheduled to undertake the following activities:

- a) Wednesday to Saturday, 10<sup>th</sup> – 13<sup>th</sup> June, 2020 – Fact finding visit to Isiolo and Meru Counties, to assess the level of COVID-19 preparedness and response at the county level.
- b) Monday, 15<sup>th</sup> June, 2020 – Meeting with the Cabinet Secretary for Health and the Council of Governors.
- c) Wednesday, 17<sup>th</sup> June, 2020 – Meeting with the Cabinet Secretary for Water, Sanitation, and Irrigation; The Director General of the Nairobi Metropolitan Services (NMS); the Managing Director, Nairobi City Water and Sewerage Company; and the Water Services Providers Association (WASPA).

As resolved by the Senate, the Committee will continue to submit its progress reports to Senators and the country on a weekly basis, until conclusion of its engagement, when the Committee shall table its final report.