

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 8th December, 2004

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

PRAYERS

## ORAL ANSWERS TO QUESTIONS

*Question No.787*

CLAIMS OF RAPE BY BRITISH  
ARMY PERSONNEL IN LAIKIPIA

**Ms. Mwau** asked the Minister of State, Office of the President what steps he has taken to address the claims of rape by the British Army in Laikipia.

**The Assistant Minister, Office of the President** (Prof. Kibwana): Mr. Deputy Speaker, Sir, I think this Question has, inadvertently, been forwarded to the Office of the President, but it relates to prosecution and investigation. Therefore, it should be addressed to the Minister for Justice and Constitutional Affairs.

**Mr. Deputy Speaker:** No, Prof. Kibwana. As far as I know, these are matters concerning the British Army and the Office of the President. It is your responsibility because it is under the docket of defence. I am told that this Question was, as a matter of fact, originally directed to the Ministry of Justice and Constitutional Affairs and they sent it back saying that it rightly belongs to the Office of the President. Now, the Chair cannot allow the Office of the President to tell us to throw the Question back to the Minister for Justice and Constitutional Affairs.

So, Prof. Kibwana, could you respond?

**The Assistant Minister, Office of the President** (Prof. Kibwana): I think then I will have to liaise with the Minister for Justice and Constitutional Affairs, because the Question has their part in terms of investigations and follow up. So, I, therefore, request you to allow me to answer this Question tomorrow in the afternoon, please?

**Mr. Deputy Speaker:** Very well, I think I will concede to that request. But once again, I would like to ask Ministries to liaise more closely because this is a very important Question which has been appearing on the Order Paper. So, for one Ministry to say that this Question belongs to another Ministry and vice versa and, in any case, the Office of the President ought to, in a way, co-ordinate and make sure that this does not happen.

Prof. Kibwana, your request has been granted; you will answer the Question tomorrow afternoon. Please, make sure that you do so tomorrow!

Next Question, Mr. Osundwa!

*Question No.481*

RECOVERY OF MONEY MISAPPROPRIATED  
FROM KSB

**Mr. Osundwa** asked the Minister for Agriculture:-

- (a) whether he could inform the House what action he has taken to recover money misappropriated from the Kenya Sugar Board (KSB) by individuals and firms of advocates implicated by the Efficiency Monitoring Unit (EMU) Report presented to the Government last year; and,  
(b) whether he could further table the said EMU report.

**The Minister for Agriculture** (Mr. Kirwa): Mr. Deputy Speaker, Sir, I beg to reply.

(a) My Ministry is taking the necessary action to recover money misappropriated from the Kenya Sugar Board (KSB) by individuals and firms of advocates implicated by the Efficiency Monitoring Unit (EMU) Report presented to the Government last year. Action has been taken against the staff who were implicated in the report and some of the cases were handed over to the Kenya Anti-Corruption Commission (KACC), were prosecuted and are pending in court.

Secondly, my Ministry also communicated to the law firms to file their bills of total cost to the registrar of the High Court for taxation. Some have been negotiated downwards while others are still ongoing. Progress has been made in the recovery of monies from the law firms. A total of Kshs2,593,425 has been recovered from one law firm and tax assessments amounting to Kshs90,200,000 has been raised from two other law firms.

- (b) Yes, I do hereby table the EMU Report.

*(Mr. Kirwa laid the report  
on the Table)*

**Mr. Osundwa:** Mr. Deputy Speaker, Sir, I want to thank the Minister for the efforts that he is making to recover the money. But since we have not had the benefit of going through the EMU Report, could he inform the House which are these law firms and how much each firm owes the KSB?

**Mr. Kirwa:** The law firms involved are as follows:- Wetangula and Company Advocates--

*(Loud consultations  
and whistling)*

It does not mean, in any case, that they are guilty, because some of the issues are still being sorted out.

- |       |                           |                   |
|-------|---------------------------|-------------------|
| (i)   | Wetangula and Company     | Advocates         |
| (ii)  | Kipkorir, Titoo and Kiara | Advocates         |
| (iii) | Olima Akuku and Ochilo    | Company Advocates |
| (iv)  | Eliud Ngaira              | Advocates         |
| (v)   | Lumumba and Muma          | Advocates         |
| (vi)  | Kapten and Company        | Advocates         |

The amount in each case would be indicated but the total sum involved is Kshs104,700,189.

**Mr. Deputy Speaker:** Last question, Mr. Osundwa!

**Mr. Osundwa:** I want to thank the Minister for his answer, but I want to advise that, since these Commissions consume a lot of public funds, it is incumbent upon Ministers to lay those

reports on the Table immediately they receive them; this time we have had the disadvantage of having not read the report.

Thank you.

**Mr. Deputy Speaker:** Mr. Kirwa, you do not have to respond to that, but if you wish, you can.

**Mr. Kirwa:** I can only say that, the fact that this report is a public document, means that the hon. Members can peruse through it and if there are any queries to be raised thereafter, I am willing to respond to them.

**Mr. Deputy Speaker:** Very well. Hon. Members, I think the House should appreciate the seriousness with which the Minister for Agriculture has taken the Question.

*(Applause)*

*Question No.988*

#### COMPLETION OF SERGOIT WATER PROJECT

**Mr. Chepkitony** asked the Minister for Water and Irrigation:-

(a) whether she is aware that Sergoit Water Project in Keiyo District, which was designed and constructed by the Ministry stalled in mid 1980s;

(b) if the answer to (a) is in the affirmative, how much money is required to complete the project; and,

(c) when the Ministry will complete the project.

**The Assistant Minister for Water and Irrigation** (Mr. Munyes): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that Sergoit Water Project, that was constructed by my Ministry, stalled in the late 1980s due to lack of funding. The project was 20 per cent complete when it stalled. The last disbursement of funds for this project was done in the 1989/90 financial year.

(b) The project stalled 15 years ago, and my Ministry will review the design in order to establish the cost estimates for construction of the project.

(c) When the cost estimate is established and the project is prioritised at the district level, my Ministry, through the Rift Valley Water Services Board, will be in a position to source for funds to complete this project.

**Mr. Chepkitony:** Mr. Deputy Speaker, Sir, I thank the Minister for the answer. This is a very important project for the people of this area. I want to know how much money was spent to complete the 20 per cent of the project. Secondly, since the project is already prioritised at the district level, when is the Ministry going to review the designs and establish the cost estimates for completion of the project?

**Mr. Munyes:** Mr. Deputy Speaker, Sir, the cost of the project was Kshs30 million and we spent Kshs6 million. It is good the DDC has now prioritised the project. This year, we will do the cost estimates and maybe, next year, we might get money through the Rift Valley Water Services Board.

**Mr. Mwenje:** Mr. Deputy Speaker, Sir, there are several water projects which are in the process of "dying" now. In places like Kandara, Kirinyaga and Maragua, the Chair may recall when he was the Provincial Commissioner there, there were very big water projects. But now, they are "dying". What is the Ministry doing to revive all those water projects, because they used to be very useful? Recently, when there was drought, many people suffered because the water projects are now

"dead".

**Mr. Deputy Speaker:** Maybe, they were doing well because I was the Provincial Commissioner!

*(Laughter)*

**Mr. Munyes:** Mr. Deputy Speaker, Sir, our policy is to revive all the stalled water projects in the country. But in the new Water Act, 2002, we formed these water services boards. It is, therefore, for Members to work with these water services boards, prioritise the projects and through them, they can be funded, since those boards can also source money from donors, on top of what they get from the Government.

**Mr. Chepkitony:** Mr. Deputy Speaker, Sir, the Assistant Minister has not actually answered my Question. I asked him to tell us the amount of money used to complete the 20 per cent works. I would also like him to clarify whether that area is under Rift Valley Water Services Board or it is under Lake Victoria North Services Board.

**Mr. Munyes:** Mr. Deputy Speaker, Sir, that area is under the Rift Valley Water Services Board. I said the project was estimated at Kshs30 million, but we spent Kshs6 million. However, things have changed now and we might need to revise the estimates again. That is what we want to do this financial year.

*Question No.677*

ELECTRICITY SUPPLY TO  
LUGARI CONSTITUENCY

**Dr. Kibunguchy** asked the Minister for Energy:-

- (a) whether he is aware that only 1.2 per cent of the households in Lugari Constituency have access to electricity;
- (b) whether he is further aware that most secondary schools and market centres in Lugari Constituency are not supplied with electricity; and,
- (c) when the Ministry is going to address the dismal supply of electricity to the constituency.

**The Assistant Minister for Energy** (Mr. Kiunjuri): Mr. Deputy Speaker, Sir, I beg reply.

(a) I am aware that some households in Lugari Constituency do not have access to electricity. But I am unable to confirm with certainty that only 1.2 per cent of the households in the constituency have access to electricity as no survey has been undertaken by the Ministry to determine this position.

(b) I am further aware that some secondary schools and market centres in Lugari Constituency are not supplied with electricity. However, eight centres in the constituency have already been supplied with electricity. These are Turbo, Matunda, Likuyani, Moi's Bridge, Lumakanda, Lugari Market, Railway Station, Kipkaren River and Lumakanda Boys Secondary School

(c) Despite financial constraints, the Ministry is currently extending supply of electricity to three schemes in Lugari Constituency. These include Chekalini Centre, Lwandeti Market and Bishop Njenga Mission. These are expected to be completed by February, 2005. The remaining markets and schools will be considered at a later date when funds become available.

**Dr. Kibunguchy:** Mr. Deputy Speaker, Sir, I am completely dismayed by that answer. This Question has been deferred twice and the Assistant Minister is coming back with exactly the same

answer that was rejected about two weeks ago. I had said that some of the places the Assistant Minister has mentioned are not in Lugari Constituency. He had said he was going to check, but he has come back with the same information. I think I am still not satisfied with that answer.

**Mr. Deputy Speaker:** Mr. Kiunjuri, what do you have to say about that?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, I agree. I had even questioned that in the morning and we removed four centres. You should remember that this is one of the constituencies that was "politically-created". However, I believe it would only be fair for the Member to indicate which centres are not in his constituency and we deal with those ones that are in his constituency. If some of them are not in his constituency, then it means what we have here is what is in his constituency. So, it would make no difference.

**Mr. Billow:** Mr. Deputy Speaker, Sir, to be powerless is to be hopeless. Many areas in this country, including my own constituency, have never seen electricity. What plans does the Ministry have to ensure there is equitable distribution of power across the country so that some regions or some constituencies, whether political or not, are not left out?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, I understand the frustrations of Members. However, Members should not expect this Government, which is only less than two years old, to fill that big pit that was dug for over 40 years. However, this Government is very sensitive and we have taken an affirmative action to supply electricity to some of the areas that would otherwise be never supplied because of distance. We are now issuing out solar panels, especially in North Eastern Province, where 17 schools are already earmarked to receive the solar panels. We have also given over Kshs100 million to power generators in the North Eastern Province, and they are already on the ground being installed.

**Mr. Mukiri:** Mr. Deputy Speaker, Sir, part of the reason why we are having problems with electricity, especially in the rural areas, is because the KPLC has come up with a policy which they call "customer creation". Formerly, they used to have Rural Electrification Programme. But the problem is that they keep charging VAT when you apply, yet I thought these were projects that were supposed to assist poor rural people. What is the Assistant Minister doing to stop charging VAT on these projects?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, it is true that supply of electricity in this country is very expensive, especially to peasant farmers who do not have the capacity to pay Kshs5,000. However, those rules can only be relaxed by this House. If we move an amendment to waive VAT in this House, the Ministry will be very happy to reduce charges.

**Dr. Kibuguchy:** Mr. Deputy Speaker, Sir, one of the reasons why we are having this erratic power supply in certain areas is because communities came together and collected money for the supply of electricity in the rural areas under the Rural Electrification Programme (REP). We have several schemes in my constituency, but they have not been supplied with electricity to date.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, hon. Members remember very well that even those days when 10 per cent was being paid by *wananchi* for supply of electricity, it was not a guarantee that they would get power. As a result of this, many Kenyans were exploited. Today, we no longer ask Kenyans to contribute the 10 per cent, but we are ensuring that we get in touch with those groups who had already given their contribution. We are ready to refund their money. However, I would like to request hon. Members to be patient. This is a working Government in a working nation. We will be able to fulfil that.

**Mr. Deputy Speaker:** Next Question, Mr. Kagwe!

*Question No.814*

COMPENSATION FOR LAND GIVEN TO

## MUKURWE-INI SUB-DISTRICT HOSPITAL

**Mr. Deputy Speaker:** Mr. Kagwe is not here? We will leave his Question until the end. Let us move on to the next Question by Mr. Wario!

*Question No.597*AMOUNT OF LIVESTOCK CESS  
COLLECTED IN 2003/2004

**Mr. Wario** asked the Minister for Local Government:-

- (a) if he could inform the House how much money has been collected as livestock cess in the year 2003/2004 in the country; and,
- (b) how much of the cess collected is ploughed back to pastoral areas.

**The Assistant Minister for Local Government (Mr. Tarus):** Mr. Deputy Speaker, Sir, may I beg for the indulgence of the House. We are unable to answer this Question this morning because we do not have sufficient information to address it. I would like to request for more time, possibly two weeks, to enable us come up with a comprehensive answer.

**Mr. Deputy Speaker:** Mr. Tarus, you know, subject to approval of the House, we are likely to go on recess this week. We all know that Questions that are not answered will lapse after we go on recess. Do you still want some two more weeks in view of that information?

**The Assistant Minister for Local Government (Mr. Tarus):** Mr. Deputy Speaker, Sir, I have taken cognisance of that fact. I am sure we will be unable to answer it tomorrow.

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

**Mr. Wario:** Mr. Deputy Speaker, as much as I have no problem with the Chair giving the Assistant Minister more time, but this is an Ordinary Question. This Question was filed more than three months and he is asking for another three months. Does he intend to recall me from recess to answer this Question?

**Mr. Deputy Speaker:** Mr. Tarus, what the hon. Member has said is correct, that this Question has been with the Ministry for a long time. Now, it cannot be answered. Do you think that, for that time it has been with the Ministry, there is no sufficient information to make it be answered sooner than next week?

**The Assistant Minister for Local Government (Mr. Tarus):** Mr. Deputy Speaker, Sir, perhaps, I could give a short background of this matter. You will realise that this Question touches also on the Ministry of Livestock and Fisheries Development. We consulted them, but we have not received sufficient information.

We also contacted the local authorities concerned and given the fact that some of them are in the rural areas, we have not been able to get actual facts. We will make sure we do so, if given time.

**Mr. Deputy Speaker:** Mr. Wario, under the circumstances, the Chair can only defer the Question.

**Mr. Wario:** On a point of order, Mr. Deputy Speaker, Sir. Up to when are you deferring my Question?

**Mr. Deputy Speaker:** Mr. Wario, I am unable to say up to when. In view of the information the Assistant Minister has given, he cannot answer it tomorrow, or next week. I do not know whether the House will adjourn this week. So, I am not sure or able to say when. However, there will be another opportunity for you to pursue the Question.

**Mr. Wario:** Mr. Deputy Speaker, Sir, as long as it will not die a natural death!

**Mr. Deputy Speaker:** Mr. Wario, you will resuscitate it if dies.

*(Question deferred)*

Next Question, Mr. M. Mutiso!

*Question No.641*

TRANSFER OF MR. THOMAS MUTANGILI  
TO COAST PROVINCE

**Mr. Deputy Speaker:** Mr. M. Mutiso is not here? We will leave the Question until the end. Let us move on to the next Question by Mr. Kombe!

*Question No.561*

COMPLETION OF BARICHO BRIDGE

**Mr. Kombe** asked the Minister for Roads and Public Works when Baricho Bridge will be completed to link Magarini and Malindi constituencies for easy transportation of farm produce.

**The Minister for Roads and Public Works** (Mr. Raila): Mr. Deputy Speaker, Sir, I beg to reply.

The Baricho Bridge is expected to be completed in the Financial Year 2006/2007.

**Mr. Kombe:** Mr. Deputy Speaker, Sir, the Minister is not serious about this bridge. It stalled over 10 years ago and the Ministry has put up only four pillars. Could he tell this House how much has been earmarked for that bridge?

**Mr. Raila:** Mr. Deputy Speaker, Sir, the hon. Member knows very well that the construction of this bridge has a long history dating back to 1986. At that time, it was thought that materials from the old Mtwapa Bridge could be used in constructing this bridge. However, it was later on discovered that due to deterioration and corrosion, parts of the Mtwapa Bridge could not be used and, therefore, a new design was called for. So far, Kshs17 million has been spent on this bridge. This project stalled in 1994. The ODA of the United Kingdom had initially accepted to finance the project, including the supply of the bridge components in that financial year. But, later on, the agency withdrew from it. My Ministry has recently revived this project. Our engineers are now comprehensively reviewing the design and other documentation. It had been said that we would implement this project in two phases. Phase One will cost Kshs120 million. Works will be tendered in the last quarter of the current financial year. Phase Two, which will cost Kshs220 million will start and be completed in the Financial Year 2005/2006. In short, I would like to tell the hon. Member that we are determined to complete this bridge, but we cannot be held responsible for what happened before we came to power.

**Mr. Billow:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order, Mr. Billow! There is no point of order on that matter! If you would like to ask a question, I will give you a chance.

**Mr. Ojaamong:** Mr. Deputy Speaker, Sir, the construction of bridges is undertaken by a specialised unit based at the headquarters with the help of engineers in the provinces. Could the Minister tell this House how much has been set aside in this financial year for construction of bridges countrywide? When will construction of bridges commence in the provinces?

**Mr. Raila:** Mr. Deputy Speaker, Sir, the hon. Member knows very well the structure of the

Kenya Roads Board Act, that we have got a department of roads that deals with Class "A", "B" and "C" roads. We also have the District Roads Committees (DRCs) which deal with Class "D", "E" and other roads. We also have the Kenya Wildlife Services (KWS) which deals with roads in game reserves and national parks. So, each and every DRC knows how much money is available to them, including the Constituency Roads Fund (CRF). So, it is not possible to quantify how much money is available for construction of bridges because DRCs themselves prioritize the bridges that need to be funded in the financial year.

**Mr. Deputy Speaker:** Last Question, Mr. Kombe!

**Mr. Kombe:** Mr. Deputy Speaker, Sir, bearing in mind that a lot of farm products such as fruits and vegetables are rotting in farms as a result of lack of transport, what temporary measures does the Assistant Minister have in place to ensure that farmers in that area do not continue suffering loss?

**Mr. Raila:** Mr. Deputy Speaker, we are talking about major construction works. This would require a lot of funds, to the tune of Kshs400 million on one bridge. The hon. Member should understand the constraints we are facing. Farmers have to go on---

*(Loud consultations)*

**Mr. Deputy Speaker:** Could we have some order!

**Mr. Raila:** Mr. Deputy Speaker, Sir, farmers have to continue transporting their products the same way they have been doing until the bridge is constructed.

**Mr. Deputy Speaker:** Mr. Kagwe's Question, for the second time!

*Question No.814*

COMPENSATION FOR LAND GIVEN TO  
MUKURWE-INI SUB-DISTRICT HOSPITAL

**Mr. Deputy Speaker:** Is Mr. Kagwe not here? His Question is dropped.

*(Question dropped)*

Mr. J. M. Mutiso's Question for the second time!

*Question No.641*

TRANSFER OF MR. THOMAS MUTANGILI  
TO COAST PROVINCE

**Mr. Deputy Speaker:** Is Mr. J. M. Mutiso not here? His Question is dropped.

*(Question dropped)*

**Mr. Ojaamong:** Mr. Deputy Speaker, Sir, you should allow me to ask this Question on behalf of Mr. J. M. Mutiso.

**Mr. Deputy Speaker:** That will be out of order. The last ordinary Question is by Mr. Midiwo.



*Question No.969*CREATION OF JOBS BY DOMINION  
COMPANY AT YALA SWAMP PROJECT

**Mr. Deputy Speaker:** Since Mr. Midiwo is not here, we will drop the Question.

*(Question dropped)*

**QUESTIONS BY PRIVATE NOTICE**MEASURES TO CONTROL CHILD  
DEFILEMENT CASES

**Ms. Mbarire:** Mr. Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) How many cases of child defilement have been reported countrywide in the last two years?

(b) What is the Ministry doing to arrest this rising crime?

(c) When will the Ministry introduce a Bill to provide for stiff penalties on sexual offences?

**The Assistant Minister, Office of the President** (Prof. Kibwana): Mr. Deputy Speaker, Sir, my office is still in the process of preparing an answer to this Question. I seek the indulgence of the House so as to answer this Question in the afternoon.

**Ms. Mbarire:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Yes, Mr. Mbarire!

**Ms. Mbarire:** Mr. Deputy Speaker, Sir, I am Ms. Mbarire and not Mr. Mbarire. I have a written answer, although it is not signed. Could I give it to the Assistant Minister to read out?

**Mr. Deputy Speaker:** Order! I think this is really bad! Yesterday, we had a similar case where hon. Members had written replies while Ministers did not have them. Could we hear what you have to say to this, Mr. Assistant Minister?

*(Ms. Mbarire handed over the  
reply to Prof. Kibwana)*

**The Assistant Minister, Office of the President** (Mr. Kibwana): Mr. Deputy Speaker, Sir, when I left my office, my officers were still preparing a reply. However, this appears to be the correct

answer. I have signed it, and would like to reply to the Question.

**Ms. Abdalla:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister told us that he did not have an answer. However, he has now been given a written reply and will go ahead and answer the Question. This has become a Front-bench game. He has told us that he has signed the reply. I wonder if it is really him who signed it or his ghost!

**The Assistant Minister, Office of the President** (Prof. Kibwana): Mr. Deputy Speaker, Sir, I am still alive. Therefore, the case of my ghost being here with me should not arise.

**Mr. Deputy Speaker:** Mr. Assistant Minister, you may proceed. But this has become a

trend in this House.

**The Assistant Minister. Office of the President** (Prof. Kibwana): Mr. Deputy Speaker, Sir, I apologise for the mishap.

Mr. Deputy Speaker, Sir, I beg to reply. (a) There were; a total of 3,097 cases of child defilement in the years 2003 and 2004. (b) The following measures have been taken to arrest the situation. These are; strengthening of community-policing initiative, enhancing both foot and mobile patrol of police officers, and police officers laying ambushes within areas prone to such crime, taking prompt action against people suspected of committing such crimes, appointing female police officers to handle cases related to rape and defilement at each police station, establishment of a fully-fledged police division to handle complaints related to women and the girl child in Nairobi. Further, plans are underway to start similar divisions in other areas of the country.

(c) The issue of introduction of a Bill to provide for stiff penalties for sexual offences is being handled by the Attorney-General.

**Ms. Mbarire:** Mr. Deputy Speaker, Sir, you know how serious this issue is. I want to say that the figure the Assistant Minister has given us as the reported cases may not be accurate because most of the defilement cases are not reported. I would like him to tell this House how many of the reported cases have been dealt with and judgment passed. He should also tell us what emotional and psychological support the Police Department is giving to children who have been psychologically disturbed by these cases.

**Prof. Kibwana:** Mr. Deputy Speaker, Sir, I agree with the hon. Member that the number I have given is a mere representation of the reported cases. The number could be exceedingly high, given that in some reported cases, incest is also involved. For the majority of these cases, prosecutions are on-going. These are cases which have been reported and specific suspects identified. In some of the cases, there has been conclusion of prosecution. I agree with the hon. Member that currently, sentences for sexual offences are not severe enough to dissuade people from engaging in this crime. As far as the Ministry is concerned, a Bill on this issue is a priority. When this House returns from recess, a Sexual Offences Bill should be brought here and debated. I request the civil society to assist in the preparation of this proposed law. Our police officers are not competent enough to offer psychological assistance to rape and defilement victims.

However, there are a few institutions, like the Nairobi Women's Hospital, which are trying to assist in this area. My Ministry will liaise with that of Health so that help can be given to defilement victims. Their lives become completely disrupted by the bestiality of the rapists.

**Ms. Mwau:** Mr. Deputy Speaker, Sir, the police, who the Assistant Minister is claiming are carrying out patrols are the ones who are actually defiling and raping women. Secondly, as we speak now, one of the police officers at Kilome Police Station who assaulted a woman two weeks ago is still walking scot-free. What is the Assistant Minister doing to clean up the Police Force and ensure that they do not assault rape victims when they report rape cases to them?

**Prof. Kibwana:** Mr. Deputy Speaker, Sir, the hon. Member has correctly pinpointed one instance where people complained against the police because of harassing women who were in police custody. This is a matter that I want to assure the hon. Member that the Commissioner of Police and my Ministry are pursuing so that justice is done. Indeed, steps are being taken so that this particular officer is suspended, pending full investigations and necessary action.

**Ms. Abdalla:** Mr. Deputy Speaker, Sir, one of the challenges of prosecuting cases of defilement is that one of the requirements is that the P3 form must only be signed by a police officer. What steps is the Ministry taking to ensure that any doctor can sign these P3 forms to facilitate prosecution?

**Prof. Kibwana:** Mr. Deputy Speaker, Sir, I think that is an important reform measure *vis-a-*

*vis* the administrative aspect of ensuring that there cannot be any collusion so that a police officer refuses to sign a P3 form. That is a matter that my Ministry will take up so that it is not just the police who sign P3 forms in these occasions but also a doctor, as a senior officer, can also have a part to play in that particular process.

**Ms. Mbarire:** Mr. Deputy Speaker, Sir, could the Assistant Minister give us the figures in terms of provinces so that hon. Members, some of whom are busy consulting when we are talking about a very important issue affecting the children in their constituencies, can know the figures of child defilement in their areas and do community policing?

**Prof. Kibwana:** Mr. Deputy Speaker, Sir, if the Members of Parliament are busy conversing during such an important Question, maybe they do not want to hear of the figures, but because the hon. Member, whom I know is a crusader in terms of this issue, which the entire Parliament should be a crusader for, I will be able to lay down the specific figures as per each province and district tomorrow afternoon. If I had my way, and this is a personal view, rapists and people who do such ugly things to children would be branded on their foreheads so that everybody would know about them and retreat from them.

**Mr. Deputy Speaker:** The Question will not be deferred but the Minister will have to lay the document on the Table. Next Question by Private Notice by Mr. Kamama!

HARMONISATION OF SALARIES WITHIN  
THE PROVINCIAL ADMINISTRATION

**(Mr. Kamama)** to ask the Minister of State, Office of the President:-

- (a) Is the Minister aware that there is a breakdown of command in the Provincial Administration due to salary disparities between Administrative Officers and Administration Police?
- (b) Is he further aware that this is undermining security in the country?
- (c) When will the Ministry harmonise these salary disparities?

**Mr. Deputy Speaker:** Is Mr. Kamama not here? The Question is dropped.

*(Question dropped)*

DEATH OF MRS. LILY  
CHELANGAT KIRUI

**(Mr. Kimeto)** to ask the Minister for Health:-

- (a) Is the Minister aware that Mrs. Lily Chelangat Kirui of Tabarit Village in Gelegele Location died on 1st November, 2004 in Kapkatet District Hospital?
- (b) Is she further aware that the deceased was forced by the nurse in charge of maternity to walk around the hospital compound as a means of inducing labour from 6.50 a.m. to 11.00 a.m. when she collapsed and died?
- (c) What action is the Minister taking to stamp out this form of negligence by the medical personnel in the hospitals?

**Mr. Deputy Speaker:** Mr. Kimeto called and said he will not make it. The Question, is, therefore, deferred.

*(Question deferred)*

## REPAIR OF RHAMU-MANDERA ROAD

**Mr. Billow:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Roads and Public Works the following Question by Private Notice.

(a) Is the Minister aware that parts of the B9 road linking Rhamu and Mandera towns including bridges have been washed away by heavy rains in recent weeks and rendered impassable?

(b) When will the Minister take urgent action to repair this road?

**The Minister for Roads and Public Works (Mr. Mr. Raila):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that part of the B9 road linking Mandera Town and Rhamu was cut off on 7th November, 2004. The District Works Officer, Mandera, however carried out temporary rehabilitation works at the cut-out sections and the traffic was back to normal with effect from 8th November, this year.

(b) I am organising to repair the road under emergency funds. The cost of repair is estimated at Kshs3.3 million for reinstating the cut-off sections and Kshs5 million for reconstructing the box culverts at Harar.

**Mr. Billow:** Mr. Deputy Speaker, Sir, Mandera people risk being alienated from the rest of the country being 1,500 kilometres away from Nairobi and this road has been damaged for the last few years. I think, last year, the Minister pledged Kshs13 million and we only managed to get Kshs3 million which was spent on grading. Since this was a previously tarmacked road and the tarmac was destroyed many years ago, could the Minister tell the House when the Government plans to re-tarmac this stretch of the road between Rhamu and Mandera so that we do not have this problem whenever it rains?

**Mr. Raila:** Mr. Deputy Speaker, Sir, the hon. Member is being economical with the truth. In fact, this section was swept away in 1989 and that is several years ago. It is 37 kilometres between Harar and Mandera Town. It is true that this road was once upon a time tarmacked and it is one of those roads which we are considering for tarmacking once funds are available. I want to assure the hon. Member that as soon as funds become available, we will consider this road for tarmacking.

**Mr. Billow:** Mr. Deputy Speaker, Sir, we have heard of these promises of "once funds are available, we will do that and this" and yet funds are being voted by this House. Last year, this House voted Kshs13 million for that road and only Kshs3 million was actually disbursed. Could the Minister tell the House when exactly these emergency funds will be released to ensure that this particular section will be repaired as he promised?

**Mr. Raila:** Mr. Deputy Speaker, Sir, first of all, I think the hon. Member is confusing the estimated cost of doing the work with the money which was allocated because I am not aware that Kshs13 million was allocated for this particular road. However, I have already informed the hon. Member that we are going to use emergency funds to repair the section of the road which is damaged at the moment and this is estimated at Kshs8.3 million and it is going to be made available. It has already been requested by the District Roads Engineer and my officers are making arrangements to transfer that money so that work can start immediately.

**Mr. Deputy Speaker:** Last Question on the Order Paper!

PAYMENT FOR MEMBERS OF EVEREADY  
BATTERIES PROVIDENT FUND

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Labour and Human

Resource Development the following Question by Private Notice.

(a) Could the Minister explain why members of the Eveready Batteries Kenya Ltd. Provident Fund Scheme have not been paid their Kshs50 million after the scheme was wound up and liquidated on 27th May, 2004 vide Gazette Notice No.5079?

(b) When will the money be paid?

**The Minister for Labour and Human Resource Development** (Dr. Kulundu): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not in a position to explain why members of Eveready Batteries Kenya Limited Provident Fund Scheme have not been paid their Kshs50 million after the scheme was wound up and liquidated on 27th May, 2004 vide Gazette Notice No.5079 because the Provident Fund is governed and administered independently by a body approved by the Retirement Benefits Authority (RBA) which falls under the Ministry of Finance.

If I may add, we referred this Question to the Ministry of Finance this morning.

(b) Under the provisions of the Retirement Benefits Authority Act, 2000 Section 6(b), a member would only be due for payment of his contributions after attaining the retirement age of 55 years and on leaving active employment.

Given the provisions of the Act, it would be difficult to commit as to when the payment would be made other than the provision stipulated by the RBA Act.

*(Loud consultations)*

**Mr. Deputy Speaker:** Order, hon. Members! Mr. Wamwere cannot be heard so, please, consult quietly!

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, I would like to get some clarification from the Chair. The Minister has said that he referred this Question to the Ministry of Finance this morning which actually should have provided the answer.

I am asking whether it is appropriate to defer this Question until the Ministry of Finance is able to respond to it.

**Mr. Deputy Speaker:** Dr. Kulundu, what do you say about that?

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, indeed, that would be the best thing to do under these circumstances. The Ministry of Finance must be given time to go through this Question as it relates to it.

**Mr. Deputy Speaker:** Mr. Wamwere, the best way forward is to re-submit the Question in the new Session.

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, I am wondering whether you can defer the Question to tomorrow afternoon.

**Mr. Deputy Speaker:** No, Mr. Wamwere! If you give the Minister a Question now and ask him to answer it tomorrow, it will neither be fair nor possible. It is better to re-submit the Question and I will make sure that it is approved for early answering.

**Mr. Wamwere:** Okay, Mr. Deputy Speaker, Sir.

**Mr. Mwenje:** On a point of order, Mr. Deputy Speaker, Sir. There is collective responsibility in the Government. When a Minister receives a Question, is it not in order for him to discuss it with his counterparts and officers so that they are able to answer it? We do not need to go round in circles for a Question to be answered in this House. We need your ruling on this matter.

**Mr. Deputy Speaker:** The practice is that if a Question is directed to a Ministry and it feels that, that Question does not belong to it, immediately, the Question is returned to the Clerk with

advice and he always transmits it to the right Ministry. In this case, this has not been done but I appreciate it because it is a Question by Private Notice. Therefore, it was within the last 48 hours or so. However, let me advise Ministries that in order to save time, maybe, a Question by Private Notice should be taken to the Ministry and inform the Clerk that the answer would be coming from that Ministry. That will be a better way forward.

**Dr. Kulundu:** On a point of order, Mr. Deputy Speaker, Sir. Indeed, Mr. Mwenje is very correct but we received this Question only this morning and there was really no time for me to consult my counterpart in the Ministry of Finance.

**Mr. Deputy Speaker:** Yes, because it was a Question by Private Notice.

*(Question deferred)*

Hon. Members, that is the end of Question Time. Now, the Chair is ready to receive requests for Ministerial Statements and those that are ready.

Mr. Khamisi!

### POINTS OF ORDER

FATE OF 32 WORKERS SACKED BY  
TSS TRANSPORT COMPANY

**Mr. Khamisi:** Mr Deputy Speaker, Sir, last week, I asked for a Ministerial Statement from the Minister for Labour and Human Resource Development. *Sasa amelala!*

*(Dr. Kulundu consulted loudly)*

**Mr. Deputy Speaker:** Dr. Kulundu, the hon. Member is addressing you on something concerning your Ministry.

**Mr. Khamisi:** Mr. Deputy Speaker, Sir, last week I sought for a Ministerial Statement from the Minister for Labour and Human Resource Development regarding the fate of 32 employees of TSS Transporters in Mombasa who were sacked unfairly by that company. The Minister was not here but now he is. Could the Chair order him to issue the Ministerial Statement today?

**Mr. Deputy Speaker:** Dr. Kulundu, can you issue a Ministerial Statement now?

**The Minister for Labour and Human Resource Development** (Dr. Kulundu): Mr. Deputy Speaker, Sir, it is true that I was not here the whole of last week because there was an East African Community *Jua Kali* exhibition in Mombasa which I was attending. Prior to this, we discussed with the hon. Member that he would get me the HANSARD report of last week to which I would respond either tomorrow or next week.

**Mr. Deputy Speaker:** Under the circumstances, what do we do?

**Mr. Khamisi:** Mr. Deputy Speaker, Sir, there was a Minister here last week who took note of that request and I would expect that it would have been forwarded to him. I, therefore, do not see why I should submit a HANSARD report to him when he had his Minister here taking notes.

**The Minister for Labour and Human Resource Development** (Dr. Kulundu): Mr. Deputy Speaker, Sir, unfortunately, this was not forwarded to my Ministry.

**Mr. Deputy Speaker:** Hon. Members, the Chair has a problem when Ministers are not here and when certain Ministers agree to take briefs and inform the others under collective responsibility but do not do so. In this case, I will ask the Clerk to keep a record because we do not seem to have one unless we refer to the HANSARD. Keep a record of requests for Ministerial Statements so that

we make sure that they are asked and submitted. In this case, there is nothing we can do. Perhaps, the Minister can bring the Ministerial Statement tomorrow. Is that okay Dr. Kulundu?

**The Minister for Labour and Human Resource Development** (Dr. Kulundu): Mr. Deputy Speaker, that is okay.

**Mr. Deputy Speaker:** Hon. Members, I have a request from Mr. Maore, who wants to issue a personal statement.

CORRECTION OF MISLEADING  
MEDIA REPORT

**Mr. Maore:** On a point of order, Mr. Deputy Speaker, Sir. I rise under Standing Order No.69 to issue a personal statement regarding a news item aired by the Kenya Television Network (KTN) on Saturday night, and published by the Sunday and Daily Nation on the following day, to the effect that I had attended one of the NARC function's strategic meetings at Whitesands Hotel. I want to categorically state that I never, at any time, attended that meeting, and that there was no reason for me to do so. At Whitesands Hotel, there were three other functions. The Departmental Committee on Energy, Communications and Public Works, of which I am a member, was attending a workshop organised by *Econews*. Four of us, namely, the Chairman, Messrs. Gonzi Rai, Arunga and Angwenyi, attended. At no time did I ever stray into the NARC retreat. So, I seek a correction of the impression created by the two media houses. They may choose to ignore my request, but that is the fact.

**Mr. Deputy Speaker:** Very well. Next Order!

**MOTIONS**

DEVELOPMENT OF THE SISAL SUB-SECTOR

THAT, in view of the fact that the use of plastic bags has serious environmental effects due to their unbiodegradability and in view of the Government's stated objective of alleviating poverty through industrialization by the year 2020, this House urges the Government to develop the sisal sub-sector as one of the ways of alleviating poverty, increasing job opportunities and substantially reducing the environmental effects caused by plastics.

*(Mr. Mwanicha on 1.12.2004)*

*(Resumption of Debate interrupted  
on 1.12.2004)*

**Mr. Deputy Speaker:** Mr. Wamwere, you have five minutes!

**Mr. Wamwere:** Bw. Naibu Spika, tulipoahirisha mjadala huu juma lililopita, nilikuwa nikisema kwamba, ili kustawisha kilimo cha mkonge nchini, ni lazima tuhakikishe kwamba maslahi ya wafanyikazi katika mashamba ya mkonge yanashughulikiwa ipasavyo. Hakuna mtaji au mwekezaji ambaye anaweza kuleta maendeleo peke yake. Kwa hivyo, wafanyikazi wakihusishwa, ni lazima tuhakikishe kwamba maslahi yao yanazingatiwa. Nilikuwa nikieleza kwamba wakulima katika mashamba ya mkonge ya Banita, Alfegha, Majani Mingi na Athenai, wilayani Nakuru, wana matatizo makubwa. Wenye mashamba hayo wamekataa kuwalipa wafanyikazi mishahara yao kwa

muda wa zaidi ya miaka kumi. Wafanyikazi sasa wanawadai wenye mashamba hayo zaidi ya Kshs100 milioni.

*[Mr. Deputy Speaker left the Chair]*

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

Ni vigumu sana kwa watu wanaolipwa mishahara yao bila kuchelewa, kama sisi, kuelewa shida ya wale ambao wanakaa miaka kumi bila kulipwa mishahara. Tunaongea juu ya Kshs100 milioni za maskini hohe hahe. Hao ni watu ambao wanashindwa kuwalipia karo watoto wao shuleni, kuwanunulia jamii zao nguo na kugharamia matibabu. Shida kama hii inapuziliwa mbali na vyombo vya habari na Bunge. Hakuna kilimo kinachoweza kustawishwa - kiwe kilimo cha mkonge, kahawa, majanichai ama pareto - kama wafanyikazi katika sekta hiyo hawashughulikiwi.

Bw. Naibu Spika wa Muda, tatizo hili limekuweco kwa muda mrefu, kwa sababu Wizara ya Leba imewasaliti wafanyikazi wa nchi hii. Ni aibu kwamba mwajiri anaweza kukaa na mishahara wa mtu mwingine kwa muda wa miaka kumi. Licha ya kwamba kuna sheria zinazostahili kutekelezwa na Wizara ya Leba, Wizara hiyo haifanyi chochote. Inawatizama wafanyikazi wakikaa mwaka nenda, mwaka rudi bila kulipwa cho chote. Wizara hiyo haichukui hatua yoyote ili kulinda haki za wafanyikazi. Je, Wizara ya Leba imebuniwa kwa maslahi ya waajiri peke yao au imebuniwa kulinda maslahi ya wahusika wote? Ukweli ni kwamba, Wizara ya Leba imeshindwa kutekeleza wajibu wake. Kwa hivyo, uongozi katika Wizara hiyo unastahili kubadilishwa.

Ninafahamu kwamba hadhi ya Wizara hii imekuwa ikipungua pole pole. Katika kikao kimoja cha kamati ya uhasibu wa fedha za umma, tuliambiwa kwamba hapo zamani, Wizara ya Leba ilikuwa ya tatu katika orodha ya wizara muhimu za Serikali. Sasa, Wizara hiyo inaorodheshwa miongoni mwa Wizara duni za Serikali. Ninachosema ni kwamba, ni lazima Wizara ya Leba ihakikishe kwamba inatetea haki za wafanyikazi. Ni lazima viongozi katika Wizara hiyo iwafutilie mbali maafisa wanaokula hongo na kutazama kwingineko, huku wafanyikazi wakinyimwa mishahara yao.

Ninamwomba Waziri awashtaki waajiri katika mashamba ya mkonge niliyoyataja ili wawalipe wafanyikazi wao malimbikizo ya mishahara hiyo ili waweze kushiriki vilivyo katika kilimo cha mkonge. Pia, ningependa wafanyikazi hao waruhusiwe kukuza maharagwe katika safu za mikonge.

Kwa hayo machache, ninaiafiki Hoja hii.

*(Question proposed)*

**Mr. Khamisi:** Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipa fursa nichangie Hoja hii.

Ningependa kusema kwamba ninaiafiki Hoja hii shingo upande. Ninaiafiki Hoja hii kwa sababu inanua kupunguza umaskini miongoni mwa jamii. Ustawishaji wa sekta ya mkonge utaongeza nafasi za kazi na kuboresha mazingira. Mimi nimetoka katika sehemu ya Vipingo, ambako kunakuzwa mkonge kwa wingi. Utaona kwamba ingawaje kazi zimeongezeka, ni kazi za vibarua. Vibarua hao hufanya kazi yao katika hali duni sana. Nyumba wanamolala ni za kikoloni, na hali ya vifaa vya kufanyia kazi ni mbaya. Kwa jumla, umaskini umetandaa sana katika sehemu ya Vipingo. Ingawaje Hoja hii inanua kuboresha hali ya maisha miongoni mwa jamii, hali ilivyo katika sehemu ya Vipingo haitoi nafasi ya kuboresha hali ya maisha miongoni mwa jamii hiyo. Hii



ndio maana ninaiafiki Hoja hii shingo upande.

Bw. Naibu Spika wa Muda, jambo lingine ni kwamba mashamba ya mkonge huchukua nafasi kubwa ya ardhi. Katika sehemu yangu ya uwakilishi Bungeni, ambako ardhi ni haba, na watu wengi ni maskwota, shamba la mkonge kule Vipingo limesababisha uhusiano mbaya kati ya kampuni husika na wafanyikazi wanaoishi katika eneo hilo. Kwa hivyo, tunaona kwamba ingekuwa bora kuwe na usawazishaji wa namna fulani kati ya uwekaji rasilmali na uzingatifu wa maslahi ya wakazi wa eneo hilo. Maslahi ya watu wa eneo hilo ni ardhi, ambayo imechukuliwa na kampuni ya kigeni. Ukweli ni kwamba kampuni hiyo inaitoa nchi pesa za kigeni, na kusaidia kuuboresha uchumi wetu. Lakini kampuni hiyo imewazuia wakazi wa sehemu hiyo kujipatia ardhi ili waweze kujisimamia kimaisha. Pia, inaonekana kwamba kuna sampuli fulani ya monopoli iliyopewa kampuni hiyo. Wizara ya Kilimo imeshindwa kushawishi ukuzaji wa mkonge katika sehemu za vijijini. Hiyo si sawa. Serikali ingewajibika kuwasaidia wakulima katika sehemu hiyo wakuze mkonge katika mashamba yao madogo madogo. Mavuno yatakayopatikana yanapaswa kupelekwa kwa shirika fulani la Serikali na kuuzwa kama zao. Lakini hivi sasa, kilimo cha mkonge katika sehemu hii ya Pwani, na hasa Vipingo kimeshikiliwa na kampuni moja ambayo inapata pesa nyingi, na pesa zile hazitumiki katika nchi hii, kwa sababu zinapelekwa nje. Kwa hivyo, ningiomba Serikali, wakati inafikiria maslahi ya kutoa kazi kwa wananchi na kadhalika, pia iangalie jinsi inavyoweza kupunguza uwezo wa kampuni moja kufanya kazi bila kuhusisha wananchi wa sehemu hiyo.

Bw. Naibu Spika wa Muda, vile vile, ningependa kampuni hii ya Vipingo Estate iweze kurudisha ile faida inayopata kwa wananchi wa sehemu ile ya Vipingo. Tunawaomba wajenge hospitali, shule na vifaa vingine vya manufaa kwa wale wakaaji wa sehemu ile. Kazi ya upanzi wa mkonge ni ngumu na hatari, ambapo wafanyikazi mara nyingi huwa wanaumwa na nyoka na kuumia wakati wanapofanya kazi. Ikiwa wafanyikazi hao hawatakuwa na vifaa vya kuwawezesha kujiangalia kimaisha, itakuwa ni hatari kubwa, na Serikali itakuwa haisaidii katika kuangalia maslahi ya watu hao.

Bw. Naibu Spika wa Muda, ninaunga mkono Hoja hii kwa sababu inataka kuboresha mazingira. Ni muhimu kwamba mazingira tuliyonayo yaweze kuboreshwa ili hali ya maisha ya watu iwe njema. Hivi sasa, kampuni za plastiki zimeleta aina ya plastiki nyingi katika nchi hii. Kila unapokwenda katika duka au sokoni, unafungiwa vifaa vyako katika karatasi za plastiki. Na mara nyingi wananchi hawajui namna ya kuziweka plastiki hizi katika hali ambayo haiwezi kuwadhuru. Ninaona kwamba, ni jukumu la Serikali kuhakikisha kwamba plastiki hizi zinaondolewa kwa njia fulani. Inafaa kuwe na mpango wa kuzipeleka mahali pamoja, na Serikali ichukue jukumu la kuchoma au kuharibu plastiki hizo. Hilo litakuwa jambo bora zaidi.

Lakini vile vile, siku hizi, mara nyingi na katika biashara nyingi, imekuwa kwamba watu wanapendelea zaidi zile kamba za synthetic ambazo hazitoki kwa mkonge. Mara nyingi utaona kwamba badala ya kuhimiza ukuzaji wa kamba za mkonge, tunasisitiza kamba za synthetic ambazo zinaathiri maisha ya watu kupitia kwa utumiaji mbaya. Ingekuwa bora kama Serikali ingefikiria jinsi ya kutengeneza mitambo inavyoweza kutoa kamba za synthetic. Kamba hizi zinatumika sana, hasa katika uvuvi na shughuli za bandarini. Siyo kamba za mkonge ambazo zinatumika. Kwa hivyo, ingefaa Serikali iweke rasilmali ya kuanzisha mitambo ya kutengeneza synthetic huku tukiangalia namna gani tunavyoweza kusawazisha mitambo ya mkonge na maisha ya wanadamu.

Bw. Naibu Spika wa Muda, ningependa kuunga mkono Hoja hii, lakini ningependa kuionya Serikali kwamba, wale wawekaji wa rasilmali hivi sasa hawazingatii maisha bora kwa wafanyikazi. Ni jukumu la Serikali hii, na hasa katika kampuni ya mkonge ya Vipingo Estate inayoendeshwa kwa njia ya kibepari--- Wafanyikazi wanafanya kazi kama watumishi wa serikali ya kikoloni. Nyumba wanamoishi ni za kikoloni kabisa. Kupata maji ni shida. Wananchi wanapata taabu sana.

Ningependa kusema kwamba, ingawa ninaunga mkono jambo hili, ningependa pia Serikali isizingatie tu utuoaji wa kazi katika kampuni hizi, lakini waangalie jinsi wananchi wanavyoweza kufaidika kutokana na biashara hii. Nikisema kwamba kampuni hii irudishe faida ambayo inapata katika mauzo yake, ni jukumu la Serikali kuhakikisha kwamba pesa ambazo zinatumiwa zinapatikana kutokana na mauzo haya. Pesa hizi zisipelekwe kwa nchi za ng'ambo. Inafaa zigawanywe kwa wananchi ili wapate faida kutokana na biashara hii.

Kwa hayo machache, ninaunga mkono Hoja hii.

**The Minister for Roads and Public Works** (Mr. Raila): Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa fursa hii ili niweze kuchangia Hoja hii ambayo ni muhimu zaidi.

Mwanzoni, ningependa kugawanya mchango wangu katika safu mbili: Kwanza, ningetaka kuzungumza juu ya ukuzaji wa mkonge, na pili juu ya taka ya plastiki. Ningependa haya mambo mawili yatenganishwe. Hoja hii inasihia Serikali ipanue ukuzaji wa mkonge kama njia moja ya kutengeneza vifaa ili tusitegemee matumizi ya vifaa vya plastiki. Lakini ningependa tuzungumze juu ya biashara ya mkonge. Kama vile wale waliozungumza mbele yangu; Mr. Wamwere na Mr. Khamisi, walivyosema, ni kweli kwamba hali ya wafanyikazi katika mashamba ya mkonge kote nchini siyo nzuri. Katika biashara ya mkonge, wananchi wananyanyaswa zaidi. Hali ya maisha ya wafanyakazi katika mashamba ya mkonge imebakia vile ilivyokuwa wakati wa ukoloni. Kwa hivyo, tungependa kuona marekebisho yakifanywa ili wafanyikazi katika mashamba haya wapate malipo ambayo yanatosheleza mahitaji yao, na hali ya maisha pia iwe bora; wakae katika nyumba safi mashambani.

Bw. Naibu Spika wa Muda, mkonge una matumizi mengi zaidi. Unaweza kutumika kutengeneza magunia na hata kamba zingine ambazo zinaweza kutumika bandarini kwa kugesha vifaa vya baharini kama vile madau na kadhalika. Kwa hivyo, ninaunga mkono kwa dhati Hoja hii. Pia kuna hatari nyingi zinazotokana na plastiki. Kwa mfano, kwa upande wa barabara, tuna shida sana na plastiki ambazo zinatupwa ndani ya mitaro barabarani na kusafirishwa na maji hadi kwenye culverts na kuziba. Baadaye, maji hayapiti na yanaharibu barabara. Hiyo mifuko ya plastiki huziba na kuharibu barabara. Kama unavyojua, plastiki haienzi. Inadumu milele na milele. Kwa hivyo, sisi kama Wizara tungependa wananchi waache kutumia plastiki, na waanze kutumia vifaa ambavyo vinaweza kuoza kama mkonge.

Bw. Naibu Spika wa Muda, plastiki ni hatari hata kwa maisha ya binadamu kwa sababu hutengenezwa kutoka kwa mafuta ya petroli. Tuko na shida kubwa sana ya takataka katika nchi yetu. Hapa Nairobi, kuna milima ya takataka. Hapo kitambo, Nairobi ilikuwa inajulikana kama "*City in the Sun*"! Siku hizi, inajulikana kwa kimombo: "*City in the shit*!" Taka za plastiki zimerundikana kila mahali na haziozi. Ningependa tuwe na njia za kuzoa taka katika miji yetu na kuzifanyia "*recycling*" kwa kimombo.

Bw. Naibu Spika wa Muda, hivi majuzi, Baraza la Jiji la Nairobi lilijaribu kufanya mkataba na kampuni moja ya Kiitaliano kuzoa takataka katika Mji wetu. Mkataba huo ulipingwa sana na waniasia wengi. Walisema: "Kwa nini sisi kama nchi hatuwezi kuzoa takataka mpaka tunatafuta kampuni ya kigeni kuja kufanya hivyo katika nchi yetu?" Waliongea kama wazalendo wa Kenya. Lakini takataka, imerundikana kila mahali katika nchi yetu kwa sababu tumeshindwa. Ikiwa tumeshindwa, kwa nini hatuwezi kupeana kandarasi kwa kampuni nyingine ifanye hivyo? Tunasema kwamba tunaweza, lakini tukipewa nafasi tufanye hivyo, hatuwezi kabisa! Wananchi wengi wanashikwa na magonjwa kwa sababu ya takataka nyingi kila mahali. Ukienda Mombasa, Kisumu, Eldoret, Kakamega, Nyeri na kila mahali, hali ni hiyo hiyo. Kwa hivyo, tunataka tuwe na mpango kamili wa kuzoa takataka katika nchi yetu.

Bw. Naibu Spika wa Muda, jana tulikuwa na sherehe ya kuzindua mpango wa kusafisha bwawa la Nairobi. Ukienda katika bwawa hilo, takataka zimejaa ndani, nyingi zikiwa za plastiki.

Kisha, kwekwe imerundikana juu yake na kuwa kama blanketi. Wakati mwingine, kama mvua imenyeshwa nyingi, maji yanayotoka kule yana povu. Hiyo ni hatari kwa maisha ya watu wetu. Kwa hivyo, lazima tuwache vifaa vya plastiki, ikiwa ni vikombe, sufuria, makopo ya kubeba mafuta taa, magunia au chupa. Tuwache kutegemea bidhaa za plastiki kwa sababu kuzitupa ni shida zaidi. *Disposal* ni shida zaidi. Inatakikana tutumie *natural raw materials* na tuwache kutumia *synthetic raw materials*, ambazo zinatuletea shida nyingi.

**The Temporary Deputy Speaker** (Mr. Poghiso): Mr. Raila, you are using two languages!

**The Minister for Roads and Public Works** (Mr. Raila): Bw. Naibu Spika wa Muda, natumia lugha mbili kutilia mkazo. Natumia maneno mengine ya Kiingereza kwa sababu nikitumia Kiswahili peke yake, wengi hawataelewa. Najaribu kutafsiri ili kila Mbunge aelewe vile nasema.

Bw. Naibu Spika wa Muda, kumalizia, nasema kwamba naunga mkono Hoja hii ambayo imekuja kwa njia nzuri, ili tusaidie ukuzaji wa mkonge katika nchi yetu. Pia, lazima tuangalie wale walinyakuwa ardhi kubwa ya nchi, kwa mfano kule Taita-Taveta. Karibu nusu ya wilaya yote inamilikiwa na watu wachache, ilhali wananchi wanaishi kama maskwota. Lazima tuangalie Kilimambogo, Rea Vipingo na kila sehemu ambayo inakuza makonge, ili watu wetu wapate haki yao.

Kwa hayo machache, naunga mkono.

**The Assistant Minister for Gender, Sports, Culture and Social Services** (Mrs. Chelaite):

Bw. Naibu Spika wa Muda, nasimama kuunga mkono Hoja hii. Ni nzuri na imekuja kwa wakati mzuri. Ukuzaji wa mkonge unaweza kuleta pesa nyingi katika nchi hii. Lakini nashangaa ni kwa nini Wizara ya Kilimo haijatilia maanani mmea huo, kama inavyofanya na mimea mingine kama majani chai, pareto, kahawa na kadhalika. Sehemu kubwa ya nchi yetu ni kame, na mkonge yanaweza kufanya vizuri. Wakati huu, Serikali ina mpango wa kuimarisha nchi kame ili kuwe na kilimo na ufugaji wa ng'ombe. Robo-tatu ya nchi yetu ni jangwa. Kwa hivyo, ningependa Wizara ya kilimo iwahimiza wakazi wa sehemu hizo wapande mkonge. Wasitegemee ufugaji wa ng'ombe peke yake.

Bw. Naibu Spika wa Muda, unajua ya kwamba katika sehemu yako pia, tukikuza mkonge huko, yatafanya vizuri sana na watu watapata pesa. Tutamaliza umaskini. Tumewaachia Wazungu kukuza makonge katika nchi hii. Katika sehemu yangu ya Rongai, mtu mmoja tu ndiye anakuza makonge. Huyu mtu anawatesa sana wafanyakazi wake. Hawana haki ya kusema kwa sababu makonge siyo yao. Wanatumiwa tu! Hawalipwi mishahara! Wanaishi katika hali ya umaskini. Watoto wao hawaendi shuleni! Hawana chakula na nguo. Wafanyakazi hao hawajalipwa malimbikizo yao ya mishahara kwa miaka kumi. Mambo hayo yamepelekwa kortini, lakini sheria za leba zinasema wanaweza kuitisha malimbikizo ya miaka miwili tu. Miaka minane inayobakia hawawezi kudai kwa sababu hakuna sheria ya kuwasaidia wafanyakazi hao. Wamenyanyaswa na kunyimwa haki zao. Kwa hivyo, kama tungekuwa tumehimiza watu wetu wapande makonge wenyewe kwa mashamba yao, hawangekuwa wananyanyaswa. Mogotio mpaka North Rift yote ni nzuri sana ya kukuza makonge. Kwa hivyo, ningehimiza ya kwamba watu wapewe mikopo ili waweze kukuza huu mmea wa makonge.

Ningependa kuzungumzia kuhusu plastiki. Plastiki ni kitu kibaya sana katika nchi yetu. Sijui ni nani alikubali plastiki itumike katika nchi yetu kwa kufungia vitu kama sukari. Ukienda katika nyumba au shamba zote huku Kenya, huwezi kukosa plastiki. Kuna plastiki kila mahali na haiyeyuki. Inaumiza ng'ombe, mbuzi, kondoo na hata wanyama wa porini wakiila. Huwa inasokotwa katika tumbo, na ng'ombe anakuwa mlegevu, anakonda na mwishowe inakufa. Hii inaleta hasara. Plastiki ikiwekwa kwenye mchanga, haiyeyuki. Ikiwa katika mchanga, inazuia mimea kupata maji. Juzi nilitembea upande wa Rwanda, nikapata kuwa wana sheria ambayo inasema kuwa ukipatikana unafunga chochote na plastiki, utashtakiwa kortini. Ningependa kuomba

sisi viongozi tukiwa Bungeni tulete sheria ya kupiga marufuku plastiki ili yeyote atakayepatikana anatumia plastiki, afungwe jela na kuadhibiwa.

Hii ni Hoja muhimu. Tungefaa kupiga plastiki marufuku kitambo. Sasa tunafaa tuchukue umuhimu na tuwe na sheria ya kuzuia utumizi wa plastiki. Ningependa kumaliza kwa kuunga Hoja hii mkono kikamilifu. Ninaomba Wizara ya Kilimo iweke hayo mambo maanani ili mwaka ujao tuone ya kwamba watu wanakuza makonge, wapewe mkopo na wapate mbegu za kupanda.

Bw. Naibu Spika wa Muda, ninaunga mkono.

**Mr. Rotino:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this very important Motion. This Motion is long overdue because we have been talking about plastics versus other materials that are used in our industries for packaging and other uses.

I want to talk about legislation. Right now, the Departmental Committee on Agriculture, Lands and Natural Resources, together with the Ministry of Agriculture, are discussing various legislative laws that govern various sectors in agriculture. There are 131 pieces of legislation that are piecemeal in the Ministry of Agriculture, which govern the sectors within the Ministry. As a committee of agriculture, we are sitting down with the Ministry and Tegemeo Institute to come up with a consolidated legislation that will govern us. Some of these legislations are outdated, while some could be merged and we could do something better.

I want to talk about the legislative aspect of the sector. As we talk about paper materials, if you go to all our homes, or even our supermarkets, it seems that the developed world is pushing for the use of these items that are outdated in their own countries. They are pushing them to us because we do not have an alternative. Most of these developed countries do not use plastic, bags any more. If you go to their supermarkets or shops, you will find that they use paper bags. This is because they know about the environmental problem that the plastic bags cause. It is high time that we changed. We can only do this if we say that it will not really have an impact. We should have legislation that governs this. As one hon. Member said, if we pass in this House legislation that governs this, we can go a long way in saving our country.

Plastic bags cause a lot of damage to the environment of this country. If you go to places where garbage is being collected, most of it is plastic bags. Despite this, we do not even burn this plastic, and when we do so, it is not really consumed. It ends up in our drainage system, destroying our roads, blocking our sewerage system and killing our animals. Most of our animals die because of consuming plastic bags. This is because plastic bags are salty and animals like that sort of taste. We require to introduce civic education in our schools so that people know about problems brought about by the use of plastics.

Let me talk about sisal. We all know that three-quarters of this country is semi-arid. What we can grow in those semi-arid areas which form 75 per cent of our country is sisal. First of all, it requires very little rain and is labour-intensive. Therefore most of our young men could be employed in the sisal industry. We have not managed our sisal industry very well. We have left it to foreigners. If you drive along Marigat Road, you will see a big sisal plantation which is not really being managed very well. Perhaps, this is because sisal growing is labour-intensive and we do not have sufficient labour. If we improve our sisal industry, we will be able to employ many of our youth and hence alleviate poverty, so that we are able to attract our youth to go to the rural areas and work on sisal plantations. Thereafter, the sisal industry will grow. I know there are many things that we can produce from sisal.

Mr. Temporary Deputy Speaker, Sir, the sisal that we use in this country is imported from other countries, just because we have not improved our sisal sector. The same applies to cotton. We import a lot of cotton in this country because we have taught our people not to concentrate on

farming. We have taught our young men to look for white-collar jobs, yet jobs are available within the agricultural sector. The sisal industry could be one of the sectors that will employ many of our people. There are very many by-products of sisal. If we improve our sisal industry, we will reduce importation and save the foreign currency that we are using now. If you see trucks coming from Rwanda, they are either carrying tobacco, sisal or cotton. We are importing these crops despite the fact that we have a big chunk of land where we can produce them. If we can keep animals in those semi-arid areas, we can also grow sisal in those areas.

Mr. Temporary Deputy Speaker, Sir, sisal is time consuming and labour-intensive, but we should encourage our people in the rural areas to grow it. This is because we will gain if we invest in this crop.

On the use of sisal, it is important, as I have said, that we teach our children in school about this crop so that they can know more about it. There are three areas where sisal is grown in this country at the moment, but we can encourage our people to increase its acreage.

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

*(Several hon. Members stood  
up in their places)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! Mr. Akaranga is the Government responder!

Proceed, Mr. Akaranga!

**The Assistant Minister for Agriculture** (Mr. Akaranga): Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to thank Mr. Mwanicha for bringing this Motion before this House at the right time. I would also like to thank all the hon. Members who have supported it.

I agree with hon. Members' call for the revival of sisal production in this country. First of all, Kenya has almost become a dumping ground for unwanted goods from other countries. Any time some countries want to do away with their sub standard products, they always dump them in this country.

Before I say much, let me look at the background of sisal. This crop was first introduced in Coast Province in 1903. The first commercial plantation was established at a place called "Punda Milia" near Thika in 1903 by White farmers. By 1914, sisal had established itself and many farmers in this country had started planting it in their farms.

In 1963, there were 64 sisal estates which covered an area of 103,000 hectares. At that time, we produced 70,154 metric tonnes of sisal in this country. These estates have reduced from 64 to ten. In 1940, synthetic fibres were invented and this caused a swift shift from the natural fibres and the problem started at that time. There was a decline in demand for sisal fibre when small-scale farmers were denied to grow sisal. Some people pushed these farmers to horticultural crops and ranching. Temporary Deputy Speaker, Sir, small-scale sisal production in Kenya started in 1950 in Makueni, Kitui, Embu, Meru, Murang'a and Nyanza Province. The increased production of sisal led to the establishment of a spinning factory in Juja in 1954. That famous factory was called the "East African Bag and Cordage". Most of our fathers and grandfathers used to work in that factory, which employed over 5,000 people in those years. If you visit the factory today, you will find that it was closed because of decline in sisal production. The small-scale sisal farmers lacked appropriate processing technology. As a result, they processed unwashed hand sisal which could not compete favourably with the world market at that time. Production of sisal fibre rose to 11,200 metric tonnes in 1963. However, as I have said, small-holder sisal farmers had problems in marketing their crop. They lacked extension services, technology and credit facilities.

Mr. Temporary Deputy Speaker, Sir, you would remember that most of the commercial banks in this country were foreign banks. At that time, they could not lend funds to small-scale African farmers. Those banks concentrated on the White farmers. As a result, our farmers had difficulties in growing the crop. The stiff competition from synthetic fibres led to the decline in the production of sisal to 322 metric tonnes in 1967. If we look at the welfare of workers in the sisal factories during that time, before sisal production declined, we will find that they were taken care of, unlike today when most of the sisal estates are run by foreigners who do not even take into consideration the plight our farmers. Indeed, most of the African workers in those farms are paid peanuts. They also work for many months without being paid. That is why we support this Motion, which says that the production of sisal in this country should be revived.

Let me now talk about the current status of the sisal industry. At the moment, sisal estates produce over 95 per cent of the total fibre production. As I said earlier on, there are ten estates which are spread out in the Coast and Rift Valley provinces. If we look at the turnover between 2001 and 2003, we will find that the average production was 25,000 metric tonnes. This was realised from about 25,000 hectares. In 2001, Kenya received Kshs228 million from the sale of sisal. In 2002, we received Kshs709 million, and in 2003 - Kshs841 million. Therefore, 95 per cent of sisal fibre was exported mainly to Europe, while 5 per cent was used locally.

While we encourage the production of sisal, it is important that we encourage the use of sisal products in this country. I am happy that most of our people use sisal in the production of *ciondo*. If you go to Gikomba and Kariakor markets, you will find the items Kenyans make using sisal.

The sisal industry in this country currently employs 15,000 workers; 9,000 work on the farms, while 6,000 are employed in sisal producing and related factories. The informal sector which employs a large number of people both in the rural and urban areas is found in sisal production.

Mr. Temporary Deputy Sir, the production of sisal is very crucial in poverty reduction and industrialisation. First, the Arid and Semi Arid Lands (ASALs) are areas of great poverty due to limited economic activities. Sisal, being a drought resistance crop, is ideal for the ASAL areas. As most speakers have said, we have a lot of land in Eastern, North Eastern and Coast Provinces, where sisal can do well. We should encourage our farmers to engage themselves in sisal production. Sisal is also grown on land that would otherwise remain idle. It is ideal for farm boundaries, hedge rows around homesteads and as well as soil conservation strips. Instead of this country using a lot of money in soil conservation, we can encourage our people to grow sisal and this way, we shall save some money. Sisal can also be processed into fibre. Lastly, sisal wastes can be used for making bio-gas, farm manure and animal feeds.

Mr. Temporary Deputy Speaker, Sir, if you go to a country like Russia, you will find that most of their bio-gas, farm manure and animal feeds come from sisal. They do not spend a lot of money, like we are spending in this country, to import fertilizers. We can use sisal to produce manure.

Thirdly, let us look at the constraints in the sub-sector. Having said all those good things about the production of sisal, there are also some constraints. First, the small-scale farmers lack an organised fibre marketing system, and an appropriate processing technology to produce high quality fibre that can fetch high prices. I do not know what happened in this country, and our research institutions were just abandoned. Research on sisal was being done, but it was abandoned. It is in the interest of the Ministry to pump in a lot of funds into the Kenya Agricultural Research Institute (KARI) to do a lot of research on sisal.

Secondly, there is over-dependence on the overseas export market, leaving the sisal industry subject to world price fluctuations. In order to improve our sisal production, we should look at the

local market and see how we can develop it, so that we do not just depend on the overseas market. It would be better for us to export the finished products rather than exporting the raw products. If we export the raw product, our farmers will not benefit as they are supposed to.

Mr. Temporary Deputy Speaker, Sir, fourthly, there is concentration on the production and marketing of raw fibre and twine, which are easily replaced by synthetic fibres. As I have said, in countries like Russia, this has been stopped. Fifthly, the industry is a closed market, comprising of a few producers, marketing agents and spinners, all with a long-standing relationship. As one hon. Member has said, we need to do something to ensure that we bring in quite a number of people who will help our people in the marketing of sisal products. If we do not do that, our people will perish. Sixthly, a lot of concentration has been put on high quality, especially markets which absorb a limited amount of fibre, and lastly, there is competition from synthetic fibres and products.

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

*[The Temporary Deputy Chairman  
(Mr. Bett) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, let us look at the strategies which my Ministry is trying to put in place to revive this sector. We are encouraging small-holder participation through the formation of co-operative societies or farmers' groups, to facilitate production, processing, marketing and access to credit facilities. We are encouraging most of our local banks to grant credit facilities to all our farmers, so that we can improve the production of sisal and many other crops in this country. We are looking for affordable decocoting technology for small-scale farmers to improve the quality of their products. Again, we should also look at the quality of sisal which we are producing in this country. Unless we improve the quality of our sisal, Kenya will continue to lag behind other countries. We should also integrate sisal production with other economic activities that use sisal wastes, such as animal feeds and bio-gas production.

Mr. Temporary Deputy Speaker, Sir, another strategy is to look into the production of handcraft goods, both in rural and urban areas, both for export and the domestic markets. If you go to the European market, you will find that our *ciondos* are selling like hot cakes. Instead of us using plastic bags, we can make sisal bags. When our mothers go shopping in supermarkets with *ciondos*, they look beautiful. You will admire their *ciondos*. We want to encourage our people to come up with items like sisal handbags. These *ciondos* are very common in Japan. There is also need to adopt the nucleus outgrower system, so that this will help us to handle the economies of scale. We could also set up a denotement authority to revive the sisal sub-sector. Our Sisal Board is almost dead.

With those few remarks, I beg to support.

**Mr. Shabaan:** Thank you, Mr. Temporary Deputy Speaker, Sir. I also join my colleagues in supporting this very important Motion. The sisal industry has a lot of potential in this country because the sisal plant requires very little water to survive, and it can be grown in various parts of the Republic of Kenya.

If we improve our sisal industry, we will be able to diversify our economy and earn foreign exchange for this country, on top of creating employment and wealth. Plastic papers have caused havoc in this country. They have really polluted our environment. If we go to the rural areas, we will find all the small towns littered with a lot of waste and plastics, hence, making them very dirty. Apart from causing pollution and making our towns very unclean, plastic papers cause deaths,

particularly to the animals; both domestic and wildlife. Animals eat these plastics in our towns and within their environs and end up dying. In addition, the plastics even make the meat of these animals unfit for human consumption. Plastic bags and products should not only be discouraged, but I think it is high time this country banned their use altogether. This is because they have caused a lot of havoc in this country.

Mr. Temporary Deputy Speaker, Sir, it is very important that the sisal sub-sector is supported in every part of the country because it can employ many Kenyans. The problem with this country is that we depend on very few agricultural products, for example, coffee and tea, without us going around and ensuring that we grow as many crops as possible, which can diversify the economy of this country and hence earn foreign exchange. There was one time, especially in the early 1970s, when we were producing a lot of sisal. We had many plantations and we were having a lot of products from sisal. Many Kenyans were employed in the sub-sector and this country earned a lot foreign exchange. Unfortunately, this industry has gone to waste now and it is no longer in existence. This is because the planners of this country do not prioritise well. We only invest in very few areas of our agriculture, while neglecting many other important agricultural sub-sectors which would support this country.

With those few remarks, I beg to support.

**Mr. Muchiri:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this Motion. First of all, I do not want to join my colleagues who are saying plastics are not good. I do not think this country can do without plastics. In essence, it is a bare fact. Much as they pose an environmental problem, they are here with us, given the new technology.

In the building industry, we need plastics because we need to do what we call, damp-proof courses and membranes to prevent water from surging upwards in a building. In the refuse disposal management in this country, plastic bags are indispensable. We cannot do without them because they are the best containers that we can put our refuse in and dispose of it without smelling. We know of the plastic chairs that are used in parties and so on. The plastic technology is here with us. The only thing I would want to urge is the management of it. Otherwise, much as it is non-biodegradable, it is not possible for us to do without the plastics technology. In the horticultural industry, the so-called greenhouses are built using plastics. So, as we talk about plastics, let us bear in mind that, that technology is here with us. Much as it is a problem, I think it is best for us to bear with it.

What I would like to urge is the management of plastics. People should stop throwing plastics everywhere, particularly the plastic bags because, as has been said, they can be a problem to the environment. For example, in the houses where we live in the estates, people must stop throwing plastic bags through the windows.

Having said that, I would like to underscore the need for us to develop the sisal industry for the many reasons that have been said, and others that I will add. If we develop the sisal industry in this country, we will increase employment opportunities in the so-called ASAL areas. It is unfortunate that factories, for example, the East African Bag and Cottage Factory in Thika went under. First of all, it went under because of competition from the synthetic world. But, at the same time, there was a lot of mismanagement in that factory. When it went under, many employees of that factory went home without even being paid their dues. That, to me, was not the best that Kenya could have achieved.

I want to support those who said that this industry needs to be supported by the Ministry of Agriculture so that we reap benefits from it. We all remember, during our school days, we used to have the handiwork course. We used to make a lot of things from sisal; for example, ropes, *et*



*cetera*. If this Government supports sisal development, then we will create employment opportunities for our people and generate a lot of revenue for our economy. We can utilise some of those large tracts of land in the Coast Province and in districts such as Nakuru and Baringo, among others, to earn some money for small farmers. The banks could also give some loans to farmers to undertake the industry.

It is unfortunate also that sisal can only be grown in large scale. That is why I would like to urge that its development be done through co-operatives. This is because when small-scale farmers grow sisal, it may take time for them to really achieve the production that will sustain factories in this country. As has been said by many hon. Members, the *kiondo* business has gone down now. We used to earn a lot of money from the *kiondo* business, but this time around, that business is in very small scale. Therefore, if we can develop the sisal industry, we can revitalise sisal industry and earn foreign exchange. We also need ropes, bigger bags to store our maize, wheat, potatoes *et cetera*. I think there is a lot of market for sisal bags.

In Nyandarua, for example, we grow potatoes and we are trying to urge our farmers to put those potatoes in standardised bags and not extra-large bags. But, sometimes, we do not have the sisal bags to put in the potatoes and it becomes a problem. This is because we cannot transport potatoes if we do not have the bags, and they have to be made of sisal, although I agree that a lot of synthetic bags are also coming into the market.

A lot has been said about our labourers being mistreated in the sisal farms. I would like to urge the Ministry of Labour and Human Resource Development to enforce the minimum wage guidelines in this country. This is because many employers take advantage of it and exploit their employees. Our people are suffering because of inaction of this Ministry. They have enough inspectors who can see to it that those minimum wage guidelines are adhered to, so that our people are not paid peanuts. It is not enough, for example, for us to cry that our people are being paid peanuts. It is for us to act on behalf of these people. That is why we have the Ministry of Labour and Human Resource Development and the Ministry of Agriculture. I would want to urge those Ministries to take cognisance of the fact that our people are actually being exploited in those farms.

We must also understand that this country is endowed with a variety of soils. The soils that are favourable for sisal growing cannot be the same for tea or coffee. The Ministry of Agriculture should tell the people of this country where sisal can be grown. It should do its best! It is not doing enough! The agricultural extension officers are never seen. That is why our farmers are just doing their work the way they know best. We would like to see the Ministry of Agriculture surfacing a little bit and advising our farmers to produce more, not only in the sisal industry, but also in other areas that will benefit them. We need a lot of technical advice as far as horticulture and livestock production is concerned. It is, indeed, a challenge to the Ministry of Agriculture to wake up and give our farmers the technical and financial support they require.

The Agricultural Finance Corporation (AFC), for example, can assist farmers to grow sisal and other crops. There is no reason why they should give loans to politically correct individuals. Sometimes we wonder why AFC gives a lot of problems to small-scale farmers. In any case, AFC was set up to assist small-scale farmers. The requirement where farmers are asked for title deeds to guarantee loans has become cumbersome. Many financial institutions and banks are giving loans to farmers and business people without tying up their title deeds. I think the Ministry of Agriculture should show the way. That way, this country will benefit from the existence of the Ministry.

With those few remarks, I beg to support.

**Mr. Poghiso:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion by my friend, Mr. Mwanicha. I want to join my friends who have praised this Motion, and those who have said that we should travel this path

with caution. We should learn from the existing sisal plantations in this country. I fear for the so-called arid and semi-arid areas. I fear because if you look at the situation in Coast Province and parts of Rift Valley Province, it looks like where there are sisal plantations, there is more poverty. If this is something that is going to draw poverty closer to us, then I should move with caution. I say so because if those are the kind of people we would like to see living around sisal plantations in the country, let us not have sisal plantations! They are poor and completely unable to educate their children. Some of them have been living in squatter quarters all their lives. They do not get salaries. They look as if they are begging in their own backyards. If that is the picture that I carry with me, and I have seen it as I travel through those sisal plantations, then I say: "Let us do away with sisal plantations!"

Mr. Temporary Deputy Speaker, Sir, I am not trying to discredit a cash crop. But it is a cash crop that, unless it is designed and propagated well, belongs to the areas where it exists now. Please, let us not spread it beyond there. I also speak for pastoralists. Many people think that the unoccupied lands in arid and semi-arid lands are empty. It is a notion that everybody in this country carries. Many people think that many parts of North Eastern Province are empty. Those areas are not empty. There is an economic activity which takes place there. It is pastoralism. Pastoralism will not co-exist with sisal plantations. I wish to say that the Government should design something for poverty alleviation, but in recognition of pastoralism. If you look at the number of livestock that come from those areas, that revenue should be tapped and people encouraged to diversify. We should allow pastoralism to exist in farming areas.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about plastics. Plastics are damaging to farmers, especially livestock keepers. We complain a lot about plastics because they are now in the villages. The people who spread or distribute plastic materials give them almost free of charge, because they know they are going to harm you. Therefore, you will find plastics in the villages. They are, in fact, used for everything. One of their dangers is that, they are now using them to carry paraffin, milk and drinking water. In the villages, everything is now being carried in plastics bags. This is dangerous because we are not sure about their safety, yet we carry paraffin, petrol or whatever dirty or clean things, including food, in them!

We are saying some of these things, and I think the hon. Member is trying to bring this Motion to do the work that the Government should be doing. I think that the Government's first priority is to look at the welfare of its people. Why would we have to stand here and say that plastics are bad when the Government knows that they are causing harm, especially if they are not biodegradable? In our case, they are not biodegradable. In other countries, it is a must that it is indicated on the plastics that they are recyclable or biodegradable. You cannot, therefore, allow your citizenry to suffer all these wanton destruction that is caused by plastics without the Government saying a thing. The Government is so quiet about it! If that is not the case then, what is it doing about this menace? The Government should police the industry that produces harmful products like plastics. The whole world agrees that plastics are harmful. However, we would like to see more done by the Government to see its seriousness in trying to protect its people from harm brought about by plastics.

Mr. Temporary Deputy Speaker, Sir, I almost opposed the sub-sector that we are trying to promote in this Motion because of the way the crop is grown in this country. However, I think the Mover of this Motion is trying to say: "Let us pick this as a product that has been misused and, probably, not well cared for by the private sector, and let the Government develop it!" I think the Mover is saying that, if the Government develops it, it is going to take more care of its people. Therefore, we will not see those poverty-stricken faces and poor houses that workers and members of the communities around sisal plantations live in. If that is what the Mover is trying to say, then I

support this Motion.

Mr. Temporary Deputy Speaker, Sir, the reason why I am saying that is because as private Members, when we bring Motions to this House to raise those matters, the Government must know that we are trying to wake it up! We are saying that, that sector has been neglected.

Mr. Temporary Deputy Speaker, Sir, this sector has been neglected and, as we all know, sisal bags have disappeared. Even presently, we are using plastic bags to store the maize we harvest. Plastic bags have taken over sisal bags and yet most of them are not biodegradable. We are being taken over by the use of plastic bags and yet we know that using sisal products is safer for us. We need to market the sisal products.

Certain areas of this country would benefit from sisal growing. Other areas would require the introduction of other crops. I said that since sisal plantations require large chunks of land, that would interfere with certain lifestyles, for example, pastoralism. I would like to see certain areas in Kacheliba Constituency being used for the growing of sisal. The plantations should be managed so that the crop does not grow wildy. Also, that would allow other parts of the area to sustain pastoralists and their livestock.

Poverty reduction is at the heart of this Motion. I think that the Mover of this Motion is talking about three things: Alleviation of poverty; increasing job opportunities and reducing environmental effects. I would like to focus on poverty alleviation.

Mr. Temporary Deputy Speaker, Sir, it is the business of the Government to alleviate poverty. If this Government, which has been talking of creation of wealth, begins to think in terms of the poverty that has struck this country since it took over power, it would be doing more to alleviate poverty. People have become poorer. When the Government presented the Poverty Reduction Strategy Paper and talked about wealth creation, that was to happen in another world and not here. I believe that this Government needs to know that the price of food has substantially gone up. How do you talk of alleviation of poverty when people are made poorer everyday? People cannot afford to buy *unga!* The price of sugar, paraffin and everything else has gone up. What this Motion is asking for is the Government to look at *mwananchi* and the impoverishment facing him under this Government. Will they please respond to the needs of *mwananchi*? The price of fuel in this country is higher than in most parts of the world. Therefore, one cannot engage in any industrial development. One cannot transport things cheaply and everything is expensive.

Let us develop sisal plantations cautiously in areas where it would not interfere with the existing lifestyles. We should improve the conditions in the sisal subsector, but let the Government also think about the poverty that has stricken our people since the NARC Government took over power.

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

**The Assistant Minister for Foreign Affairs** (Mr. M. Kariuki): Mr. Temporary Deputy Speaker, Sir, I also wish to support this Motion.

The constituency that I represent in this House was one time well known for being the cleanest town in East and Central Africa. The question I have always asked myself is: What went wrong and when did the rain begin to beat us? One of the challenges we have faced is the disposal of plastic material. This is really a major problem for this country. I, therefore, would like to call upon the National Environment Management Authority (NEMA) to ensure that in carrying out environmental audit before the commencement of any industry, they should ensure that the investor provides a mode of disposal of all the waste the industry will produce.

Mr. Temporary Deputy Speaker, Sir, if you look at other countries, for example, Sweden, you cannot set up an industry before you have clearly spelt out the mode of disposal of the products

of the industry.

I do not want to overemphasise the dangers of plastic. It is very well known that, in towns, one of the major problems we have is blockage of sewerage and drainage systems. Plastic waste normally blocks sewer systems and it takes a lot of time and money to unblock the sewerage systems. In my own town, I have a national park and the animals are really endangered by plastic waste that is swept into the national park by floods. There was an assessment carried out this year and it revealed that so many wild animals in the park have died as a result of the plastic waste.

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

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

As far as farmers are concerned, any domestic animal that consumes plastic material dies within days or weeks. So, I think there is a sense in which we should say that the preservation of the environment should be done by having a programme of doing away with the production of plastic. I am happy that NEMA has designed a five-year programme within which they will ensure that no plastic materials are manufactured or used in this country. That, indeed, will be a great day for us and we are looking forward to even better days.

Mr. Temporary Deputy Speaker, Sir, as far as the production of sisal is concerned, I would like to eschew any racial profiling. However, it is a fact that all investors in the sisal industry are people of one nationality mainly the Greeks. When you go to Nakuru, Taita-Taveta and Rea Vipingo, it is the Greek community which runs the sisal plantations there. A lot has been said about the poverty that tends to run with the production of sisal. This is a big challenge for us and we should ensure that any investor who comes to this country must uphold the dignity of our people. That we can do by ensuring that our people are given just wages that they can survive on and lead a dignified life. The poverty that we see in the sisal producing areas is the most unfortunate thing.

Mr. Temporary Deputy Speaker, Sir, there is a relationship between sisal and plastic and it is as far as the preservation of the environment is concerned. We have destroyed our forests because we have been producing paper out of wood. However, technology has now proved that sisal can, in fact, produce paper. So, the alternative of recapturing our environment, and more so the forest cover, is that we can plant more trees now, but also expand the production of sisal. It is a short-term crop in terms of maturity. So, we can get paper out of sisal in a much shorter time. The average time to get a tree to mature in readiness for the production of paper is about 20 to 30 years, but sisal would take less than two years. This is a good alternative that we should look into.

The biggest challenge we have in this country is the Kenya Sisal Board which only exists in the statute books, but actually doing very little or nothing for this country. I think that, the Board should put more of its time and effort in research to ensure that we get the best variety of sisal that subsistence farmers can produce on a short-term basis. Sisal is an estate crop and if we are to tell our people to produce it on a ten-acre plot, then we must have the best variety that can mature within a short time.

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

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! I will now call on the Mover, Mr. Mwanicha, to reply and, if you would like to donate your time, then this is it.

**Mr. Mwanicha:** Thank you, Mr. Temporary Deputy Speaker, Sir. I want to donate three minutes each to hon. Mwenje and hon. Kamama, then I will finish up.

Thank you.

**Mr. Mwenje:** Mr. Temporary Deputy Speaker, Sir, I would like to thank my friend, Mr. Mwanicha, for donating one, two or three minutes to me. I would like to say this---

**The Temporary Deputy Speaker** (Mr. Poghisio): It is two minutes, Mr. Mwenje!

**Mr. Mwenje:** He has enough time, so he can even donate five minutes to me, and you know that, that is normal!

I am an elected Member in this City of Nairobi, and this city is littered literally everywhere with polythene, and polythene cannot be destroyed. I come from Dandora; that is my home, and the main garbage dumping site in this city is in Dandora. If you go to that place, it continues to be totally littered and you can never clean it because of polythene. I have even been told that in the areas where polythene is made, like in India, it has been banned *kabisa!* You cannot be seen it there. It is, therefore, for these reasons, that I support hon. Mwanicha's Motion that we should now encourage the sisal industry.

The sisal industry was killed in Thika, where there used to be a very big sisal factory; for making sacks and other items. The other one was in Makuyu, where there was a very big farm which was growing sisal; all those were sold out. It is high time we started encouraging establishment of sisal factories and farms by banning the use of polythene. If we cannot ban it, there must be a way of disposing it. If there is no way of disposing of polythene, then we must ban it and, therefore, give the alternative of the sisal industry where we can get sacks. Even the coffee industry which used to use a lot of sisal sacks has now moved into using polythene sacks. This is not right!

Some of the polythene industries like the one which is in my constituency continue making all types of polythene, yet they have no way of disposing of it. You cannot burn polythene because it does not burn at all, and you cannot dispose of it in any way. When you go around Nairobi and count how many polythene papers you will see along the road compared to other types of papers; there are so many!

So, Mr. Temporary Deputy Speaker, Sir, it is very, very important that the Minister should now come up with a policy of reviving the sisal industry so that we can continue using the sisal sacks like we used to earlier. We must also ban any importation of sisal sacks in this country because we are able and capable of growing sisal. Sisal growing is being done in Voi; it is being done here and it can be done anywhere.

With those few remarks, I beg to support.

**Mr. Kamama:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this very, very important Motion. I want to support the Motion brought by hon. Mwanicha because it is very, very important. As we all know, the sisal sub-sector employs about 15,000 to 16,000 people in this country and, therefore, this necessitates that this Motion should actually be passed by this Parliament and also be implemented by the parent Ministry. Usually, Motions are passed in this House, but when you see what is happening at the policy-making level, you really wonder whether we are here as a hobby or--- I just cannot describe it!

Mr. Temporary Deputy Speaker, Sir, I want the Ministry to implement this issue as a matter of urgency. I am not against the plastics, but I want us to manage them in this country because the plastic industries employ many people, but plastic has very, very harmful effects. As we all know, Nairobi these days is called the "City in the garbage" and not the "City in the sun" as it used to be called before. So, let us manage our garbage. The engineers who are specialist in sewerage management should take this matter very seriously. We have lost the war on garbage collection, and nobody should cheat us that we are doing something about it. Dandora is rotten, nobody can even go there! When you visit towns like Garissa, you see wonders.

**Mr. Mwenje:** On a point of order, Mr. Temporary Deputy Speaker, Sir. While my brother is

right in supporting the Motion, the question of saying that nobody can go to Dandora, yet I live there, is wrong. Is he in order to say people do not go to Dandora while we live there? It is not rotten!

**Mr. Kamama:** Mr. Temporary Deputy Speaker, Sir, let me withdraw that statement because, very soon, I will be visiting his place.

People have talked about industrialisation by the year 2020. This Government has told us that it has created 985,000 jobs. This is the joke of the year! This Government has created very few jobs.

Therefore, as we support this sector, I think we should also think about Arid and Semi-Arid Lands (ASAL) areas. We should think of co-operatives that can be formed to take care of sisal plantations in those areas. The poverty in sisal plantations--- When you go to Mogotio, Taita-Taveta and other parts of the coast, nobody will admire the kind of lives people are living in those places. The poverty there is hardcore. People live on less than Kshs50 per day. So, if the Government intends to promote this sub-sector, it must have elaborate plans to subsidise these farmers and the Agricultural Finance Corporation (AFC) should assist.

I want to urge my colleagues to support this Motion and ensure that we implement it as soon as is practicable.

With those remarks, I beg to support.

**Mr. Mwanha:** Mr. Temporary Deputy Speaker, Sir, I have listened carefully to the sentiments expressed regarding this Motion. Many Members have espoused the serious effects of plastics. They have also said what needs to be done regarding improvement of the sisal subsector.

Mr. Temporary Deputy Speaker, Sir, I still maintain that if we can ban the use plastics and improve the sisal sector, such that all the baggage for maize, wheat, sugar, rice and all other cereals will come from the sisal sector, that would be a big improvement in the sisal subsector and the economic effect that will be generated would be great.

Mr. Temporary Deputy Speaker, Sir, what people need to realise, especially those who are supporting the plastics industry, is that the use of plastics in carrying foodstuffs, and shopping with them is dangerous, over and above the blockage of sewerage systems and the littering in the cities that hon. Mwenje is talking about. We must understand the chemistry that underlies the plastic industry. Burnt plastic produces hydrocarbons. When these hydrocarbons are combined with nitrogen oxide, they form ozone, which is an extremely dangerous chemical to the environment. It is responsible for the increase in radiation in the universe. That explains why the snow in our mountains, Mt. Kilimanjaro, Mt. Kenya and Mt. Elgon, is no more. We have polluted our environment and the major pollutant comes from hydrocarbons generated from polythene paper.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, Mr. Mwanha! Your time is up!

**Mr. Mwanha:** Mr. Temporary Deputy Speaker, Sir, I would like to thank all hon. Members who supported this Motion.

With those few remarks, I beg to move.

*(Question put and agreed to)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Next Order!

BANNING OF GENETICALLY  
MODIFIED FOODS

**Capt. Nakitare:** Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, taking into consideration that most developed countries have banned Genetically Modified (GM) foods due to their danger to human beings; further aware that the Government has not put in place any policy guidelines to guard against introduction of these dangerous genetically modified foods; this House urges the Government to ban all genetically modified products in Kenya.

Mr. Temporary Deputy Speaker, Sir, the issue of GM foods may have surfaced as a new technology in our country. However, GM foods have their pros and cons. I would like to give a highlight of the most recent cases where I will also cite scientific research; to show that GM crops are harmful to human health. GM foods have genes from different species, for example, bacteria transferred into them. These are new, unpredictable and unstable crops.

From the outset, European countries rejected these foods immediately after they were released from the laboratory. I would like to name a few countries that have rejected biologically engineered foods. These include France, Germany, Italy, Spain, Austria, Holland, Portugal, Greece, Japan and Sweden. These foods are of great concern to human health. GM foods in European countries have had a moratorium of five years. The test has not even passed through the FDA in America. However, bio-chemical industries; the so-called "big fish" are very quick at convincing developing countries to accept that any new technology is good for human beings. The public opinion against these foods dates back to many years.

Mr. Temporary Deputy Speaker, Sir, a recent research study by independent scientists reveals the extent of genetic damage caused by genetic modification. The study reveals that this genetic modification may lead to the introduction of toxic products in genetic foods, which is a health hazard to humans beings. The effects of genetically modified (GM) foods on human beings have never been defined.

At the commercial level, poverty eradication is given as an excuse to advocate for these foods. This may lead to an international production of toxins which may cause a big problem in future. We should assess our soil and know what may be harmful to our health. This should be in relation to the kind of foods we consume.

Mr. Temporary Deputy Speaker, Sir, GM foods are a threat to our food security and also to our farmers. The foods have caused some farmers in the United States of America (USA) to be jailed as a result of keeping seeds of traditional foods. People want to avoid food toxins, but big food industries sue small farmers for allegedly interfering with scientific research work. A peasant farmer ends up being jailed as a result of that. This could also happen in Kenya.

GM seeds cannot give high yields as has been stated. These are distant hopes which can cost people millions of dollars. Small-scale farmers make up 80 per cent of our farmers. As you know, Kenyan farmers are no longer practising large-scale farming. The introduction of these foods is causing problems to some small-scale farmers who may not afford to buy GM seeds.

Mr. Temporary Deputy Speaker, Sir, I can cite an example. Argentina did a case study of genetically engineered soil base. After five years of the modification, the soil developed an insect which was resistant to insecticides. I also know of cases in other counties. We also have induced food transformation. I know of a case in the USA which shows that biologically-engineered maize is not suitable for human consumption. Scientists have come up with strong evidence that GM foods are harmful. These foods are harmful to our health, our agriculture and are a threat to our food security. We are also going to look at the most dangerous argument; that we take genetically-modified crops as a core topic on this globe. Genetically-modified crops are being promoted as future agricultural crops with a potential to resolve agricultural problems and combat world hunger. Currently, the two main types of genetically-modified crops are those that are resistant to certain herbicides and---

## QUORUM

**Mr. Bahari:** On a point of order, Mr. Temporary Deputy Speaker, Sir. This is a very important Motion. The Ministry of Agriculture is not represented here and, at the same time, there is no quorum in this House.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! Definitely there is no quorum and, therefore, I request that the Division Bell be rung.

*(The Division Bell was rung)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, hon. Members! We now have a quorum! However, you noticed that I have been trying to get hon. Members to understand that the fact that the Division Bell is ringing does not mean that the House is not sitting and so you do not have to bow at the Bar and take your seats. That has been a misconception. The Mace is there and the Chair is present, therefore, the House is actually sitting. When you come from that side you need to bow and take your seat. That should be the way we look at it. Let us, therefore, proceed!

**Mr. Mwenje:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I am in dispute with your ruling because what I know is that when the House is out of quorum, it is deemed---- I have even seen hon. Members criss-crossing from one side to the other without bowing to the Chair when there is no quorum because at that time, there is no order! That is why the bell rings and anybody can rush out and call the others. I do not think your ruling is consistent with our Standing Orders!

*(Applause)*

It is *ultra vires* and it is out of order!

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, Mwenje! So that you may know that my ruling is not *ultra vires*, I am going to ask you to withdraw from the Chamber!

*(Mr. Mwenje stood up in his place)*

Order, Mr. Mwenje! You should withdraw from the Chamber for the remainder of the Sitting.

**Mr. Mwenje:** But there will be no quorum if I withdraw!

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, Mr. Mwenje!

*(Mr. Mwenje withdrew from the Chamber)*

There must be some order now! Let us proceed!

**Capt. Nakitare:** Thank you, Mr. Temporary Deputy Speaker, Sir. I was highlighting the introduction of genetically-modified crops in our country and I had talked about the resistance of pests towards certain types of herbicides that we use. I was going to mention some. Like for the weeds, it was found out that Roundup, which is a common chemical that is used to kill weeds, would not be effective and it has been cited in Montaro, Argentina. We also have genes from the *bacillus trinjesis* bacteria, which enable each plant cell to express natural toxicity to certain pests. These are known as PT crops, and are produced by M/s Monsanto Aventis, a Beyer chemical



factory.

I would like to cite some of the publications that support my argument. From the observation of Prof. Whitney, crop genetic reduces transgenes escape routes. This is a volume in the Nature Book. We have the transgene-centred approach to the bio-safety of---

**The Temporary Deputy Speaker** (Mr. Ethuro): Order! Order, Capt. Nakitare! Hon. Members, it is my duty to let you know that the reason for asking Mr. Mwenje to withdraw from the Chamber is the fact that the Chair will totally lose control of the House if it is attacked. If you think that the Chair does not know what it is doing, you express yourself in the way Mr. Mwenje did. You do not declare the Chair out of order. The Chair can never be out of order. Otherwise, the whole House will be out of order. So, that is basically what I want you to appreciate. There is always a temptation amongst yourselves to police the Chair, because you think that you know more than the Chair. So, you get tempted to condemn or attack the Chair. That only works in the face of order in the House.

Therefore, I want you to appreciate that this is your Chair, and that I do not take it with me when I leave at the end of the day. So, let us respect it.

Proceed, Capt. Nakitare!

**Mr. G.G. Kariuki:** On a point of order, Mr. Temporary Deputy Speaker, Sir. With due respect, when you stood up, I thought that you were going to refer to the Standing Orders that compelled you to exclude Mr. Mwenje from the Chamber and explain to us what the status of the House is when there is no quorum. For many years, it has been the practice of this House that when there is no quorum, hon. Members move around. We have never been called to order. Maybe, we have been working outside the Standing Orders. So, following what has happened, it would be very fair for you to clear the air on the basis of the Standing Orders.

**The Temporary Deputy Speaker** (Mr. Poghisio): Hon. Members, I do not want to pursue this matter, but let us just look at the symbolism in the House. What is the purpose of the Mace remaining there? What is the purpose of the Speaker remaining in the Chair? Even if nobody stands here, when you see that Mace, you are supposed to bow at the Bar. Basically, it signifies order in the House. The fact that we have things done for a long time does not mean that we have done it in the right way. I was only trying to raise an issue here, and that did not necessarily need to attract that kind of comment.

As I pointed out, the Chair is here, and it cannot move out of here. Even if the Division Bell is ringing for lack of quorum, I cannot move out of the Chair to come and mix with you on the Floor. I will remain in the Chair, and the Mace will remain in its place. I am simply saying that this is the way we ought to do things. Order in the House must continue to prevail until quorum is obtained, and we continue with business. I did not mean, in any way, to interrupt our business. I was only saying that I wanted to bring to your attention my reason for ordering Mr. Mwenje to withdraw from the Chamber.

The Maze symbolism in the House means order must continue to prevail. That is basically what I was trying to do. Of course, even if you want to say something to the Chair, you do not do so in the manner Mr. Mwenje did. If you do it that way, you lose the respect of the Chair. That is not the manner in which to correct the Chair. This is a very august House.

**Capt. Nakitare:** Thank you, Mr. Temporary Deputy Speaker, Sir. To support my argument, I was the founder of Organic Farming Training College in Kenya, and I have known how we can produce food without the influence of chemicals and introduction of new technologies like these genetically modified crops. The tandem contract preventing the rise of the super weed, the trend that is cited in bio-technology, these are the arguments presented, when you look at Volume 17, No.9; page 361. It will tell you exactly the repercussions that will be caused by accepting genetically-modified foods or biologically engineered maize seed introduced in this country. The rationale approach to labelling bio-technology is supported by the fact that we in Kenya do not have safety testing and the regulation of genetically-engineered foods. The KEPHIS is not qualified. It has no

equipment or scientists. They could have been at ICIPE, but they went away looking for greener pastures. In which case, our scientific research is not soluble. I say it is not soluble because we are not getting the results from soil testing equipment.

Mr. Temporary Deputy Speaker, Sir, trans-genetic plans for tropical regions and some consideration about the development which has been transferred to the small-scale farmer is something that we have to look at. It is a scientific argument supported by a science journal in Washington, Volume 284 of May 1999. It also emphasises the reason why we should not accept to have hightech influence on our country which carries the majority of small-scale farmers. The production of genetically-modified crops is expensive. It will hike the price of buying seed by farmers and, therefore, un-economical. On the other hand, once a germ is injected, it is like a hormone and it interferes with bacteria. Once it gets into the pollen, and as you know pollen travels a long distance by wind, birds or economic insects, there is evidence that shows that all our beneficial insects are going to die on the face of our country. For example, bees, butterflies *et cetera*.

I beg to move and ask Mr. Wamwere to second.

**Mr. Wamwere:** Bw. Naibu Spika wa Muda, ninaomba kuunga mkono Hoja hii muhimu ambayo inahimiza vyakula hatari vya kutengenezwa kisayansi kupigwa marufuku kwa sababu ya hatari zake. Vyakula hivi vya kutengenezwa kisanyansi vina kasoro nyingi, lakini jambo la kwanza ambalo ningetaka kugusia ni kwamba ni vyakula ambavyo ni ghali mno, na kwa hivyo ni vigumu---

**The Temporary Deputy Speaker** (Mr. Poghismo): Mr. Wamwere, are you sure you are dealing with the same subject by saying, "scientifically made"?

**Mr. Wamwere:** Ndio, Bw. Naibu Spika wa Muda! Sijui kama tunaongea lugha moja. Hivi ni vyakula vilivyozalishwa kisayansi.

**The Temporary Deputy Speaker** (Mr. Poghismo): I know you are speaking in Kiswahili, but does "genetically-modified" mean the same thing as what you are saying?

**Mr. Wamwere:** Bw. Naibu Spika wa Muda, labda wakati ninapoongea Kiswahili ingefaa unisikize kwa masikio ya Kiswahili halafu tutaelewana zaidi.

**The Temporary Deputy Speaker** (Mr. Poghismo): Mr. Wamwere, basically what I am asking you to do is to set a standard translation in Kiswahili for genetically-modified foods.

**Mr. Wamwere:** Bw. Naibu Spika wa Muda, nimetazama kamusi na inasema ni vyakula vya kijenetiki ama vya kugeuzwa kisanyansi.

Bw. Naibu Spika wa Muda, nimetoa maelezo hayo kwenye kamusi. Inasema kuwa ni vyakula vilivyogezwa na vilivyotengenezwa kisayansi.

**The Temporary Deputy Speaker** (Mr. Poghismo): Proceed!

**Mr. Wamwere:** Bw. Naibu Spika wa Muda, nilikuwa naeleza kwamba kasoro kubwa ya vyakula hivyo ni kwamba ni ghali kwa sababu vinatengenezwa kwa gharama ya juu. Wakati vyakula hivyo vinaingizwa sokoni, wananchi maskini wanashindwa kuvinunua. Kwa hivyo, badala ya kupunguza tatizo la njaa, vyakula hivyo vinaongeza matatizo hasa kwa wananchi wenye pato la chini.

Bw. Naibu Spika wa Muda, jambo lingine ni kwamba bei ya mbegu ya vyakula hivyo ni ghali sana. Haikuwa hivyo kabla ya vyakula hivyo kuletwa. Hapo zamani, wakati tulikuwa tunalima huko vijijini, wazazi wangu hawakuwahi kununua mbegu. Walikuwa wanaingia ghalani na kutoa mahindi, wanayapanda na yanakua. Ilikuwa rahisi sana kufanya hivyo. Siku hizi, hakuna anayeingia ghalani kutoa mbegu na kupanda. Kila wakati, ni lazima tununue mbegu kwa bei ambayo watu wengi hawawezi kuimudu.

Bw. Naibu Spika wa Muda, hatari nyingine kubwa ni kwamba vyakula hivyo vinadhuru afya yetu. Ni jambo linalojulikana wazi kwamba zamani, watu waliishi hata miaka 100. Siku hizi, ni

vigumu sana kupata watu wenye umri huo, hasa wale ambao wanakua wakati huu. Tuna maisha mafupi kwa sababu ya chakula tunachokula; hicho cha kijenetiki. Chakula hicho kinatupunguzia maisha, miaka na nguvu. Ukikutana na mtu ambaye amekula chakula hicho na umsukume, ni rahisi kumwangusha kuliko mtu wa umri wake aliyeishi miaka 50 iliyopita.

Bw. Naibu Spika wa Muda, afya yetu imeharibika sana kwa sababu ya chakula hicho, ambacho kinatuambukiza maradhi ya saratani. Ukitazama umma wetu leo, utakuta kwamba kuna watu wengi ambao wana saratani ya tumbo, mifupa, mapavu, matiti, mapumbu, damu na hata ya ngozi. Nikimtazama Bw. G.G. Kariuki, namwona kama pengine ameshaingia katika hatari ya kuwa na saratani ya ngozi. Kwa hivyo, kuna umuhimu tusikilize. Huenda tunaongea juu ya hatari tukifikiri iko mbali, kumbe iko karibu sana na sisi.

**Mr. Munya:** On a point of order, Mr. Temporary Deputy Speaker, Sir.

**Mr. G.G. Kariuki:** On a point of order, Mr. Temporary Deputy Speaker, Sir.

**Mr. Temporary Deputy Speaker** (Mr. Poghio): Mr. G.G. Kariuki, please, allow Mr. Munya to finish his point of order. I have given him the chance.

**Mr. Munya:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not know whether you have heard Mr. Wamwere insinuate that Mr. G.G. Kariuki has cancer of the skin. Is that in order? Could he substantiate?

Bw. Naibu Spika wa Muda, nilikuwa ninakisia lakini kama sivyo ilivyo, ninaomba kuondoa na kumwomba Bw. G.G. Kariuki msamaha kwa sababu nilidhani kwamba kuna kitu kinachoitwa utani. Lakini kama hakiko, ni sawa sawa. Nimeondoa na nimeomba msamaha.

**Mr. G.G. Kariuki:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Would you allow a situation like the one that Mr. Wamwere is deliberately developing, knowing very well that what he is saying is not true? He is joking in the august House. Is he really normal?

**The Temporary Deputy Speaker** (Mr. Poghio): Order! To be fair, when Mr. Wamwere raised those issues, he definitely was not in order. But since he has apologised and withdrawn, I really have nothing to add. He has basically removed it. It is no longer holding.

**Mr. Wamwere:** Bw. Naibu Spika wa Muda, niache niendelee kwa sababu---

**Mr. Kajembe:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Bw. Naibu Spika wa Muda, ikiwa Bunge hili---

**The Temporary Deputy Speaker:** Order! You started in English! Proceed in English!

**Mr. Kajembe:** I am saying that if we are going to allow hon. Members to crack jokes during parliamentary deliberations and then they apologise before the Chair gives a ruling on the matter--- The deliberations of this House are communicated to all Kenyans. Could we get your guidance on this subject?

**The Temporary Deputy Speaker** (Mr. Poghio): Order, hon. Members! Of course, you would not know what somebody will say. Mr. Munya brought this issue to my attention immediately and Mr. Wamwere withdrew and apologised. When you withdraw and apologise, you really have nothing remaining. So, let him proceed.

**Mr. Wamwere:** Bw. Naibu Spika wa Muda, niache nijitanie mimi mwenyewe, na nadhani ninaruhusiwa kufanya hivyo. Kwa sababu ya kula chakula hiki cha kijenetiki, ninaishi katika hofu ya kuugua saratani ya ngozi, mapumbu na aina nyingine za saratani. Nadhani ninaruhusiwa uhuru huo. Maradhi haya yako karibu sana na sisi na ndio sababu tunaunga mkono Hoja hii.

Bw. Naibu Spika wa Muda Hatari nyingine ya chakula cha kijenetiki ni kwamba hakina ladha halisi. Tumeona mayai ya kijenetiki ambayo ni meupe kama karatasi. Tumeona nyama ya kijenetiki ambayo hailiki. Hebu linganisha mayai ya kuku wa kienyeji na mayai ya kuku wa kijenetiki na utaona tofauti kubwa sana. Ukilinganisha ladha ya nyama wa kuku wa kijenetiki na ile ya kuku wa kienyeji, utaona tofauti iliyoko kati ya vyakula vya kimaumbile na vile vya

kutengenezwa kwa kisayansi.

Bw. Naibu Spika wa Muda, ninaomba kuafiki.

*(Question proposed)*

**Mr. G.G. Kariuki:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion.

Mr. Temporary Deputy Speaker, Sir, genetically-modified food has been an international issue for quite sometime. It is most annoying if genetically modified food is being introduced in this country. We know that all developed countries have rejected genetically-modified food. It is very clear in our minds and the Government's mind that this kind of food is no longer acceptable. We have learnt that some developing countries have been forced or influenced to accept genetically-modified food by multinational companies. The same companies have compelled us to adopt these seeds.

I agree with the hon. Members who say that genetically-modified seeds have high yields. However, the problem here is that we do not know the long-term effect of genetically-modified food in our health. For example, we have heard that our Government has allowed importation of genetically-modified maize seeds into this country, and yet our people are not familiar with this manipulation. People will plant these seeds and, in the next five years, our original maize seeds will vanish from the market. This is the worst thing to happen to this country. It is not only the genetically-modified maize seeds which are being allowed into the country, but potatoes and other seeds. I think this House should not only pass a Motion like this one, but also bring a Bill to stop this kind of manipulation. This is because there are international business cartels or people who modify these seeds for sale. In fact, we have heard that people who think like Mr. Wamwere will be born!

*(Laughter)*

**Mr. Wamwere:** Jambo la nidhamu, Bw. Naibu Spika wa Muda. Nina hakika kwamba unakumbuka vile Bw. G.G. Kariuki alivyowaka moto na akatoa hasira za nyoka kwa sababu nilimtaja wakati nilikuwa ninachangia Hoja hii muhimu. Badala ya mhe. G.G. Kariuki kuchangia Hoja hii, anatomia muda wake kunishambulia!

**The Temporary Deputy Speaker** (Mr. Poghisio): Mr. Wamwere, what is your point of order?

**Mr. Wamwere:** Bw. Naibu Spika wa Muda, unaweza kumkataza Bw. G.G. Kariuki kutaja jina langu wakati anachangia Hoja hii?

**Mr. G.G. Kariuki:** Mr. Temporary Deputy Speaker, Sir, I am sorry. I will not mention anyone. I was just saying that we do not know the future of the genetically-modified food.

**Mr. Wamwere:** On a point of order, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, both of you! I will not allow exchange of words between the two of you! Generally, hon. Members need to know that you have to be respectful to each other and you do not mention each other in bad light. If you do that, you must bear the brunt of your actions or words and, therefore, be forced to withdraw and apologise. You know that to discuss a Member of Parliament in any light, unless you have his or her permission, you really have to bring a substantive Motion before the House. However, I also do not want to make it look like you cannot say anything with a light touch. However, I am not recommending for anyone to be brought in.

*(Applause)*

This is your House. Hon. Members, you have to be very careful on anything which is serious and brings somebody's name into disrepute. Mr. G.G. Kariuki, because it is still fresh in my mind that you wanted Mr. Wamwere to withdraw and apologise immediately when he mentioned your name, if you have in any way caused your friend to be unhappy, then you know the right thing to do!

**Mr. G.G. Kariuki:** Mr. Temporary Deputy Speaker, Sir, I had apologised even before you spoke. When Mr. Wamwere stood up, I thought he was going to do the same thing. However, I apologise to him and also to the Chair. If there is anybody who would like to talk about issues with a light touch, it is myself.

We should bring a Bill to this House to put a complete ban on all the genetically-modified foods, which are being tried on us. These foods are produced outside Kenya, but Kenya is found to be the only place where they can be tried. The Minister for Agriculture will do a lot of injustice to this country if he allows these foods, which are most unacceptable, to be distributed here. We have no resources to enable us to do further research on these foods or to reject them, and that is why we are being used by the multinational companies, who are selling them here.

Mr. Temporary Deputy Speaker, Sir, the manufacturers of the genetically-modified foods will start giving the seeds freely to our people, and in the long run, our people will accept this kind of manipulation. Without saying much about this Motion, I urge this House to pass it. The Motion should be followed by an Act of Parliament, so that we can impose a complete ban on the genetically-modified foods.

With those few remarks, I beg to support.

#### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Poghisio): Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.