

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 26th April, 2006

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

NOTICES OF MOTIONS

INTRODUCTION OF SQUATTERS SETTLEMENT SCHEME BILL

Mr. G.G. Kariuki: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:-

THAT, noting with concern the plight of scores of Kenyans who are landless across the country and whose earnings are barely enough to sustain them, noting further that there is no clear land use policy, and aware that thousands of hectares of land belonging to the Government or private individuals lie idle; this House do grant leave to introduce a Bill entitled The Squatters Settlement Scheme Bill for purposes of settling all genuine squatters in the country.

INTRODUCTION OF CDF (AMENDMENT) BILL

Eng. Muriuki: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:- THAT, considering the Constituencies Development Fund has been successfully implemented for over two years, and noting the suggestions made at various fora to improve on some of the provisions in the Act, this House do grant leave to introduce a Bill entitled Constituencies Development Fund (Amendment) Bill to amend the Act in order to further improve the delivery system of the Fund.

(Applause)

QUESTIONS BY PRIVATE NOTICE

COLLAPSE OF BUILDINGS AT OYORA ADMINISTRATION POLICE POST

(Mr. Ochilo-Ayacko) to ask the Minister of State for Provincial Administration and National Security:-

(a) Is the Minister aware that Oyora Administration Police Post in Rongo Division, a border security post, is on the verge of being closed because the houses/buildings

have collapsed?

(b) What urgent measures is the Minister taking to solve this problem?

Mr. Deputy Speaker: Is Mr. Ochilo-Ayacko not here? His Question is dropped.

(Question dropped)

Next Question, Mr. Bett!

PAYMENT FOR ISSUANCE OF ID CARDS

Mr. Bett: Mr. Deputy Speaker, Sir, I beg to ask the Minister of State for Immigration and Registration of Persons the following Question by Private Notice.

Why are Kenyans still being asked to pay for the issuance of national identity cards after the Government abolished the charges?

Mr. Deputy Speaker: Is the Minister not here? I will ask the Leader of Government Business to say something.

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Deputy Speaker, Sir, I am sorry, I expected either the Minister or his Assistant to be here. May I plead that we put this Question in tomorrow's Order Paper and I will make sure that he is here.

Mr. Deputy Speaker: What do you have to say, Mr. Bett?

Mr. Bett: Mr. Deputy Speaker, Sir, I have no objection. But suppose the Minister comes in before Question Time is over, would you not allow him to reply?

Mr. Deputy Speaker: You see, the Chair had hoped that with the introduction of the ethics code which was so much publicised, the issue of Ministers missing to answer Questions would be a thing of the past. Apparently, this is not the case. Therefore, I appeal to the Leader of Government Business to let this be the last time that we are ever going to defer a Question because a Minister is absent, unless, of course, the code has no meaning.

Can I get your assurance, Mr. Awori?

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Deputy Speaker, Sir, I will do the best I can. Of course, you do appreciate that I cannot drag Ministers here. But I will emphasise to them that they have not only signed the code of ethics but they have also signed the performance contracts.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. Since the Vice-President and Minister for Home Affairs is the only one who keeps time, would it be in order for him to be availed copies of all answers to Questions so that in case a Minister is absent, he can actually respond?

The Vice-President and Minister for Home Affairs (Mr. Awori): Yes, indeed. That should be the practice. Unfortunately, the Minister concerned did not avail the answer to me, otherwise I would have answered on his behalf.

Mr. Deputy Speaker: So, I will defer the Question until tomorrow afternoon.

Next Question, Eng. Muriuki!

(Mr. Mwaboza entered the Chamber)

Hon. Member: Here he is. The Assistant Minister has come!

Mr. Deputy Speaker: Order! I will still defer the Question. Time waits for no one. The Minister is late and I have already ruled that the Question be deferred to tomorrow afternoon.

(Question deferred)

CLOSURE OF PUBLIC ROAD IN OL JOROROK

Eng. Muriuki: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Lands the following Question by Private Notice.

(a) Is the Minister aware that a road reserve between parcel Nos.1712 and 1713 in Ol Jororok Salient, which leads to Kibathi Primary School, among other places, has been closed by an individual for many years?

(b) Is he further aware that a consultative meeting attended by *wananchi*, leaders and Government officials was held at the site on Friday, 28th March, 2006, following which the road was opened and graded by the Government?

(c) Why has the said individual closed the road again and what steps is the Minister taking to ensure that the road remains open for use by *wananchi*?

Mr. Deputy Speaker: Is the Minister for Lands also not here? Again, the Leader of Government Business will say something.

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Deputy Speaker, Sir, once again, my apologies. Could we defer the Question to tomorrow afternoon?

Mr. Deputy Speaker: Could we hear from Eng. Muriuki?

Eng. Muriuki: Mr. Deputy Speaker, Sir, with all due respect, what is your ruling?

Mr. Deputy Speaker: I wanted your comment, because I had made some remarks regarding the Minister of State for Immigration and Registration of Persons. Those remarks will suffice for this Minister.

Mr. Bifwoli: On a point of order, Mr. Deputy Speaker, Sir. When an hon. Member is not in the Chamber to ask a Question, the Chair drops it. This means that the hon. Member is punished. What disciplinary action is the Chair taking against Ministers who deliberately refuse to come and answer Questions? You had better drop the Minister!

(Laughter)

Mr. Bahari: On a point of order, Mr. Deputy Speaker. Would I be in order, through the Chair, to ask the Vice-President and Minister for Home Affairs, who is also the Leader of Government Business, to ensure that he gets a list of the Ministers who do not answer Questions, so that, that can actually count in determining their level of performance, hence whether they should be dropped, as Mr. Bifwoli has suggested?

Mr. Deputy Speaker: I think all these points of order are appreciated because, really, they show the concern that the House has in this matter. We were told that Parliamentary Business would be given priority by Ministers, and I thought, really, that this Session would see the beginning of that. But it does not seem to be the case. However, I think the Vice-President and Minister for Home Affairs has taken serious note of this. I think, next time, surely, the Chair should be able to do something more drastic than just warning.

Mr. G.G. Kariuki: On a point of order, Mr. Deputy Speaker, Sir. The issue of Ministers failing to attend the House to answer Questions was repeatedly raised with the Chair during the last Session. If you look at the HANSARD, you will see that the Chair has given this warning before. Am I in order to ask whether, as a deterrent measure, the House can adjourn due that particular reason, so that the Government will see the seriousness of the absence of Ministers from the House?

(Applause)

Mr. Deputy Speaker: Order! The House will not adjourn because of this. But, again, it is upon the Leader of Government Business to ensure that Ministers are here to answer Questions. I do not want to continue with this any further. The Question is deferred to tomorrow afternoon.

(Question deferred)

Let us now move on to Ordinary Questions.
Question by Prof. Mango!

ORAL ANSWERS TO QUESTIONS

Question No.093

MEASURES TO CATER FOR ORPHANS IN BUTULA CONSTITUENCY

Prof. Mango asked the Minister for Home Affairs:-

- (a) whether he is aware that there are 18,000 orphans in Butula Constituency; and,
- (b) what action he is taking to cater for their shelter, food, clothing and medical treatment.

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that there are 18,000 orphans in Butula Constituency. The National AIDS Control Council (NACC) carried out a survey, which covered this constituency, in 2005. It was discovered that there were only 7,937 orphans in Butula Constituency.

(b) The Government is responding to the issue of orphans and vulnerable children nationally and no single part of the country has been left out. The Children's Department, which is within my Ministry, has established an area advisory council which is a sub-committee of the District Development Committee (DDC) in Busia, comprising of various district departmental heads such as the District Commissioner (DC), the Medical Officer of Health, the District Education Officer (DEO), the Children's Officer, the District Planning Officer, the District Labour Officer, representatives from non-Governmental Organisations (NGOs) and religious organisations.

In Butula Division, there is a Divisional Children's Advisory Council chaired by the DO. This council exercises general supervision and control over the planning and co-ordination of the children's rights. The NACC, through the Constituency AIDS Control Co-ordinator in Busia, is funding 23 community-based organisations (CBOs), which are supporting a total of 1,060 children. The names of the CBOs and their target orphans, are attached to this answer as appendix 1.

The tragedy of orphans in Kenya today is enormous, and requires all of us to work towards dealing with it.

Prof. Mango: Mr. Deputy Speaker, Sir, I would like to thank the Vice-President and Minister for Home Affairs for his long and elaborate answer, which includes an annex on what my efforts have been in seeking support for the orphans in Butula.

The children of this country, particularly orphans, are suffering, yet the Government does not seem to have a policy to take care of them. My Question is very specific. I want to know what the Minister has in place in terms of shelter, food, clothing and medical care for the orphans of

Butula. According to the Minister's answer, he has not referred to any of that. Could he tell this House what the Government has in place to feed the starving children of Butula, particularly the orphans?

Mr. Awori: Mr. Deputy Speaker, Sir, as I said in my answer, the problem of orphans is not confined to Butula Constituency. We now have 1.9 million orphans throughout the country. We have to start somewhere. We have started a pilot scheme in five districts now, where we are attempting to do something even better than having mere institutional homes. We are attempting to put orphans in various families. We give a family Kshs1,000 and give it one orphan, so that the orphan can experience love from a family. This is a pilot scheme in Kwale, Thika and in three other districts. Eventually, we expect this to spread right across the country. I am sorry that we did not start with this scheme in Butula. We started where the need was greater. We expect that in time we will reach Butula.

Mr. Wamunyinyi: Mr. Deputy Speaker, Sir, the Government has a social responsibility to ensure that highly-vulnerable members of the community, like these orphans, are supported in order to live a normal life like other members of the community. I think that Kshs1,000 cannot cater for education, medical services, shelter, food and the other requirements of an orphan. I believe that even the issue of street children---

Mr. Deputy Speaker: Order! I will not allow you to make a speech as you did yesterday when you were asking a question! Those hon. Members who were in the House remember that very well.

Now, go directly to your question, please.

Mr. Wamunyinyi: Mr. Deputy Speaker, Sir, could the Vice-President and Minister for Home Affairs tell the House what specific measures he has on this matter, including the amounts of money he has set aside to be spent on the orphans of this country?

Mr. Awori: Mr. Deputy Speaker, Sir, I will repeat the same answer I gave. We have to start somewhere. We now have a pilot scheme. Currently, there have been a lot of NGOs which are helping the orphans. We have been complementing them with some money but we felt that the Government itself should now take a lead. The lead is this pilot scheme which involves not putting a child into an institutional home but with a family. Other than that, we are, obviously, working under budgetary constraints. There is very little we can do even though we are aware of the situation.

Mr. Midiwo: Mr. Deputy Speaker, Sir, it is true that most orphans in this country are trapped in circumstances caused by the HIV/AIDS pandemic. There is a fund being run under the Office of the President. Every year, the Government replaces the director of that fund because people are fighting for the control of its funds. It is a fat fund meant for the "fat cats" of this country.

Could the Vice-President and Minister for Home Affairs, in his capacity as the Leader of Government Business and the second senior-most Member of the Cabinet, make it his business to discuss with the President and the Cabinet, so that this money is disbursed to the various constituencies using the Constituencies Development Fund (CDF) formula, so that we can form committees in each constituency to look after the vulnerable and orphaned children of this country?

(Applause)

Mr. Awori: Mr. Deputy Speaker, Sir, the amount of money that is being dispensed by the National AIDS Control Council (NACC) works more or less like the CDF. What normally happens is that CBOs and NGOs in the various constituencies have groups which make proposals that are sent to Harambee House for consideration. Depending entirely on the veracity of the proposals,

money is actually given. For instance, if a group sends a viable proposal to the NACC, and the amount of money which is given is intended for sensitizing people against the dangers of HIV/AIDS, and being cognisant of the fact that HIV/AIDS moves side by side with poverty, that amount of money is supposed to economically empower that group. It is out of economically empowering the groups that vulnerable children and orphans can be assisted. So, that is happening.

I am aware that, as of now, the amount of money has run out and they are hoping that the Millennium Development Fund will come in handy. When that happens, again, the money will come out. I am aware of quite a number of constituencies that have received between Kshs10 million and Kshs15 million in one year. The minimum amount received by a constituency is probably Kshs4 million and that depends entirely on the Member of Parliament and his groups in sending in proposals to the NACC.

Prof. Mango: Mr. Deputy Speaker, Sir, while appreciating the answer given by His Excellency the Vice-President and Minister for Home Affairs, I would like to let the House know that out of my constituency's 600 CBOs that applied for funding from the NACC, only 21 CBOs have been funded in the last three years. So, that is not adequate amount to feed the orphans. Secondly, he talked about the pilot project. As the Government implements a pilot project in three districts, hungry children elsewhere are starving to death. That is not a good way of solving a critical problem. So, could part of the NACC's budget be given to constituencies to take care of orphans, as suggested by Mr. Midiwo, instead of letting the orphans starve to death?

Mr. Awori: Mr. Deputy Speaker, Sir, regrettably, I am not in control of that particular Fund. The Fund is controlled by the Office of the President.

Question No.077

EXPENDITURE ON IMPORTATION OF UNIFORM
MATERIALS FOR DISCIPLINED FORCES

Mr. Mwanicha asked the Minister of State for Administration and National Security:-

- (a) what the total value of cloth materials imported into the country for use by the disciplined forces is;
- (b) from which countries these materials are imported; and,
- (c) what steps he is taking to ensure that the materials are manufactured locally.

The Assistant Minister, Office of the President (Mr. Kingi): Bw. Naibu Spika, kwanza, ningependa kuomba msamaha kwa kuchelewa kufika Bungeni na kukosa kujibu Swali la Bw. Ochilo-Ayacko. Tumekuwa na shida ya mawasiliano na sehemu husika. Kuchelewa kwangu kumesababishwa na kutafuta jibu la Swali hilo. Tumepata jibu la Swali hilo. Bunge likiniruhusu, nitalijibu Swali hilo kesho.

Mr. Deputy Speaker: Bw. Kingi, Bunge halitakuruhusu! Swali hilo limetupiliwa mbali kwa sababu Bw. Ochilo-Ayacko hakuwepo Bungeni. Kwa hivyo, hata wewe huna haja ya kuomba msamaha.

Endelea!

The Assistant Minister, Office of the President (Mr. Kingi): Ahsante, Bw. Naibu wa Spika. Pia, ninaomba msamaha kwa kuwa sitaweza kulijibu Swali la Bw. Mwanicha. Jibu la Swali hili linatoka kwa Wizara mbalimbali. Tumeziandikia barua Wizara husika lakini baadhi ya Wizara hizo hazijatuletea majibu. Tumeliandikia barua shirika la Huduma kwa Wanyama Pori nchini (KWS) na vikosi vya majeshi ili watupatie habari zinazohusu Swali hili, lakini kufikia sasa,

hawajatupatia habari hizo. Tunajaribu kuwasiliana nao ili watupatie habari hizo ili tulete jibu lililo sahihi. Kwa hivyo, ninaomba nilijibu Swali hili juma lijalo, siku ya Jumanne.

Mr. Deputy Speaker: Bw. Mwancha, umesikia alivyosema Waziri Msaidizi?

Mr. Mwancha: Bw. Naibu Spika, niliomba kuuliza Swali hili kitambo sana. Kwa sababu sina la kufanya, ninaomba kwamba ukifika wakati huo, Waziri Msaidizi asije Bungeni na kuomba msamaha tena.

Mr. Deputy Speaker: Waziri Msaidizi, umesikia alivyosema Bw. Mwancha? Umeomba kujibiwa kwa Swali hili kuahirishwe hadi Jumanne, na tumekubali. Kwa hivyo, hakikisha ya kwamba hutaomba msamaha tena siku hiyo.

(Question deferred)

Question No.067

REPAIR OF MULANJO PRIMARY
SCHOOL ROOF

Mr. Wario asked the Minister for Education:-

(a) whether he is aware that the roof of Mulanjo Primary School in Bura Constituency was blown off by wind in January, 2006; and,

(b) what measures he is taking to repair the school and make it operational.

The Assistant Minister for Education (Mrs. Mugo): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that the roof of Mulanjo Primary School in Bura Constituency was blown off by wind in January, 2006. However, I am aware that on Saturday, 29th October, 2005, a strong wind blew off the roofs of two classrooms, the office block, books and food stores at Mulanjo Primary School, and that nobody was injured.

(b) The Ministry has allocated Kshs10,800 to Mulanjo Primary School through the Repairs, Maintenance and Improvement Vote Head, of 2004/2005 Financial Year, and a further Kshs7,434 as the first tranche of the 2005/2006 Financial Year allocation. As is always encouraged, the parents, local leaders and the community were mobilised and, within a short time, they repaired the damaged facilities. The Ministry appreciates the Bura Constituency Development Fund (CDF) Committee's support to the school, to the tune of Kshs1,000,050. This has gone a long way towards the repairs and construction of the school facilities.

Mr. Wario: Bw. Naibu Spika, jibu la Waziri Msaidizi lina kasoro fulani. Ni kama Waziri Msaidizi alijua kwamba kutakuwepo na upepo mkali mwaka wa 2005 ndio maana akatenga Kshs10,000. Ningetaka kumwuliza kama Kshs15,000 zinaweza kuyajenga upya madarasa hayo. Kuna madarasa manne lakini matatu tayari yamebomoka. Ni darasa moja tu ambalo limebaki. Je, Kshs18,000 zatosha kuyajenga upya madarasa hayo matatu yaliyobomoka? Tunafahamu kwamba Kshs1 milioni zitatumika kujenga madarasa mapya wala si kuyarekebisha yale ambayo yalibomolewa na upepo.

Mrs. Mugo: Mr. Deputy Speaker, Sir, I appreciate the hon. Member's concern. This is the money that we give to every primary school in the country. We have 18,000 primary schools in the country. I would like my colleagues to appreciate the fact that under the Constituencies Development Fund (CDF) there is an emergency fund which should be used for such small repairs. All the money that is used has to be budgeted for. The Ministry has not budgeted for these small repairs.

Mr. Manoti: Mr. Deputy Speaker, Sir, whenever the Ministry of Education is asked a

Question about repairs in schools, we are always given the same answer. The Assistant Minister should tell us that the Ministry has no money to do repairs in schools instead of giving us unsatisfactory answers.

Mrs. Mugo: Mr. Deputy Speaker, Sir, I have said that the Ministry has money to do repairs in schools. We disburse this money to every primary school every year for repairs. However, education is a partnership between the local communities, the leaders and the Government. Whereas the Ministry buys all the instructional materials, we request leaders to support small repairs in schools. Indeed, the Government has disbursed money for such repairs through the Emergency Vote of the CDF.

Mr. Rotino: Mr. Deputy Speaker, Sir, does the Ministry have a policy on emergencies? Does the Ministry set aside any amount of money for emergencies, such as floods and wind? We should not hide under the CDF. The Assistant Minister should tell us what the Ministry has set aside for emergencies.

(Loud consultations)

Mrs. Mugo: Mr. Deputy Speaker, Sir, we do not have a party in the Ministry of Education!

Mr. Deputy Speaker: Order! Mr. Rotino talked about a policy and not a party. Mr. Rotino, did you talk about a party?

Mr. Rotino: Mr. Deputy Speaker, Sir, I never mentioned the word "party". Maybe the hon. Assistant Minister heard about NARC-Kenya.

Mrs. Mugo: Mr. Deputy Speaker, Sir, if hon. Members consulted quietly, then we could hear the questions.

As I said, the Ministry of Education is part of the Government. We depend on the Budget that is passed by this very House. The CDF has emergency funds to cater for such emergencies. You do not expect the Ministry to do each and every repair in schools. We would wish to do those repairs, but it is not possible. The moment funds are available, we shall use them for that purpose. The money that we are allocated in the Budget cannot take care of all those emergencies.

The hon. Members should use the Emergency Vote in the CDF to do such repairs. This is Government money and it is meant for emergencies such as repairing schools' roofs which have been blown off by the wind.

Mr. Wario: Bw. Naibu Spika, ni ajabu kuwa Waziri Msaidizi alijua kuwa katika mwaka wa 2004 kungekuwa na upepo mkali ambao ungebomoa madarasa matatu katika shule hiyo. Hata hivyo, hawakutenga pesa za kutosha kuyajenga upya madarasa hayo. Madarasa matatu yalibomolewa lakini wao walitenga Kshs18,000. Nimemuuliza kama pesa hizo zitasosha, lakini hakunijibu. Ingawa kuna pesa za dharura katika kitita cha CDF, tulitumia pesa hizo kuwapelekea maji watu wetu wakati wa kiangazi. Wizara ina sera gani maalum ya kutekeleza dharura kama hii hapa nchini? Waziri Msaidizi amesema kuwa wananchi waliyajenga upya madarasa hayo. Ukweli ni kwamba madarasa hayo hayajajengwa mpaka leo. Kwa nini analipotosha Bunge hili?

Mrs. Mugo: Mr. Deputy Speaker, Sir, we have been rehabilitating many schools in every district. We also have a programme to rehabilitate schools which we hope to commence very soon. However, the schools to be rehabilitated are already tabulated. If you check in your constituency, you will see which schools have been earmarked for that.

The Bura District Education Officer requested Kshs140,000 for this particular school. The school will receive top priority as soon as funds are available.

COMPLETION OF NYAMIRA
TOWN BUS PARK

Mr. Masanya asked the Minister for Local Government:-

- (a) whether he is aware that the construction of Nyamira Town Bus Park has stalled; and,
- (b) what measures is he taking to ensure that the bus park is completed.

The Assistant Minister for Local Government (Mr. Shaaban): Mr. Deputy Speaker, Sir, I beg to answer.

(a) It is true that construction work on Nyamira Town Bus Park has stalled.

(b) In September, 2005, a dispute arose over the ownership of the land on which the central bus park was being constructed. In October, 2005, the High Court issued restraining orders on the contractor carrying out the works pending the determination of who is supposed to be the rightful owner of this disputed piece of land. The ruling on the matter was supposed to be delivered in March, 2006. This was, however, put off until May, 2006.

In the meantime, the contractor is set to resume work on Nyambite site any time. Works on the central bus park will resume once the matter is determined in court.

Mr. Masanya: Mr. Deputy Speaker, Sir, I come from this town and I know that, initially, this land belonged to the council, but later on, it was grabbed by notorious grabbers. Is the Assistant Minister in order to tell this House that they started the project on a piece of land which they did not know the owner?

Mr. Shaaban: Mr. Deputy Speaker, Sir, as far as the council was concerned, the piece of land belonged to it. That is why the council started the project on this piece of land until the dispute arose.

Mr. Bett: Mr. Deputy Speaker, Sir, the Assistant Minister has said that the project stalled because of a dispute over the ownership of that piece of land. We are aware of other bus park projects which have also stalled in the country, for example, Kericho, Bomet and Kebirigo bus parks. What does he have to say about that?

Mr. Shaaban: Mr. Deputy Speaker, Sir, I did not hear his question well. Could he repeat it?

Mr. Bett: Mr. Deputy Speaker, Sir, the Assistant Minister has said that this particular project stalled because of land disputes. I am also aware that there are other bus parks which were under construction and which have also stalled, especially in Kericho, Bomet Town, Kebirigo and Kapsabet. Why have they stalled? Is it because of the similar land disputes?

Mr. Shaaban: Mr. Deputy Speaker, Sir, I am not aware that such projects have stalled. If they have really stalled as a result of lack of funds or because the land was under dispute, we will take those matters very seriously and ensure that those projects are completed in good time.

Mr. Mwanicha: Mr. Deputy Speaker, Sir, Nyamira is my district headquarters and this piece of land is right outside the council offices. It was a case of grabbers with lust for land who came to take this piece of land. Could the Assistant Minister confirm to this House that he is going to repossess that land so that the works on the bus park could continue? The bus park is a public utility and this is a case of an individual grabbing that land!

Mr. Shaaban: The matter is in court and, indeed, the council is trying to repossess the land from the person who grabbed it. We have instructed the council to do everything possible to ensure that the ownership of the land reverts back to the council.

However, Mr. Deputy Speaker, Sir, we have instructed the contractor to continue with the construction on part of the land, especially the one occupied by the *matatu* park, which is not under

dispute right now because it is a different piece of land. There are two sites for that project and that one is not under dispute.

Mr. Masanya: Mr. Deputy Speaker, Sir, in the Assistant Minister's written answer, he said that the verdict of this case will be delivered on 26th April, 2006. Could he confirm to this House that, as soon as this verdict is given in favour of the council, funds will be made available to start this project immediately?

Mr. Shaaban: Mr. Deputy Speaker, Sir, I would like to confirm that there is already adequate funding for this project. The contract sum for this project was Kshs26,796,770. For the information of the hon. Member, the Nyamira Central Bus Park project is 80 per cent complete while the other construction on the Yabait *Matatu* Park is already 75 per cent complete. I would like to assure the hon. Member that there is already adequate funding for this project and once the court verdict is given, we will continue with the project, which will be finished in good time.

Question No. 086

BREAKDOWN OF NHIF EMPLOYEES
BY DISTRICT

Dr. Ali asked the Minister for Health:

(a) whether she could inform the House the number of workers employed by NHIF since 2004 to date; and,

(b) whether she could also lay the list of the employees by district and constituency on the Table.

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

(a) A total of 114 workers have been employed by the NHIF from 2004 to date.

(b) I hereby lay the list of the employees by district on the Table for further information. However, the employment records do not capture the constituency.

(Dr. Kibunguchy laid the document on the Table)

Dr. Ali: Mr. Deputy Speaker, Sir, I am 100 per cent sure that these are not the only people who have been employed from 2004 to date. When these 114 people were employed, were they employed in the offices of the senior managers and the Ministry of Health officials or were they advertised by the NHIF?

(Applause)

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I hope that Dr. Ali has looked at the list of the employees---

Mr. Deputy Speaker: Do you have the list, Dr. Ali?

Dr. Ali: But, Mr. Deputy Speaker, Sir, I have asked a question and he should answer it!

Dr. Kibunguchy: Looking at the list, it is obvious that they were not just employed in the office of the chief executive.

Mr. Deputy Speaker: Were they advertised? That was the question. Is that what you asked, Dr. Ali?

Dr. Ali: Yes, Mr. Deputy Speaker, Sir. I asked whether they were employed in the offices

of the Managing Director and the senior officers in the Ministry of Health or whether they advertised. He did not answer that question!

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, most of the positions that were filled from 2004 up to now were advertised while some were sought from the people who applied for them. These people were interviewed by the boards of management or the management committees.

Mr. Omingo: Mr. Deputy Speaker, Sir, I think it is only fair that this House gets the facts as they are. The question is simple and direct: What is the requirement of recruiting staff in that parastatal? Were those regulations followed or were they flouted?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I do not know how many times I have to repeat myself, but I have said that, yes, some of those positions were advertised while some of them were filled from the people who applied for them. Once people apply for jobs, we call them in for interviews and they were taken up for the jobs. So, some positions were advertised.

Mr. Khamisi: Mr. Deputy Speaker, Sir, it appears to me that most of the candidates or the people who were employed came from a particular area of the country. I have looked through the list and I have seen that there is only one candidate from the whole of Coast Province. Could the Assistant Minister tell us whether this is the policy of the Government to marginalize certain areas of this country?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, if you look at that list, you will not see Lugari District, and I am not complaining.

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

Mr. Deputy Speaker: Order, Dr. Kibunguchy! With respect, please, answer the hon. Member's question, because he did not ask you about Lugari.

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, that is just to show the hon. Member that not all districts are on that list. Even Lugari District, where I come from, is not on that list.

Mr. Chepkitony: Mr. Deputy Speaker, Sir, from the answer given by the Assistant Minister, it looks like that parastatal does not have an employment policy. Could he confirm to this House whether their policy is to employ people privately or to advertise all the positions?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I said that some of the positions were advertised.

An hon. Member: Why not all?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, some of the positions were advertised and others were sourced from those who had applied. People send applications to many places and are called for interviews.

Mr. Mwandawiro: Bw. Naibu Spika, ni jukumu la Serikali, hasa Mawaziri, kuhakikisha kwamba kuna umoja wa kitaifa kila pahali. Vile inavyoonekana, umoja wa kitaifa haukuzingatiwa na Wizara ya Afya. Walizingatia maslahi yao ya kibinafsi. Ni makosa sana kufanya hivyo. Je, Wizara ya Afya ina mipango gani ya kuhakikisha kwamba hakuna ukabila wakati inaajiri watu na kwamba, inazingatia umoja wa kitaifa?

(Applause)

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I fail to understand the hon. Member's question because we are talking about the National Hospital Insurance Fund (NHIF) and not the Ministry of Health. But, if I may just add, the Ministry of Health always advertises for jobs that are available.

We have advertised for certain vacancies and, towards the end of this week, we will advertise positions for 3,800 health workers.

Prof. Anyang'-Nyong'o: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to say that he does not understand the hon. Member's question, and then proceed to answer a question that he does not understand?

(Laughter)

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I think the good Professor did not hear me very well.

Mr. Deputy Speaker: Last question, Dr. Ali!

Dr. Ali: Mr. Deputy Speaker, Sir, in view of the discrepancies in the employment of staff at NHIF--- To add insult to injury, why did the Ministry sack the Chief Executive without giving an explanation?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I do not know which Chief Executive he is talking about. The NHIF---

Dr. Ali: On a point of order, Mr. Deputy Speaker, Sir. Is my hon. friend forgetting what Question we are dealing with? I am talking about the former Chief Executive of NHIF! Where did he go? What happened to him? Why was he sacked?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, that is why I am saying I do not understand the hon. Member! There are several former chief executives of NHIF. Let him mention the specific name.

Dr. Ali: Mr. Deputy Speaker, Sir, this Assistant Minister must be having a problem today! Yesterday,---

Mr. Deputy Speaker: But the Assistant Minister just asked you to---

Dr. Ali: Mr. Deputy Speaker, Sir, just yesterday, he asked me whether I was going to ask why the Chief Executive was sacked. Now, he is claiming he does not know which Chief Executive I am talking about. Has he developed senile dementia? The name of the former Chief Executive is Dr. Mohammed Hassan!

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I suppose that my friend and colleague, Dr. Ali, is talking about Dr. Hassan. I wish he could have mentioned the name "Dr. Hassan".

Dr. Hassan was seconded to the NHIF from the Ministry of Health for three years. His tenure ended on 11th, April, 2006. Therefore, he was brought back to the Ministry for re-deployment.

Mr. Deputy Speaker: Very well.

Next Question by the Member for Isiolo South, Mr. Bahari!

Question No.065

CLOSURE OF JKIA ON PUBLIC HOLIDAYS

Mr. Bahari asked the Minister for Transport:-

(a) whether he is aware that Jomo Kenyatta International Airport (JKIA) is closed for business during certain public holidays to allow Kenya Air Force jets perform the fly-past to mark the celebrations; and,

(b) whether he could consider cancellation of the above activity to enable the airport remain open for business at all times.

The Assistant Minister for Transport (Mr. Githae) Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that JKIA airspace around Nyayo National Stadium is closed for a very short time during national days celebrations to allow the fly-past by the Kenya Air Force jets. However, activities at JKIA are never closed. Kenya's national days are published and circulated to all air traffic through the Nautical Information Publication. Dates and times for the military fly-past are promulgated by the issuance of a Notification to Air Men (NOTAM) advising all aircraft flying within Nairobi to avoid that area at that material time.

The airspace is closed for safety of the civil aircraft which are likely to be flying over that area at the time the military jets are performing their displays. That has been going on over the years and there has never been any complaints from airline operators in Nairobi. Airlines that may be affected by the temporary closure of the areas because of the activity usually reschedule their flights, at least, one month in advance.

(b) The fly-past by Kenya Air Force jets is a salute to His Excellency the President, who is the Commander-in-Chief of the Armed Forces on national days. It is a ceremonial display. I cannot, therefore, cancel it. However, I wish to reiterate that, JKIA remains open as usual, even on national days.

Mr. Bahari: Mr. Deputy Speaker, Sir, I am disappointed with the answer because it is full of contradictions. One paragraph contradicts the other. On the one hand, he has said that the airport is closed for a short time and, on the other, he has said that activities continue. The main activity at the airport is flying. JKIA is the main airport in this country and Kenya, being a very poor country--- I do not think the answer given by the Assistant Minister is sufficient. My question is: If the airlines are advised in good time, why are there mid-air diversions from Nairobi to other airports within this country?

Mr. Githae: Mr. Deputy Speaker, Sir, I think my learned colleague is confusing JKIA activities with activities in the airspace around JKIA. JKIA is never closed because of the military displays. What is closed, but for a very short time, is the airspace around JKIA. The activities at the airport continue. No aircraft, unless it has an emergency, has ever been diverted to other airports. The airlines are notified one month in advance and they reschedule their flights.

Mr. Deputy Speaker, Sir, Kenyans are happy to see their military jets doing aerial displays. If you were to ask them, they would be shocked that an hon. Member is asking the Government to cancel those displays.

Capt. Nakitare: Mr. Deputy Speaker, Sir, this Question is of international value. I would like to know whether the Assistant Minister has the powers to cancel this country's ceremonial celebrations.

Mr. Githae: Mr. Deputy Speaker, Sir, I have said that the Government has absolutely no intention of cancelling the military displays. Those military displays happen everywhere, even in the United Kingdom (UK) and United States of America (USA). Whenever military jets are on display, the airspace is closed. Even the airspace around White House is, sometimes, closed permanently. I really do not see any harm. Kenyans are happy! Everybody is happy!

Mr. Lesrima: On a point of order, Mr. Deputy Speaker, Sir. As a former Director of Aerodromes, I am not aware of any other international airport that closes on national days. For example, I do not think the British Air Force uses the airspace around Heathrow Airport, just because they have the Queen's birthday. Could the Assistant Minister consider the dangers involved? We lost a pilot in 1974 as a result of that. Could the Assistant Minister consider the complaints by the airlines and reschedule those ceremonies? We do not have to salute the President mid-air. He can be saluted by soldiers on the ground.

(Applause)

Mr. Githae: Mr. Deputy Speaker, Sir, I have got the facts and I will give the former Aerodromes Directors information that Saint Andrews Airbase in America is also closed not only on national days but when the President of United States of America (USA) is landing there. What we are saying is that there is not a single airline that has complained.

Mr. Midiwo: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House that when the President of America is using an airport the country closes it for his convenience while it is true that he uses military bases and not public airports?

Mr. Githae: Mr. Deputy Speaker, Sir, we are talking of a duration of less than fifteen minutes. Surely, Kenyans are entitled to see their jets on display. They are saluting their Commander-in-Chief. To date, no airline has complained because they are notified in good time. So, Kenyans look forward to these national days so as to see the jets.

Mr. Bahari: Mr. Deputy Speaker, Sir, you know this Government was elected on the platform of change and in this answer what you see is that this has been going on over years which is an indication that they are not ready for change or they have run out of ideas. Could the Assistant Minister consider relocating that activity to elsewhere, where it will be safe for airlines to continue flying to Jomo Kenyatta International Airport (JKIA) since this is a poor country and we cannot afford to let planes circle in the air for the fifteen minutes or more time that they end up landing in Mombasa or any other airport?

Mr. Githae: Mr. Deputy Speaker, Sir, as I have said, Kenyans look forward to see their jets on display. Kenyans are very happy. Airlines have never complained. The Government has no intention of cancelling military displays and they will continue because Kenyans are happy.

Question No.288

VAT CHARGE ON CDF
ELECTRICITY PROJECTS

Mr. Deputy Speaker: Mr. Korir is bereaved and requested this Question to be deferred. Therefore, his Question is deferred to next week.

(Question deferred)

Mr. Deputy Speaker: Since Question Time is over, the other last two Questions by hon. C. Kilonzo and hon. J. Nyagah respectively are deferred to tomorrow afternoon.

Question No.277

INITIATION OF IRRIGATION
SCHEMES ALONG ATHI/THIKA RIVERS

(Question deferred)

Question No.101

VALUE OF TARDA FUNDED
PROJECTS IN MBEERE DISTRICT

(Question deferred)

POINTS OF ORDER

DEMONISATION OF PARLIAMENT BY *CITIZEN* RADIO

Mr. Keter: On a point of order, Mr. Deputy Speaker, Sir. I would like to seek a Ministerial Statement from the Minister for Information and Communications concerning Radio *Citizen* and, in particular, presenter Waweru Mburu.

On Friday and Tuesday mornings, Radio *Citizen* demonised Parliament so much. Could the Minister while issuing his Ministerial Statement explain why presenter Waweru Mburu called us Members of Parliament devils or *Ibilisi* in Kiswahili? He even compared us to prostitutes of Koinange Street.

Mr. Deputy Speaker, Sir, he further went on to say that "lightning should strike Parliament" so that all of us can perish. He even castigated our departed colleagues including the late hon. Dr. Godana and the others, which is very bad. So, what action will the Minister for Information and Communications take against Radio *Citizen* and, in particular, presenter Waweru Mburu?

Finally, I would like the Minister for Information and Communications while issuing this Ministerial Statement to remember that the genocide in Rwanda was caused by hate campaigns by their Frequency Modulation (FM) stations.

(Applause)

(Mr. Wanjala stood up in his place)

Mr. Deputy Speaker: Mr. Wanjala, you are forgetting that you are an Assistant Minister!

(Laughter)

The Assistant Minister for Information and Communications (Mr. Were): Mr. Deputy Speaker, Sir, I will issue this Ministerial Statement in the afternoon.

(Applause)

FLASH-FLOODS IN ISIOLO SOUTH CONSTITUENCY

Mr. Bahari: Mr. Deputy Speaker, Sir, on 6th April, I requested for a Ministerial Statement from the Minister in the Office of the President in charge of Special Programmes concerning a very serious matter of floods in my constituency. I have not heard from him up to now and yet this is the third time I have raised this matter here.

Mr. Deputy Speaker: Could someone tell us where the Minister for Special Programmes is because this matter has come up severally? Where is my friend, Mr. Munyes?

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Mr. Deputy Speaker, Sir, the Minister has an emergency in his constituency and has been away for two days. We will inform him to issue this Ministerial Statement maybe on Tuesday. As you may be aware, he does not have

an Assistant Minister.

Mr. Billow: On a point of order, Mr. Deputy Speaker, Sir. These Ministers are not serious. Only yesterday this House passed an increment of their salaries to the tune of Kshs200,000 per month and they still do not work. Even their Leaders of Government of Business are not here. They should take their work seriously!

Mr. Deputy Speaker: Mr. Billow, did Parliament approve that increment as a matter of record ?

Mr. Billow: Mr. Deputy Speaker, Sir, the increases for the Ministers and Assistant Ministers are Kshs200,000 and Kshs100,000 respectively and they were both included very secretly in the Supplementary Estimates by the Government and I raised it here yesterday.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): On a point of order, Mr. Deputy Speaker, Sir. Forgive hon. Billow. He enjoys making comments on virtually everything, whether relevant or not.

Mr. Deputy Speaker: Order, hon. Members! Let us be serious on this matter. Hon. Bahari requested a Ministerial Statement concerning floods in his constituency from the Minister for Special Programmes. So, Mr. Wetangula will make sure that Mr. Munyes will issue this Ministerial Statement on Tuesday.

LACK OF ANSWERS TO QUESTIONS

Mr. Ndolo: On a point of order, Mr. Deputy Speaker, Sir. Two weeks ago, I asked two Questions. One was about the sale of animals to Thailand and the other about the raid on *Standard* newspapers and up to now, I have not received answers to them.

Mr. Deputy Speaker: Could the Clerk-at-the-Table look into that matter and advise the Chair later?

Next Order!

MOTION

ESTABLISHMENT OF COMPREHENSIVE TRANSPORT POLICY

THAT, in view of Kenya's commitment to equitable development of all regions in the country; taking cognisance of communication as an engine of economic growth; noting that different forms of transport require proper planning and co-ordination; this House urges the Government to develop and implement a comprehensive transport policy to provide a framework for infrastructural development throughout the country.

(Mr. Kimeto on 19.4.2006)

*(Resumption of Debate
interrupted on 19.4.2006)*

Mr. Deputy Speaker: Mr. Kimeto, you were still Moving this Motion. You have seven minutes to conclude.

Mr. Kimeto: Mr. Deputy Speaker, Sir, while moving this Motion, I talked about improvement and development of infrastructure in this country. If you travel to North Eastern

Province, for example, you will find out that the road network in that area does not even exist. I would like to request this House to ensure that in the annual Budget, money is set aside for construction and maintenance of roads in this country.

It is important that we have good roads in all national parks, for example, Tsavo National Park and other tourist attraction areas. Money should always be set aside to maintain and construct roads in these areas. Resorts around the lakes also lack good roads, for example, those near Lake Turkana and even around Lake Victoria. It is quite difficult for tourist to access some of those areas. If these roads are constructed and maintained to good standards, this country will enjoy an inflow of tourists to those areas.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! Hon. Members on my left, please, let us hear Mr. Kimeto!

Mr. Kimeto: Mr. Deputy Speaker, Sir, before I was interrupted, I was saying that resorts near Lake Turkana lack good roads. This country can fetch a lot of foreign exchange if tourists visit some of the areas. However, since there are no good roads, you find that this country cannot earn foreign exchange because vehicles might not be able to move from one area to another, especially in game reserves, lake resorts and so on.

Mr. Deputy Speaker, Sir, most areas in this country should have airstrips. Airstrips are very essential because if somebody gets sick, for example, they can be airlifted to institutions where they can get treatment, for example, in Nairobi. In fact, I would recommend that each constituency has an airstrip, if it is possible. Airstrips can also be used by small planes to airlift agricultural products to key markets, for example, in Nairobi. The Government should plan and make projections on how it intends to construct such airstrips.

Mr. Deputy Speaker, Sir, it is very difficult to transport processed tea leaves from the factories. We should have a good railway system in the tea growing areas of this country. Farmers in these areas have problems of transportation. Pastoralists, especially in the North Eastern Province, also need a good railway system so that they can transport their animals for slaughter to Nairobi. The railway line we have in this country was constructed in the 1900s. To date, not much has been done to improve it. Whom are we waiting for to develop the network? In London, for example, they have underground railway lines. Why can we not emulate them and develop such railway lines? We are not many and we are in a position to develop this kind of infrastructure. Why do we not develop railway lines in the North Eastern, Eastern and Coast provinces? This way, we will facilitate even the low income earners to move from one region to another. Why do we not have electric railway lines in every part of this country? The sugar belt of this country also lacks a good railway system to assist factories manufacturing sugar to transport this important commodity. We should put up a good railway line system in this area to enable sugar to be transported to every part of this country.

Mr. Deputy Speaker, Sir, we have been requesting the Minister for Transport to look into this area for a long time. He should have done something small to show us that he is making progress in this area. I hope if all these suggestions are implemented, Kenyans will benefit. This is all development because without tarmacked roads and a good railway system, this country will not develop. Therefore, we should think of better infrastructure for this country so that we develop to the standards of other countries in the world.

The Minister for Roads and Public Works should ensure that road construction is done to high standards. The right equipment should also be used to construct our roads. Major roads should be up to standard so that resources of Kenyans are not wasted. If funds for construction of roads

are misused, the Minister should be alerted. We need competent Ministers---

Mr. Deputy Speaker: Order, Mr. Kimeto! Your time is up.

Mr. Kimeto: Mr. Deputy Speaker, Sir, I beg to move this Motion and request Mr. Mwandawiro to second it.

Mr. Mwandawiro: Asante, Bw. Naibu Spika, kwa kunipa fursa hii. Kwanza nataka kumpongeza Bw. Kimeto kwa kuwasilisha Hoja hii muhimu sana. Hoja hii ina lengo la kutafuta sera halisi za kukabiliana na swala la kutatua usafiri katika nchi hii.

Sera ni mipango halisi. Katika karne hii ya 21, ni muhimu kuwa na sera halisi ambazo zinaonekana wazi kitaifa na kimataifa. Inafaa ijulikane kwa kila Mkenya kuwa Serikali hii inalenga kufanya nini kutatua swala la usafiri katika nchi hii.

Tukiangalia matatizo ambayo tuko nayo ya usafiri, ni wazi kabisa kuna umuhimu wa sera. Ukiangalia msongamano wa magari katika miji, hasa Mji wa Nairobi, inakuonyesha wazi kabisa kwamba kuna haja ya kuwa na sera ya kukabiliana na shida hii.

Bw. Naibu Spika, ni aibu kuona bado tunapoteza wakati mwingi katika usafiri. Katika hii karne hatuwezi kufikia kiwango cha maendeleo tunachotaka. Ukiangalia huduma za usafiri kutoka Mombasa hadi Voi utaona kuna msongamano wa magari ufikapo Mariakani. Malori yanayoenda sehemu nyingine za bara la Afrika kama Uganda, Rwanda, Burundi, Congo Democratic Republic na Sudan husababisha msongamano mkubwa wa magari. Katika hali kama hiyo madereva na wafanya biashara huumia. Pia uchumi utaangamia kwa sababu ya kutokuwa na sera halisi ya usafiri.

Utaona kwamba barabara ya Voi-Taveta inayotuunganisha na nchi za Tanzania na Afrika Kusini imekaa kwa miaka mingi bila kukarabatiwa. Hii ni kuonyesha kwamba hatuna sera ya kutengeneza barabara zetu zinazotuunganisha na majarani zetu. Ukifika upande wa Tanzania utaona aibu kubwa, kwa sababu Watanzania wamejenga barabara zao mpaka sehemu ya Taveta, iliyo mpakani. Lakini ukiingia sehemu zetu utaona hakuna barabara. Ukichunguza haya yote utaona kuwa ajali za barabarani zinatokea kwa sababu hatuna Sera maalum ya usafiri. Juzi tulipoteza ndugu zetu Wabunge kwa sababu ya kutokuwa na sera halisi za usafiri. Inasemekana kuwa rubani wa ndege hiyo na ndege yenyewe hawakuwa katika hali sawa. Watu wengi walikufa katika ajali hiyo. Tulipata hasara kubwa kwa sababu ya kutokuwa na sera za usafiri wa hewani.

Hata katika maziwa yetu kuna shida nyingi. Ukiangalia usafiri katika Ziwa Victoria utaona watu wengi wanaangamia. Kuna ajali nyingi katika Ziwa Victoria. Pia katika Ziwa Turkana tunasikia kuna ajali nyingi. Katika Bahari Hindi ajali vile vile zipo kila siku. Hiyo inatuonyesha kuna haja kubwa sana ya kuwa na sera za usafiri. Nimesisitiza kwamba katika hii karne ya 21, ikiwa tunataka maendeleo, ni lazima tuwe na sera za usafiri na kuzitekeleza. Ni lazima tuhakikishe kuwa tuna njia bora zaidi za usafiri na mawasiliano katika nchi hii ili tukabiliane na matatizo ya karne hii.

Upande wa barabara, ni muhimu tutekeleza sera za usafiri kwa makini na kwa mpango halisi. Hata wakati tunapojadili Bajeti ni lazima tuangalie sera za usafiri. Ukitoka Nairobi hadi Mombasa utaona karibu masaa matatu yanaisha kabla hujatoka mjini kwa sababu ya msongamano wa magari. Kama tungejenga barabara pana kutoka Nairobi hadi Machakos hiyo ingepunguza msongamano wa magari. Pia hii ingechangia uchumi kuimarika. Masaa mengi hutumiwa na wasafiri kutoka mjini Mombasa hadi Mariakani kwa sababu ya msongamano wa magari, na hali sehemu hiyo ina barabara ya kimataifa. Bandari ya Kilindini ni msingi wa uchumi wa nchi za Afrika Mashariki. Kama kungekuwa na sera nzuri, barabara kama hizo zingepanuliwa maradufu.

Kuhusu usafiri wa reli, tukisema tuzibinafsishe huduma za reli utaona hatuendelezi hiyo sekta. Katika hii karne maendeleo yanaweza kuimarika tu ikiwa kuna usafiri sawa wa reli. Ikiwa kuna usafiri sawa wa reli mizigo mizito, ambayo huharibu barabara zetu, itasafirishwa kwa kutumia reli.

Vile vile, kuna haja ya kubuni sera za usafiri wa hewani. Ni muhimu kuendeleza viwanja vyote vya ndege humu nchini. Tukivikarabati viwanja vyote vya ndege hata vile vidogo vidogo, ajali za dharura zikitokea ndege zitaweza kutua na kusafirisha wagonjwa hadi miji mikubwa yenye huduma za matibabu. Kwa hivyo, sera za usafiri wa hewani ni muhimu katika kuunganisha miji yetu na sehemu za mashambani.

Ningependa kusema kuwa tukiwa na sera madhubuti za usafiri, basi wakati tunapojadili Bajeti tutajua pesa zitakazohitajika kwa utekelezaji wa miradi. Tunaweza kusema, kwa mfano, mwaka huu tunatenga zaidi ya asilimia 80 ya pesa zetu kutengeneza barabara za Nairobi peke yake, halafu sehemu nyingine zingojee mpaka wakati mwingine. Kama tungekuwa na sera za namna hiyo tungeweza kujenga barabara zetu. Lakini utaona kuwa sera za usafiri ni holela holela na tunagawa pesa kidogo kidogo kutumika kote nchini, na hivyo hatufanyi chochote cha maana.

Kuna haja ya kuwa na sera za kutengeneza barabara za sehemu fulani au wilaya fulani, na zile za Sehemu nyingine zingojee mpaka pesa zake zitakapopatikana. Ni muhimu kufikiria hali halisi, na kufanya mipango madhubuti ya kuleta maendeleo kwa kutumia njia bora za kisayansi. Tukitazama nchi yetu, tunaweza kuona ni sehemu gani tunakoweza kuanzia. Tukiendelea na sera za kiholela holela, ambapo tunaigawia kila sehemu pesa kidogo, hatutaweza kupata maendeleo. Tukiendelea hivyo, tutangojea miaka mingi kabla ya kupata maendeleo. Vile vile, tukiwa na sera halisi za usafiri jeshi letu litaweza kutusaidia katika ujenzi wa barabara.

Bwa. Naibu Spika, sera za usafiri ni muhimu zihusishe Wizara za Uchukuzi, Barabara na ya Mipango. Ni Wizara ya Mipango inayofaa kuingilia sana mambo ya sera. Ni lazima ituonyeshe iwapo tuna mipango halisi, ni barabara zipi tunaweza kuzitengeneza. Hili Bunge lina Wabunge ambao wamesoma. Ni lazima elimu yetu ifanye kazi. Hatuwezi kufanya mambo vile yalivyofanywa zamani na watu ambao hawakusoma. Sisi tumesoma na haifai tutekeleze miradi ya maendeleo kiholela holela. Mhe. Kimeto aliileta Hoja hii hapa akijua kuna Wabunge ambao wamesoma, na wanatarajiwa na Wakenya kubuni sera ambazo zitaleta maendeleo katika nchi yetu. Si lazima tuvutane katika mambo ya maendeleo, tukisema ni lazima tufanye maendeleo Wundanyi au Mugirango Kusini. Ni lazima tufikirie taifa kwa jumla.

Ni lazima pia tuzihusishe serikali za mitaa katika ujenzi wa miji. Mji wa Nairobi una msongamano mbaya wa magari kwa sababu mpango wa barabara zake ni mbaya.

(Question proposed)

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I rise to support this Motion. I would also like to thank Mr. Kimeto for bringing a very important Motion to the House.

When the NARC Government came to power, we had a very ambitious policy for the rehabilitation of roads and transport systems in this country. The Ministry of Roads and Public Works then envisaged that we needed about Kshs100 billion to make sure that our road network was not only rehabilitated but that proper highways were built so that we can put this country on a firm basis for economic growth.

Mr. Deputy Speaker, Sir, if you consider the money alone that has been wasted in Anglo Leasing, it is about Kshs57 billion. That is over half the amount the Ministry of Roads and Public Works needed. If that money was combined with more imaginative lease financing, the programme that we had for road rehabilitation and construction in this country would be a long way towards being fulfilled. Therefore, when Mr. Kimeto says we need a comprehensive transport policy, it means that we need a comprehensive budgetary policy to give priority to development in this country. It is in that spirit that we need to ensure that we pay attention to the backbone of economic growth in this country, which is infrastructure.

If we look at access roads; that is roads in the rural areas, urban roads, trunk roads; roads

that link together the major cities and urban centres in our country within the region, you will find that all these roads leave a lot to be desired. This is so not only because over the last 20 years we have not responded to a comprehensive road network that was developed for this country in the 1960s but that we have not even had a policy of maintenance of our infrastructure.

Mr. Deputy Speaker, Sir, the road from Nakuru to Kisumu is a death trap. Being part of the Trans-African Highway, it is a shame to this country that 40 years after Independence, we do not even have a comprehensive policy not only to build our roads but to also maintain them. A comprehensive transport policy does not only involve the construction and maintenance of transport facilities such as roads, railways and airways, but also providing security for these arteries of communication. We need a highway safety regulation that goes beyond seat belts and speed governors. We need a highway safety regulation that includes a highway patrol system where there will be policemen with proper stations for highway patrol and proper communication network that can provide security in our highways.

Now we have a permanent problem in this country. If you take a bus from Nairobi to Kisumu, you are lucky to arrive alive. Sooner rather than later somewhere near or before Molo, you will be hijacked into the woods. All the passengers will be stripped naked, their property stolen and probably women raped. This means that although these incidents occur from time to time, the Government has not responded by putting in place a highway safety regulation mechanism that tracks the movement of buses and ensures that when they arrive at a station, their departure station knows that the buses should run according to the time that they have been given. Our transportation system in this country is in total chaos because buses and *matatus* leave stations whenever they want. They stop wherever they want and there is no penalty for disobeying certain rules and regulations. The only rule and regulation that was implemented and obeyed was the speed governors and seat belt policy. However, even that now is put to ridicule by *matatu* operators. They say that they have the speed governors in the *matatus* but they know when to put them on and off. They put them on when they are approaching the roadblocks which are manned by traffic policemen. There is, therefore, no system whatsoever of ensuring highway safety mechanism in our country.

Mr. Deputy Speaker, Sir, it has been said over and over again that apart from the now infamous lease financing that we have seen in the Anglo Leasing scandal, there are other ways of building highways and roads in our country; that is the build, operate and transfer system. It is high time the highway from Mombasa to Busia, which I recommended in the NARC Manifesto and our Economic Recover Strategy (ERS), is built on a build, operate and transfer basis. There are investors ready to do that. However, the pussy-footing by the Government and their over-concern with putting easy money in their pockets cannot make them concentrate on serious policies and implementation of such policies. When we say so, some "cerelac babies" stand up and say that we are crying over spilt milk. You cannot cry over sour grapes when the grapes are not there. They cannot be sour anyway. It is important, therefore, that we realise that the implementation of good policies is the only way to guarantee economic growth in this country.

I want to make points about railways and air transportation in this country. If I begin by air transportation, it is hardly three years ago when we were paying Kshs2,500 to get a ticket to Kisumu. Now the ticket is Kshs6,500. Even if you were to take into consideration the increase in the price of jet fuel, there is no way that the fare can jump from Kshs2,500 in the year 2003 to Kshs6,500 in the year 2006. Nothing explains that increase except for the fact that there is no proper regulation of airport transportation in this country and the Government is not really interested in ensuring that domestic tourism and transportation by air is encouraged. We have many airports in this country which could be upgraded so that they can take the passenger planes for domestic air transportation, like the ones in Garissa, Wajir, Isiolo and other places. We need to do

what Ethiopia did! When I taught in Ethiopia in 1985/86, you could travel by air to more local destinations in Ethiopia than you can do here. Yet we pride ourselves by saying that we are a more developed country than Ethiopia but they beat us in air transportation because they have more enlightened policies for air transportation.

Mr. Deputy Speaker, Sir, this country can do a lot for itself if we did what is necessary; that is increase more destinations for air transportation in this country and make the aerodromes and airports safer. We should also encourage a policy whereby when hon. Members go to their constituencies, they can buy coupons from airlines at a reduced cost so that they can fly to constituencies rather than go by road, and the roads are bad anyway. I know for certain that in Canada, for instance, hon. Members can travel to their constituencies throughout the year by buying cheap coupons. Therefore, the airlines are assured of passengers throughout the year because hon. Members are compelled to travel to their constituencies over the weekends. These are policies that require a little bit of innovation and imagination on the part of the Government. However, I am afraid that quite a number of Ministers in the Government took leave of their senses some time ago and the job of being imaginative is something too much to demand of them. Nonetheless, within a matter of time, hardly two years, we shall be over there and we shall take this Government back to the root course that flowed two or three years ago. Kenyans will enjoy a more democratic, imaginative and growth oriented Government than the one sitting opposite me.

On railway transport, we were championing the building of a railway line from Rongai to Sudan so that we can be interconnected with our neighbours. However, the same Ministers I am talking about, came up and said that since the idea was proposed by Prof. Anyang'-Nyong'o, it could not be good, precisely because I am Prof. Anyang'-Nyong'o. However, I was asking as a Minister of the Government and they sabotaged the whole project. The Government in Southern Sudan is now building their railway while we are busy practising tribalism and nonsensical economic thinking, instead of implementing what is required in this country. It is important that we implement those projects and respond positively to hon. Kimeto's Motion by ensuring that Government officials get up from the Front-benches and start working.

I support.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Deputy Speaker, Sir, for the opportunity to contribute to this Motion; a rarity from my good friend Mr. Kimeto.

I support the Motion because it is good for this country. I support it because if implemented, this country will move one step higher on the ladder of development. There is one thing that this country should have evolved after Independence. That is a comprehensive transport policy. At Independence, this country had a very good workable railway system, good functional aerodromes and a fairly good road network. Successive governments have neglected infrastructure to an extent that some of it is almost extinct.

Take an example of the Kenya Railway line system from Mombasa to Kampala. Uganda is our No.1 trading partner and 60 per cent of our external trade is done with Uganda. It is the lifeline of the economy of Kenya. However, the management of railways has degenerated to the extent that a train wagon takes five to seven days from Mombasa to Kampala. How can we turn round the economy if we have this kind of infrastructure? If you look at the railway system, you will see that it is dilapidated. We used to have railway passenger transport system but it is all gone. You cannot now travel to Bungoma by railway. The transport system has been left to buses which, as Prof. Anyang'-Nyong'o said, kill our people day in, day out in accidents. I would wish to hear from the Minister, whether they are developing a policy with or without this Motion, to revamp the railway system.

Mr. Deputy Speaker, Sir, this country needs an interconnection by railway between

Mombasa and Addis Ababa. This country needs an interconnection by railway to Juba, Southern Sudan; to Kigali, Rwanda, and to Bujumbura because those are our key trading partners. We need an interconnection to Goma, in Democratic Republic of Congo (DRC), so that we can trade easily, faster and generate money in record time. The worst nightmare in this country is roads. The worst road we have is the Mombasa-Malaba-Kampala Road. That road carries the bulk of transport from our neighbours. You may have seen that most of the road was constructed and neglected, such that now, it is being reconstructed. That is because of poor maintenance.

The section of the road between Mai Mahiu and Lanet is under re-construction, yet we all know that the road was of high quality. However, it is now completely worn out. The road being constructed under the funding of the EU from Timboroa to Malaba is now totally worn out. We will soon be looking for a way of reconstructing it again. That will be replicated in all roads. Look at the road from Nyayo Stadium to Lang'ata. It was constructed but it is now wearing away. The road from Westlands to Limuru is also wearing away and is a danger to motorists. Do we have a policy of maintaining roads?

If you go to some countries, you will find that there is regular re-carpeting and resealing of roads every three years. Budgetary allocations are made so that roads are maintained well and avoid going into reconstruction. We used to have, in the 1970s and 1980s, a very good programme in Western Kenya. I think it was either in Western Kenya or in Nyanza. The programme was sponsored by NORAD. It used to construct feeder roads that connect farming areas to main roads for easy movement of farm produce. The programme died out and hence, there are no feeder roads.

Mr. Deputy Speaker, Sir, it is a shame that it is easier for flower growers in Naivasha to fly their produce to Amsterdam, than a farmer growing cabbages to bring the produce to Nairobi. This is because of poor roads. We cannot get fresh farm produce from Kinangop easily because by the time it gets here, it has spent close to eight hours on the road and is withered. The produce also becomes very expensive and that is totally unacceptable. My good old learned friend, Mr. Kajwang reminds me that equally, you cannot get fresh fish from Mbita where the market is. This is simply because there are no good roads. We need a policy that will inform and guide this House, every time we draw our Budget, to make sure that we allocate enough money to maintain our transport facilities and networks.

Mr. Deputy Speaker, Sir, this country has over 500 aerodromes. We have an airports authority, the Kenya Airports Authority. If you go to some of the aerodromes, you will see that they do not even require tarmac. All they need to have is good murrum and aircraft can land on them. However, nobody takes care of them. They are not even fenced to make sure that there is no encroachment. Airports like the Kisumu Airport where the Kenya Airports Authority personnel are stationed is neglected. We have been talking about expanding Kisumu Airport for years, but no one seems to care. All that goes down to undermine the economy of this country.

Let me say something about water transport. We used to have very efficient water transport system, manned by the East Africa Railways and Harbours, at the dawn of Independence. We used to have motor boats plying from Port Florence, Port Bell and Mwanza among other places. That is all dead. We used to have water transport system between Mombasa, Lamu and Malindi. That is no longer there. Are we growing or dying? Those are questions that we, as leaders, must ask ourselves. If you go to some countries where there are small rivers like Nairobi River, you will see that they have all been developed to provide efficient water transport system. These are the things that Mr. Kimeto's Motion is talking about and I must congratulate him for bringing it before this House.

Mr. Deputy Speaker, Sir, one last thing I want to mention is the policy on air transport between Kenya and her East African neighbours. If you take a Kenya Airways flight from Nairobi to Mombasa, it is a local flight and you are required to pay Kshs13,000 as the cost of a return

ticket. I still find that exaggerated. However, if you take a flight from Nairobi to Entebbe, which lasts as long as the flight to Mombasa, it is described as an international flight and you are required to pay close to Kshs40,000. Where is the sense? If you take a flight to Dar es Salaam--- We are talking of integration and yet these are the areas where we should be integrating faster than any other areas in order to facilitate easy movement of people.

Flights from Nairobi to Uganda, Rwanda, Burundi, Dar es Salaam should be local flights so that we pay the same fares charged as going to Mombasa, Lokichoggio and so on. The airlines will, in fact, do better business by adopting this kind of approach. If they cannot, then the Ministry of Transport must evolve a policy to make them see the sense of seeing Uganda and Dar es Salaam as local destinations because these are areas where Kenya is highly dependent on commercial activities. In fact, Uganda, Tanzania, Rwanda, Burundi and Eastern Congo are more important to Kenya than some of the European countries we get excited about in terms of the economy.

Mr. Poghiso: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this very worthy Motion by my friend, hon. Kimeto.

Just a look at this Motion will tell you that we need to do better when it comes to debating Private Members Motions. This Motion presupposes that the NARC Government has no such policy in place and it has not even attempted to think about it. So, this Motion presupposes that there was no thinking on the part of Government with regard to such a policy on transportation to be in place. If, really, there was no thought about it by the Government, then we can debate this Motion very effectively. However, if this Government has had a policy in mind, there would be no point for us to wait for Mr. Kimeto to bring this Motion to the Floor of the House and ask:

"That this House urges the Government to develop and implement a comprehensive transport policy to provide a framework for infrastructural development throughout the country."

I suppose that this framework should form part of the very basic structures of any Government. In fact, such a policy should be in the manifesto of the ruling Party so that we are not made to go through this. I think that this ought to have been a situation where the Government picks up from the Notices of Motion and say: "Mr. Kimeto we have plans in place to do these things. We are going to do something about it." So far, nothing has happened which means that the presupposition that the Government had never thought of such a policy is true.

Mr. Deputy Speaker, Sir, we, therefore, need to inform the Government on what to do. At the very outset, the unequitable distribution of infrastructure, especially of communication nature is very glaring in this country. We have discriminatory policies in place with regard to where roads should be constructed, what ought to be done as a matter of priority and so on. What this Motion is trying to do is to bring us back to the basics that it does not matter what Government is in place in this country if only we can have policies and let them be implemented to the letter. We will not have to be requesting every time, through Motions, that such things be done. I say so because I know that at Independence there was such a policy. In the last Government, there was such a policy also. It is probable that such a policy exists in this Government too. However, nobody wants to come out and say that this is what we want to do for this country simply because no one wants to be held accountable. The fear of accountability always causes the Government to keep these things on the shelves. The fear is that if you bring such policies on the fore, I will hold you accountable. I will ask you: "You said that you will construct a ring-road around this country. Where is it?" or "The road and water transport systems that are important for us are these ones or those ones. What are you doing about them?" So, on the basis of all these things, sometimes we discuss things which are not supposed to be really material for Motions to be debated in this House.

Mr. Deputy Speaker, Sir, today, in this country there are concrete roads being constructed, for example, the Mbagathi Way. However, if our own engineers have not been able to standardise

the tarmac roads so that you know for sure that this and that road will last for a year or so, it is more risky to allow for the use of cement in constructing roads. Why is that so? Recently, we saw a storey building collapse simple because people were using sub-standard materials and were not adhering to the actual engineering measurements. I am afraid that if we do that on our roads where people steal the cement and use very little on it, we are going to run into even worse situations.

Whenever there are policies, we need to give out contracts on the basis of people who can stick to the stipulated standards. Should we use cement to construct our roads? My colleague who spoke before me talked about roads which were done using a lot of money and which now are dilapidated because of not adhering to the set standards. Potholes are developing all the time on all our roads.

Mr. Deputy Speaker, Sir, I would like to raise an issue about security on our roads. There should be a policy that in areas where we would like to improve security, we should have a certain standard of roads. Those roads should be funded for a particular purpose mainly for access to these insecure areas. When I look at the Government policy on disarmament or dealing with cattle rustling in certain areas in the country, it is true that they want to implement these policies, but they cannot get there because there are no roads. There should be roads so that when you want to run after cattle rustlers or other criminals it is made easier. This should be a matter of policy.

The areas that the Government is complaining about are the areas that have been neglected by the same Government. The Government says that these areas are impossible to access and the people are difficult and yet it has denied the people communication in all forms. In most of these areas you cannot find a radio reception. There are no TV signals too. What is more, there are no roads, but then you come here and say that the people living in these areas are very bad people. I take exception especially with remarks made by the Minister of State for Administration and National Security. He keeps on saying that the Government will disarm the Pokot. I believe that there is something about the Minister and the Pokots. He is so infatuated with the Pokot because every time he wakes up he thinks of the Pokot.

Mr. Deputy Speaker, Sir, it is very discouraging that the Minister seems to hate the Pokot so much that every time he wakes up he says that he wants to disarm them. He needs to come up with development programmes which will stir development in this area. He needs to develop the infrastructure in Pokot area. We should not every time talk about the Pokot as the enemies. The Pokot are not enemies of this country. I would like the Minister to take that seriously. Amongst the Pokot, there are bishops, doctors, nurses, teachers and even Members of Parliament. They are not all cattle rustlers. The Minister should talk about criminals from all parts of the country, rather than emphasizing on one community or tribe.

Mr. Deputy Speaker, Sir, with regard to the road network in West Pokot, when was the last time that the Government invested any money in that part of the world to build the roads? When the Government thinks about interconnecting East Africa, one of the best ways of doing it is constructing the road network through Kacheliba Constituency. You can inter-connect East Africa by building a road from Kapenguria, Moroto, Mbale and Lodwar very easily. The road used to be there but it is no-longer passable. If the policy which is aligned to fair distribution of resources was put in place, we would have those roads.

Mr. Deputy Speaker, Sir, Mr. Wetangula spoke about air transportation. If we had a policy in place we would be able to know that the airstrip in Kitale should be maintained by the Kenya Airports Authority. The airstrip at Turkwel should be upgraded and maintained with instruments so that in case of an emergency we have these places to take care of such situations. There are many times when people have nowhere to land in cases of emergency because there were no instruments. The airstrip in Lodwar is one of the best. It is a very big airstrip that should also be developed to KAA standards so that the northern part of the country has the relevant airports to

facilitate development.

Transportation of cattle from northern Kenya to Nairobi has become a problem. In those days, there were routes which were meant specifically for bringing livestock from the fringes so that it is supplied in the town centres. Some of these routes should be permanently marked so that people can bring their cattle.

Mr. Deputy Speaker, Sir, let me move on to the issue of road repairs. The Mai Mahiu-Lanet road is being repaired at the moment. You cannot know what is happening.

With those few words, I beg to support.

Mr. Deputy Speaker: Mr. Mbau!

Mr. Mbau: Thank you, Mr. Deputy Speaker, Sir, for giving me a chance to support this very important Motion. The Motion proposes what should have happened many years ago. This Motion is long overdue. It worries me that we are talking about our transport and communication system being inadequate and out of place when the neighbouring countries of Tanzania and Uganda which got their independence after us have road networks and port systems that work better than ours.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, it is very discouraging to note that the whole of our transport system has been deteriorating instead of improving. If you consider the railway network, currently we cannot talk about a railway system that serves this country effectively. There were times when we used to have people and cargo transported by railway from Mombasa to Nanyuki, Mombasa to Kisumu and to other destinations. Today the railway network does not transport human traffic at all. This can only imply that the people who would normally use this cheaper means of transport now have to pay more for transport.

I want to appreciate that since the NARC Government took over, there have been some changes in the countryside as far as trunk roads are concerned. It is good to note that we have the trunk system being addressed. Kenya is an agricultural country. The mainstay of our economy is agriculture. It is very difficult for our people to transport agricultural commodities from the hinterland so that they can take advantage of the main trunk. I am talking about the rural access roads. Fifteen years ago, we used to have a programme called Rural Access Road Improvement Programme, which no longer works. Even as we try to improve roads using the Fuel Levy Fund, the catchment roads remain in a despicable, desperate situation.

I want to agree with the mover of the Motion, that unless the issue of roads is addressed comprehensively and we have a policy that informs this House and Kenya about the number of kilometres we are targeting to achieve and the number of roads we want to see done, year-in, year-out we will not know whether we have made any improvements or achievements. We will be moving like a radar that has no compass.

Mr. Temporary Deputy Speaker, Sir, it is now common knowledge that the efficiency, equipment and facilities at the Port of Mombasa leave a lot to be desired. Most cargo is now being transported to the Port of Dar-es-Salaam and, yet initially, the Port of Mombasa was the most superior in serving our neighbouring landlocked countries. This has been caused by some Government officials and agencies who have been procrastinating on taking decisive action on making the Port of Mombasa a free port.

The world trading blocks and shipping lines are focusing their attention on Dar-es-Salam. Sooner rather than later even the cargo that we are handling destined for Uganda, Rwanda and Burundi will find its way to the Port of Dar-es-Salam. The situation worries me since we all know the implications of a free port to a country. Members of Parliament and Government Ministers have travelled around the world and seen what is happening in countries where free zones and free ports operate.

Mr. Temporary Deputy Speaker, Sir, most hon. Members here have been to the leading free port of Dubai and they know the benefits of having one. Despite this, when we say we would like to give the Port of Mombasa a free port status, nobody is willing to implement that decision. If we continue like this, we will not be making decisions in the best interest of our country. If the Port of Lamu was to be improved, the North Eastern Province would be opened up to connect to South Sudan and other countries. This Government can easily implement this because it has the necessary resources. The only problem is wrong priorities and mis-allocation of resources.

Regarding priorities, there are areas that need more "bitings" than others. There is a lot that this Government can do to improve the lives of our people. We all remember that, immediately this Government took over, it embarked on a very aggressive programme of demolishing peoples' houses in the name of by-passes. But, three years down the line, Kenyans have not seen a single by-pass.

Mr. Temporary Deputy Speaker, Sir, the Government has, on many occasions, promised to build fly-overs to ease congestion at roundabouts. But, three years down the line, not a single fly-over has been built in this country. In other countries, people do not waste man hours and resources in traffic jams. They have simple fly-overs. Some are even single lanes, but they work. I urge hon. Members to pass this Motion, so that there can be a programme to build fly-overs and by-passes. If the Government promises to build a fly-over by 2007 and that is not done, whoever undertook to do that will be taken to task. As we stand now, Government officials and Ministers can promise anything, but nothing is done. I can see hon. Members standing up in their places!

With those few remarks, I support the Motion.

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, thank you for giving me a chance to contribute to this Motion. I want to thank the Mover of this Motion, which is long overdue. We are travelling on roads that were built at Independence. The number of vehicles plying on those roads have grown immensely! We are wasting a lot of money on fuel. That has a knock-on effect on our foreign exchange because the country has a very expensive mode of transporting goods and services. It is high time our road network was improved for Kenyans to get an efficient, economical and effective communication network that will encourage investments.

Mr. Temporary Deputy Speaker, Sir, the time that people waste in jams along urban centres amounts to a lot of money. That money could be used to develop this nation elsewhere. If we improve our road network, we shall reduce the cost of transport drastically. If we take the example of Malaysia, Kenya was better in 1970. At one time, the then Prime Minister of Malaysia visited this country and borrowed the Kenya Bus Service transport network and introduced it in Malaysia. Today, the Malaysians have underground transport and fly-overs. They even manufacture their own buses! They are way ahead of us and yet, we were comparable at the time of Independence and immediately thereafter. We need to re-think our position, so that we can improve the transport network and reduce the cost of production. If you import a vehicle from Dubai, you pay about US\$150 per container in Mombasa. But if you move that container from Mombasa to Nairobi, you pay close to US\$300. That even deters other investors to come and invest in our country.

Mr. Temporary Deputy Speaker, Sir, we need a policy where people in estates or particular regions can share motor vehicles in the morning or evening, and reduce the cost of transportation. We need to give incentives to our people to pool resources and share vehicles to de-congest our

roads. We should also construct the by-passes which never came to pass.

We had a system of Kenya Urban Transport Infrastructure Programme (KUTIP), which was sponsored by the World Bank. It nearly flopped because of graft. The people involved in KUTIP, whose aim was to improve transport in urban centres, were very corrupt. But we can also use our resources, which we have in abundance, to improve our road infrastructure. We can do that by having our priorities right and procuring efficiently.

Mr. Temporary Deputy Speaker, Sir, there is a lot of wastage in procurement. You also know that roads are a major cost component in terms of budgetary provisions. Beyond that big cost, there is a lot of corruption in terms of procurement. The contractors keep on inflating prices. A road that was meant to cost about Kshs50 million ends up costing about Kshs500 million because of wastage. The inefficient way of doing things is also marred by corruption.

Mr. Temporary Deputy Speaker, Sir, we have some by-laws that negate development. For example, the City Council pretends to maintain roads. The people in Industrial Area have suffered enough by being disconnected from the City Centre. But if they want to construct that road, the City Council by-laws do not allow them. They do not allow anybody to construct a road, even if they have no resources. They only pretend to maintain the road. We should liberalise those laws and even privatise the way we do our road network. We should encourage people, especially manufacturers, to plough back their profits and construct roads within their areas of operation. Even when we take money from public coffers, we do not get services.

Mr. Temporary Deputy Speaker, Sir, the kind of roads that we have today are not even marked. When it is misty or foggy, you cannot identify where the road starts or ends because of poor visibility. Our roads are in bad shape and yet, we have not prioritised what we need to do. Crops go to waste in farms. A poor woman who has spent all day cultivating and weeding her *sukuma wiki* cannot access the road. What happens is that the multi-nationals, or the big sharks, who can afford to plough with their trucks in Kisii, for example, will give that woman the price of their choice. They will tell her: "Mama, if you cannot take Kshs10 for your tomatoes, you can keep them!" Since she knows that she does not have any storage capacity, the old woman will compromise her position and give away her produce for almost nothing.

We have Asians who camp in Lake Victoria. But since the local fishermen do not have any storage facilities, the Indians dictate the price. They give the fishermen far below the value of their fish. Those are some of the things that we need to address. We need to have cheap transport, so that we can retain the benefits to the farmers. The benefit should not go to people who dictate the prices. They dictate the prices because they are the only buyers and, if you do not sell to them, you cannot get school fees. Therefore, the poor woman is forced to sell her produce at the dictator's price. The rush to beat time to get to duty in good time has been a cause of accidents. If we planned our roads and there is an efficient flow of traffic, then we can avoid accidents. We have had Ministers coming to the Floor of the House and saying they were inconvenienced by traffic jams in the city. That is time wasted and we must address that problem.

Mr. Temporary Deputy Speaker, Sir, this goes back to the classification of roads. The Government gives priority to roads that have been classified. We all know that if you were not politically correct, your road will never be classified. Even if it is classified, the funds were taken elsewhere. We have experiences where a beautiful road has been done but for cattle. So, let us classify our road network to the extent that they add value to our people. Let us not do it conveniently to please those who are politically correct as it used to happen in the past. The roads up to Class C do not access Government funding. I think we need to re-classify our roads.

Mr. Temporary Deputy Speaker, Sir, at the end of the day, we must reduce transport costs, if we want to grow. Someone said that Kenyans are behaving as if they have a collusion with suppliers of spare parts. We deliberately ignore repairs on our roads and damage our vehicles in

order to buy spare parts. We are actually enriching them. The money we use to repair our vehicles would have been used for other development projects that would benefit our people. It does not cost much if we had a master plan that told Kenyans: on this basis, this is what we are going to do. Once it is your turn, your road would be done without any political consideration.

With those remarks, I beg to support.

The Assistant Minister for Roads and Public Works (Eng. Toro): Mr. Temporary Deputy Speaker, Sir, I rise to support this very important Motion. However, the perception created that the Government has not been doing a lot about the transport sector is not correct. In his response, the Minister for Transport will talk about the steps that have been taken by way of furthering the transport sector through the relevant integrated national transport policy, which is an Inter-Ministerial Committee that is working for the furtherance of this policy.

Mr. Temporary Deputy Speaker, Sir, I will speak on the road sector because it forms one of the major transportation programmes in this country. There are issues that are being addressed in the transport sector that are very important to the road network. It is common knowledge that unless the infrastructure, basically the roads, are improved to higher standards in this country, which is basically agricultural, we are not going to see development.

Over the years, since NARC took over, a lot has been done, especially in the road sector, by way of ensuring that the road construction is to the best standards as you can find anywhere else in the world. Previously, we would have contractors being awarded tenders in a hurry without any engineering designs. The contractor would just go and do his work. That is why you find that most of the roads that were constructed between 1985 and 1995 and even 2002 have failed. We have now shifted from that policy. We would like Kenyans to challenge where we are seen to fail. Even the patchwork repairs that we are doing are more improved than before.

Mr. Temporary Deputy Speaker, Sir, we have also addressed the issue of shortage of equipment. Recently, we were given a loan by South Korea to import road-making equipment worth about Kshs2 billion. That will make a big differences.

The Ministry of Roads and Public Works is doing a lot to improve the road network around Nairobi City. We have in our programme the issue of the southern, eastern and northern bypasses. The eastern bypass will be opened to gravel standards in the next two months. The southern bypass has been earmarked for concessioning. This will go along with the over-passes that we are also going to concession, starting from Bunyala Road all the way to Westlands. These over-passes will ease congestion within the City Centre.

The role of the private sector has not been exploited in Kenya. Unless we tap the private sector now, there are some areas of development in the transportation sector that are not going to advance. We have people and companies here with resources who can come on board by way of concessioning. An example is the railway sector, even if it has its teething problems. The concessioning of the railway sector will offer efficient services between the port of Mombasa and Uganda.

The private sector is a solution to most of the problems that we have. When we talk about mass transportation within the City, looking at it from the private sector view, we will overcome some of these problems. The Government will not be able to offer its meagre resources to improve all the sectors in transportation. This is why the Integrated National Transport Policy will be tabled in this House for debate and approval. It is the wish of the NARC Government that this policy takes off so that we can offer better services to the people.

Mr. Temporary Deputy Speaker, Sir, we also need to educate the people of Kenya. Most of the accidents on our roads are also caused by poor signage.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Poghisio): Let me now call upon the Official

Government Responder to respond to the Motion.

The Assistant Minister for Transport (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir. First, I would like to take this opportunity to congratulate Mr. Kimeto for bringing this Motion. This Motion has come at the right time and it is important for Kenyans and this House to know that what Mr. Kimeto is actually calling for has already been started by the NARC Government.

Mr. Temporary Deputy Speaker, Sir, in 2003, the then Minister for Transport appointed an inter-Ministerial committee to prepare an integrated national transport policy, which would then look into all areas covered by transport. We have now received that draft report. We are preparing a Cabinet memorandum. After it is approved, then the Ministry will prepare a Sessional Paper and bring it to this House for discussion.

But it might be a good idea for me to just mention some of the aspects that were discussed by this committee. Everybody agrees that our roads are in a dilapidated state. We also agree that more needs to be done. We agree that the road from Mombasa all the way to Kampala via Malaba is in a bad state. But, the NARC Government has started improving the infrastructure. As I speak, the road from Nairobi all the way to Mazeras is in good condition. However, the road from Mazeras to Mombasa is in a terrible condition. But plans are in place to---

Mr. Khamisi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House by saying that the road from Nairobi to Mazeras is in good condition when he knows very well that the good road ends at Bachuma, and not at Mazeras?

The Assistant Minister for Transport (Mr. Githae): Mr. Temporary Deputy Speaker, Sir, Mazeras and Bachuma are almost at the same place. If they are not, I stand to be corrected.

What I am saying is that we need to say "thank you" to the Government for having done that. This road has been bad for the last 40 years. It is only this Government that has repaired 80 per cent of the road.

Mr. Temporary Deputy Speaker, Sir, also, the road from Naivasha to Lanet has been bad for the last 40 years. But, as I speak, it is under repair. In the new policy, we have what we call "specific purpose roads". If we start with, for example, the tea zones, in this policy we will have specific roads catering for the tea industry. The KTDA has done a good job of repairing some of those roads. The Government will support the tea zones. When we come to, say, coffee zones, they will also be supported by the Government. These will be special purpose roads. We have also targeted tourism. There are some roads that take tourists to some attraction sites. Therefore, we need special purpose roads that cater for tourism.

Mr. Temporary Deputy Speaker, Sir, the other sector that has been identified is sugar. There will be special purpose roads that will serve only the sugar industry.

We have also targeted the fish industry. There will be special purpose roads that will cater for this industry. The last category is security. There will be special purpose---

The Temporary Deputy Speaker (Mr. Poghisio): I am following what you are saying. But, Mr. Kimeto, in his Motion, is asking you whether you have a policy in place.

The Assistant Minister for Transport (Mr. Githae): Mr. Temporary Deputy Speaker, Sir, we now have a draft policy. In addition, we are now preparing a Cabinet memorandum. After it is approved by the Cabinet, we will prepare a Sessional Paper. But, I was just mentioning some of the recommendations that are contained in this draft policy.

As I said, for the last 40 years, we have never had any national transport policy. It was only in 2003 when the Minister appointed a committee that has come up with an integrated national transport policy. I have been mentioning some of the recommendations of that committee.

Mr. Temporary Deputy Speaker, Sir, the last category is special purposes roads for security. We are saying, there will be special purpose roads which will deal with security. For instance,

roads in the northern corridor leading to Wajir, Garissa, Moyale and those leading to Lodwar and Lokichoggio, towards Uganda, will be special purpose roads to enhance security. One of the reasons why we have insecurity in those areas is bad roads. As the Government does its part in improving roads in those areas, I would urge leaders from those areas to also preach peace.

It is a shame that more than 40 years after Independence, we still have cattle rustling in this country. That is something which should have ended a long time ago. It is also a shame that more than 40 years after Independence, after every drought period, we have cattle raids whose purpose is basically re-stocking. So, as the Government does its part, the leaders should also preach peace to their people. They should show them that insecurity also has adverse effects on the economic development of the region.

Mr. Temporary Deputy Speaker, Sir, our railway system was the best in this region. However, as we speak, it is in a very bad state, to the extent that whereas rail should be the cheapest means of transporting commodities in bulk, our roads are clogged by trucks transporting containers all the way from Mombasa, because of failure by the Kenya Railways Corporation to ferry the containers to their destinations.

As a Government, we have given a concessionaire to a company from South Africa to run the railway network because, every year, the Kenya Railways Corporation has to go to the Ministry with a begging bowl asking for Kshs300 million to pay salaries. We expect that once the company that won the concessionaire rehabilitates the railway system, the situation will improve.

Mr. Temporary Deputy Speaker, Sir, again, it is a shame that the only railway lines we have are the ones that were built by the colonialists. Not a single railway line has been built since Independence. We should build railway lines to all the major towns. Again, it is a shame that after more than 40 years of Independence, we only moved from steam train engines to diesel and stopped there. Diesel locomotives pollute the environment.

Again, one of the recommendations is that we should now move from diesel locomotives to electric ones. Electric locomotives are faster and they do not pollute the environment.

Mr. Temporary Deputy Speaker, Sir, the other issue that was touched by the hon. Members is the issue of traffic jams. It is true that traffic jams, particularly in Nairobi, have now reached unacceptable proportion. For example, you cannot move on Moi Avenue, particularly during the rush hours because of the buses and *matatus* that clog that road. The Mombasa-Nairobi-Nakuru-Kampala Road is also clogged by lorries. With regard to the City of Nairobi, the recommendations of the Committee is that we should have by-passes, ring-roads, bridges, underground passes, and sky and underground trays. However, these are long-term solutions and they are going to take time.

In the meantime, it has been suggested that we should build bus stations at the entrances of Nairobi City, for example, from Nakuru, at Kangemi; from Mombasa, at Mlolongo; from Thika, at Githurai and along Langata Road, at Bomas. Then people should park their vehicles there and enter into the City using City commuter buses and trains. This will take time.

There was also a suggestion that only large buses, starting with mini buses, should be allowed to ferry passengers in the City in an effort to de-congest the City. The 14-seater Nissans should be used to feed the major roads. If these recommendations were to be implemented, we would require even more 14-seater Nissans which would then be feeding the major roads. It is not the Government's intention to abolish the 14-seater Nissans as it has been claimed. In fact, more will be needed if these recommendations go through.

Mr. Temporary Deputy Speaker, Sir, in the bus stations, there will be hotels, kiosks and shops and therefore, the youths who lost employment when the new transport regulations were promulgated, including the *talibans* and *mungikis* and all the other people who were employed in the *matatu* industry, will then find employment in the bus stops. They will be involved in productive engagement instead of the current policy of forcefully removing them from the bus

stops.

The Committee also recommended that the Government should start completing the abandoned roads. There are quite a number of roads that were started, but were abandoned. The basis of the recommendation is that there is no point of starting a new road when even the ones that were started and abandoned have not been completed. This is one of the recommendations that will be given priority.

Mr. Temporary Deputy Speaker, Sir, it is a shame that we do not have ferry services on our lakes. There used to be ferry services offered by the East African Railways and Harbour Services on Lake Victoria. But it is no longer there. We should have ferry services on Lake Victoria, Lake Turkana and the other inland water bodies. There should also be a ferry service at the Coast between Mtwapa, Malindi and Lamu. At the moment, we do not have scheduled ferry services between those areas. Once again, that is one of the recommendations that has been made here.

The other recommendation which has been made is that, there is no point of constructing a road and yet we do not earmark some money for its maintenance. That has been one of the problems. Most of these roads were done earlier during the colonial times but no money was set aside for their maintenance. We are rebuilding totally new roads. If some money had been set aside for maintenance, these problems would not have occurred. So, what we are now saying is that, for every road built, some money must be set aside for maintenance. Otherwise, we will continue building roads and after 15 years, we have to rebuild them again. That will be quite expensive.

Mr. Temporary Deputy Speaker, Sir, one of the recommendations is that the Government should find out which is cheaper and long lasting between roads built by concrete or bitumen. An experiment is being done on the road between Langata Road and Kenyatta National Hospital. That will enable the Government to know which is the best for road transport. So, we need to start maritime transport on our inland water bodies. At the moment, they are not being used effectively.

Mr. Temporary Deputy Speaker, Sir, coming to air transport, this country has 570 airstrips and aerodromes, but most of them are in very bad conditions. These facilities should be fully maintained by the Government so that we can have inter-town air transport services. In other countries, for example, in Congo, all towns are connected by air. So, we want to have scheduled air transport from Nairobi to Thika, Kericho, Nakuru and Narok, among other towns. We can only achieve this if we maintain our airstrips. You will find that most of the people who have private aeroplanes and helicopters just park them at Wilson Airport. If these towns had proper airstrips, most people who own these aircrafts, including some hon. Members here, will be able to use them. At the moment, it is a waste of funds owning a private jet in this country.

The other recommendation, which is on pipeline transport, is that the pipeline should be extended from Kisumu all the way to Kampala and even towards Rwanda and Congo. Once again, that will also decongest our roads and improve our safety record on the road.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Poghiso): I would now like to call upon the Mover to reply.

Mr. Kimeto: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to donate two minutes to Mr. Angwenyi and two minutes to Mr. Khamisi.

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker, Sir. I thank Mr. Kimeto for bringing this Motion to the House. I am appreciative to add my voice in support of this important Motion. We do not have a transport system in this country; not even an elementary one. The Minister, himself, has admitted that, in Nairobi, you cannot drive along Moi Avenue. For the last three years, the Minister has been telling us that there is a policy being developed. Why can they not implement a few recommendations made in that policy; the ones that do not transgress the law? Is it illegal for the Ministry to organise and manage transport in Nairobi? If Nairobi is too big for

them, can they not manage transport along Moi Avenue?

Mr. Temporary Deputy Speaker, Sir, the same Ministry has allowed *matatus* in the City. They are doing that, instead of developing a public transport system like the one in Hong Kong, Cairo and even London. Why do they want to invent a wheel, when it has already been invented? Why do you want to conduct research to develop an inter-railway transport system, when it has been developed elsewhere? Just pick it. Go to the internet, pick and implement it!

Mr. Temporary Deputy Speaker, Sir, the problem we have is implementation. I wish the Minister could confirm to us that he will bring the Policy Paper before we go on recess. They should start implementing a few recommendations.

With those few remarks, I beg to support.

Mr. Khamisi: Mr. Temporary Deputy Speaker, Sir, I wish to thank Mr. Kimeto for bring this very important Motion. A lot has been said about roads and airstrips. But very little has been said about ferry transportation. I would like to dwell on that for the few minutes that I have been given.

Mr. Temporary Deputy Speaker, Sir, only a few years ago, we had a very serious accident at Mtongwe. It was as a result of the poor serviceability of the equipment being used. Today, the ferry operating on Likoni Channel is a disaster in waiting. I appeal to the Government to update the equipment that is used on that channel as a matter of urgency. As much as the Government is trying to come up with a policy, it is important that it addresses that issue.

Last week, when I was crossing that channel, there was a lorry that failed to climb the ramp on the Likoni side. It was half submerged in water. That could have been a very serious accident, considering that tens and thousands of people cross that ferry on a daily basis. We also have hundreds of cars crossing the ferry. In fact, it was a distraction as far as ferry transportation that morning was concerned. There was a heavy pile up of vehicles on both sides of the channel. That matter needs to be addressed urgently.

With those few remarks, I beg to support.

Maj-Gen. Nkaisserry: Mr. Temporary Deputy Speaker, Sir, I wish to take this opportunity to thank Mr. Kimeto for bringing this Motion. We need the Government to look at the issue of security on our roads. The road from Mombasa, Garissa to Moyale is un-constructed. The road from Nairobi, Isiolo, Marsabit to Moyale is un-constructed. The road from Nairobi to the Ugandan boarder, which is the main artery of development in this country, is impassable. That is very unfortunate!

We need to develop airstrips in Moyale and Mandera for security and economic reasons. Secondly, we need to use our railway line in order to reduce the damage caused on our roads by heavy trucks. The railway line is the ideal mode of transport to develop this country economically. All the developed countries in the world rely on railway lines as their main means of transport.

Mr. Temporary Deputy Speaker, Sir, the issue of security---

The Temporary Deputy Speaker (Mr. Poghio): Your time is up!

Maj-Gen. Nkaisserry: With those few remarks, I beg to support.

Mr. Kimeto: Thank you, Mr. Temporary Deputy Speaker, Sir. Let me thank all hon. Members of Parliament who have contributed to this Motion. They have done so positively. It was geared for the development of this country. I also thank the Government Responder for contributing well. The Assistant Minister for Transport needs to implement this Motion. If this Motion is implemented, our country will be developed and will become rich. The Government should decongest our roads even if it means building underground trains. This is the time to develop our country.

(Applause)

Mr. Temporary Deputy Speaker, Sir, we have heard hon. Members calling for the building of airstrips in every constituency. The Government should implement this request. The Government should also build more railway lines, maintain roads and provide more ships in our port. We will be a proud nation if we do this. We do not want this country to be poor and yet we have the knowledge to do this. If the Government implements this Motion, hon. Mwai Kibaki will live longer. He will be proud of the current Members of Parliament both in the Government and in the Opposition.

(Laughter)

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I thank every hon. Member and request that this Motion be implemented as soon as possible.

I beg to move.

(Applause)

(Question put and agreed to)

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

MOTION

REDUCTION OF EXCISE DUTY ON PETROLEUM PRODUCTS

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

THAT, in view of the increasing poverty levels in the country; realizing that over 56 per cent of our population lives below the poverty line as the commodity prices continue rising due to uncontrolled oil prices; noting with concern that the transport sector continues to be adversely affected by high oil prices; this House resolves that Excise Duty on kerosene, super petrol and diesel be reduced by two shillings from the current levels of 7.205, 19.895 and 10.305, respectively.

Mr. Temporary Deputy Speaker, Sir, this is a very important Motion. I will dwell on the rates, which I have just quoted. I am sure the Chair is well aware that 65 per cent of households in this country depend on fuel wood to meet the bulk of their energy requirements. Only 8 per cent of households have access to Liquefied Petroleum Gas (LPG), which was zero-rated recently.

(Mr. Wetangula stood up in his place and consulted loudly)

The Temporary Deputy Speaker (Mr. Poghisio): Order! What is Mr. Wetangula doing there? Mr. Wetangula, please, take your seat and consult in low tones!

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, LPG was zero-rated in the last Budget. How many households are using LPG? It is being used only in major towns and cities. However, if there was any option given to you today between LPG and kerosene, which one would you zero-

rate?

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! What is happening at the back?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, now who is disturbing me?

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, let us maintain some order.

Proceed, Mr. Ojode!

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, this is a very important Motion. I am trying to encourage the Government to subsidize the price of kerosene so that the rural folk have a chance to use this product. The only way for the Government to do this is by reducing Excise Duty by two shillings per litre.

I also want the Chair, together with my colleagues, to note that we have four components of taxes in petroleum products. They are: Value Added Tax (VAT), Excise Duty, the Petroleum Development Levy (PDL) and the Roads Maintenance Levy (RML). That amounts to 46 per cent of Government taxes. If we are a serious country and we want to lower the prices of commodities, reduce transportation costs and alleviate poverty, we must do something on Excise Duty. I know my colleagues will ask me what will happen if we reduce the taxes or the levies for the Government. You are aware that even if we reduce two shillings per litre on Excise Duty, the two shillings can as well be transferred to commodities like beer and tobacco. My colleagues were asking me why I am not suggesting for zero-rating of kerosene. I said that though it is not good for us to zero-rate kerosene, it is the Government to think of zero-rating, not Mr. Ojode.

When the Government zero-rated LPG, the price of the 13 kilogramme LPG is still going for Kshs1,360 to date. Dealers increase prices on a daily basis. I said at one time that the multi-nationals are controlling the prices of oil as and when they want. Diesel and kerosene are a by-product of super petrol. Why should kerosene, for example, with Excise Duty go for 7.205?

Mr. Temporary Deputy Speaker, Sir, I would like to give this House a breakdown of the taxes, which we are paying on this particular product. My tabulation is based on the February prices, which indicate that Excise Duty for kerosene was 7.205, super petrol 19.895 and diesel 10.305. Add the road maintenance levy to this, which is 5.80 for super petrol and 5.50 on diesel. For petroleum development levy they charge 40 cents for kerosene, super petrol 40 cents and diesel 40 cents. Total taxes on kerosene, with Excise Duty, come to the level of 7.605, super petrol 26.095 and diesel 16.505. The cost of importation to Mombasa, including all taxes and KPC transport cost, which is Kshs1.80, 39.80 for kerosene, super petrol 37.030 and diesel 36.100. The cost up to Nairobi, everything inclusive, is 47.405 for kerosene, super petrol 63.125 and 53.535.

Now, the pump prices, as of last week, were kerosene Kshs54.00 per litre and super petrol 74.00. As a matter of fact, two days ago, super petrol was going for Kshs78.00 and diesel Kshs 64.00. So the margins are: on kerosene 6.595, super petrol 10.875 and diesel 10.465. These are the amounts which are shared between the dealers and the multinational oil companies. The dealers receive a margin of Kshs2.50 from kerosene while the oil companies get Kshs4.095. From super petrol the dealer gets Kshs2.50 and the oil company gets Kshs8.30. From diesel the dealer gets Kshs2.50 and the oil companies Kshs7.90. These price tabulations show that the oil companies make more money than the dealers.

In order for us to avoid the drought we had, we must plant trees. We experience drought in this country because of logging. Wananchi are cutting down trees because they use wood as fuel. The only thing the Government can do is to support this Motion, so that Excise Duty can be

reduced by Kshs2.00. I am not talking about other duties. I wish to give one example as to why I am suggesting that Excise Duty could be levied on beer and tobacco. A bottle of beer in our local pubs costs Kshs55.00, but within the City of Nairobi a bottle of beer costs between Kshs55.00 and Kshs240.00. It is between 400 to 500 per cent and the source is the East African Breweries Limited (EABL). Even the person who is selling beer at Kshs55 in the rural pub is still making profit. Why do we, therefore, not reduce our Excise Duty by Kshs2 and then levy it on tobacco and beer?

Mr. Temporary Deputy Speaker, Sir, if we are telling Kenyans to go into tissue-culture in the planting of trees, they should take heed. Little do they know that if we do not have trees, we will never have rain. As at 1980, the forest cover in Kenya was 1.7 per cent against 10 per cent which is required internationally. What is going to happen to 9.7 per cent? What is going to happen to the rest of the percentage? We must do something on tree planting!

I believe all oil importers and wholesalers should be allowed to make a maximum of Kshs5 per litre. It should neither be Kshs10 nor Kshs14. They can challenge me if they want because I have the figures. I have a tabulation that shows what they are making. This came as a result of the 1994 liberalisation when the price controls were removed. When the multi-nationals are in a club, they agree to increase it by Kshs2 or Kshs3. That is exactly what they do because this is a competitive market. How come M/s Shell, M/s Kobil and M/s Kenol give the same rates yet they are competing? That is the question we have to ask. That is why I agree with the Managing Director of Namibian Oil Company who said that all African oil producers should have a two-tier system of pricing where the products that are being exported to Western countries should have their own prices that will be higher while the ones which are being produced for Africa should also be different. That is the only way African countries can encourage their people to use petroleum products.

Mr. Temporary Deputy Speaker, Sir, let me turn to liquified petroleum gasses (LPG). You will find out why it is zero-rated. Whose interests were we taking into account? I believe that one must have been compromised to zero-rate the LPG. In any case, if I was the Minister for Finance, I would have zero-rated paraffin and not LPG. I am urging the House and my friends to consider reducing the Kshs2 in order for the rural folk to gain. There is no way, whatever we say, we can alleviate poverty levels in this country if we do not subsidise the oil sector.

If we look at the transport costs, if you want to transport goods from Mombasa to Nairobi, an eight-tonne lorry will charge you between Kshs60,000 to Kshs80,000. That is coupled with problem of the infrastructure that we have. There is no way that we will ever decongest the pile-up on our roads when we are charging excessively. I tend to think that the only way is to try and bring the prices of oil and petroleum down. When I introduced a Bill here that went through, afterwards I was appointed an Assistant Minister for Education, Science and Technology. However, that Bill is still lying in the shelves to date. I would like to encourage the Minister for Energy to make sure that oil companies are not allowed to arbitrarily increase their prices. We should not compromise all our needs with what they want. It is better for us to have checks and balances. We are talking about liberalisation. However, if we continue to liberalise everything, we will end up having the same problems we are experiencing now. It is important for each one of us to think about what the rural folks are eating. What are the rural folk eating? What can we do to help our constituents? The only way to help our constituents is to persuade this Government not to be compromised on what to zero-rate and what not to be zero-rated. I believe the Government was compromised and that was why it zero-rated Liquefied Petroleum Gas (LPG) products. We should encourage our people to think in terms of what should be eaten tomorrow. If all of us live on a dollar per day, what can we do?

Mr. Temporary Deputy Speaker, Sir, if you go to Libya, you will learn that we can negotiate with that Government to give us concession on oil imports so that we do not import oil

from Western or Asian countries at the current prices. As we speak, a barrel is costing US Dollars 66. Yesterday, I learnt that a barrel was going for US Dollars 70. I understand it is now going at US Dollars 72. Even if the prices go down, multinationals will never reduce their petrol prices. Why can the Minister for Energy not force inspectors to check what the current prices are? Why should we keep on being charged high rates despite the fact that crude oil prices have gone down? That is the fundamental question I would like to ask the Minister for Energy. Is it through collusion? Is he colluding with multinationals? I request my colleagues to support this Motion so that our people can have an easy time with everything they do.

I beg to move.

Mr. Omingo: Thank you, Mr. Temporary Deputy Speaker. Today is a day meant for the poor in this country. If this House was to think on those lines, then we would achieve something. I want to imagine we will achieve something because 56 per cent of our population is poor. Having accepted that we must address an issue that affects the poor, today will go down in history as a day that focused on the poor. This Motion is critical. It is a kind of a cross-cutting Motion that will affect the Ministry of Education, Ministry of Trade and Industry, Ministry of Environment and Natural Resources and that of Transport because they are all intertwined in this Motion. Fundamentally, the Motion focuses on alleviating the suffering of our people. It is hard to imagine that we can improve our forest cover with the current kerosene prices. We cannot save our forest cover if our cheapest source of fuel is charcoal. We shall be destroying our forests at the expense of multinationals and high taxes which we need to revise downwards. In fact, in effect, we shall be translating directly to the common person the benefits of tax collection. That way, we shall reduce our poverty levels. Our women, who suffer when fetching firewood, will actually access this fuel cheaply and neatly. I want to agree with the Mover of this Motion that, indeed, the critical thing that we should have done was not to think of the affluent in terms of LPG, but to look at the reduction of excise duty on kerosene because most of our villages do not have electricity. Our children study using the kerosene lamps and so they require a lot of it.

In terms of equity and our efforts to reach out to people, we require to introduce something of this nature that will effectively cut across the society, and empower those who cannot access electricity to continuously use kerosene. We shall also be able to improve the lives of our people. It is important to note that when we focus on LPG, it only benefits the affluent. The critical thing we ought to have done is to zero-rate kerosene. That means that the consumer is not charged any rate when buying kerosene. However, if somebody has incurred an import tax, then he can claim it. That is what it means to zero-rate as opposed to exemption. I think that zero-rating should be a welcome move even to manufacturers because whatever they would have incurred when importing the product, they can recover it because the output rate is zero to the consumer. We really must touch that raw nerve if really we are serious and genuine in serving our people.

Mr. Temporary Deputy Speaker, Sir, with regard to our environment, we keep on worrying about the water levels in our dams when faced with dry seasons. Why are we suffering? It is because our forest cover has been destroyed. I am sure that the Ministry of Energy will support this Motion. Basically, what the passing of this Motion will mean is that we shall be able to maintain our forest cover or even improve it and thereby have plentiful of rain that will come down in good time to fill our dams. That way, we shall not be experiencing constant power rationing in our country. We shall also have reliable water catchment areas and prevent soil erosion. If hon. Prof. Maathai was here, she would be the one to second this Motion.

If we reduce the cost of fuel; for example, kerosene and diesel, we shall definitely reduce the cost of production of our goods and services. This does not necessarily touch the rich, rather it will cut across our society. I am sure that the Ministry of Finance, which worries too much about

deficits, can reallocate funds and direct the shortfall to luxurious goods, which include cigarettes and beer. So, this proposal to reduce by Kshs2, the excise duty on kerosene is just the beginning of our efforts to reduce poverty. I would like to petition the Minister for Finance that in the future, he should finally look at the zero-rating of this very important commodity for our people.

We are suffering in the hands of multinationals. They have formed cartels! This Government should know that liberalisation does not mean abdication of responsibilities and not protecting the citizens of this country who it is supposed to protect. These people seem to gather in a club and all of a sudden, every fuel pump has got the same price every day, almost all the time. Are we sincere? We need to move fast and salvage our people from suffering. We need that liberalisation, but it does not translate in terms of price cutting.

Mr. Temporary Deputy Speaker, Sir, there is corporate social responsibility for multinationals to pay back to society what they are taking from us in terms of the business they are doing in this country. They should plough back their profits. One way of ploughing back their profits is by addressing the issue of poverty by either reducing their prices or contributing to society. I do not see them doing much along those lines. Today we can get fuel from Sudan. The same multinationals tell Kenyans and other countries around Sudan, that they cannot process the same fuel from Sudan because the refineries in Kenya are designed to process other types of commodities whose source they have an origin and an interest. The reason for this is that they want to repatriate profits out there. Southern Sudan will not benefit them. We must address this issue.

Every hon. Member of Parliament represents about 62 per cent constituents living below the poverty line. In every constituency, 62 per cent of the population live below the poverty line. How many votes can an hon. Member of Parliament get when the 62 per cent is neglected? That is why I think that this issue of reduction of fuel prices will carry the day because Parliamentarians represent very poor populations.

Mr. Temporary Deputy Speaker, Sir, we could address this issue more candidly when we put in place the Parliamentary Budget Office. Parliamentarians must address themselves to issues that affect people directly in terms of taxing luxury goods. When the Parliamentary Budget Office Bill comes to this House, Parliamentarians will have an input, prioritise and direct Ministries on what is to be allocated where and for what purpose. At the end of the day, the buck stops with the House. Our constituents are suffering and we cannot run away from the responsibility of addressing their needs. I believe we want to talk for the people, the majority of whom voted for us. Women are religiously good voters as opposed to the affluent people who live in the cities who cannot take long queues to vote. Women out there vote with the hope that one time they will get a reason to smile at from their MPs or their Government.

Mr. Temporary Deputy Speaker, Sir, were it not for the fact that the taxes we collect more often than not are misused, we would be comfortable that this money would go to the Treasury. Appropriation of resources has been wanting. If we could take a shortcut and give "Wanjiku" that Kshs2 that would be of benefit to her. I am sure the Minister of Finance will be very warm towards this.

Mr. Temporary Deputy Speaker, Sir, we are all here for a common purpose. When Ministers want us to join them in issues they normally say that we should put our differences aside. We need to put our differences aside and agree that this will benefit our people. We know that when our girls go to fetch firewood there are so many things that afflict them in the bushes. If they can get paraffin we will have saved that girl who would have ended up being a victim of rape.

We must stand as a Parliament to translate this benefit directly to that "Wanjiku" or "Adhiambo" who requires cheap fuel in the interest of enhancing forest cover and water catchment areas.

(Question proposed)

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, today we have a Motion of Adjournment. I will call upon the Minister to move that Motion.

**MOTION FOR THE
ADJOURNMENT UNDER SO 18(1)(2)**

GOVERNMENT LINKS TO
ARMENIAN "MERCENARIES"

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I beg to move:-

THAT, this House do now adjourn.

Mr. Temporary Deputy Speaker (Mr. Poghisio): The whole debate will be 30 minutes. If we go by our usual time then we will only have two people speaking. I would like to propose that everybody contributes for five minutes so that we can have a good number of people to contribute.

Mr. Kamotho: Mr. Temporary Deputy Speaker, Sir, my Question, together with the reply from the Office of the President, was discussed on the Floor of the House on 4th April, 2006. I had put the Question to the Ministry of Foreign Affairs first, but it was treated as a "hot potato". It was moved from one Ministry to another. It moved from the Ministry of Foreign Affairs to the Minister of State for Administration and National Security, and then to the Office of the Vice-President and Ministry of Home Affairs. Finally, the Minister of State for Administration and National Security gave an answer.

Mr. Temporary Deputy Speaker, Sir, the answer which was given was extremely unsatisfactory! All that Kenyans wanted to know was about some people who were being referred to as "mercenaries" in this country. They wanted to know who they were, how they came here and their relationship with the Government of Armenia. I did not get a satisfactory answer. Those people are strangers in this country. They came in a very interesting manner. They were given work permits within hours.

Mr. Temporary Deputy Speaker, Sir, in the reply, I was told that they are businessmen and investors. But the Minister for Trade and Industry clearly stated that he had met those people and after discussing with them for a long time, he came to a conclusion that they were not serious businessmen. They were not investors. They had no business plan.

Mr. Temporary Deputy Speaker, Sir, thereafter, we also saw those people in the media threatening the Minister of State for Administration and National Security, and the Commissioner of Police. Who can come to this country and threaten an ordinary Kenyan, leave alone a Minister of Government in charge of security and the Commissioner of Police, and get away with it? They can issue threats with impunity. What we would like to know is: Who is protecting those people? They were mentioned in the saga of the attack on Kenya Television Network (KTN) and Standard Newspapers. But nothing ever came out clearly.

Mr. Temporary Deputy Speaker, Sir, the other day, they claimed that they were going to build low-cost houses and give out some to people living in the slums free of charge. The Minister for Housing has stated very clearly that he is not aware of any such project in this country. If they are going to build houses, how have they acquired land? Have they submitted any plans to the Government and been given approval to go ahead and build such houses? From the information that we have gathered, those people are international criminals. I think it is the responsibility of the Government to protect Kenyans.

Those people have been enjoying a very high security profile. About two weeks ago, when they came back from Dubai, they were met at the airport by luxurious cars and security. Who are they? We, as Kenyans, would like to live in peace. If they are investors they should have shown evidence of the US\$200,000 dollars for them to get work permits to come and invest in this country. Did they show any such evidence?

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

(Question proposed)

Mr. Salat: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion of Adjournment. The question of these individuals being in this country is one that has actually gone to the extent of Kenyans wondering whether there is value in being Kenyan. To be a Kenyan, you should be accorded more respect than a person whose identity the Government does not know. These people seem to be accorded more respect than other Kenyans.

As the Mover of the Motion said, when these two people came back to the country, they had the audacity to say, in their funny dialect: "We are in Kenya now to invest". When one reporter asked them about the next general election, they had the audacity to say: "We will support whoever we think we should support when that time comes". These characters should not be living amongst Kenyans. They even went to the extent of actually saying they will import dogs to guard them. If I were the Minister in charge of national security, these characters would be long gone, because they have no respect for the ordinary citizens of this country.

Mr. Temporary Deputy Speaker, Sir, they even asked what the Commissioner of Police could do to them. They even went to the extent of questioning the person who is supposed to be in charge of my security, the Minister. What do these people have? There has to be somebody somewhere who is giving these elements protection. Those of us who have been lucky to go outside this country know that if you dare a citizen of your host country, you will arrive at the Jomo Kenyatta International Airport (JKIA) with only the clothes on your body. This is because the authorities in that country respect the value of one being a citizen of that country. In this country, strangers can trample on us and get away with it. It should not be allowed to go on. When they walk on the streets of Nairobi, they look like they are stars because they can do whatever they want. One of them went to the extent of saying: "I spend Kshs150,000 a day on my girlfriend." We need to bring back the dignity of this country. We need to assure Kenyans that there is value in being Kenyan. We need to ensure that we do not allow strangers, who wear some strange things on their necks, with every part of their bodies "marked" in a language we do not even understand---

(Laughter)

An hon. Member: It is satanic!

Mr. Salat: Mr. Temporary Deputy Speaker, Sir, these are people who do not deserve even a minute on Kenyan soil. We are saying this because, the more we encourage them, the more we will be a country which entertains criminals.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): On a point of order, Mr. Temporary Deputy Speaker, Sir. Just as a matter of interest, how did my great friend, Mr. Salat, know that these people have every part of their bodies marked?

Mr. Salat: Mr. Temporary Deputy Speaker, Sir, these are characters who choose not to put on clothes. They choose to expose their bodies because they spend Kshs150,000 per day.

With time, if the Minister does not act, we will encourage Kenyans to take the law into

their hands, take back their country and kick those people out of this country.

(Applause)

Capt. Nakitare: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this debate.

Mr. Temporary Deputy Speaker, Sir, to uphold our integrity as Kenyans, Kenyans must not be encouraged to hide things. If you hide a hyena, after the hunters go away, it will turn against you. I stand here to support the Motion of Adjournment, which touches on an important part of our lives. I have read international law. I have lived outside this country and an alien is not allowed to even utter a word of politics, leave alone voting or supporting a voter. That is betrayal to his residents, whether or not these people are permanent residents, meaning they have alien passes.

However, if they came on a "J" Visa, the Minister for Immigration should have resigned immediately Kenyans went out to demonstrate on the streets. Mothers, who want peace in this country, do not want to see strangers. Who would want to see a stranger in his backyard? A stranger must tow the line of a national. He must respect the host. An arrogant stranger, coming to this country and displaying his vicious dogs as a scarecrow, is challenging our security.

Mr. Temporary Deputy Speaker, Sir, last time I spoke about Patrice Lumumba and Hammasrskjold Schold. Today, I am going to talk about the mercenaries who left South Africa and went to a French Island for the purpose of overthrowing that Government. Mercenaries are hired people. They are hired by a group of people, or by a Government.

These people cannot purport to have come as business people. If we say we do not want their business, who will they trade with? If they came in the style of wanting to invest in this country, having implicated one of our own and said that they gave him Kshs100 million, are they suggesting that they are money launderers? If they say that they have come to this country to invest in a project to the tune of Kshs300 million, it has to be clear.

Mr. Temporary Deputy Speaker, Sir, we have the Transparency International, which has not even talked about these people. Instead, they keep on talking about Kenyans, and yet the people who come to corrupt our country are foreigners. I stand on a bitter note. I feel that this must be heard from here and far in the distant countries, that we do not want strangers who are arrogant to our national integrity. This is a sovereign country. We have nothing to lose even if the two Armenians go back home. These two Armenians should go back home. They should be repatriated. We have a law which provides for repatriation. If the Minister does not want to resign, he should repatriate these people.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I support the Motion.

Ms. Abdalla: Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to support this Motion of Adjournment to discuss the issue of the purported *mamlukis*.

Despite what we think of the Minister of State for Administration and National Security, he is a representative of the Government. As such, we should not entertain any foreigner in our country who answers him back and dares him to shut up. I am a bit shocked that the Minister for Administration and National Security, who could be rattled by a newspaper, cannot be rattled by a person who answers him back. I would like the Minister, when responding, to tell us what it is about these *mamlukis* that he is unable to answer them back when he can answer back to any Kenyan.

I spent two years of my life working in the undeclared Republic of Somalia. When I was in Somalia, I came across the term "PNG". A colleague of mine in the UN was given 12 hours to leave the Republic of Somalia for merely saying that a policeman was not qualified to do his job. Kenya is recognised by the whole world and we are entertaining two characters to dare the Police

Commissioner to go to their homes. We have allowed them to hang around town and masquerade in any function they wish to. This is a clear sign that we are allowing foreigners to take over our country and downgrade the value of a Kenyan citizen. Any country should not allow foreigners to joke around with her citizens like we have done.

Mr. Temporary Deputy Speaker, Sir, one of the things that are very difficult for Kenyans who are coming back home from overseas is to carry their pets and their personal belongings. The Minister has allowed foreigners to import into our country pets and plants. He should tell us how the *mamlukis* were able to import six dogs into the country in a span of 24 hours.

Unless the Government gets serious and shows us that these things are either not coordinated or are not functioning as a whole, we are not going to have a country that respects the rule of law. If a *mamluki* can come here, disrespect our laws and get away with it, why should Kenyans be expected to respect the law?

The Temporary Deputy Speaker (Mr. Poghisio): By the way, what are you calling them?

An hon. Member: *Mamluki!*

Ms. Abdalla: No, it is not a name but a title for mercenaries. It is an accepted English word because it is in the dictionary. I checked it up.

Finally, Mr. Temporary Deputy Speaker, Sir, I would like to mention that last year, this Government deported a Kenyan of Ethiopian descent with a valid passport back to Ethiopia on suspicion that he was a spy. The Ethiopian Government did not have his name on their list of spies. They jailed him for two months and the man died. He had been given only 12 hours to leave the country. He left behind five children, and the last two were three weeks old.

On the same note, all the heads of all Muslim Non-Governmental Organizations (NGOs) were deported within 24 hours because the American Government said that they were a security risk. We should not forget that, as Kenyans, all the security situation that we have encountered about terrorism, we have always been mere collateral damage. Yet we can be able to act in deporting people who are providing social services to our people and we cannot deport people who are not listed as investors, who bring dogs into the country within 24 hours, who abuse our Minister of State for Administration and National Security and dare our Commissioner of Police. Who is protecting them to the extent that even the Minister of State for Administration and National Security is scared of them?

(Laughter)

Mr. Mukiri: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise up to oppose this Motion of Adjournment. This is a very serious House and I think that, as hon. Members, we need to be very serious. We are going to spend hours discussing two characters, yet we have a lot of business that is pending in this House.

The Temporary Deputy Speaker (Mr. Poghisio): Order! If you did not want to contribute to this Motion, you should just sit down. This is something that has been approved.

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, all I am saying is that---

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, hon. Mukiri! Are you beginning by doubting that the Chair did wrong?

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, I know that the Opposition side does not like my sentiments. What I am saying is this: This House---

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Order! When you start by

saying that we are almost wasting time, what are you driving at?

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, that is what I wanted to explain. There have been several suggestions that this House should now move from discussing Motions into enacting Bills, because that is the primary purpose of the National Assembly. We are now discussing here the conduct of two people. I have heard other hon. Members saying that they should be deported. Why should they be deported? What have they done? There is no evidence against them and just because somebody is arrogant, you cannot say---

Capt. Nakitare: On a point of order, Mr. Temporary Deputy Speaker, Sir. Have you heard what hon. Mukiri has said? I am on the Government side and this matter touches on the security of our nationals. Is the hon. Member in order to think that what we are discussing is not important?

(Applause)

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, what I am saying is that, we are discussing the two characters of two individuals as a National Assembly. It is not a crime to be arrogant in this country. If you have to deport an alien, there must be a basis of why you want them deported. Many people have made allegations against those two individuals, but they have not come out and said what offence they have committed.

Mr. Ojode: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member contributing to this very important Motion should declare his interest. He is trying to defend one person by the name of Wambui, the Othaya NARC activist. Could he confirm or deny that?

(Applause)

The Temporary Deputy Speaker (Mr. Poghisio): Order! Mr. Mukiri, you can ignore that and proceed!

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, I do not want us to be---

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! By the time a Motion is debated, it has gone through a process in this House! You must realise that this is allowed in the Standing Orders. If an hon. Member feels dissatisfied with the answer, he or she can bring a Motion of Adjournment. That is what the hon. Member is following up. He wants an answer to a Question which was not answered satisfactorily.

Mr. Mukiri, you are at liberty to contribute and your line of thought is welcome. But do not question the fact that we are here to discuss what it is. So, proceed!

Hon. Members: His time is up! His time is up!

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, Mr. Ojode has made a very bad allegation. I did not mention somebody called Wambui. I think it is in very bad taste for an hon. Member to bring issues that are very shallow!

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

The Temporary Deputy Speaker (Mr. Poghisio): Order, both you!

Mr. Mukiri, what do you want to say?

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, what I am saying is that, we must protect people and their characters.

An hon. Member: Who are you protecting?

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, if there is any crime that those two people have committed, somebody in this House should come out and say: "These people are mercenaries because of A, B, C, D!" Where is the evidence? Where is the evidence that Margaryan

or Sargasyan are mercenaries? Whom have they killed?

Mr. Temporary Deputy Speaker, Sir, we, as Parliament, should not malign people.

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

Mr. Michuki, please, proceed!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, this Motion has been called because the Question that was raised in this House by Mr. Kamotho on 4th April, 2006, was allegedly not answered satisfactorily. I have gone through the whole HANSARD of that particular day, which has six pages. I have listened to the hon. Members supporting this Motion. I cannot see anything that was not said by the late Mr. M. Kariuki---

(Some hon. Members hissed)

The Assistant Minister for Foreign Affairs (Mr. Wetangula): On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you hear the hissing coming from the other side of the House? If it is in relation [**The Assistant Minister for Foreign Affairs**] to what Mr. Michuki said, he talked of "rattling" and not "hissing"! Why are hon. Members hissing?

(Laughter)

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I am not moved by that kind of stuff. What I am saying is that---

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! If you want the response, you must listen!

Proceed, Mr. Minister!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, this Motion has been brought to this House because one hon. Member originated the name "mercenaries". He originated that name, but he has not given any evidence whatsoever, to show that those people are mercenaries.

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

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, let me be allowed to respond. This Motion is not going to be one-sided.

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

Mr. Weya: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard the Minister say that those people are not criminals. If you go to the internet and search those names, you will find that those two individuals are international criminals.

(Applause)

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I am saying that the issue of mercenaries originated from an hon. Member of this House. That hon. Member has been taken to court by someone who is claiming that he owes him some money. One of the persons designated as mercenaries has gone to court claiming some money from the hon. Member who alleges that he is a mercenary.

Therefore,---

Mr. Ojode: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is misleading this House. The so-called mercenaries went to court to compel the hon. Member he is talking about to apologise, and not to refund the money. The issue of refunding the money is not there! So, he should come up and tell us the truth!

The Temporary Deputy Speaker (Mr. Poghisio): Order, both of you! I think a bit of tolerance is required!

Mr. Minister, please, proceed!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, but if hon. Weya and hon. Ojode have evidence which can be recorded and examined to be an offence, I am ready to recommend that those people are deported. However, I will not be moved by interests which are not for this nation, but for a particular individual who owes others money that he has borrowed wherever they were.

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

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, you can see the partisan interests emanating from this matter.

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

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! We are remaining with very little time. Mr. Weya, what is your point of order?

Mr. Weya: Mr. Temporary Deputy Speaker, Sir, the hon. Minister is stating here in this House that I and hon. Ojode have not given evidence, and yet we have given evidence to police stations on these two mercenaries. Is he in order to say that we have not given evidence?

The Temporary Deputy Speaker (Mr. Poghisio): Let the Minister finish!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, that is an argument and not a point of order. However, these people have gone to court claiming that their names have been disparaged by a person who owes them money, and one has to pay---

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! It is time to interrupt our business. This House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 1.05 p.m.