

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 2nd October, 2003

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

The Annual Report and Accounts of Investment Promotion Centre for the year ended 30th June, 1998, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for Energy
(Mr. Kiunjuri) on behalf of the
Minister for Trade and Industry)*

The Annual Report of the Electricity Regulatory Board for the year ended 30th June, 2002.

*(By the Assistant Minister for Energy
(Mr. Kiunjuri) on behalf of the
Minister for Energy)*

The Annual Report and Accounts of Kenya Coffee Auctions Limited for the year ended 30th June, 2002, and the certificate thereon by the Auditor-General (Corporations).

The Annual Report and Accounts of the Tea Board of Kenya for the year ended 30th June, 2000, and the certificate thereon by the Auditor-General (Corporations).

The Annual Report and Accounts of the Tea Board of Kenya for the year ended 30th June, 2001, and the certificate thereon by the Auditor-General (Corporations).

*(By the Assistant Minister for Energy
(Mr. Kiunjuri) on behalf of the
Minister for Agriculture)*

The Annual Report and Accounts of the Kenya Tourist Development Corporation (Utalii Investments Limited) for the year ended 30th June, 2000, and the certificate thereon by the Controller and Auditor-General.

The Annual Report and Accounts of Mount Elgon Lodge Limited for the year ended 30th June, 2001 and the certificate thereon by the Auditor-General (Corporations).

(By the Assistant Minister for Energy)

*(Mr. Kiunjuri) on behalf of the
Minister for Tourism and Information)*

The Annual Report of the Local Authorities Transfer Fund for the financial year 2001-2002.

*(By the Assistant Minister for Energy
(Mr. Kiunjuri) on behalf of the
Minister for Local Government)*

Mr. Deputy Speaker: Hon. Members, as is the new practice, we shall start with Questions by Private Notice. I, therefore, call upon Mr. Weya to ask his Question.

QUESTIONS BY PRIVATE NOTICE

CONDITIONS SET BY BRETTON
WOODS INSTITUTIONS

Mr. Weya: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Finance the following Question by Private Notice.

Could the Minister table a full list of conditions that the Bretton Woods Institutions want Kenya to meet?

The Assistant Minister for Finance (Mr. Katuku): Mr. Deputy Speaker, Sir, I beg to reply.

Currently, the Government is in the process of negotiating for a three-year financial assistance programme with the Bretton Woods Institutions. The negotiations are on-going. Therefore, it is not possible, at this stage, to give a conclusive list of required Government action necessary for it to qualify for the financial support. However, it will be possible to table the conditions, at a later stage, once the negotiations are concluded.

Mr. Weya: Mr. Deputy Speaker, Sir, these conditions are normally tabled in other parliaments around the World. I do not understand why our Government is not willing to table these conditions. Kenyans need to know what these conditions are to enable them move forward.

(Applause)

Mr. Katuku: Mr. Deputy Speaker, Sir, I have said that, as far as the Government is concerned, we are in the process of discussing and negotiating with the Bretton Woods Institutions. We will soon come up with a conclusive list of these conditions. Given time, I will be able to table a list of those outstanding issues.

Mr. Omingo: Mr. Deputy Speaker, Sir, with all due respect, the Assistant Minister is not taking this House seriously. Once a Question is asked in this House, it becomes the property of this House, and Kenyans in particular. Could he tell us what these conditions are? What is so secret about these conditions that he does not want to table them here? We all know that these conditions will end up binding our children and great-grandchildren!

Mr. Katuku: Mr. Deputy Speaker, Sir, I would like to seek the indulgence of this House to give me more time to table these conditions once we agree with those institutions.

Mr. Sungu: Mr. Deputy Speaker, Sir, is the Assistant Minister aware that one of the conditions given by the Bretton Woods Institutions is that we reform our political system and our laws? Is he further aware that this Government is now on the verge of losing the confidence of those

institutions because it has not fulfilled those conditions?

Mr. Katuku: Mr. Deputy Speaker, Sir, what Mr. Sungu is raising could be one of the many conditions given by those institutions. However, some of those issues were given to the previous Government. At the moment, I am not able to table a full list of those conditions.

Mr. Leshore: Mr. Deputy Speaker, Sir, I would like the Assistant Minister to tell us whether the Bretton Woods Institutions and the American Government have different conditions on Kenya?

Mr. Katuku: Mr. Deputy Speaker, Sir, sorry, I did not get the question properly.

Mr. Deputy Speaker: Mr. Leshore, could you, please, repeat your question? I request that the microphone be brought nearer to Mr. Leshore so that he can be heard.

Mr. Leshore: Mr. Deputy Speaker, Sir, I would like the Assistant Minister to tell us whether the Bretton Woods Institutions have their own conditions separate from the conditions of the American Government?

Mr. Katuku: Mr. Deputy Speaker, Sir, I am not aware of conditions given by the American Government. However, I am aware of conditions set by the Bretton Woods Institutions.

Mr. Sasura: Mr. Deputy Speaker, Sir, in that case, could the Assistant Minister categorically tell us that conditions such as the establishment of a military base in this country by the American Government and the passing of the Suppression of Terrorism Bill are not part of the conditions for resumption of aid by the Bretton Woods Institutions? Could he categorically state that they are not tied to aid resumption?

An hon. Member: For the record!

Mr. Katuku: Mr. Deputy Speaker, Sir, certainly not. I am not aware of such conditions.

Mr. Weya: Mr. Deputy Speaker, Sir, the Assistant Minister is playing a cat and mouse game with us. This country needs to move forward, and one of the things we need to know are the conditions the Bretton Woods institutions have given this Government to enable us make progress. When will the Assistant Minister table the list detailing the conditions? We want the specific date. I think one week should be the maximum.

Mr. Katuku: Mr. Deputy Speaker, Sir, I think that is fair. I have said that given time, I will table that list. I would like to be given at least one month to be able to table the list.

Mr. Sirma: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to actually evade the Question and yet those conditions are not personal; they are conditions given to Kenya?

Mr. Katuku: Mr. Deputy Speaker, Sir, I think hon. Members are not understanding what I am saying, in view of what he is asking. I have said that we are negotiating with those institutions, and once the negotiations are concluded, we will be able to detail them to the House. I have also said that in one month's time, we will be able to table the same here.

Mr. Deputy Speaker: Next Question!

REGULATION OF HEALTH MEDICAL PROVIDERS

Mr. Omingo: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Finance the following Question by Private Notice.

(a) Is the Minister aware of the failure by Mediplus, a health medical operator, to service their clients despite large sums of money having been paid to them?

(b) Who regulates and controls the operations of the medical operators and what remedy do patients have when the operators fail to deliver the said services?

(c) Could the Minister table a list of all the health medical operators in the country, indicating

who owns them?

The Assistant Minister for Health (Mr. Konchella): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Mediplus is unable to service its clients.

(b) Currently, there is no regulatory body that supervises the operations of the medical operators. The operators are registered as businesses under the Insurance Act, and the Ministry only comes in to license and supervise the operations of their health facilities. This is an anomaly that shall be redressed under the proposed National Social Health Insurance Bill.

(c) It is not possible to table a list of health medical operators since they are registered as businesses or companies, whose registration is not done by the Ministry. Under the proposed National Social Health Insurance Bill, it will be possible since they will either operate as insurance brokers or as health providers, making it clear which body should regulate them.

Mr. Omingo: Mr. Deputy Speaker, Sir, you heard the Assistant Minister stating that he is aware that Kenyans have lost money. He is aware that Mediplus is not providing health facilities. He also says that he does not know how many they are. We know for a fact that there are so many "Goldenbergs" in the making. We are pursuing one at KICC, and this is yet another one. How do you protect fellow Kenyans from losing these colossal sums of money if there are no controls? Could the Assistant Minister tell us how we are going to recover these millions of shillings sank in Mediplus?

Mr. Konchella: Mr. Deputy Speaker, Sir, when Mediplus went under, 45,000 Kenyans lost the service. As a result, Kshs250 million that belongs to the subscribers was lost. The Ministry of Health is a regulatory body in the sense of inspecting facilities only. In the new Bill, which is going to come before this House within a month or so, we will be able to put necessary measures which will safeguard the people of Kenya from these people who are causing problems and looting the country.

Dr. Khalwale: Mr. Deputy Speaker, Sir, the Assistant Minister is telling us that he is aware that Mediplus exists. He is also aware that Kenyans have been defrauded to that tune. Could he tell us what action he has taken to make sure that Mediplus pays back people's money?

Mr. Konchella: Mr. Deputy Speaker, Sir, we would have liked to help get this money back to Kenyans, but it is not the duty of the Ministry of Health. I would advise the hon. Member and those affected to seek redress at the Attorney-General's Chamber, and any other relevant body which can handle this issue.

Mr. Sambu: Mr. Deputy Speaker, Sir, Mediplus' going under has affected many people. As he said, it has affected 45,000 people, including members of staff of the National Assembly. It is a sad issue. The Government is a Government of joint responsibility, so there is no question of saying, "my Ministry". It is Government responsibility. Could the Government not recover the money from the reinsurer, because every insurance company must re-insure itself? Could they instruct Mediplus' re-insurers to pay back all the monies due to those who insured with Mediplus?

Mr. Konchella: Mr. Deputy Speaker, Sir, I have just said that Mediplus operates as a business. It is the responsibility of the subscriber who has agreed to enter into agreement with Mediplus, to go to court and seek redress for what is due to them. It cannot be the Government to do that because it is a private matter between two parties.

Dr. Godana: On a point of order, Mr. Deputy Speaker, Sir, Mediplus is a medical insurance company, and as an insurance company, I think, really, the responsibility to unravel the problems 45,000 Kenyans have landed in should lie more with the Ministry of Finance, which has the responsibility for regulating the conduct of banking, financial and *quasi* financial institutions. Would I be in order to request that this Question be referred to the Ministry of Finance?

Mr. Deputy Speaker: Mr. Konchella, what do you have to say?

Mr. Konchella: Mr. Deputy Speaker, Sir, I believe there is no need to take this Question to another Ministry because---

Hon. Members: No! No!

Mr. Deputy Speaker: Order! I believe what Dr. Godana has said has merit. We are talking of 45,000 Kenyans, and the Assistant Minister for Health has told the House that he is unable to recover the money because he only inspects the facilities. Therefore, I order that the Question be directed to the Ministry of Finance.

(Question deferred)

Mr. Omingo: On a point of order, Mr. Deputy Speaker, Sir. I thank you for the ruling that is welcome to the House, but could we get a time frame?

Mr. Deputy Speaker: No! No! I do not think it is good to give a time frame, because the relevant Minister has to study the Question. Therefore, it will be referred there by the Clerk and then you will definitely be informed, because the matter is on hand. We cannot ask the Minister to answer the Question tomorrow and yet he has not even seen the Question.

Mr. Sungu: On a point of information, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Disallowed! Who are you informing? The Chair does not need your information. Next Question!

ORAL ANSWERS TO QUESTIONS

Question No.580

COMPENSATION OF SECOND WORLD WAR EX-SERVICEMEN

Mr. Obwocha asked the Minister of State, Office of the President whether he could consider paying compensation to ex-servicemen who served in the British Legion (Kenya), during the Second World War under the auspices of British Commonwealth Ex-services League.

The Assistant Minister, Office of the President (Mr. Miriti): Mr. Deputy Speaker, Sir, may I request that this Question be deferred to Tuesday next week because there is some information that I am still waiting for?

Mr. Deputy Speaker: Mr. Obwocha, you have heard what the Assistant Minister has said. He has requested that the Question be deferred to next week because he is still waiting for some information.

Mr. Obwocha: Mr. Deputy Speaker, Sir, I should have even declared my interest in this Question. I filed this Question when my father was alive last year, and since then, he has passed away before the Question is answered and before knowing whether these benefits are there or not. Could the Assistant Minister be serious so that those who are surviving can benefit? Let us know for sure whether these benefits are there or not.

Mr. Deputy Speaker: Mr. Obwocha, rest assured that the Assistant Minister will answer the Question on Tuesday. It is, therefore, agreed that it has been deferred to Tuesday afternoon. Next Question Mr. Ndile.

(Question deferred)

Question No.655

RECONSTRUCTION OF SCHOOL ROOFS

IN KIBWEZI CONSTITUENCY

Mr. Ndile asked the Minister for Education, Science and Technology:-

- (a) if he is aware that the roofs of Molemuni and Kambu Primary Schools in Kibwezi Constituency were ripped off by a rainstorm on 29th March, 2003; and,
- (b) how much money he is setting aside for the reconstruction of the two schools.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that the roofs of Molemuni and Kambu Primary Schools in Kibwezi Constituency were blown off by heavy rainstorms on the night of March 29th, 2003.

(b) Through the implementation of free primary education, the Minister for Education, Science and Technology has sent Kshs71,751 to Molemuni Primary School and Ksh91,528 to Kambu Primary School for repairs and improvement of the physical facilities. This money, along with resources mobilised from local communities, has been used to do some of the rehabilitation work on the two schools.

Mr. Ndile: Bw. Naibu Spika, nadhani Waziri Msaidizi alikuwa ajibu Swali hili jana lakini akaja na kuniambia kuwa alikuwa amechanganyikiwa.

(Laughter)

Leo ninafikiria kuwa amechanganyikiwa zaidi kwa sababu pesa ambazo amesema ametuma ni zile za kawaida ambazo pia ametuma katika shule nyingine katika mpango wa elimu ya bure. Ninaulizia pesa za dharura kwa sababu shule hizo zimeharibiwa na upepo. Wacha pesa ambazo ni za kawaida ambazo zimetumwa katika shule nyingine. Je ni ngapi?

Dr. Mwiria: Mr. Deputy Speaker, Sir, I think that Mr. Ndile is a little bit more confused than I am because, the money that is available for rehabilitation of classrooms in this country is still the same as being given through the free primary school education initiative.

However, communities are encouraged to work with the Government to mobilise additional resources. Some communities have done that and we give them credit. But, under special circumstances---

(Loud consultations)

Mr. Deputy Speaker: The Assistant Minister should be allowed to finish. Dr. Mwiria, please, finish giving your answer.

Dr. Mwiria: Under special circumstances, we are open to discuss possibilities of Mr. Ndile's schools if they write a request to the Ministry of Education, Science and Technology. We will have to discuss it with the Permanent Secretary to find out if there are any additional resources available that could be used to support them.

Mr. Billow: Mr. Deputy Speaker, Sir, in the Budget that has just been approved for the Ministry of Education, Science and Technology, there is a Kshs100 million for rehabilitation of primary schools in ASAL areas. Kibwezi happens to be one of the 15 ASAL districts. Could the Assistant Minister table those districts that will benefit from the Kshs100 million that was approved in the Budget last month?

Dr. Mwiria: Mr. Deputy Speaker, Sir, the hon. Shadow Minister for Finance is aware of the 15 districts that fall under the ASAL region. However, he is not aware that he is asking a different question. The point, however, is that any schools that fall under the ASAL region will benefit from that initiative. That money is already in the districts and can be used for those purposes as long as the

DEO's and the headmasters from the schools apply for it.

Dr. Godana: On a point of order, Mr. Deputy Speaker, Sir. I think that the Assistant Minister is blowing hot and cold. He said very clearly, before Mr. Billow shot up, that there are no monies for rehabilitation of classrooms. Then, Mr. Billow reminded him that, in fact, we voted Ksh100 million for rehabilitation of classrooms and other school buildings in the ASAL regions. Now he is saying that the money is in the district. What should we go by? Is it that he does not know about any money in the Ministry or money has already been given? Could he give a list of the allocations to the various schools under the Kshs100 million?

Mr. Deputy Speaker: Dr. Godana, you insisted on a point of order. You have just asked a question. You have asked a supplementary question but since it is a matter of public interest, I will allow the Assistant Minister to reply.

Dr. Mwiria: I am sure Dr. Godana knows the difference between emergency funding, and the amount voted for rehabilitation. I think that those are two different Votes. The case of these schools is emergency and I said what can be done in the case of emergencies. However, when I first responded to the Question, I said that we are willing to listen to the requests from the two schools and we shall look around to see if there are any resources to help them. Thank you.

Prof. Oniang'o: Mr. Deputy Speaker, Sir, thank you. Could the Assistant Minister tell us under what policy parents are being encouraged to mobilise resources for rehabilitation while we know that under the free primary education system, the Government is doing everything and parents are doing absolutely nothing?

(Applause)

Dr. Mwiria: Well, Mr. Deputy Speaker, Sir, I think one of the reasons that KANU as a Government was not able to provide free primary education, is because they could not do everything. I think that under the free primary school education policy, it is not an indication that we are discouraging parents from contributing because if you say that, it means that our parents are completely hopeless, which is not the case.

Hon. Members: No! No!

Dr. Mwiria: Just a minute. I would like to finish, Mr. Deputy Speaker, Sir. I think that it is important that we see education as a joint venture between the Government, development partners, and parents. The moment some communities will decide to leave everything to the Government, then there will be a lot of problems in their respective areas especially in terms of the quality of education that will be offered in their schools. Local resources are voluntary initiatives that would encourage parents to contribute voluntarily and support their own schools.

Mr. Deputy Speaker: Very well. Last question, Mr. Ndile.

(Loud consultations)

Hon. Members, that Question has already taken 10 minutes. Mr. Ndile, last question.

Mr. Ndile: Asante sana, Bw. Naibu Spika. Waziri Msaidizi amesema niandike barua nyingine lakini ninachojua ni kwamba nitemwandikia barua nikimweleza juu ya pesa zinazotakikana. Ningependa kumuuliza; "ni barua ngapi anataka nimwandikie kwa sababu ninaweza kufanya hivyo tukitoka hapa kama atanisaidia?" Hii ni kwa sababu nimeandika nyingi na ziko kwa ofisi yako. Ana ofisi ngapi?

Mr. Deputy Speaker: Order now!!

Mr. Sirma: Waziri Msaidizi hata haelewi lugha ya Kiswahili!

Dr. Mwiria: Ninaelewa, Bw. Sirma. Pengine wewe huelewi! Mr. Deputy Speaker, Sir, I

said that we have already received their requests, but the amounts of money that were sent to the schools was not as a result of any letters written to us. However, we said, if you want to make a special request, you will not just shout about it in Parliament. You must have a formal written request. If Mr. Ndile writes to the Ministry to explain the situation, we will be happy to listen to his case.

Mr. Oloo-Aringo: On a point of order Mr. Deputy Speaker, Sir. May I request you to ask the Members of Parliament to stop shouting. Members of Parliament do not shout! They are honourable Members! Could the Assistant Minister apologise and withdraw immediately?

Dr. Mwiria: Mr. Deputy Speaker, Sir, I think that Member of Parliament do not shout but sometimes they talk loudly. I would like to apologise and I withdraw.

Mr. Deputy Speaker: Very well, next Question, Mr. Sirma.

Question No.632

REHABILITATION OF NAKURU
-TIMBOROA ROAD

Mr. Sirma asked the Minister for Roads, Public Works and Housing:-

- (a) if he is aware that a section of road A104 between Nakuru and Timboroa is in a state of disrepair; and,
- (b) what urgent measures he is taking to rehabilitate the road.

The Assistant Minister for Roads, Public Works and Housing (Eng. Toro): Mr. Deputy Speaker, Sir, I beg to reply.

- (a) I am aware that a section of Road A104 between Nakuru and Timboroa is in a state of disrepair due to pavement failure that requires complete reconstruction.
- (b) Normal pothole patching is ongoing. Meanwhile, the road is earmarked for reconstruction through a World Bank financial programme of the Northern Corridor.

Mr. Sirma: Mr. Speaker, Sir, talking about a World Bank financial programme may take years. This road is actually posing a security risk not only to the people of Koibatek, but to Kenyans. Even the normal pothole patching which the Assistant Minister is talking about means just putting soil and once it rains, the soil is no longer there. The only patching they did was when there was a funeral for the hon. Vice-President, Kijana Wamalwa. I do not know how many people will continue dying so that those potholes can be filled. Could the Assistant Minister give an undertaking that this section will be rehabilitated as soon as possible to avoid thugs ambushing people in that area?

Eng. Toro: Mr. Deputy Speaker, Sir, pavement failure for this road did not happen this year. The road had failed over two years ago, even when Mr. Sirma was a Member of the previous Government. Meanwhile, there is a budget which will be used by our resealing unit No.5 for patching the potholes while we are waiting for the World Bank-funded project for the 83 kilometres from Nakuru to Timboroa. Negotiations for the financing of this project are at an advanced stage and we are anticipating that work will start in January next year.

Dr. Galgallo: Mr. Deputy Speaker, Sir, this Government does not take the issue of roads seriously, especially the international roads. Last time, when we raised the issue of the Moyale-Isiolo Road, this same Assistant Minister said they had set aside Kshs1 million for repairing that road. Now he is giving some ambiguous answer about the World Bank. When will this World Bank project start and which roads will be covered under that project?

Eng. Toro: Mr. Deputy Speaker, Sir, I said that the work will start in January, 2004. The hon. Member did not say whether he received the Kshs1 million or not.

Mr. Gitau: Asante, Bw. Naibu Spika. Hivi karibuni, "Rais wa Barabara alisema kuwa--

(Laughter)

Mr. Deputy Speaker: Order!

Mr. Gitau: Samahani, Bw. Naibu Spika. Waziri wa Barabara, Ujenzi na Nyumba alisema kuwa asilimia 90 ya barabara nchini Kenya zinahitaji kutengenezwa upya. Waziri Msaidizi atafanya jambo gani kuhakikisha kuwa barabara za Kenya zote zinapitika kwa sababu hatuna barabara huku Kenya?

Eng. Toro: Mr. Deputy Speaker, Sir, the hon. Member knows that it is a question of availability of funds. In the absence of funds, there can never be roads. In the absence of donor funding, the budget for the roads this financial year is not enough to do much. However, we have inherited a bad infrastructure, and it has not been possible to undo what KANU has destroyed in the last 24 years within eight months.

Mr. Sirma: Mr. Deputy Speaker, Sir, I wish to confirm to the hon. Assistant Minister that the road was passable up to January this year.

Hon. Members: Ahh!

Mr. Sirma: Mr. Deputy Speaker, Sir, I cannot be challenged where I come from. The road was in good condition and it was really destroyed by the rains of April to September. The Ministry is doing nothing to---

Mr. Deputy Speaker: Mr. Sirma, will you ask the question?

Mr. Sirma: Could the Assistant Minister provide an emergency solution to this section of the road because it is posing a security risk to many Kenyans?

Eng. Toro: Mr. Deputy Speaker, Sir, we have to balance between two things; the amount of money we can spend in the interim period between now and January next year when we are waiting for the reconstruction to begin. We cannot spend a lot of money when we will do a total reconstruction of that road within the next five months. However, as I said, our resealing unit No.5 will be doing the resealing to make this road passable and safe for motorists.

Question No.320

EQUIPPING OF KISEGI SUB-DISTRICT HOSPITAL

Mr. Syongoh asked the Minister for Health:-

- (a) whether he could inform the House of the cost of construction and equipping of Kisegi Sub-district Hospital in Suba District;
- (b) what medicare services the hospital was built and equipped to provide; and,
- (c) when the hospital will be fully operational.

The Assistant Minister for Health (Mr. Konchella): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Kisegi Sub-District Hospital was constructed and equipped at a total cost of Kshs19,215,465 in preparation for its upgrading to a sub-district hospital status.

(b) The hospital was built to provide curative and preventive health care services that include MCH, STI and maternity services. It was constructed to give these services to both outpatient and inpatients.

(c) The hospital is operational but the workload is low due to inaccessibility of the facility. The only road leading---

(Loud consultations)

Mr. Deputy Speaker: Order! May I ask hon. Members, particularly on the Front Bench of the Official Opposition, to consult quietly so that we can hear the Assistant Minister.

Proceed.

The Assistant Minister for Health (Mr. Konchella):

(c) The hospital is operational but the workload is low due to inaccessibility of the facility. The only road leading to the facility was washed away three years ago and the access is only possible by boat.

Mr. Syongoh: Mr. Deputy Speaker, Sir, this hospital was built ten years ago. At current exchange rates, the total value of construction is over Kshs100 million. It has got a block of flats for eight paramedics and two bungalows for medical officers. The question of workload not being there on account of lack of transport does not arise because the community there uses boats and walk to the hospital. Presently, they go to distant districts by the same mode of transport. The only reason why patients do not go to that hospital is because of lack of medical supplies and lack of staffing. May I ask the Minister when he will start supplying that hospital with medical services as well as staffing it fully so that it can provide the services it was meant to do?

Mr. Konchella: Mr. Deputy Speaker, Sir, we asked the PMO to write to the Chief Engineer of Roads in Nyanza to construct or improve the roads for accessibility. We are yet to be told whether he did it. As far as medical supplies are concerned, we have enough medicines in our hospitals and in the regional depot in Kisumu. Should that not be the case, we can be told so that we can advise the MOH to do that immediately.

Mr. Manoti: Mr. Deputy Speaker, Sir, you can hear from the hon. Member who comes from that area that the hospital cost Kshs100 million, which is a lot of money. That area has got a lot of problems. Most people there do not get any medical assistance. Since we are waiting for the Ministry of Roads, Public Works and Housing to repair the roads, could the Assistant Minister undertake to take the medicines to the nearest hospital so that the *wananchi* can transport the medicines to that hospital? Could he also undertake to employ more medical staff?

Mr. Konchella: Mr. Deputy Speaker, Sir, the Ministry has no problem taking the medicine to the hospitals. The hospital is under-utilised because patients are not there. Only a few of them come by boat. It is not possible. So, we are able to carry that medicine any time, even by helicopter.

Mr. Syongoh: Mr. Deputy Speaker, Sir, I appreciate the commitment of the Ministry to open this hospital. For the first time this year, the Ministry allocated Kshs1.5 million to this hospital. However, it is not operational below capacity because of lack of patients. Instead, patients seek medical services as far as Migori District and Kisumu City. They travel to those areas by boat. The Ministry has the option to transport medicine to that hospital by boat. This hospital is only 300 meters away from the beach. Since the Minister for Health and her assistant are here, could they tell us when services in that hospital will start?

Mr. Konchella: Mr. Deputy Speaker, Sir, I understand the concern of the hon. Member that those people are suffering because of lack of accessibility. However, I want to ask him to use some of his money as well as the constituency roads funds allocated to the constituency to improve roads. I also want to request the Ministry of Roads, Public Works and Housing to do something about roads in the constituency.

Dr. Galgalo: On a point of order, Mr. Deputy Speaker, Sir. As you can see, from the way the Assistant Minister is answering this question, he is not serious. I know the Ministry of Health has a boat in Lake Victoria which they are not using.

Mr. Deputy Speaker: So what is your point of order?

Dr. Galgalo: Mr. Deputy Speaker, Sir, he should take this House more seriously and give a more serious answer. He should not ask the hon. Member to use his own money to improve roads in his constituency. We cannot allow this kind of situation. Let him be more serious!

Mr. Deputy Speaker: Order! Next Question, Mr. Khamasi.

Mr. Khamasi: Mr. Deputy Speaker, Sir, while I rise to ask Question No.654, I would like to get some direction from the Chair in the manner and procedure in which answers are provided to Questioners in this House. This is because the Orderly has just given me this answer a few minutes ago and I am unable completely to prepare my supplementary questions. Could the Chair direct that hon. Members get written answers in good time?

Mr. Deputy Speaker: Well, hon. Members, the issue of Members receiving answers before the Question Time has been repeatedly stated by the Chair, that it is so important that it is done through the Clerk. So, I urge and request hon. Ministers to kindly supply these written answers early enough in order for hon. Members to prepare supplementary questions. So may you now---

The Assistant Minister for Health (Mr. Konchella): Mr. Deputy Speaker, Sir---

Mr. Deputy Speaker: I do not know why the Assistant Minister is so impatient.

Order! For those hon. Members who may not be familiar with the rules, when the Chair is communicating to the House, nobody is allowed to stand up and interrupt the Chair. Now, Mr. Khamasi, could you ask your Question?

Question No.654

OPPORTUNITY FOR PHARMACY STUDENTS
TO PURSUE DIPLOMA COURSES

Mr. Khamasi asked the Minister for Health:-

- (a) whether she is aware that students who have been offered certificate courses in pharmacy and have successfully completed them in the polytechnics are being denied opportunity to pursue diploma courses; and,
- (b) what action she is taking to rectify the situation.

The Assistant Minister for Health (Mr. Konchella): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that applicants for training at diploma level in pharmacy who do not meet entry requirements for this course at Kenya Medical Training College (KMTC) are not admitted for the course. The minimum grades for admission to KMTC for the diploma course are a mean grade of C; chemistry or physical science subject - C; language - C; mathematics - C, and any two other science subjects - C.

Some colleges and polytechnics, however, admit students for the certificate course with grades as low as D-minus even in sciences that form a basis for studies in pharmacy. Even those who meet the above requirements will still not be admitted because they have not covered the KMTC curriculum.

(b) The Ministry of Health, in collaboration with the Ministry of Education, Science and Technology, has formed a working committee to harmonise diploma curriculum for all training institutions, and develop curriculum for certificate courses, so that we have uniform admission requirements and training for all students.

Mr. Khamasi: Mr. Deputy Speaker, Sir, this is a problem that is affecting very many youth. One would want to ask the Assistant Minister to explain to this House why, in the first place, does a Government institution like the Kenya Polytechnic who offer Kenya National Examinations, admit young people knowing very well that they cannot be admitted for this course at KMTC?

Mr. Konchella: Mr. Deputy Speaker, Sir, this was an overlap from the previous Government. Right now, we are re-organising the whole process. We have created a workforce to go round every institution that offers this training to make sure that they meet the curriculum that the Ministry is providing at KMTC. The Ministry was not consulted when the Kenya Polytechnic offered this course.

Mr. Kimetto: Mr. Deputy Speaker, Sir, you heard the Assistant say they are reorganising to

harmonise this system. When and how soon will this harmonisation be done in order to assist these youth?

Mr. Konchella: Mr. Deputy Speaker, Sir, the committee has been set up and is already going round the country to gather the necessary information. Once they are through, we will issue these instructions on harmonisation.

Mr. Khamasi: Mr. Deputy Speaker, Sir, I would like the Minister to have some mercy on these young men and women who actually took these courses knowing very well that they would advance. We are actually frying the monkey when the organ grinder is just around. Perhaps, the Minister herself should come up and respond to this, so that the people who actually did these examinations are allowed to go for diploma courses at KMTC.

Mr. Konchella: Mr. Deputy Speaker, Sir, I appreciate the dilemma of these young people. I will consider those who have done the examinations and who meet the basic minimum requirement and decide what to do.

Dr. Ali: Mr. Deputy Speaker, Sir, I wish to request the Minister, because of those problems and what hon. Khamasi has just said, to consider introducing bridging courses for those students so that they can improve on the subjects that they failed - even polytechnics are offering these bridging courses -and then allow them to pursue diploma certificate at KMTC.

Mr. Konchella: Mr. Deputy Speaker, Sir, we admit that mistakes were done but we will look at the needs of those children, whether through bridging courses or going back for more training at a certain level. We will do that so that those children do not suffer because they have already done most of that curriculum.

Mr. Deputy Speaker: Next Question, Mr. Omingo!

Question No.608

PAYMENT OF DUES TO FARMERS
BY SONY SUGAR COMPANY

Mr. Omingo asked the Minister for Agriculture:-

- (a) if he is aware that farmers who delivered cane to Sony Sugar Company have not been paid since July, 2002;
- (b) how much money cane farmers in Gucha District are owed for the years 2000 to 2002; and,
- (c) when they will be paid.

The Assistant Minister for Agriculture (Mr. J. Nyagah): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that Sony Sugar Company owes farmers arrears to the tune of Kshs544 million. This is in respect of cane deliveries made to the factory for milling and planting for the period ended 30th June, 2003. The arrears represent eleven months of unpaid deliveries overdue to the farmers.

During the year ended 30th June, 2003, the company paid Kshs467 million to farmers for cane deliveries made to the factory up to and including 30th July, 2002.

(b) A total of 46,776 tonnes valued at Kshs60.86 million for cane delivered to the factory for the year ended 31st December, 2002 from Gucha District, is still outstanding. A summary has been provided in the answer. Those relating to the years 2000 and 2001 are either unclaimed, having disputes or injunction imposed by the courts, causing the delay in settlement.

(c) The company continues to explore ways of sourcing for finance to enable it offset outstanding payments to farmers amounting to Kshs544 million.

Mr. Omingo: Mr. Deputy Speaker, Sir, the Assistant Minister, in his eloquence, is trying to mislead the House that he has paid Kshs467 million which is totally irrelevant to this Question. This was a period covering up to July, 2000. In fact, Kshs544 million owed to poor farmers is not a small amount. The Government pledged to alleviate poverty in this country. Could the Assistant Minister in no uncertain terms confirm to Kenyans when he is going to pay these farmers? He cannot go sourcing for money when sugar-cane has been delivered, processed and the sugar sold.

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, since we took over, we have paid Sony Kshs109 million. In the next few days, I will be paying another Kshs5 million. This amounts to Kshs19 million---

Hon. Members: Shame! Shame!

(Loud consultations)

Mr. Deputy Speaker: Order! Order, Mr. Assistant Minister!

Mr. Nyachae: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has tried to explain the position, but the truth of the matter is that he has admitted how much cane went in, processed and the sugar sold. Could he tell us where the money went after the sale of the sugar?

(Applause)

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I was trying to help my former colleagues. It is during their time when they were unable to pay the farmers and in my time, we have paid Kshs109 million. By next Monday, I would have paid Kshs19 million over and above the Kshs109 million that this Government has paid since it took over.

Mr. Omingo: The Assistant Minister has graciously supplied me with a list of Kshs60 million owed to poor farmers in my district. I still insist that the flowering of the answer is just to confuse and mislead the House. When is he going to disburse the Kshs60 million to cane farmers in Gucha District who desperately need the money?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, sugar-cane farmers from Gucha District, as of September, 2003, had been paid Kshs14.6 million and by Monday, they will receive an additional Kshs5 million, bringing it to a total of Kshs19 million. As I said, this is over and above the money that was paid earlier this year. In terms of future plans, we are sympathetic to sugar-cane farmers. We are very sorry for what happened to them. We are doing everything possible to alleviate this problem. At the moment, the Ministry is working with potential international and local banks to find a way of paying all these arrears before the end of the year, so that we can overcome this very big problem that we inherited when Dr. Godana was the Minister for Agriculture!

(Laughter)

Mr. Deputy Speaker: Order! Order, hon. Members! Hon. Members, as you can see, we are running short of time. I still have quite a number of Questions and I request the following Members to allow us to defer their Questions to Tuesday next week; Mr. Marende and Mr. Ojaamong. We have a request from the Ministry of Transport and Communications to defer the two Questions: No.603 and 656. Therefore they are deferred. Also, Mr. Moroto, Mr. Mukiri and Mr. Mbai will have their Questions deferred to Tuesday, 7th October, in the afternoon.

Question No.566

EXTENSION OF MASENO WATER SUPPLY
TO EMUHAYA CONSTITUENCY

(Question deferred)

Question No.576

CONSTRUCTION OF MACHALLUS BRIDGE

(Question deferred)

Question No.603

PROVISION OF POSTAL/TELEPHONE
BOOTHES TO MANDERA WEST

(Question deferred)

Question No.656

INSTALLATION OF TELEPHONE
BOOTHES IN BONCHARI

(Question deferred)

Question No.615

BENEFITS OF TURKWEL PROJECT
TO LOCAL PEOPLE

(Question deferred)

Question No.609

RESETTLEMENT OF MOLO ETHNIC
CLASHES VICTIMS

(Question deferred)

Question No.362

ANNUAL GENERAL MEETING FOR
MASINGA CO-OPERATIVE SOCIETY

(Question deferred)

Mr. Deputy Speaker: Hon. Members, there is an urgent Ministerial Statement by the Minister for Co-operative Development and Marketing.

MINISTERIAL STATEMENT**KNFC/ECONET WIRELESS
INTERNATIONAL LTD PARTNERSHIP**

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Thank you, Mr. Deputy Speaker, Sir. I would like to make a Ministerial Statement to keep hon. Members informed so that they do not get pieces of information from the media about the involvement of the Kenya National Federation of Co-operatives (KNFC) in the third mobile telephone provider.

Mr. Deputy Speaker, Sir, the KNFC is registered under the Co-operatives Societies Act. It is the apex body of the co-operative organisation in the country. Its main role is that of lobbying and advocacy on behalf of the Kenyan co-operative movement within the country and internationally. It also provides services to the co-operative movement that individual societies and unions may not be able to economically access.

Mr. Deputy Speaker, Sir, all of us are aware that the Government had promised to license a third mobile telephone operator in the country. Taking into consideration the Government commitment in promoting investment by local people, the KNFC got into partnership with Econet Wireless International Ltd and did bid to the Communications Commission of Kenya (CCK) to establish, develop and operate a GSM network in Kenya. The consortium is under the name "Econet Wireless (K) Ltd". Econet Wireless International Ltd has the expertise in telecommunication operations and raising finances, while KNFC has a well-established network in Kenya with over 10,000 registered co-operative societies and a membership of over 5.7 million people. That will make it possible for Kenyans to have an opportunity to invest in such a venture, which has been a preserve of foreign investors in the past.

Mr. Deputy Speaker, Sir, I, therefore, appeal to hon. Members to sensitise the co-operators in their respective constituencies to buy shares. I also appeal to all co-operative societies to seize this opportunity of investing in such a promising venture in the telecommunications sub-sector. Those leaders who may need clarification can get in touch with KNFC headquarters in Nairobi.

Thank you very much, Mr. Deputy Speaker, Sir.

POINTS OF ORDER**HARASSMENT OF THE PRESS: MINISTER
TO ISSUE STATEMENT**

Mr. Moroto: Mr. Deputy Speaker, Sir, pursuant to Standing Order No.20, Section 2, at the rise of this House, I seek leave to move a Motion of Adjournment of the House to discuss a matter of national importance namely, the infringement on the freedom of the Press by intimidation and harassment from the Government.

(Several Members stood up in their places)

Mr. Deputy Speaker: Hon. Members, take your seats! I did receive a notice of Motion of Adjournment under Standing Order No.20 by the hon. Member for Kapenguria, Mr. Moroto, on the issue he has just raised this afternoon. No doubt, that is a matter of concern not only to the hon. Member, but also to this House.

However, today is a Supply Day where the House is considering Vote 21 - Ministry of

Environment, Natural Resources and Wildlife. Indeed, the practice of this House is that debate on Supply Days goes uninterrupted. However, more importantly, this matter is before a court and I understand the court has made certain preliminary decisions. Under these circumstances, I require the Minister of State in charge of internal security to issue a Ministerial Statement in this House on Tuesday, 7th October, 2003, on all the issues that have been raised by the hon. Member. If Members are not satisfied after that, then I shall be prepared to reconsider this matter. I, therefore, decline the request by the hon. Member in accordance with Standing Order No.20(2).

Thank you.

Mr. Sambu: Mr. Deputy Speaker, Sir, a matter of national importance is the infringement of the constitutional rights of Kenyans. We are not even aware of it because it has not been debated. We do not even know the case number and the individuals involved! For the record and for posterity, I find your ruling to be very serious. The Chair has made a serious ruling, infringing on the rights of Kenyans to be informed by the Press. I request you to reconsider your ruling because, after all, Thursday is a day when we have the Zero Hour and hon. Members can discuss any matter that they wish.

Mr. Deputy Speaker: Hon. Members, this is not a matter to debate. It is a matter that I have considered. It is not a matter of Zero Hour. This is a dilatory Motion that needs more than 30 minutes to discuss. In any case, I have not closed the doors. The Chair will reconsider this matter after the Minister of State has issued a Ministerial Statement on Tuesday, if the House is not satisfied by that statement.

Mr. Billow: On a point of order, Mr. Deputy Speaker, Sir. We know that today is a day to discuss the budget of the Ministry of Environment, Natural Resources and Wildlife. But that debate ends at 6.30 p.m. Could the Deputy Speaker, kindly, agree to adjourn, so that we can discuss that matter between 6.30 p.m. and 7.30 p.m.?

Mr. Deputy Speaker: Order, Mr. Billow! Look at your Standing Orders. It is not 6.30 p.m. but 7.00 p.m. on Supply Days. But then, the Chair has made a ruling under Standing Order 20(2)! I cannot change that decision now. I am standing by it.

RECRUITMENT OF ARMY OFFICERS

Mr. Mwenje: Mr. Deputy Speaker, Sir, recently, the army undertook a recruitment all over the country. The recruitment did not appear to be transparent. There appears to have been a lot of corruption involved in that recruitment. It is in that respect that I demand a Ministerial Statement from the Minister of State, Office of President, to tell us precisely how that recruitment was done and why it was done in a shoddy manner!

(Applause)

Mr. Deputy Speaker: Order, hon. Members! There is a request for a Ministerial Statement on army recruitment from the Minister of State, Office of the President, by Mr. Mwenje. When do we expect that statement?

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Deputy Speaker, Sir, I request the House to give me one week to issue that Statement.

Mr. Deputy Speaker: Very well. That is on Thursday next week.

An hon. Member: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Yes, but not on the matter that I have already ruled. Is there any other matter?

Next Order! Hon. Members we have already eaten into Supply time by some seven minutes

and, therefore, the House will be extended at the end by the same time.

(Loud consultations)

(Several Members withdrew from the Chamber)

COMMITTEE OF SUPPLY

*(Order for Committee read being
the Thirteenth Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

Vote 21 - Ministry of Environment,
Natural Resources and Wildlife

Mr. Deputy Speaker: Order, Members! Will you leave quietly?

Mr. Mwenje: You are behaving like children!

Mr. Deputy Speaker: Order, Mr. Mwenje. May we have some order in the House.
Mr. Minister may you continue.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Khamasi) took the Chair]*

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair, to enable me initiate debate on Vote 21, Ministry of Environment, Natural Resources and Wildlife.

First and foremost, I wish to point out that my Ministry was established in January, 2003, through a Presidential Circular No.1/2003. The Ministry's mission is to develop---

(Loud consultations)

The Temporary Deputy Speaker (Mr. Khamasi): Order, Members! I think we need to give the Minister time to present his Vote. Could we, please, be orderly?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Thank you, Mr. Temporary Deputy Speaker, Sir. I was saying that my Ministry was established by Presidential Circular No.1 of 2003. The Ministry's mission is to develop, conserve, protect and sustainably manage the environment, forests, wildlife and mineral resources for national development.

Mr. Temporary Deputy Speaker, Sir, the Ministry comprises of four main Departments namely, General Administration and Planning, Forestry Development, Mineral Development and Resource Survey and Remote Sensing. In addition to these four Departments, my Ministry has three parastatals namely, the Kenya Wildlife Service (KWS), Kenya Forest Research Institute (KEFRI) and the National Environment Management Authority (NEMA).

As hon. Members are already aware, there is an increasing global recognition of the interdependence between environment and development.

*[The Temporary Deputy Speaker
(Mr. Khamasi) left the Chair]*

[Mr. Deputy Speaker resumed the Chair]

Environmental issues of growing concern in the world today include land degradation resulting in declining agricultural production.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! The Minister is moving a very important Motion. I request those hon. Members who are consulting to consult quietly and those who want to leave the Chamber to leave quietly.

Mr. Minister, continue!

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Thank you very much, Mr. Deputy Speaker, Sir. I would like to plead with hon. Members to listen to the Motion I am moving because we need to work together to improve our environment.

Environmental issues of growing concern in the world today include land degradation resulting in declining agricultural production, deforestation leading to loss of bio-diversity and dwindling water resources. These issues constitute a direct threat to the quantity of life, particularly among the rural-based population. The greatest challenges facing our growing economy are poverty, food security, HIV/AIDS and environmental degradation. Consequently, my Ministry will continue to make its contribution in addressing these challenges through programmes and activities planned to be undertaken by the various departments and parastatal organisations mentioned above.

In this regard, I would like to outline the activities which my Ministry, which employs 8,467 personnel, excluding personnel in the State corporations, proposes to fund in the current financial year and in each sector. I will begin with the Department of General Administration and Planning.

Mr. Deputy Speaker, Sir, my Ministry's Department of General Administration and Planning provides administrative support and co-ordination services to all the other technical service departments, including parastatal organisations within the Ministry. The Department, therefore, comprises of seven main Divisions which provide specialist support services to the Ministry. These Divisions are General Administration, Personnel Administration, Development Planning, Finance, Accounting, Procurement and Internal Audit.

To enable us finance these support services and meet the cost of the personnel involved, I request this honourable House to approve a gross allocation of Kshs243,481,256 under Head 670 of Sub-Vote 210 of my Ministry's Recurrent Vote. Under Head 698 of the same Sub-Vote for General Administration and Planning, my Ministry has been implementing the Lake Victoria Environmental Management Project. This project is a comprehensive development programme involving Kenya, Uganda and Tanzania. My Ministry implemented Phase I of the project up to December, 2002 when the project was transferred to the Ministry of Agriculture by the World Bank. The objective of Phase I was to restore a healthy lake ecosystem, which is stable and can support, in a sustainable manner, the many human activities in the lake and its catchment areas. My Ministry has now initiated a process of preparation of Phase II which will mainly focus on introduction of investments based on the achievements and information generated from phase one of the project.

Mr. Deputy Speaker, Sir, the proposed gross expenditure on the preparation of Phase II in the

current financial year's Development Expenditure is Kshs61,600,000. Hon. Members will note that 90 per cent of the funds shall come from a Japanese grant through the World Bank. However, the Kenya Government will be required to finance 10 per cent of the project cost, which amounts to Kshs6,600,000.

I will now proceed to discuss my proposals for the forest sector. The Forest Development Department administers the Forest Act and is responsible for the management and development of forest resources in the country. The Department applies appropriate management skills in conservation of forests in order to meet the country's demand for forest products without compromising the ecological value of forests. Gazetted forests occupy about 1.7 million hectares, which constitute about 2.6 per cent of the country's landmass. Since most of this area is in the high potential zones, it is under increasing pressure from the high demand for agricultural land, settlement and other uses. This has resulted in depletion of forest resources in the country, particularly through excisions, encroachment, illegal logging and charcoal burning. My Ministry expects to achieve enhanced conservation and protection of our forests through the revision of the forest policy and the Forest Bill. When enacted, the two instruments will ensure sustainable management and development of forest resources, and also increase participation by the local communities and other stakeholders.

The Forest Department will continue to co-ordinate and supervise all forest activities in the country to improve the sector's contribution to socio-economic development. To undertake these activities, the Ministry will require Kshs70,801,662 under Head 672 in the Recurrent Vote, and Kshs9 million in the Development Vote. The Forest Department will also continue to train the much needed manpower for improved implementation of the sector's programmes. The training will be undertaken at the Forest Training College in Londiani. To finance this training, my Ministry will require an allocation of Kshs7,538,482 and Kshs23,610,700 under Heads 674 and 675 respectively of the Ministry's Recurrent Vote.

Mr. Deputy Speaker, Sir, in addition, Kshs5 million has been requested in the Development Vote for Head 675 in order to complete the construction of hostels at the Londiani College. My Ministry will continue with the implementation of the Forest Plantation Development Programme. The Ministry's target is to produce 30 million tree seedlings in the financial year in a bid to plant them in 15,000 hectares of forest land. To achieve this target, I have requested this honourable House to allocate Kshs634,594,171 under Head 676 of my Ministry's Recurrent Vote.

The Catchment and Natural Forest Conservation Programme will also be implemented during this financial year. This will involve the protection of water catchment areas and the rehabilitation of degraded sites by replanting appropriate tree species. The Government will also support local community initiatives as well as those of other institutions engaged in this venture. For this purpose, my Ministry has requested the allocation of Kshs113,872,106 under Head 678 of the Recurrent Vote, and Kshs154 million under Head 672 of the Development Vote.

Under the Rural Afforestation and Extension Programme, farmers will be assisted to establish wood logs in their farms for both domestic and commercial purposes. Farmers will also be helped to practise agro-forestry on their land and use energy-saving devices. The expenditure proposed for this programme in the current financial year is Kshs231,437,566 under Head 679 of the Recurrent Vote.

Mr. Deputy Speaker, Sir, improved access to our forests is essential for effective forest management and protection. The Ministry will, therefore, continue to maintain and rehabilitate existing forest roads network. To finance this programme, I have requested a total of Kshs11,422,533 under Head 681 of the Ministry's Recurrent Vote, and Kshs20 million under the same Head in the Development Vote.

My Ministry will also continue to encourage forest development in the arid and semi-arid lands in order to increase their productivity and combat desertification. This programme will require Kshs22,697,646 under Head 738 of the Recurrent Vote. I have also requested Kshs33 million for the

programme under the same Head in the Development Vote. In addition, I have also proposed an allocation of Kshs19 million under Head 938 of the Development Vote for the same programme.

To enhance forest conservation and management, the protection of forest resources from illegal exploitation and encroachment is very crucial. For this purpose, forest guards will be facilitated and equipped in order to make their services more effective. Therefore, my Ministry requested an allocation of Kshs39,500,000 under Head 748 of the Recurrent Vote. In order to accomplish the planned activities of the Forestry Department in the financial year, I am requesting a gross allocation of Kshs1,155,474,883 in the Recurrent Vote, and Kshs240 million in the Development Vote.

I also wish to recognise the enormous contribution that the Kenya Forest Research Institute (KEFRI), has made in the forest sector in the identification and development of trees. KEFRI tries to promote the socio-economic welfare of Kenyans by conducting user-oriented research for sustainable development of the forest sector. The research activities are centred around farm forestry, indigenous forests, dry land forestry and industrial forest plantations. To undertake research activities in this financial year, KEFRI requires Kshs351,303,245 and Kshs50,370,000 for both Recurrent and Development Votes respectively.

Mr. Deputy Speaker, Sir, I will now proceed to discuss my proposals for the mining sector. My Ministry, through the Department of Mineral Development, will address the big challenge of making the mining sector become a major player in the country's economy. The main activities planned by the Ministry in this sector include conducting systematic geological mapping and mineral exploration, assessment and evaluation of mineral resources, maintaining an elaborate mineral database, supervision and regulation of mining activities, trade in gemstones, precious metals and non-precious minerals, and identification of areas that are prone to landslides, earth tremors and other geological malformation.

The country's mining policy is to promote mineral resource development through private sector participation. The country has a high potential for both metallic and non-metallic industrial minerals, as evidenced by the surveys which have already been undertaken in 90 per cent of the country. You may wish to note that the total value of minerals produced in the year 2002 was about Kshs7.362 billion, out of which Kshs4.883 billion was foreign exchange earnings from mineral exports. However, mineral production has experienced modest growth in the last five years due to lack of new investors in the sector. This has been attributed to lack of incentives and the application of an outdated Mining Act, which makes mining unattractive to potential investors.

Nevertheless, there has been increasing interest from foreign companies to explore for metallic minerals and precious stones. As a matter of fact, since the approval of the special mining lease for M/S Tiomin Resources, there has been renewed interest in our minerals sector. To encourage mineral exploration and production, the Ministry, in collaboration with the Commonwealth Secretariat, is formulating a mining policy and has embarked on a major review of the Mining Act. These two exercises are expected to produce a workable and responsive mining policy and Act that will make the sector attractive to investors.

Mr. Deputy Speaker, Sir, of late, there have been increased instances of loss of property and life through landslides, particularly during the wet season. In view of this, the Department of Mineral Development will carry out investigations to identify areas of the country which are likely to be affected by landslides, mudflows, flooding and other geological hazards. The Department will also carry out extensive investigations on environmental effects of mercury on the gold mining areas of Lake Victoria Basin. I request this House to approve an allocation of Kshs60,214,684 in the Recurrent Vote, and Kshs55 million in the Development Vote for the mining sector.

Mr. Deputy Speaker, Sir, let me now turn to the Kenya Wildlife Service (KWS). The KWS has the mandate to conserve and manage wildlife. It also has jurisdiction over the national parks as well as an overseer in the management of national reserves and private sanctuary. The KWS also

enforces the Wildlife Conservation and Management Act, Cap. 376 of the Laws of Kenya. In line with its mandate, the KWS will continue to conserve and manage wildlife and its habitat within and outside the national parks and reserves; maintain security of parks and non-protected areas and implement programmes to minimise conflicts between wildlife conservation and legitimate human settlements as well as build partnerships with stakeholders by developing appropriate working relationships. To accomplish these programmes, I am requesting this House to approve Kshs288,113,010 and Kshs357,670,000 for both the Recurrent and Development Votes respectively.

I now wish to address myself to the financial needs of the Department of Resource Surveys and Remote Sensing. This Department is mandated to collect, store, analyze and disseminate data on natural resources to facilitate reform decision-making for sustainable management of resources. In this era of advanced information technology, the Department will undertake accurate and timely geo-spatial data-fed development with the major aim of alleviating poverty and conserving the environment. The data collected by the Department is used for planning by districts, Government Ministries, parastatal bodies and other stakeholders in preparation of policies and development plans aimed at alleviating poverty and conserving the environment.

In the current financial year, the Department will endeavour to provide natural resource information on the status and trends of wildlife and livestock in the Kenya range lands; the status of endangered or threatened plants and wildlife species; land use, land cover and forest cover changes; early warning information and crop production, plant bio-mass production and vegetation status, and the biodiversity status in Kenya. I request this House to approve an allocation of Kshs111,218,587 for Recurrent Expenditure and Kshs17,999,990 for Development Expenditure to enable the Department undertake the planned activities.

Mr. Deputy Speaker, Sir, let me now turn to environmental management and protection. Our country is faced with a wide range of environmental problems and challenges. These include land degradation, loss of biodiversity, environmental pollution, poor water management and inadequate public awareness on the consequences of peoples' interaction with the environment. Poor environmental governance has also resulted in the degradation of the country's environment and natural resources. In this regard, my Ministry is attempting to reverse the trend. We are committed to providing a clean and healthy environment to all our people. We are also committed to the achievement of the broader goals of sustainable development stated in Agenda 21, the World's Plan of Action for Sustainable Development. We are committed to addressing all the three pillars for sustainable development, namely, economic, social and environmental protection. This is being done through promotion and integration of environmental concerns into our development policies, plans, programmes and projects with a view to ensuring proper management and rational utilisation of environmental resources for the improvement of the quality of life of our people.

To enable my Ministry to provide an appropriate legal and institutional framework for the management of the environment and matters connected therewith and incidental thereto, the National Environment Management Authority (NEMA) was established under the Environment Management and Co-ordination Act of 1999 and became operational on 1st July, 2002. The objective and purpose for which the Authority was established is to exercise general supervision and co-ordination of all matters relating to the environment and it is the principal instrument of the Government in the implementation of all policies relating to the environment.

The World Summit on Sustainable Development held in Johannesburg, South Africa, in September, 2002, reviewed and took stock of the achievement, challenges and the new issues that have arisen since the ground-breaking Earth Summit of 1992 in Rio de Janeiro. This was an implementation summit designed to turn the lofty goals, promises and commitments of Agenda 21 into concrete tangible action.

Kenya is a signatory and a party to a number of multilateral environmental agreements such as

the United Nations Framework on climate change, convention on biodiversity, combatting desertification, protecting the ozone layer, persistent of canning pollutants, prior-informed concept, procedure on trade in chemicals and pesticides, among others. These agreements impose financial and technical obligations to Kenya, but they also open up opportunities for Kenya for growth, urbanisation, industrialisation and so on and so forth. My Ministry is addressing these issues through the implementation of various measures contained in the Environment Management and Co-ordination Act of 1999.

Mr. Deputy Speaker, Sir, to summarise, as hon. Members have already seen in their copies of the 2003/2004 Development Estimates/Expenditure, pages 566-588, my Ministry's proposed gross expenditure for the financial year will be Kshs980,112,440. The Ministry also proposes to collect Appropriations-in-Aid (A-in-A) amounting to Kshs381,880,000; thus resulting in a net expenditure of Kshs598 million. The Recurrent Estimates on pages 794-824 reflect a proposed gross expenditure of Kshs2,440,444,250. I also propose to collect A-in-A amounting to Kshs23,630,000; thus resulting in a net expenditure of Kshs2,416,814,250. Out of the gross expenditure of Kshs2,440,444,250 proposed for the Recurrent Vote, Kshs1,085,857,550 will finance personnel costs, while Kshs1,354,586,700 will meet the costs of operations and maintenance.

Mr. Deputy Speaker, Sir, in conclusion, the proposed combined gross expenditure for both Development and Recurrent Votes, which I am requesting this House to approve, is Kshs3,420,556,690.

With those few remarks, I beg to move and request Mr. Kimunya to second the Motion.

(Applause)

The Minister for Lands and Settlement (Mr. Kimunya): Thank you, Mr. Deputy Speaker, Sir. I rise to second this Motion by the Minister for Environment, Natural Resources and Wildlife, seeking the approval of Kshs3.4 billion to facilitate the carrying out of programmes that will put our environment and natural resources back in place.

May I begin by congratulating the Minister for lifting the ban on harvesting of mangroves at the coast. That will give the coastal people their source of income which they have been denied for reasons only known to some few people. I am sure the Minister also needs some congratulations for the on-going negotiations with Tiomin and the success so far, including the increasing of per-acre compensation for the farmers down at the coast from Kshs7,000 to Kshs80,000, is commendable. I am sure as we finish the process, we will have given better value to the coastal people.

I would also like to appreciate the caution that the Minister has expressed on the process of lifting the ban on logging. That has been driven by the need to ensure that Kenya's forests and catchment areas are protected and not just for the benefit of a few individuals who, in the past, have held those licences to trade as our forests are mauled and we are left with desertification.

Mr. Deputy Speaker, Sir, forests and the environment represent what we want for our future. We are aware that Kenya's forest cover is below the recommended 10 per cent. We are also aware of the disharmony that is existing between man and nature. We are aware of all the problems that we have seen in the past. We have seen the indiscriminate logging, the cutting down of our forests and the allocation of prime forests, including Karura, Ngong and Marmarnet, to a few politically-connected individuals for purposes of pleasing them at the expense of the future generations. I am glad that the Ministry of Environment, Natural Resources and Wildlife is working together with the Ministry of Lands and Settlement and heeding the call by Kenyan people to return all those forests back to them. Kenyans demanded it and we shall give it to them.

The effects of the ills committed in the past are clear for everyone to see. We have seen persistent droughts, siltation in dams that affect our electricity generation potential and the

man-wildlife conflict on the animal transit routes. The transit routes were invaded and some even allocated to politically-connected individuals. That is why there was a decline in earnings from the tourism sector due to perceived neglect.

Mr. Deputy Speaker, Sir, I believe we are on the way to recovery and listening to the Minister's statement, I believe we are getting there. I would like to urge this House to give him all the support he requires, so that we can energize him to reclaim the forests, protect our environment and ensure that our future is secured. The Motion speaks for itself and I do not wish to belabour the points.

With those few remarks, I beg to second.

(Question proposed)

Mr. Deputy Speaker: Mr. Lesrima, are you the official Responder from the Opposition?

Hon. Members: He is late!

Mr. Deputy Speaker: He is the official Responder from the Opposition and, therefore, although he was late, I will allow him to continue!

Mr. Lesrima: Thank you, Mr. Deputy Speaker, Sir. I am sorry for not responding very fast, but I am learning the rules.

First of all, I wish to congratulate the Minister for Environment, Natural Resources and Wildlife for his excellent presentation of the policy and budgetary requirements for this critical Ministry. I know it is not easy to be a Shadow Minister of a Minister who is shorter than yourself, but extremely powerful.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Khamasi) took the Chair]*

In the previous Government, this Ministry used to be three Ministries in one. Although we appreciate that the Ministry has been split, I do not think that the Minister should exercise powers independently without collaborating with other Ministries and, in particular, the Provincial Administration and the Ministry of Water Resources Management and Development. I say this because in the recent past, although there has been a change in Government, the Department of Forestry has not shown any improvement at all. I would say that, that department is not doing a good job, particularly in the field. Destruction of forests continues unabated. It is even worse now that every Ministry appears to be autonomous and independent. Let me give an example of my constituency in Samburu District, which has 800,000 acres of indigenous forests. The District Commissioner is not able to reign in the foresters to stop logging in Government gazetted forests and private forests.

I would, in fact, say that the situation has worsened because the new Government has decided to make every Minister a power unto his or herself. The District Forester is so powerful that nobody can draw his attention to whatever mistakes his people are making. There are too many power saws in the countryside. What is most worrying is not just the destruction of Government forests, but also destruction of individual and private land forests even without the consent of the owners. It is a worrying situation and I am just wondering whether the Ministry should not register, license and issue permits for anybody who wants to possess power saws. I think it used to. There are too many power saws located in some of these high potential areas where we have indigenous trees. So, I would like to appeal to the Minister to reign upon the forest officers. Perhaps it is a very difficult problem because this problem of forest officers is not entirely new. These professionals live in the forest in isolation.

There was even a time, about 12 to 15 years ago when we thought that the Conservator of Forests was so powerful because of the colonial heritage. The word "Conservator" sounds so powerful and we had to change to make him "Director". However, even the situation did not improve because the Director still continues to direct the stealing of forest produce.

Mr. Temporary Deputy Speaker, Sir, I think the Ministry needs to be more proactive and I think, to begin with, we need to revise the Forest Act. The Forest Act revision is long overdue and should be brought to this House as soon as possible. The new Forest Act, I am told, will involve the stakeholders in the management of the forests. I believe personally that Kenyans are better protectors of forests than even the civil servants. We would want the Forest Act revised so that communities living around particularly the indigenous forests, can have a say in the management of those forests. Among the pastoralist communities and most Kenyan communities, there is respect for the forest because it is a source of medicinal plants, a place to graze animals during dry season and a holy place for various religious and cultural activities. So, when you make it a Government institution, you begin to change the value system of the way the African used to manage the forest. So, I would welcome the new Forest Act which will empower communities to be part of the control and also to benefit from the resources of the forest. If I may give again the example of Samburu District, there is some payment in lieu of rates which is owed to the county council. It is about Kshs8 million per annum which the local authority is supposed to pay us. However, as of now, there is an outstanding amount of Kshs70 million because the county council is not able to benefit from the resources of the forest.

Mr. Temporary Deputy Speaker, Sir, I would like the foresters to be re-trained and get involved in more extension work particularly on farm forestry. We should have more forest plantations. There is a lot of charcoal burning in this country. If you travel down to Mombasa, around the Kibwezi area, you will see the amount of charcoal being sold on the highway. If you travel towards the north you will also see charcoal burning on the increase. I think this kind of charcoal burning, although it is a fuel requirement for our cities and our people, if not carefully checked, will bring a lot of environmental degradation which can impact even on infrastructure such as the railways and our highways. What would be the solution to this? The solution to this would be for the Ministry to encourage commercial plantations of fast-growing trees and I hope that the Kenya Forestry Research Institute (KEFRI) will play its role and introduce such fast-growing trees and also to get involved in extension.

Mr. Temporary Deputy Speaker, Sir, the economic survey of 2003 gives credit to the Department of Forestry for increasing the acreage of plantations. From 2001 to 2002, there has been an increase of 67 per cent in terms of planting efforts and I want to commend the Minister because the target he has put in place is 15,000 hectares with a supply of 30 million seedlings. I hope that when the time comes, Kenyans will be able to have these seedlings available. The campaign is, therefore, very important and I would encourage the Ministry to do that.

Mr. Temporary Deputy Speaker, Sir, on dryland forest, we notice that in the Budget, only a few districts are covered. I would urge the Minister to increase the number of the districts.

Mr. Temporary Deputy Speaker, Sir, turning now to mining, Kenya has potential for metallic and non-metallic industrial minerals and this is another sector that requires a revision. We need again to revise Cap.306 of the Mining Act because it is not a friendly Act to Kenyans. The Act tends to give too much power to the licensing officers and criminalises the activities of the small miners in the country. It gives too much powers to the county councils and the provincial administration in the issuance of licences and it is the business person who gets the licence who benefits at the expense of the communities. We would want this revised so that local people can form co-operatives or even joint ventures with investors and profit out of this. The new Act, therefore, should reduce the power of licensing authorities.

Mr. Temporary Deputy Speaker, Sir, information should also be available either at a cost or

for free on what is really available in the country. The work being done by the Department of Resource and Remote Sensing is commendable and we are aware that they have mapped 90 per cent of this country, but we need this information to be made available to Kenyans so that they can take advantage of it.

Mr. Temporary Deputy Speaker, Sir, I would like to turn to the licensing of Tiomin. Previously, the other side of the House was very, very slow in approving this arrangement. We are rather surprised that, just a few months after coming to power, the Government is too anxious to license Tiomin. We feel that whereas this is a very good investment, we do not want to enter into a situation where countries which themselves have resources, but would want to conserve their resources so that they harvest them 50 years down the line, come to take ours now for peanuts. I think that the price being suggested here of Kshs80,000 per acre is a leasing fee per month rather than a direct purchase price because we are told the resources there are massive. The resources of titanium, uranium, syconium and other many "niums" are so massive. The deposits which are there are worth trillions of Kenya shillings.

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Lesrima, what are these "niums" that you are talking of?

(Laughter)

Mr. Lesrima: Mr. Temporary Deputy Speaker, Sir, the list is too long and I only managed to pick three of them. I think the sale of land at Kshs80,000 per acre is really outrageous because who tells you that the amount of titanium or these minerals contained in one acre could develop this country? If the amounts of mineral deposits contained in one acre could develop this country, we could stop paying taxes for the next ten years. So, why are we giving away our resources? What I would like to recommend is a situation where we have joint ventures. First of all, the Digo people should benefit from these resources by having shares in the companies that would want to explore the minerals in their area. Secondly, we should ensure that the material mined is value-added on the mining site rather than being exported to overseas countries where we do not know of other subsidiary industries that may develop. Land should not be sold because it belongs to Kenyans. The same should apply to mineral exploration in other parts of Kenya. We are told that, in Tanzania, gold exports already exceed tourism resources, but the accruals to the people of the Republic of Tanzania are not very interesting!

Mr. Temporary Deputy Speaker, Sir, wildlife is a very controversial sector mainly because of conflicts. There seems to be an increase in conflicts between wildlife and human beings. Statistics show us that small animals, such as the Topi, are not on the increase any more, although in recent times, some interesting species of the wild dogs are reappearing. The rare birds, flora and fauna are in danger! The biggest problem that we have is caused by elephants. According to the Economic Survey of 2003, the population of elephants in 1998 was 16,400. By 2002, the population had increased by 1,000 elephants. Now, this is a massive increase of such large animals. We have heard in this House problems concerning elephants. For instance, elephants colliding with vehicles on the Nairobi-Mombasa Highway, roaming in Narok, encroaching into farms in the Mt. Kenya area and disturbing the people of Rumuruti and so on. Also, we have heard of the problem of wild pigs in Budalangi; monkeys harassing school girls in Kijabe; buffaloes killing camels in Samburu; and the lion menace in Kitengela. Something needs to be done. The Ministry should not adopt a protectionist attitude towards wildlife at the expense of human beings. I strongly believe that these animals were given to us by God to sustainably utilise them. So, I would urge the Minister to look into the possibility of relocating some of these animals.

Mr. Temporary Deputy Speaker, Sir, the mandate of the Kenya Wildlife Service (KWS) needs

to be revised, in view of the fact that 80 per cent of wildlife lives outside the national parks. KWS still has a colonial posture which assumes that all the wild animals belong to them and yet we know that the animals are protected by the communities which live outside the national parks. It is time the KWS Act was revised to allow land owners and communities to have a say in the management of wildlife. Conservation and cropping should be privatised so that people can benefit from these resources through tourism.

With regard to compensation, I am rather disturbed because the Minister has not included anything on damage caused by wildlife. The KANU Government, it seems was better because at least it provided compensation for 15 Kenyans at a cost of "30 pieces of silver." I do hope that when the Wildlife Act comes up for revision we should enhance compensation accordingly, but in the meantime it looks like the present Government has no plans to compensate Kenyans who are killed let alone whose lives are endangered and crops destroyed.

Mr. Temporary Deputy Speaker, Sir, I would like to congratulate the Government for setting up the National Environmental Management Authority and appointing directors to manage it. Yet again, I think it has taken them too long to set it up. The Act to create NEMA was set up in 1999 after debating for several years. Now, we need to know what this organisation is doing because it has already shed its milk teeth and is old enough to bite hard on the environmental degraders and other agents of environmental degradation. We need regular reports submitted to this House on the performance of NEMA because there is some money allocated for the public complaints committee and the environmental tribunal. We need to understand, on a regular basis, the activities of NEMA. Also, the authority should involve Members of Parliament in their activities.

Domestic and industrial waste management and pollution have remained a very serious problem in urban centres. For example, Nairobi City is only able to collect 45 per cent of garbage churned out while the private sector collects only seven per cent. We swim in the remaining 48 per cent! We believe NEMA can rescue the situation by bringing all the stakeholders to discuss the problem of solid waste management in the country. We are aware of problems of capacity building, civic education, law enforcement and a low budget. Although I have not seen the breakdown by the Minister, I know that there will be adequate provision for the operation of NEMA. I would wish that they consider Nairobi as a critical place to start their work. I have always wished that Nairobi River Authority be established. All the rivers draining through Nairobi pass their effluent into Athi River, thereby, polluting it. This is unfair to the people of Ukambani. One wonders what kind of report NEMA would come up with if it was to check the health status of the people of Ukambani who drink water from Athi River.

Mr. Temporary Deputy Speaker, Sir, I did not see any thing in this Vote regarding buffering of wetlands yet they are very important in the maintenance of ecological balance. Large tracts of wetland have been encroached upon yet they are also sources of water and a habitat for animals. Perhaps the Minister will, later on, explain why no funds were provided for the buffering of wetlands.

On other issues to do with our international roles such as United Nations Convention on Climate Change (UNCCC), Vienna Convention on Ozone depletion, Montreal protocol on phasing out of ozone depleting substances, bio-diversity and so on, we would want public involvement in these issues. We would want public hearings and our people educated on how our activities and behaviour affect climate change in the world and ultimately, how it affects us.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

The Assistant Minister for Co-operative Development (Mr. Kenneth): Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to support the Vote of the Ministry of Environment, Natural Resources and Wildlife. I think it has come out very clearly over the years that our forests continue to diminish. If we look at forests, we will appreciate the very important role they play in this country.

The forest cover in this country has been interfered with. In particular, if you look at the

gazetted forests, you will see that although we continue to show their boundaries, most of them have been intruded, excised and people have settled there. The Ministry ought to look into this issue even if it will mean evicting all the people who have settled in the forest areas. This issue is so serious that if you look at the big forests, be they Kakamega, Ndoinet, Mt. Kenya or even the Aberdare Forest, which touches part of my constituency, there are more people than animals and trees. The Ministry should come up with an afforestation programme so that trees are planted in every constituency.

I remember there was a time when tree seedlings were given to each constituency. I am appealing to the Minister to look into ways in which tree seedlings can be distributed to each constituency. I know that at times the seedlings were not planted in the right places, but wherever they were planted, it meant that a tree was going to come up; which I think is very good. If we want to protect our forests, then we must think of removing those people who have settled in them. As we know, most of those forests are very good for retaining our water catchment areas.

Mr. Temporary Deputy Speaker, Sir, the other area is that of logging. Although we have said that we have banned logging, the practice continues unabated. I have had occasions to write letters to the Minister on the matter. We have to do something. Everybody in the country is a stakeholder of forests, even if there is no forest in his area.

I would like to appeal to the Minister to initiate an afforestation programme right from the semi-arid to the arid areas. That is the only way we can help build the forest cover. I appeal to the Ministry to see, now that we have very many research centres, that we have a particular breed of trees that can thrive in semi-arid and arid areas. As you fly over our country, what you see is just bare land and this does not give a very good picture.

I want to support the hon. Member from the Opposition side who said that the Ministry ought to work with other Ministries. The Ministry of Environment, Natural Resources and Wildlife ought to co-ordinate with the Ministry of Roads, Public Works and Housing, Ministry of Water Resources Management and Development, and the Ministry of Transport and Communications. As for the Ministry of Water Resources Management and Development, they have allowed cultivation to extend all the way to the river banks, hence allowing soil erosion. There are laws that state that you cannot cultivate up to the river bank and I think we need to enforce them. On roads, and I have said this before, we have allowed cultivation to take place next to the roads, or even between highways. Along Thika Road, for example, you will find maize farms between the two highways; Thika-Nairobi and Nairobi-Thika Highways. This is degradation of the environment in-between the roads. I would, therefore, like to appeal to the Minister to see that he co-ordinates with the Minister for Roads, Public Works and Housing to ensure that no cultivation is done near the roads or highways. This is because the more you allow people to cultivate near the roads, the more we are going to have accidents.

Coming to the issue of pollution, there are so many defective vehicles that are causing pollution to our environment. A good example is trucks that pass along Uhuru Highway. These trucks emit very harmful gases to our environment and nobody bothers about it. In our forests the situation is the same. Most of the lorries that are found in the forests or our villages are not only unlicensed, but also eject very dangerous gases because they rarely go for service. So they are constantly polluting our air which is supposed to be for fauna, flora and for everybody else.

Mr. Temporary Deputy Speaker, Sir, quarries have come up everywhere in the country and the dust that is emitted from them is polluting our atmosphere. If you look at the medical reports from dispensaries near those quarries, you will find that many people are getting affected. We need to address this issue before it gets out of hand. Some of these quarries are even situated next to the roads.

We also need to think about beautification. I know I have spoken on the degradation of our environment. The Ministry ought to come up with a pro-active line of beautification, even in small places like Nairobi here. They can actually lead the City Council in a beautification exercise. For

instance, trees or flowers can be planted in-between Uhuru Highway. Although the Vote that we have allocated the Ministry is inadequate, it is important that we encourage them to seek more funds so that they can undertake projects aimed at protecting our environment. As I listened to hon. Lesrima, it was paining me to hear that such an important Ministry and one that touches on lives of every Kenyan is actually getting a very small Vote.

So, Mr. Temporary Deputy Speaker, Sir, I would like to appeal to Members of both sides of the House to look at this Ministry more positively than is the case now.

With those few words, Mr. Temporary Deputy Speaker, Sir, I beg to support.

Mr. Mahamud: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I would like also to join my colleagues in supporting this Motion. My colleague, who has just spoken, has mentioned the importance of this Ministry. Indeed, the role of this Ministry is so critical, not only to our livelihoods as human beings, but also to all living things in this world who depend on the environment for survival. I entirely agree with Mr. Kenneth that this Ministry, which we depend on for our livelihood and survival, is given peanuts. For the six years I have been in Parliament, this is the first time that the Ministry of Local Government and the Ministry of Environment, Natural Resources and Wildlife have been given an opportunity to present their budgets to Parliament. That clearly shows that perhaps, the new Government is putting more emphasis on smaller Ministries. In fact, they are not small Ministries. They are very critical. I would like this House in future, even if it means through the Supplementary Estimates, to give more money to this Ministry, so that we can conserve our forests and have sufficient water.

Mr. Temporary Deputy Speaker, Sir, Kenya has a lot of resources that have not been exploited properly. We always talk about forests. It is true we depend on forests, particularly those of us who come from the Arid and Semi-Arid Lands (ASALs). The Tana and the Athi Rivers go through our areas and there is need to conserve them. In the ASALs, we have a lot of resources that have not been exploited. For example, we have plenty of sunshine. The Minister for Energy cannot satisfy Kenyans with the energy coming from Uganda and Tanzania. We have plenty of solar energy and wind. Officers who are trained in these areas can convert those resources and put them into the national grid. Let us not just say that the ASALs are deserts and useless. In fact, deserts have a lot of wind and sunshine. Another resource that goes to waste, and this has been said severally, is water. We conserve the water catchment areas and leave the water to drown our people. For example, Tana River drowns people and destroys crops every year, yet the water is needed by nomads and other people who have no access to it. There is need to empower this Ministry, so that it takes over from the other Ministries which have failed to conserve natural resources.

Another important resource is the wildlife. I agree with other hon. Members who have said that the Kenya Wildlife Service Act should be amended. May be, the Kenya Wildlife Service (KWS) should be empowered in some aspects and some of its powers reduced in others. I agree that wildlife should be conserved for the benefit of Kenyans. A lot of revenue is accruing from the areas where wildlife is found, for example, Maasai Mara, yet people who live there live as paupers. It is important that such communities are rewarded. In certain communities like the Maasais and the Somalis, it is a taboo to eat game meat. Naturally, we just conserve wildlife. We do not eat game meat. Anybody who is found eating game meat is considered an outcast. So, because of our culture, we conserve wildlife.

One hon. Member talked of the human-wildlife conflict. That is a very serious issue. When we used to compensate victims of wildlife with Kshs30,000, our shilling was very strong. Now, we are not talking of less than Kshs2 million compensation for any man or woman who is killed by wildlife and Kshs200,000 for any property that is destroyed by wildlife. The Minister should take note of that. There is need to increase the budget, so that our people are protected. On the other hand, wildlife should be protected. We should provide the KWS with equipment, vehicles and other support services. In Wajir, we have plenty of wildlife although we do not have gazetted game reserves. We

have a lot of wildlife roaming everywhere. If a lion kills a person or an animal, the KWS officers cannot visit the scene because they do not have vehicles and, in most cases, they request the area hon. Member of Parliament to provide them with a vehicle. I would like to request the Minister to look into that issue.

The other issue is pollution. I am not talking about the normal water and air pollution. I suspect that some toxic waste was dumped in Wajir when there was oil exploration. I would like the Minister to take note of that. In the 1970s and 1980s, our animals were very healthy and all of a sudden, after the oil explorers left, they became sickly. The explorers were doing some suspicious things. For example, a helicopter would land any minute and Africans would be told to move away from the site. The helicopters used to bring some sacks which nobody knew what they contained, then they would just fly away. I think a lot of toxic waste from Europe has been deposited in North Eastern Province and, right now, there are funny diseases that we have never seen before, for example, the Rift Valley Fever. Camels have now started to eat sand and the Veterinary Department cannot assist. We suspect that there are toxic wastes in areas where camels have become sick. That should be taken seriously. The other problem is polythene bags. We want the Minister to ban the use of polythene bags. We do not have enough grass in our areas and animals in the dry season eat polythene bags and die after some time. That is really hazardous. We used to use old newspapers to wrap sugar and salt.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the destruction of forests. We do not have forests in Wajir, but we have trees, which I do not know whether they can be called forests. We have a very serious problem with the refugees, particularly in Daadab, Lodwar and Kakuma. The refugees have outnumbered our people and they cut down trees to burn charcoal for fuel. I would like to request the Minister to use the officers under him to provide simple technology, like the biogas technology, to the people so that the few trees that we have in the desert are not depleted. We have various types of the Gum Tree in North Eastern Province growing naturally.

With those few remarks, I beg to support

Mr. ole Ntimama: Mr. Temporary Deputy Speaker, Sir, I would like to support this Motion that has been very ably moved by the hon. Minister. He has tackled all areas of concern in the environment, wildlife and mining in this country. I would like to commend the hon. Member for Samburu West whose contribution to this Motion was very thorough and meaningful, especially when he mentioned the problem of destruction of forests in this country. I would also like to take note of what Mr. Mohamud mentioned concerning the pastoralist-wildlife conflict in some areas.

Mr. Temporary Deputy Speaker, Sir, this Government cannot bury its head in the sand. We must accept the fact that our forests are diminishing and disappearing every day. The professional monitors and the international groups know very well that, in a short time to come, our forest cover will have been erased. I do not want to blame the hon. Minister or even this Government for this problem because for the last 40 years or 50 years, we have been very careless about the way we have been managing our forests. We have not really taken a commitment to stop the wanton destruction of forests. We know that this country very soon will be a desert and there will be no water flowing from the forest sources. The hon. Member who spoke before me mentioned several forests that have suffered this problem. For example, Mt. Kenya and the Mau forests. All these forests have been invaded by settlers, charcoal burners, loggers and there does not seem to be any control at all to prevent them from doing so.

Mr. Temporary Deputy Speaker, Sir, I commend Mr. Lesrima for saying that this problem emanates from misuse of power by the forest officers. These officers are a power unto themselves. In Narok District, for example, the forest officers issue permits every day for logging and charcoal burning. To make the matter worse, this is done in the pretext that those people issued with permits would clear their *shambas*. However, these are not their *shambas* because they get into the Mau Forest and cut down trees to burn charcoal. They end up destroying the indigenous trees.

Mr. Temporary Deputy Speaker, Sir, the law allows the Government to protect even the little forests in our *shambas* if they are the source of water. We are not even allowed, as individuals, to destroy little forests in our *shambas*. I hope the hon. Minister will make this known to the forest officers in his Ministry. I am even prepared to be challenged because I know these permits are being issued every day. People are destroying the indigenous forests.

Mr. Temporary Deputy Speaker, Sir, the HANSARD has shown that, on several occasions, I have spoken of saving and preserving the Mau Forest. I have also written several articles in the newspapers and made very strong statements that the Mara, Sondu Miriu and all the other rivers that drain into Lake Victoria come from the Mau Forest. Incidentally, the Mara River goes through the Mara Game Reserve. If this forest is destroyed, there will be no water for wildlife in the Mara Game Reserve. This will even extend to the neighbouring Serengeti National Park. Our friends in Tanzania will have lost their wildlife.

Mr. Temporary Deputy Speaker, Sir, these are just not any ordinary things, they are very serious. The Government has a right of looking after trust lands. The local authorities are not a government. The Government is in full Bench here and they must look after every forest, even if it is under the county council, so that they have direct control. This will prevent councillors from selling parts of the forests, and eventually, destroying the natural resource altogether.

Mr. Temporary Deputy Speaker, Sir, I notice my time is very short, but let me say something about wildlife. I agree with Mr. Mahamud, that it is only a few communities that had been preserving, conserving and protecting wildlife. Other communities in this country have killed all their wildlife. They have eaten everything, including rabbits and wild pigs. They have even gone down and eaten mice which are underground. They have killed all and eaten all the birds. It is only us, the pastoralists, who are still keeping this wildlife for the benefit of this country.

Mr. Temporary Deputy Speaker, Sir, I want to say something that must be recorded properly. You can only preserve this wildlife if you have the goodwill of the people who live and work among these animals. What if today the pastoralists whose animals are in the area say that they do not want those animals? The day might have to come. Then you will not see them on the face of the earth.

With regard to compensation, because I do not want to take much time, these very pastoralists are the people who have borne the brunt. The animals eat their grass, drink their water and even kill them at random. So, if you really want to do something, you should compensate these people. They have been coming to Nairobi for compensation and we have been told that it is only Kshs30,000. That is just the price of a very skinny steer. I think it is time that this compensation was made and pegged it to Kshs2 million, at least to start with, for the life lost. Let me say what the hon. Member for Samburu West has said. Why do you not relocate those animals to the right places? Instead of compensating people who are killed everyday by the elephants, relocate those elephants to other areas.

Mr. Temporary Deputy Speaker, Sir, lastly, I would like to inform Dr. Kulundu that he has Cap.376 which gives him the authority to look after and control and maintain good services not only in the parks, but in the reserves. The reserves are being destroyed. The revenue is being poached. People are getting into the parks without paying anything. Looters and cowboys have taken over some of these areas like the Mara. Yesterday, I told the Minister for Local Government to sit down with you and see how you can preserve these reserves and maximise the revenue from there for the benefit of the people and the local authority. There are a lot of problems. People do not pay anything when getting into the parks. They get in free and go and do what they want with their visitors and so on. Right now there is a big event there, because a certain big company is filming in the Mara, and the county council is not getting anything. It is a white cowboy who is supposed to have sponsored that film company that is getting all the money and the county council is not getting anything. These are some of the anomalies that must be corrected. They cannot be corrected unless the Minister moves in with both his eyes and looks into this issue. We know he is a gentleman and he can save some of these

areas from being destroyed and for the people in those areas to get the maximum benefit and for wildlife to be protected or preserved, as we are really committed to do that for the sake of this country and the posterity.

Mr. Temporary Deputy Speaker, Sir, I support this Motion, but let us see some action being taken. We have been doing a lot of talking while the forests are disappearing. We have been doing a lot of talking when the wildlife is being poached. There are people who have now started to poach. I am sure you know that, but you are doing a very mild, reasonable gentlemanly talk here. Let us stop talking and do something about preserving the forests and wildlife.

Thank you. I beg to support.

Mr. Mwandawiro: Asante sana Bw. Naibu Spika wa Muda kwa kunipatia nafasi hii ili niunge mkono Hoja hii ya Wizara ya Mazingira, Mali Asili na Wanyama Pori.

Bw. Naibu Spika wa Muda, ninaomba kusisitiza kwamba umuhimu wa mazingira katika nchi hii ni jambo ambalo haliwezi kubishika. Hata hivyo, ninaomba kukubaliana na wale waliozungumza awali. Inastahili Wizara hii, kulingana na umuhimu wake, ipatiwe fedha zaidi kwa sababu mazingira ni uhai wa nchi yetu. Kama tungekuwa na mwamko wa mazingira kama huu ambao umedhihirishwa na Waziri akiwasilisha mapendekezo ya bajeti yake, tangu tupate Uhuru, kweli tungekuwa tumepiga hatua katika nchi hii.

Ninazungumza kwa uchungu sana kwa sababu, kutokana na sera mbaya zilizokuweco wakati wa kupata Uhuru, hali hiyo imechangia katika kuharibu mazingira ya Milima Taita. Milima ya Taita ni mojawapo ya urithi mkubwa sana katika nchi hii yetu ya Kenya. Wakati nilipokuwa mdogo, katika kila bonde ya Milima ya Taita, kulikuwa na maji. Kulikuwa na misitu katika milima hiyo, na hayo maji yalikuwa yanatiririka mpaka nyanda za chini za Taita. Lakini kutokana na sera mbaya ya kupima ardhi na mashamba, ambayo haikuzingatia ule urithi wa kijadi wa kuhifadhi mazingira, watu binafsi walipatiwa milima na mabonde. Sasa kama nchi, kuna tisho la kupoteza ule urithi. Milima ya Taita ni mojawapo wa urithi wa Kenya. Ni pahali pazuri zaidi katika nchi ya Kenya. Kama hatutajihadhari na kuhifadhi mazingira, tunaweza kupoteza urithi huo.

Bw. Naibu Spika wa Muda, kutokana na sera mbaya ya uhifadhi wa mashamba, ambayo tulirithi kutoka kwa wakoloni, katika Wilaya ya Taita Taveta, zaidi ya asimilia 62 iko chini ya Tsavo Mashariki na Tsavo Magharibi. Asilimia kumi na nane iko mikononi mwa watu binafsi. Na asilimia nyingine ni mawe na kadhalika. Wananchi wamefinyana katika Milima ya Taita wakiwa na ardhi kiwango cha chini ya asilimia 22. Katika kufinyana kule mlimani, ni lazima wakate miti na kutumia mito vibaya, kwa sababu huwezi kupanua ardhi yao kama zamani. Maji hayatiririki chini ya mlima kwa sababu mito imekatwa kule juu.

Bw. Naibu Spika wa Muda, ninasema hivyo ili nisisitize kwamba wakati tunapozungumza kuhusu uhifadhi wa wanyama wa pori na mazingira, ni lazima tuzingatie maslahi ya wanadamu kwanza. Kwa sababu hao ndio watahifadhi mazingira na tunahifadhi mazingira kwa ajili ya watu. Tukiwa na sera ambayo inasisitiza hali hii halafu ihusiane na Wizara zote zinazohusika, tunaweza kupiga hatua ya kuhifadhi mazingira. Kama Wizara hii inataka kuamini kwamba janga linaweza kugeuzwa na kuwa msitu katika nchi yetu, ninawaomba watembelee jela ya Manyani. Hapo utakuta kwamba upanzi wa miti ya mwarobaini, migomba na miembe inabadilisha sura ya jangwa hilo. Utaona uhusiano ambao unaweza kuweco kati ya Wizara ya Mazingira na Wizara ya Maji. Huo ni mfano mzuri sana kwamba kama yale maji ambayo yanatoka Mzima Springs yangepelekwa nyanda za chini za Wilaya ya Taita Taveta na watu waanze kupanda miarobaine na miembe, haiwezi kuchukuwa miaka kumi hata mitano kabla hatujaanza kuona mabadiliko ya mazingira. Kwa hivyo, ninasema kwamba tukiwa na nia bora ya kutumia hii bajeti kama vile ilivyopendekezwa; kwamba baada ya miaka miwili ama mitatu tunataka kuona matunda, tunaweza kuhifadhi mazingira.

Jambo la muhimu ni kuyaangalia mazingira ya watu. Watu wa Taita Taveta hawana ardhi. Tuna imani kabisa kwamba ardhi inayotumika kwa uhifadhi wa wanyama wa pori, yote haihitajiki kwa

kazi hiyo. Lazima kuwe na uchunguzi wa kuhakikisha kuwa ardhi nyingine imepewa wananchi kwa ajili ya kulima.

Bw. Naibu Spika wa Muda, vile vile ilivyoelezwa awali na Bw. Ntimama, ni lazima wananchi wafaidike kutokana na urithi wa wanyama pori ulioko karibu nao kwa sababu hao ndio wanaweza kuuhifadhi vizuri. Miaka nenda miaka rudi, wananchi wa Taita Taveta wamekuwa wakidai kuwa asilimia fulani ya mapato yanayotokana na wanyama pori iwaendee kwasababu wao ndio wanamenyana na ndovu na pia kumenyana na simba. Asilimia fulani yafaa kubaki kwa ajili ya maendeleo katika Wilaya ya Taita Taveta.

Kuna raslimali nyingi sana ambazo zikitumiwa vizuri, zinaweza kusaidia katika kuchangia utajiri wa nchi hii. Nina imani kabisa na wananchi wa Taita Taveta na wao ni washuhuda wangu. Kuna madini mengi ambayo yanapatia watu mabilioni ya pesa kama katika wilaya ya Taita Taveta. Kama Serikali ingekuwa na sera nzuri ya kupata mapato hayo kupitia kodi, tungechangia zaidi katika mfuko wa fedha za kitaifa. Vile vile, ingetumika kufanya maendeleo katika sehemu zingine za Taita Taveta, na wananchi wangukuwa na nafuu zaidi. Sasa, Serikali imeachilia watu kuchimba na kuuza madini hayo kiholela, na haifaidiki, wananchi hawafaidiki, ila watu binafsi. Serikali lazima ifanye juhudi kuhakikisha jambo hilo limezingatiwa.

Bw. Naibu Spika wa Muda, jambo lingine ni kuwa tunapozungumza kuhusu mali ya asili na wanyama pori, tukumbuke samaki. Nchi hii ina maziwa na ufuo mkubwa sana wa bahari. Kuna umuhumi mkubwa sana kwa Wizara hii kuweka juhudi zaidi katika utafiti wa raslimali zilizoko katika bahari yetu, na kujua zinatumiwa na nani, na zatumika vipi. Nchi yetu iko na mito ambayo naonelea inafaidi mataifa ya nje. Watu wanatoka Japan, wengine Korea, na kuja kuvua samaki kutoka bahari yetu, na raslimali, mali ya asili ya mito, samaki na viumbe vingine, wala sisi hatupati chochote. Sera hiyo ni muhimu na yafaa kuzingatiwa.

Ninaomba Wizara inayohusika, ingawa tulisema mambo yatafanywa kuhusiana na Wizara zingine; wakati tunapozungumzia mazingira, tunazungumzia hatari zinazoletwa na madawa ambayo hayafai kufikia wanadamu, na madhara yake. Mazingira hayahusiki na kuangalia usafi tu. Miji yetu ni michafu sana katika nchi hii. Watu wanajenga nyumba, wanapata faida kutoka kwa hizo nyumba na bado hazijamalizika kujengwa. Utapata kuwa watu wanakaa katika nyumba ambazo hazijapakwa rangi na huku tuna Serikali ambayo inashugulika na kutekeleza sheria tu. Ukiangalia Nairobi, utapata kuwa kuna uchafu kila mahali na huku wenye manyumba wanazidi kupata faida kutokana na malipo ya kodi. Watu wanalipa kodi lakini nyumba hazijamalizwa kujengwa. Utaona mawe yanaonekana, nyumba hazijapakwa rangi na Serikali iko.

Ikiwa tunaweza kusaidia kuleta maendeleo katika nchi hii, lazima Serikali ifanye kazi. Inaonekana kama wakati fulani katika Serikali wamelala usingizi. Watu wanafanya vile wanavyotaka na hakuna hatua yoyote inayochukuliwa. Tunapitisha sheria hapa na hata bajeti lakini hakuna utekelezaji wa sheria hizo. Ningeomba Wizara hii ishirikiane na Wizara nyingine kuhakikisha kwamba kila sera ya usafi inahusika.

Kwa hayo machache, naomba kuunga mkono.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Thank you, Mr. Temporary Deputy Speaker, Sir. I would also like to support the Estimates for the Ministry of Environment, Natural Resources and Wildlife. I will begin by emphasising the point that has already been made on the need for a collaboration across Ministries, especially because this particular Ministry does not have a particularly large Vote. Many of the points I will make, therefore, relate to the need for that collaboration, especially in the area of pollution. A point has been made about pollution. In addition to what has been said, it is important for us to emphasise the law on pollution. This may be done by way of warning those that use vehicles that pollute the environment, that they risk arrests, fines and sometimes cancelling licences of owners of vehicles that continue to pollute our environment.

A second area that can lead to control of pollution is overseeing and ensuring that the quality

of the fuel that is imported in this country, especially diesel, is up to standard. I think that is an area with a lot of difficulty. Again, in collaboration with the Ministry of Local Government, the Ministry of Roads, Public Works and Housing and other Ministries, it is important for us to see whether or not, we could begin to have pockets of forests in cities and the outskirts. Therefore, the preservation of already existing forests like Karura does not need to be overemphasised. More importantly, we should go out in the outskirts and not just allocate land for development, but for the creation of forests that will provide some kind of cover for the city.

The point about cleanliness has been made in terms of pavements, walking paths and improving sewage and garbage collection systems in the city. There is also need to rehabilitate public parks. Uhuru Park and a few other parks in Nairobi are the only areas that are available to many of the people who live in high density areas in this country. During the last 40 years, very little has been done to rehabilitate the existing parks not only in Nairobi, but in other cities. So, rehabilitation and maintenance is particularly important.

The need to repossess grabbed public plots that were meant for public recreation does not need to be overemphasised. It is also important to make efforts to limit the over-exploitation of existing resources especially sand, building stones and vegetation not only because they destroy the environment and leave a lot of gaping holes that make the environment ugly, but also because in certain cases, they pose a danger to human beings and livestock. One way of limiting this form of exploitation is through education programmes, the enforcement of the law and the introduction of animal varieties that do not require so much land for feeding.

In terms of recreation, it is important to look at what has happened to the Indian Ocean, lake regions and river fronts in this country. If you go to Mombasa along Nyali Beach, a lot of public land that was meant for public recreation has been grabbed. This also happens with lakes and river fronts. It is important to repossess those public pieces of land that were grabbed along the Indian Ocean because they leave no room for those that cannot afford to enjoy the beaches from expensive hotels. You can enjoy the available beach front only if you go to a hotel. It is important to revisit this issue and ensure that land is left for those that cannot afford to use facilities availed by those expensive hotels. We should ensure that any future development takes account of the fact that for there to be prosperity, we need to enjoy those facilities as public land.

I think a lot can be accomplished if we work with our education system, especially schools, in the area of developing nurseries, maybe requiring that most schools have three nurseries. This can be an income generating project whereby schools sell their seedlings to the forestry department where these seedlings are used for the creation of view parks in rural areas. They can also be used as a way of supporting commercially viable plant and fruit variety. It would also be important to work with other Ministries especially the Ministry of Planning and the Ministry of Roads, Public Works and Housing to promote and support family planning campaigns, especially in certain parts of the city. Certain parts of the city like Eastlands are becoming really overpopulated. Very soon, we will be complaining about the deterioration of areas like Westlands, Parklands and other areas. Kilimani has been allowed to become a high density area. It is important to not only strengthen family planning campaigns, but also ensure that those places that were meant for low density populations are not opened up for further expansion.

The point has been made about the need to balance between the co-existence between animals and human beings. I come from an area in Tigania West whereby elephants are becoming a big problem especially because last year, the Ministry of Environment and Natural Resources fenced one portion of the forest, leaving open the Tigania West and Tigania East sides. Since elephants cannot get out into the farms of the neighbouring constituencies, they all end up coming to Tigania West. That is posing a big danger to human beings. This year alone, almost six people have been killed by elephants. It is becoming a big threat in terms of whether or not this will be tolerated for a long time. Preventive

measures should be taken to ensure that animals do not become a threat to human beings and their livelihood.

On collaboration, it is important to create an Inter-Ministerial Committee that will bring together officers from the various Ministries that have something to do with the environment. Within the specific departments in the Ministries that touch on the issues of environment, some programmes on education and re-education of the people that work in those Ministries is particularly important. Officers who have been employed in the Ministry of Environment, Natural Resources and Wildlife should not just talk about conservation when they do not practice what they preach.

We have been complaining that our farmers are cultivating on mountains, cutting trees and that people are encroaching on rivers and so on. This occurs mainly because a lot of people have no other means of livelihood. In the long run, one way of resolving the conflict and helping improve the situation is through wealth creation. The real point in terms of collaboration is to ensure that the Government, in general, plays a major role and continues to do a lot for this country in terms of creating wealth, so that we do not have so many poor people that are forced to encroach on forests and do all the things that we as environmentalists believe are not worth doing.

With those few remarks, I beg to support.

Mr. Twaha: Bw. Naibu Spika wa Muda asante sana kwa kunipa fursa hii. Kwanza kabisa kama mhe. Mbunge wa Lamu Mashariki natoa pongezi zangu na shukurani kwa Serikali yetu ya Kenya, na hasa Waziri anayeongoza Wizara ya Mazingara, Mali ya Asili na Wanyama wa Pori. Pongezi hizo zinatokana na juhudi zake za kuzuru Wilaya ya Lamu na kuwakubalia watu wetu kukata mikoko. Kilio kilikuwa ni kikubwa sana. Watu wa Lamu, na Mkoa wa Pwani kwa jumla, wamepata shida nyingi sana. Mikoko ndiyo msingi wa maendeleo yetu ya kiuchumi. Serikali hii inaonyesha ya kwamba itaweka rasilimali mikononi mwa wananchi. Kwa hivyo, hizi ni pongezi rasmi kutoka kwangu.

Jambo la pili ni kuhusu swala la Shirika La Kutoa Huduma Kwa Wanyama Wa Pori (KWS). Shirika hili hujishughulisha sana na mambo ya Nairobi. Halijali sehemu ya ufuo wa bahari. Watu wengi hufaidika sana kutokana na ufuo huo wa bahari? Wao hufikiria kuwa hiyo ni hifadhi ya wanyama wa baharini tu. Hukuna maofisa wa kutosha katika *marine reserve*. Tangu zamani, watu wetu huvua samaki na kupata riziki yao.

Sehemu nyingine ambayo ningependa kuiomba Wizara hii ishughulikie kwa makini ni sehemu ya Dodori. Dodori ilichapishwa katika gazeti kuu la Serikali miaka 25 iliopita. Hata hivyo, watu wa Lamu na Chundwa hawajawahi kupata faida yoyote.

Kwa hayo machache, naunga mkono Hoja hii.

The Assistant Minister, Office of the Vice President and Ministry of Home Affairs (Mr. Mungatana): Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to support the Motion that is before this honourable House. First and foremost, the Minister raised the issue about Wildlife Conservation and Management Act Cap.376. There has been a growing concern among the people we represent, that this Act has given preference to wildlife over human beings. Many of our people have experienced a lot of hostilities from game officers who only exercise their powers when it comes to arresting *wananchi*, for either killing or defending themselves against wildlife. This Act, the way it was conceived, has left out the real stakeholders. These are the people who live in Arid and Semi-Arid areas (ASAL) and along the river banks. In particular, views from ordinary *wananchi* like the residents of Garsen Constituency and Tana River District, as a whole, are not given as much significance as views from such organisations like the East African Wildlife Society (EAWS) and others which have the financial muscle and ability to be heard or to go to the "big offices". I suggest that when the Minister brings amendments to this Act, which are overdue, the local *wananchi* who live in the affected areas will be considered and appointed to the board which makes important policy decisions on the management of wildlife in this country.

Mr. Temporary Deputy Speaker, Sir, crocodiles have killed people in Tana River, especially women and children when they go to fetch water. But when a human being is injured, it is not an issue. When we try to hunt crocodiles because we eat them, the game wardens arrest us which is contrary to our traditions. I think we need to reflect even our traditions in the new Act when it comes into effect. Wild animals have become such a threat to existence in our area. In Kipini area of Garsen Constituency and in the lower parts of Tana River District, elephants have been a source of misery to many families. Upto now, apart from keeping those animals for the European tourists to come and view them, nobody has convinced me of what use the elephants are in the lower parts of Tana River District. They destroy trees, houses and crops in the fields. We are not allowed to hurt them. When you hurt them, you are accused of looking for elephant tusks. When hippos come out at night, they cause massive destruction to our rice fields. If you try to hit any of them, the game wardens will arrest you. We need a proper policy which will protect us and give prominence to our livelihoods. I would suggest that all these elephants be taken to one place. We do not need them in that part of the country. They have become a big liability to our people in that area.

Mr. Temporary Deputy Speaker, Sir, I need not to re-emphasize the need for interaction of this Ministry with other Ministries. Right now, in Kipini in Garsen Constituency, we have had a big problem of over-exploitation of the sea resources. The environmental groups have told us that there is over-fishing. These people who take away our resources from the sea do not benefit the general populace in our area. I propose that the issue of looking after fish and the sea, particularly in our area, should be given special emphasis by this Ministry in the next Vote.

*[The Temporary Deputy Speaker
(Mr. Khamasi) left the Chair]*

*[The Temporary Deputy Speaker
(Mr. Poghisio) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, in training, there are no enough extension officers. It is very well to speak about forests, forest cover, environment and things in town. But we do not have the services of extension officers especially in those areas we represent. We have always been told to conserve our environment, but lack of practical knowledge on what should be done is a big setback in our fight to conserve our environment. The forest cover in the lower part of Tana River District so far has been maintained through natural traditional practises. But the empowerment of people in terms of extension officers and training them has been lacking. I believe in future, we shall pay if this Ministry does not move in fast enough to arrest the situation which is very quickly developing.

Mr. Temporary Deputy Speaker, Sir, on the issue of mineral developments, it is encouraging to hear that the Ministry in collaboration with Commonwealth Secretariat is formulating a strong mining policy that will affect all of us. Right now, in the Coast Province, we have had a big problem because there has not been a clear guideline on the mining policy that should be followed in this country. We are aware of the problem of Tiomin. But that is not the only problem. There are other small minerals which are found there. For instance, in Taita-Taveta, there are some gemstones which are being exploited by people from outside. The Government is not **[The Assistant Minister, Office of the Vice President and Ministry of Home Affairs]** getting revenue. There is need to look at what is supposed to be done and people should be educated.

The official policy so far, as I understand, is that the Government is encouraging private participation in exploitation of the minerals that are available in this country. We just hear that exploration is going on but our people are not informed about the Government activities. We need to be open in this new era. We would encourage especially the people who want to venture into mining

to encourage community participation. I believe with all my heart that, if Tiomin, for example, had involved all the leadership at the very beginning and the Government had been steady, we would have had the mining of titanium going on right now. Everybody wants development, but we need information so that people do not feel cheated or exploited.

I beg to support.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to also contribute on this Vote.

Mr. Temporary Deputy Speaker, Sir, environment is at the heart of the survival of our nation and every individual in this country. Sometimes I wonder whether we are taking environmental matters seriously as Kenyans. From basic knowledge, the country is now over-polluted with plastics. Everywhere you go, there are plastic papers and materials which do not decompose. When wildlife and domestic animals eat them, they die. We want to know from the Ministry of Environment, Natural Resources and Wildlife, which luckily has one of the most celebrated environmentalist in Kenya and this region as the Assistant Minister, what it is doing to control plastics. The proliferation of plastics in the country is so alarming and frightening that, everywhere you go, every dumpsite, is littered with plastic papers which fly all over. It is a nuisance of monumental proportions. Something has got to be done.

If a Bill was brought to this house to ban the use of plastics, especially the plastic paper, I will be the first one to support it, until we get to a time when we know whenever we use plastics, how we are going to dispose them off. If you drive between Naivasha and Nakuru, there is a plastic bag flying out of a moving vehicle every single second! It is either a milk packet or something else. Kenyans have got to know that we are the custodians of our environment and it is our duty to protect it. If we do not, time will catch up not with our grandchildren, but with us. It is going to be very costly.

Mr. Temporary Deputy Speaker, Sir, nothing is more disastrous in this country than the destruction of trees. The good old days when we used to enjoy a drink of water from a running river are over. All rivers in this country are deep brown or virtually red because of the top soil cover that they carry away as they flow. We do not seem to have any policy on the management of riverine forests and vegetation. Everywhere you go, people are cultivating up to the brink of the river or stream to the extent that, even the slightest showers sweeps away a reasonable percentage of top soil into the river. When you look at River Tana, Athi River and River Nzoia, they all look brown or red because of the heavy soil they carry away. In the process of carrying away top soil, we are undermining our agricultural activities. I would like a situation where this Ministry strictly enforces the protection of our riverine vegetation by bringing guidelines with clear sanctions, including people being sent to jail for mismanaging their own parcels of land, so that we could save our environment.

Mr. Temporary Deputy Speaker, Sir, in a country where arable land is estimated to be only 17 per cent, the reckless manner in which we use that arable land is worrying to everybody. If you take a flight over the Rift Valley and Lake Naivasha towards Kericho to Western Kenya, you really feel frightened. It is like we are at war against our environment. People recklessly cut down trees to burn charcoal and do all manner of hazardous things to our environment. I am even worried that at this rate, in a couple of years to come, even the survival of a lake like Naivasha will be seriously undermined. This is the case, and yet that lake is a source of many positive economic activities. We would like to hear from the Ministry what it is doing to protect Lake Naivasha, among other lakes, from encroachment by human beings.

Mr. Temporary Deputy Speaker, Sir, I represent a constituency that borders Mount Elgon Constituency, where all the water catchment areas for Lake Victoria are located. For the few years I have lived, each and every river I know of in that area has lost its volume of water by close to 50 per cent because the water catchment areas have been destroyed.

Another critical area of environmental concern in this country now is the explosive conflict

between human beings and wildlife. It is not fair for the Government to put more value on a roaming buffalo, lion or cheetah than on a human being. If the Government really wants to protect these animals from human beings, let it fence off all the national parks and keep wild animals inside them. The Government should also carry out an annual culling exercise where the population of wild animals is very high and is likely to destroy the environment, or the animals are likely to escape and engage in conflicts with human beings. Culling will enable us have a manageable size of wildlife.

The amount of money the Ministry pays to Kenyans who have been injured or killed by wildlife is hardly enough. However, we cannot pretend that any amount of money, anyway, will compensate for the loss of human life. It is better if we keep wild animals away from human beings so that we do not lose our people to these animals.

On forests, I would like to get a clear statement from our colleagues in the Ministry of Environment, Natural Resources and Wildlife on the number of hectares of land they turn into forests every year. I would also like to know the number of trees the Ministry officials help Kenyans plant and the number of tree nurseries the Ministry establishes every year. I would also like to know the number of field extension officers the Ministry has on the ground to advise farmers on the type of trees they ought to plant in certain areas. We have a sad case of destruction of our wetlands, which are not many, by the wanton and reckless planting of blue gum trees. Blue gum trees suck away all the water and destroy our water sources.

Field extension officers hardly work even in the areas where the Ministry has them. I have an example I would like to give. In the last three years in my constituency, I set aside 25 to 30 acres of land to develop a forest. It takes me a whole year to try to convince an extension officer to come and assess the development of the forest and at the end I fail to convince one; it takes me a whole year to try and get an extension officer to come and look at my tree nursery and see whether the trees I have are recommended for the area or not and at the end I fail to get one. This is the case, and yet the Government pays these officers salaries. We would like these officers to do some work and help us improve the environment.

Mr. Temporary Deputy Speaker, Sir, finally, we want a clear policy on the exploitation of the meagre mineral resources we have in this country. We would like these minerals to benefit the locals who live in the areas where they are being exploited. Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to support this Vote.

Mr. J.K. Koech: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to join my colleagues in contributing to this very important Vote. First, I want to congratulate the Minister for having moved this Vote and giving us very good guidelines on environmental conservation in this country. However, when you look at the amount of money that is given to the Ministry of Environment, Natural Resources and Wildlife, you will realise that it is just a drop in the ocean. This is because at this stage of development, we need to encourage environmental conservation. This country has lost so much through de-forestation. I think the Government has not been very strong in ensuring that forests are not destroyed. It is high time we came out very strongly on the conservation. This is because without conserving the environment, we will destroy ourselves. There are so many diseases that have come as a result of pollution and environmental degradation. I am appealing to the Minister that in future, he should negotiate for more funds and carry out the conservation programme more seriously.

We know that some of the catchment areas have been destroyed. We now have a big problem of how we are going to remove the people already settled in forests and conserve them at the same time. However, I think the Ministry should come up with a programme through which it will take care of the people living in the forests and at the same time ensure that in future destruction of trees is curtailed. Many people are now settled in Mau Forest and yet we want to conserve this forest. The Ministry should come up with some programme to re-settle those people elsewhere and protect certain

conservable areas. This will be good for this country.

If the Ministry could also come up with a serious programme on agro-forestry, it will save this country a lot of environmental degradation. Since people are already living in forests then it is good to come up with a programme for integration of their lives with trees. This will encourage people to plant trees. Right now, the demand for timber products is high. I remember talking to the Minister one day and he said he was going to encourage growing of trees as cash crops. If he can come up with an idea like that, it will be good. This will ensure that everybody in this country is encouraged to plant trees for use in our factories and provision of firewood. I can foresee a situation in this country where timber products are going to be in short supply, unless the Minister comes up with very aggressive policies to save the situation.

It is time afforestation programmes were put in place and people encouraged to plant trees. The planting of trees should be taught and encouraged in all primary schools. This will ensure that every school child in this country plants a tree every year. We are about 30 million Kenyans. If we can plant about 30 million trees every year, then we will have done a lot in terms of afforestation. However, I do not think that we are taking this issue very seriously. I remember that when I was a young boy in school, we were encouraged by the then Ministry of Education to plant trees. We used to plant quite a number of trees in our schools and our homes. That helped in conserving the environment. I think we can ensure that every school child in this country plants trees. We can make sure that we plant more than 30 million trees every year. This will help us arrest the deforestation situation in this country.

*[The Temporary Deputy Speaker
(Mr. Poghisio) left the Chair]*

*[The Temporary Deputy Speaker
(Mr. Khamasi) took the Chair]*

A number of speakers have talked about the conflict between wildlife and human beings. This is an area where the Minister also needs to come up with a policy that ensures that we have well defined areas for wildlife and human settlement. I come from an area that is not registered as a wildlife reserve. However, we have a lot of encroachment by animals into our settlements. So many people lose their crops as well as their lives. However, if there is going to be a way of controlling these animals, the human population will be saved from loss of lives and property. As we have been told, if one is killed by a wild animal, the compensation given to his/her family is too low. These are areas we should try and assist. So many people have been killed or maimed by wild animals, but they get a pittance by way of compensation.

Mr. Temporary Deputy Speaker, Sir, I do not want to wind up my contribution to this Motion without saying a few things about the UNEP Headquarters, which is housed here in Nairobi. It is good that our Government fought so hard in the early 1960s to ensure that the Headquarters of the UNEP was set up in Nairobi. But do we benefit from the location of the UNEP Headquarters in Nairobi? I think we are benefiting very little. I would, therefore, like to urge the Minister to make use of the UNEP Headquarters, so that its presence in Nairobi can be felt.

As environmental matters become very important over the years, so much money has been pumped into environmental conservation, but very little money is spent at the UNEP Headquarters, Nairobi. Recently, the UNEP Headquarters has been dismembered, because certain functions of the UNEP are no longer performed in Nairobi. The headquarters of the UNEP Biodiversity Department, for instance, is in Canada, while that of Desertification is in Germany, and yet the part of the world that experiences the most desertification incidence is in Africa. The UNEP is coming up with quite a good

number of sectors to address environmental matters.

It will be good on the part of the Minister to ensure that some of the sections of environment are equally centred in Nairobi. That can only be possible if we take the UNEP Headquarters, as a Government, very seriously. I think we have been handling the UNEP Headquarters very casually. I say so because I have had an opportunity to serve very briefly as Kenya's Ambassador to the UNEP, and I found that a lot could be done to improve the UNEP Headquarters at Nairobi, so that it can be felt in this country in terms of its operations on environmental matters.

The Government can always have certain programmes started here in Nairobi, which can show that the UNEP Headquarters is actually housed in Nairobi. There are so many things which can be done if only we can take the UNEP Headquarters very seriously. A lot of conferences on environment, which are held all over the world, are no longer based in Nairobi; they are based outside Nairobi. The developed countries will always ensure that such conferences are not held in Nairobi. So, if we take our work very seriously, we can host quite a number of international conferences on environmental matters at the UNEP Headquarters, Nairobi. If we take some of these things casually, we lose a lot. If such conferences are held in Nairobi, people from all over the world will be coming to this country. We will gain much in terms of foreign exchange.

It is my hope and prayer that one day, we will take the UNEP Headquarters very seriously and ensure that more international functions on environmental matters are held there; that, there will be more investment in terms of increasing the office space at Gigiri, so that more activities can be undertaken there. We should also make this country known as the home of the UNEP Headquarters. In fact, we have a reason to fight for that. I believe that we have the goodwill of many countries in the world, especially that of the third world countries, because there is no other country in Africa which hosts any United Nation's institution headquarters; it is only in Nairobi. If we lobby and ensure that we get support from other countries, I have no doubt that the UNEP Headquarters, Nairobi, can be enhanced, and that it can do much more for us than it is doing currently.

Mr. Temporary Deputy Speaker, Sir, in such a short time, it is very difficult to say much. So, I am only requesting the Minister to take the UNEP Headquarters very seriously. We hope that in future, the presence of the UNEP Headquarters in Nairobi will be felt in this country. In fact, many people do not know where Kenya's Mission to the UNEP is located. It is even very difficult for hon. Members of this House to know what role the UNEP plays in this country. I hope that the Departmental Committee that deals with environmental matters will focus more on the UNEP, so that this House can be appraised on the activities of the UNEP. Even in this House, Members do not know what the United Nations Environmental Programme (UNEP) is doing.

With those few remarks, I beg to support.

Mr. Syongoh: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. I want to reiterate that wildlife and the environment are fundamental and imperative for the sustenance of human life.

(Mr. Wanjala consulted loudly)

Mr. Temporary Deputy Speaker, Sir, is it possible to protect this House from hon. Wanjala?

The Temporary Deputy speaker (Mr. Khamasi): Order! Order, Mr. Wanjala!

Mr. Syongoh: Mr. Temporary Deputy Speaker, Sir, wildlife and environment are fundamental necessities for human existence on this planet. With that in mind, I want to support this Motion and encourage the Ministry to take its work seriously and safeguard our environment not for a decade, but for eternity. What we do now with our environment and natural resources will determine our existence on earth.

The issue of human-wildlife conflict has already been dealt with by several Members of

Parliament while contributing to this Motion. I would like to make two comments. One, we should not wait for wildlife to attack human beings and damage their property for us to react. We need to be proactive and put in place policies that would ensure that human beings protect the environment and wildlife.

The question of the spill-over effect on the communities that surround the national parks is an issue that I would like the Ministry to take seriously. It is not fair and it defeats the purpose of this Ministry if the communities that live around the national parks are the ones that bear the brunt of the adverse side effects of wildlife. If you take an example of Ruma National Park, the only significant national park in the whole of Nyanza and western Kenya, the effects of tsetsefly on human life sometimes make the Suba community wonder whether it is worthwhile for them to continue co-existing with that national park.

I have already tabled evidence in this House that in the last two years, the Suba Community has lost over 45,000 herds of cattle as a result of tsetseflies. Not only have they lost their cattle, but human beings have also lost their lives and hundreds of people are suffering from sleeping sickness. The tsetseflies breed in the national park and then fly out into the settled areas around it and spread the disease.

If it were not for the patience of those people and their leaders, the Ruma National Park would have by now been invaded, subdivided and settled in order to deal with that menace. I would like to appeal to the Ministry to take this matter seriously and deal with the problem once and for all.

One of the ways to reduce the human-wildlife conflict is to be proactive. A little gesture to show that we care about those communities would be welcome. The Government should build schools, furnish health centres, give blood testing units to screen blood for sleeping sickness and construct dams for livestock farmers.

This can be achieved by us constructing the roads. For example, in Ruma National Park there is the D210 road which is totally impassable. It runs for nearly 36 kilometres along the boundary of Ruma National Park and yet for nearly six months in a year it is impassable. You wonder why the national park is there if the access roads to it are impassable? If it is infested by tsetse flies, which tourists will visit that national park? And if tourists cannot go there, then what is the purpose of keeping it? Is it better for us, for example, to stop using it and convert it into a farm? That we can do, but we do not need to do that because we believe that we need that national park for purposes of biodiversity so that we are able to make this country a better place to live in.

Mr. Temporary Deputy Speaker, Sir, the issue of low food production in that area is related again to the tsetse fly menace in that area. Those communities depend on bulls in order to plough. They depend on milk from their cows to improve and sustain the nutritional value of their families. They virtually depend on selling their livestock in order to pay school fees for their children. In the last two years, we have witnessed a high dropout rate of secondary school going children in Suba District. Why? This is again because of the loss of livestock. I would like to appeal to the Minister to look at these matters very seriously and demonstrate a sense of duty and social responsibility to those communities like the Suba community which live side by side with nature and protect it.

Mr. Temporary Deputy Speaker, Sir, the issue of pollution has been talked about. Not too long time ago, a very dear friend of mine lost his only son in a road accident on Waiyaki Way not because he was overspeeding, but because he was trailing a vehicle which was emitting voluminous amounts of diesel fumes. Even the headlights could not penetrate those fumes to be able to reach the reflectors and he crashed into that vehicle and died instantly. The question of pollution from diesel engines is basically because we have a loose policy on importation of old vehicles from Dubai and a loose policy in terms of maintenance of vehicles in this country. We must attend to these issues. I have a child learning outside this country. Everytime he travels from Kenya back to school in Australia, when the doctors do an X-ray on him, they always find that his chest is being affected by the pollution

of Nairobi and especially downtown Nairobi. We must do something about the air pollution in this country. I do not believe that we need new laws. I know that there is already in existence under our statutes sufficient powers and provisions for the Minister to deal with this menace. I urge him to do so.

When you overfly Europe and other countries, you admire the beauty of their countries. Several metres, I believe about 15 to 20 metres from both sides of the rivers are protected. No farmer can exceed those margins and they plant trees. That is where families take their children for picnics over the weekends. What happened to us? As hon. Wetangula said, we farm up to the edge of the rivers. We are too civilised. We have invested too much in education for us to see this kind of thing happening and we do nothing about it. We have the human resources and they have the intellect to be able to deal with this thing and to plan for our future.

Mr. Temporary Deputy Speaker, Sir, the issue of afforestation is hardly being mentioned. That we have officers in that department is certain, but do they really do any work? We should have a policy where we give them targets of acres, those that we sustain and additional ones that they plant. In Suba District they spend all their time making deals with people who plant *bhangi* in the forests and those who cut down trees in order to sell timber. Our indigenous trees are dying. In fact, they are virtually extinct. I would like the Ministry to take this very seriously and put a stop to this. In my view, in line with the Government policy that the Government should get out of business and only create an enabling environment for the private sector to invest, I would like to suggest to this Ministry that they should leave tree nursery plantations to the youth and women groups in this country. Let the Government buy those seedlings from the youth groups and women groups and let us, even if necessary, give them a particular amount of acreage. Let them plant them, maintain them and we pay them a few shillings. It has been mentioned that we are likely to have a big problem with the timber supply. It is true because even currently, I do not believe that we have a clear indication of the amount of timber we consume versus those that we are planting. We have no replacement policy for our trees and forests. We must use modern technology of planning because we have computers and the software to do so. It is not difficult because we know how much timber we sell through sawmills. We should be able to know how many trees are cut down. At the same time, are we taking into account the increased death rate as a result of HIV/AIDS? Every time one person dies, we cut a tree in order to make a coffin! This should be taken into account and fed into our programs for the purpose of expanding our forests. The question of trees being used as a commercial crop is very important. Right now, I know that, the Kenya Power and Lighting Company (KP&LC) is placing orders in South Africa to supply timber for rural electrification. What a shame!

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

The Assistant Minister for Trade and Industry (Mr. Miriti): Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion that is before the House. The Ministry of Environment, Natural Resources and Wildlife has the potential to turn round the economy of our country. With all the wealth that we have in the form of natural resources, and with tourists visiting our country because of the wildlife we have, I do not see why we cannot improve our economy. But over the years, I have lived to see the destruction of our forests! I have lived to, painfully, witness the decreasing number of our wildlife. As I walk around the country, I see Kenya, increasingly getting polluted and our most precious indigenous trees getting extinct. In fact, I think some very precious species of trees which are a source of traditional medicines, are now extinct; never to be found again.

Mr. Temporary Deputy Speaker, Sir, I feel that there is a lot that can be done to save the situation. We have so many rivers in Kenya and yet we have farmers who are experiencing scarcity of arable land encroaching into the riverbanks and destroying them because they have nothing else to do. I feel that the Ministry should develop a policy whereby such land can be taken over by the Ministry and such farmers compensated with land elsewhere. By doing that we shall be saving our catchment areas and we will have better land for agricultural use.

From my experience, there appears to be a policy of feeding animals as human beings go hungry, especially in areas of Chuka, Muthambi and Mwimbi of Meru South District. We have had situations where wild animals, especially elephants, have left the forests and destroyed crops, leaving people without food. When officers from the Kenya Wildlife Service (KWS) are called to chase away the animals, sometimes it would take them one week! But if they are told that a lion, an elephant or even a buffalo has died, it would take them a matter of minutes. Sometimes they use helicopters in order to come and see what has happened, but when they hear that crops have been destroyed, it appears as if it is none of their business. I would like to call upon the Ministry to look into this matter. When such crops have been destroyed, sometimes it takes years for the KWS to compensate the victims. In fact, there are so many pending cases which have not yet been compensated. That also applies to loss of human life and people who have been injured by animals.

If you visit the forests, you will find a lot of wastage. There are so many dead logs which are just rotting in the forests, especially Mount Kenya Forest. I want to request the Minister to look into the possibility of allowing people neighbouring such forests to harvest those logs because they will be useful as timber. We also have other merchants who in the previous years had been licensed to collect logs and, indeed, they identified several logs. Some of them used their machines to split and prepare them, but when a law was imposed that they should not enter the forests, they encountered a lot of losses. I am calling upon the Minister to sympathize with these people so that they can go back into the forests and collect their logs. They have undertaken not to attempt to cut down any of the trees. In fact, when these logs are removed from the forests, they will create room for more trees to grow, since the dead logs occupy a lot of space, and some of them are, in fact, lying on trees which would have grown and benefitted the country.

Another area that I would like to touch on, Mr. Temporary Deputy Speaker, Sir, is the area of tea factories. Quite a number of tea factories would like to grow exotic trees so that they become a source of wood to kiln their tea. We have such forests in some places in Meru which cannot be used because of the existing regulations. We require the Minister to waive such rules because it is cheaper to kiln or process tea using firewood than using electric power, which is relatively very expensive. The harvesting of silk and honey has been talked about in the Bible. In some parts of Mount Kenya, it is possible to rear silk worms. We have heard about bhangis being planted in parts of that region and if people are allowed, instead of the area being utilised for drugs, they can plant some species of trees which are used to rear silk worms.

Mr. Temporary Deputy Speaker, Sir, people who live near forests should be encouraged to venture into honey harvesting through placing beehives in the forests. In the forests, we have many species of trees, and it is only from such trees and flowers that we can have the best honey in this region. We know that our competitors throughout the world, especially China and others, sell white honey because of their type of trees and flowers. In Kenya, it is possible to harvest very good quality honey because our flowers produce the most desired brown honey.

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the debate on this Vote.

It is clear that our forests are in danger. The forest cover in this country is diminishing. Forests have ceased from being forests and are now seen as commodities for sale and rewarding people, including politicians. That must now come to an end. We must start conserving our forests. The main problem is that we do not sit down and think about the future. Hon. Members have talked about the human-wildlife conflict, but it is possible to reconcile the two. The Karura Forest and other areas in Ngong Forest have been deforested. I would like the Ministry's officials who are here to take a trip to Lake Oswago County in Portland Oregon and see how that conflict has been sorted out. In their forests, they gave a minimum acreage, for example, five acres, and people were allowed to build

houses not exceeding 2 per cent of the land without engaging in any cultivation. So, if you go to Lake Oswago County in Portland Oregon, you will find that there are houses in the forests. The forests are there and at the same time, they have also taken care of the so-called developers. I would like you to look into that.

We keep on talking about forests which are not there. Again, I would like the Ministry's officials to take a trip to my Ndia Constituency and see how we have sorted out the issue of deforestation. On land boundaries of our shambas, instead of putting stone walls, we have decided to plant *Gravillea Robosta* trees. We call it *Gravillea*. So, in all our land boundaries, we have planted trees, and that has sorted out the problem of deforestation.

The Assistant Minister for Labour and Human Resource Development (Mr. Odoyo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Did I hear the Assistant Minister addressing civil servants instead of addressing the Chair?

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Mr. Temporary Deputy Speaker, Sir, I did not address civil servants. I just said that they should take note of that.

Let me talk about the issue of polythene papers, which has also been talked about by other hon. Members. It is a shame that wherever you go, for example, in the streets, you find polythene papers. We should ban their use with immediate effect. They are really causing a disaster to our environment. Here, I would like to blame our ladies because they are the ones who normally go shopping and not men. They should carry shopping baskets to supermarkets or shops the way ladies did a long time ago. You should carry a shopping basket to the supermarket or to the shop, buy your stuff and put them in the basket. So, there will be no need of anything being wrapped in polythene papers. Polythene paper bags are being used to carry the illegal *kumi kumi* brew and when you ask people what they are carrying, they tell you that it is water. But when you smell it, it smells *Kumi Kumi*. This is encouraging consumption of *Kumi Kumi*. So, I would like the use of polythene papers to be banned.

Mr. Temporary Deputy Speaker, Sir, the other issue relates to recycling. In other Western countries, students finance their education through recycling of plastic bottles, but here in this country if you try to recycle plastic bottles, you are called a *chokora*. I think it is high time we gave dignity to this profession. There is nothing wrong with what the *chokoras* are doing. They are basically recycling waste materials. I think we should dignify that profession. Take for example, mineral water which I can even see in front of me. This bottle of water in front of me costs Kshs100, and the bottle alone without the water is over Kshs60. So, clearly, it is unattainable. We should start recycling plastic bottles if we cannot do without them.

Mr. Temporary Deputy Speaker, Sir, hon. Members have also talked about the menace that is caused by elephants. I think it is because we are not innovative. There are more elephants in India than in Kenya and yet they do not cause any problems. This is because they make use of their elephants. They are used for ploughing the land, carrying goods and entertainment in circus. We should be a little bit innovative and not just cry about the elephant menace and yet there is something that we can do about it.

Mr. Temporary Deputy Speaker, Sir, the other great enemy of trees, particularly in towns are goats. If you try to plant any tree in Nairobi, this is not possible because of the goats that are loitering all over the place. We should also ban the rearing of goats in towns and cities, because trees will not grow. Cows do not seem to like trees, but goats cause a lot of problems. The other problem is caused by motor vehicles, particularly the diesel vehicles. It is against the law to drive a smoking vehicle, but unfortunately, we have no instruments of measuring how much smoke is allowed or not allowed. So, I think we need an instrument which we can give to our police officers, instead of police officers looking at the exhaust pipe and declaring your car smoking, when they probably just want a bribe.

Mr. Temporary Deputy Speaker, Sir, if you go to small towns, you will find that there are no

sewer systems and yet the local authorities are still authorising the building of three to four storied houses. This is a disaster in the waiting. I think we need to pass a law; that, if there is no sewer system, the maximum highrise building that should be allowed is a double storey, and that should be the end of the matter. Soak pits are not enough, because they get full and overflow onto the streets and into the rivers.

Mr. Temporary Deputy Speaker, Sir, I would like to recommend that people change the type of coffins they use. At the rate Kenyans are dying - we are told 700 people per day - very soon we are going to extinguish all our forests because of making coffins. It is high time we started encouraging the practice of people being buried in plastic coffins, so as to save some of our trees because at this rate, we may soon have no trees in this country.

Mr. Temporary Deputy Speaker, Sir, the other sad thing is about the development of this city. Clearly, the Europeans who were here before us knew something better than us. It had clearly been stated that there would be no residential development from Muthaiga to Westlands because that is a prime area for growing of maize, coffee and other crops. Unfortunately now all the development is geared towards the western side of Muthaiga, Nyari, Runda and Rosslyn which is very sad. The natural development of Nairobi City should be made towards Athi River because you cannot grow anything there. We need to stop development towards the western part of the city and encourage development towards Athi River. That way, we will be able to save the trees.

We have talked about the garbage menace. The local authorities are unable to collect garbage and yet we are not making use of that garbage. If you go to some states in Australia, you will find that they are producing electricity from garbage. Here, we even arrest the people who go to sort something useful from the garbage dumps. It is high time we started generating electricity from the garbage. It has been done before and I do not see what is so difficult about this.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Khamasi): Dr. Shaban, you have got two minutes. With the balance, you can finish on Tuesday.

Dr. Shaban: Thank you Mr. Temporary Deputy Speaker, Sir. I rise to support the Minister on the Vote he has presented here. It is very important for us to put some emphasis on it. It is very important for us to have clear policies where wildlife and humans are concerned. In my area, you will find that when the maize is ready for harvesting, that is when elephants come in to cause havoc. Even after you have harvested, they actually come to---

(Recording problem)

If we are losing control like that with the wildlife, I do not know where we are heading to. I think the Minister should be given funds to be able to recruit more KWS wardens so that they can be able to control the wildlife which is causing all this menace.

Another issue I would like to bring up concerns the garbage we have all over the city. You will find plastic materials thrown all over and children are even playing with condoms. This is very unhealthy to our children. Something has got to be done about our environment. It is the work of the Ministry of Local Government to pick up all that dirty stuff. We should not leave it only to that one Ministry. We must put in place clear policies and anybody who misbehaves should be taken to court and prosecuted because it is becoming very dangerous. Our resources in this country are also---(inaudible). Anywhere you find a skin tannery or sisal factory or other kinds of factories, the air is so polluted that even breathing is a risk to ourselves. Something has got to be done about that. I think the Minister was not given enough funds to deal with the environmental problems we have.

Mr. Temporary Deputy Speaker, Sir, mining is an issue that has been overlooked. If you look

at a place like Taita Taveta, we have those small, very important minerals, but in substantial amounts. People have been able to become billionaires even overnight. I think the Ministry should collect that revenue and recycle it to the people, specially in the mining areas.

The Temporary Deputy Speaker (Mr. Khamasi): Order! As I said earlier, Dr. Shaban, you have got eight minutes which you can utilise next week on Tuesday.

ADJOURNMENT

Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until Tuesday, 7th of October, 2003, at 2.30 p.m.

The House rose at 6.45 p.m.