

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 4th July, 2001

The House met at 9.00 a.m.

*[The Temporary Deputy Speaker
(Mr. Musila) in the Chair]*

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.426

NAMES OF RETIRED POLICE OFFICERS

Mr. Speaker: Mr. Kathangu is not in? We shall come back to the Question later on!
Next Question!

Question No.318

RESTRUCTURING OF TRUST BANK

Mr. Obwocha asked the Minister for Finance:-

- (a) what the current restructuring position/status of Trust Bank is; and,
- (b) when the depositors will be paid.

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

(a) Trust Bank Limited is under a scheme or an arrangement where 20 per cent of deposit liabilities and sundry creditors were converted into share capital. So far, the following have been achieved: There is a new Board of Directors and management in place; the branch network has been substantially reduced and the workforce has now also been reduced and stands at about 37 people. Three instalments have been successfully paid to the creditors. The next instalment, that was due on 30th June, has not been paid, but is going to be paid before the end of this month. Directors intend to go to court for further amendment of the scheme to convert more deposits into share capital in order to restore the capital deficiency.

(b) Under the scheme or arrangement, depositors and creditors are to be paid in seven monthly instalments which extend from the re-opening date of 9th August, 1999 to 31st December, 2002. As mentioned above, so far, three instalments have been successfully repaid.

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, you appreciate that this is a very important Question to those people who deposited their money in the Trust Bank. This is a case of mismanagement of people's money. Could the Minister tell this House the total debt portfolio of that bank and how much is the 20 per cent that has been converted into share capital?

Mr. Okemo: Mr. Temporary Deputy Speaker, Sir, I do not have that information, but I can bring it later.

Eng. Toro: Mr. Speaker, Sir, over the last few years, banks have been collapsing and depositors have been losing their money, yet the Central Bank has an Inspectorate Department. Could the Minister tell the House the role of the Inspectorate Department if they cannot detect banks that are just about to collapse and take corrective measures?

Mr. Okemo: Mr. Speaker, Sir, the role of Central Bank is supervisory. Basically, what they are supposed to do is to make sure that there is proper management, proper loan portfolio management and capital adequacy is maintained at levels which are sufficient to take care of depositors' capital. There is a formula which is specified in the Banking Act. But I think we need to recognise the fact that the Central Bank of Kenya has, for a long time, not had adequate and qualified personnel to do the job, and that is an area that we are trying to strengthen so that their supervisory role can be truly one to ensure that the standards they have set are being met by the commercial banks.

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, depositors deposit their funds in these banks for a

rainy day or for some project in the future. Will the Central Bank of Kenya undertake to pay the extra cost that depositors may have to pay to secure funds for their projects, if they borrowed elsewhere, when it gets to the rainy day or the day the project is supposed to commence and they cannot access their funds?

Mr. Okemo: Mr. Temporary Deputy Speaker, Sir, when a depositor puts money in a bank, that is a contract between the depositor and the bank. The Central Bank has a regulatory or supervisory role. It cannot take over the function of a protection fund that will give money to those depositors who lose it when they deposit in a bank that collapses. So, the Central Bank of Kenya, obviously, cannot pay a depositor who loses money in a bank that collapses.

Mr. Keriri: Mr. Temporary Deputy Speaker, Sir, you realise that the collapse of a bank or banks has very bad effects on the economy. We have had many collapsing banks in this country. Now, the Minister says that the Central Bank of Kenya has a shortage of staff and yet the Central Bank of Kenya makes hefty profits. It cannot be understood why the Central Bank of Kenya should have a shortage of staff when they have money to recruit the best economists in this country. That delay is terrible. The other day the Minister set the requirements for capital, for the banks at Kshs300 million. What effect is that going to have on the banking industry? This means that banks---

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Keriri! You have asked a question, and I think you should wait for the reply.

Proceed, Mr. Okemo!

Mr. Okemo: Mr. Temporary Deputy Speaker, Sir, this House passed a law which required that all commercial banks should increase their capital successfully, on an annual basis, up to Kshs500 million. But the same House recognised that this was going to be very difficult particularly for the small indigenous banks. So, this is the reason why we have made a proposal that we freeze the capital level at Kshs300 million. I would like to assure the House that, that is adequate capital if the banks are properly run. I do not think that if we increased it to Kshs500 million, that would improve the management of banks. We should also take into account the fact that the economic situation has been very difficult, and even those loans which originally looked like performing loans are no longer performing loans because of the state of the economy. So, it is not just a question of giving bad loans, but it is also the circumstances under which businesses are operating today, which make it difficult for them to pay the loans. So, the Kshs300 million is in recognition of the fact that the smaller banks, if well managed, can survive. If we maintain that they must reach the Kshs500 million, then it is going to be a problem because they will not be able to get that capital and they will close down. So, we will end up with three or four big banks, which is not really what we want. We would like more banks to be opened and run properly so that we have competition. This might help to bring down the interest rates.

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, could the Minister tell the House the names of the members of the new Board of Directors? This bank collapsed because members of the Board of Directors were not running it properly. For the depositors to have confidence in the restructuring process, could he name the new Board members?

Mr. Okemo: Mr. Temporary Deputy Speaker, Sir, I will give the names of the new Board of directors which are as follows:-

Mr. T.S. Chandaria- Chairman

Mr. Mahindra Patel- Member

Kesharlal C. Shah - Member

Vijaysey Molde- Member

Satian Patel- Member

Dr. Benjamin E. Kipkoriri- Member

The Temporary Deputy Speaker (Mr. Musila): Next Question, Dr. Ochuodho!

Question No.215

EXPLOITATION OF TOBACCO FARMERS

Dr. Ochuodho asked the Minister for Agriculture:-

- (a) whether he is aware that tobacco farmers are seriously exploited by tobacco companies;
- (b) how the payment for every kilogramme of raw tobacco compares with the price of the final product - cigarette; and,
- (c) what the Ministry is doing to ensure that tobacco farmers have collective bargaining power, especially through formal recognition of their growers' associations.

The Temporary Deputy Speaker (Mr. Musila): The Minister for Agriculture is not here! We will come back to the Question later.

Next Question, Mr. Kiunjuri!

Mr. Kombo: It is a shame! The Minister is not here!

Question No.177

ELECTRICITY SUPPLY TO LAIKIPIA EAST

Mr. Kiunjuri asked the Minister for Energy:-

(a) when he will supply electricity to Doldol, Matanya, Wiyumiririe, Sirma and Muramati areas of Laikipia East Constituency; and,

(b) whether he could ensure that secondary schools in

[Mr. Kiunjuri]

the said areas are considered for electrification.

The Minister for Energy (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, I beg to give my "maiden" reply.

(Applause)

(a) The Government will supply electricity to Doldol, Matanya, Wiyumiririe, Sirma and Muramati areas of Laikipia East Constituency when sufficient funds are secured; and in accordance with the District Development Committee priority ranking.

(b) Secondary schools in the said areas will be considered for electrification after getting the District Development Committee ranking and availability of funds.

I would like to say that some work has already been done in this area and the Government is trying to source funds to implement the remaining part of the project.

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, I am grateful for that answer. This is the first time the Minister for Energy is answering a Question before the House. But I am surprised to hear hon. Raila use the same language that KANU Ministers use! That, the project will be implemented "when sufficient funds will be available!" However, I am confident that, with the seriousness displayed by hon. Raila, this project will be done. Now that he has accepted that there is no electricity in these areas, and there is a project which is being carried out in Ndeiga area, could he consider extending the same to Ngenye Secondary School, Muramati Secondary and Kararu Secondary School, now that electricity has reached Umandi?

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, over the last two weeks, I have spent a lot of time looking at the records of the Rural Electrification Programme. I know that it is one area which is very dear to hon. Members of Parliament and the majority of our people who live in the rural areas. I do not just intend to come here and give a standard answer to Questions on this particular subject.

I think it is important for hon. Members to know some of the problems that are being experienced with regard to this programme. One, there is an agreement between the Government and the Kenya Power and Lighting Company (KPLC), signed in 1973, which appointed KPLC as the contractor and operator of these programmes. The Government introduced a 5 per cent levy on electricity sales to be able to generate funds for the implementation of this programme. However, at the moment, operating and maintenance cost by KPLC far exceeds the revenue that is being raised through this levy. The cost stands at Kshs115 million per month against a revenue of Kshs63 million. I believe that there is something wrong and because of this, a committee has been appointed to look into this; as a way of finding a lasting solution. This committee consists of five members from my Ministry and four members from KPLC.

With regard to this specific Question, in Doldol and Sirma markets, a survey has already been carried out and it is estimated that the project is going to cost Kshs77 million to implement Wiyumiririe Market requires Kshs9 million to implement. Muramati Market requires Kshs17 million to implement and Matanya Market requires Kshs25 million to implement. The whole project requires a total of Kshs128 million against a budgetary allocation for this year of Kshs11 million. That is less than 10 per cent of the cost.

Mr. Temporary Deputy Speaker, Sir, the Government is trying to negotiate with donors to supplement funding for this project. At the moment, the Finnish Government has offered to come in, depending on the agreement between us and the World Bank. We are also negotiating with the Chinese on this. We also have a

French line of credit in existence and also a Spanish line of credit towards that end. When these negotiations are complete, I promise that this project in Laikipia East, including the schools, will get priority.

(Applause)

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, from the account of the Minister for Energy, you can see confirmation that we have been pouring money into a bottomless pit called KPLC. There is no way we can talk about supplementing what we generate locally when their maintenance costs are twice the amount of money they collect. Why should the Ministry continue to honour a pact with an inefficient company which has been riddled with corruption and very poor management? It is truly a slush fund only maintained because of what certain persons there can do to fund-raise for campaigns towards elections. Why can the good Minister not abandon the tired line of "when funds become available", when he knows that these funds will not be available? Donors cannot supplement what is not there. The Minister should tell this House the reality; that when we have restructured the method of disbursing money for rural electrification; and if we curb the corruption that has made donors reluctant, and donors start financing electrification, then we will continue funding priority projects, including the ones in Mr. Kiunjuri's Constituency?

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, I agree with the hon. Member that to some extent money has been wasted in the Kenya Power and Lighting Company (KPLC) and to a large extent there has been inefficiency. I would like the hon. Member to know that I have held discussions with officials from the KPLC and my officers and we have actually decided to address this issue. This is because, as an engineer, I do believe the costs of operation and maintenance being charged by the KPLC are highly inflated to the extent that consumers are paying for inefficiencies of that corporation. This is something that we do not want to pass to the consumer.

Secondly, the rural electrification programme as a project, is not economically viable. In other words, you cannot get returns from the investment. Rural electrification is an essential investment because it creates economic activities in those other areas where it is taken. Thirdly, it also helps the Government to deal with the crucial issue of poverty reduction. We do believe that it is possible to reduce the cost of operating this system. The Government is also considering de-linking distribution and transmission from the sale of electricity. We are also thinking of trying to create another operator in order to increase more competition which will result in lowering the cost of supplying electricity to our people.

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, could the Minister also consider allowing all those people living between Nanyuki Town Muramati, at least, 500 metres from the electricity line, to be provided with free electricity in order to allow them engage in activities which need electricity?

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, of course, there will be an additional cost on that because we need a transformer to do that. But that is a different Question which the hon. Member has raised. If he raises it with me in another Question, I am willing to look into it.

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, I am not comfortable with the signatory of the reply to my Question.

Question No.020

REHABILITATION OF NZOIA WATER SUPPLY

Dr. Kituyi asked the Minister for Water Development:-

- (a) how much money the Ministry collected in the form of user charges, from the Little Nzoia Water Supply in Tongaren Division of Bungoma District up to the time of collapse of the project;
- (b) how much of that money went to service the loan borrowed to construct the water supply; and,
- (c) what steps he will take to rehabilitate the project.

Mr. Kiunjuri: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is Mr. Ojode in order to say that the answer given by Mr. Raila suits that of a Prime Minister?

(Loud consultations)

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Kiunjuri! The Chair did not hear what you

have heard and, therefore, we will proceed!

Mr. Mutahi: On a point of order, Mr. Temporary Deputy Speaker, Sir. We were told by our Speaker, hon. Kaparo that "our ears are his ears". Now that you have heard what Mr. Ojode has said and it has been reported to you, could you please take action?

The Temporary Deputy Speaker (Mr. Musila): Mr. Kiunjuri, what did you hear?

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, Mr. Ojode is my neighbour right here. He told me that the answer given by Mr. Raila suits an answer from a Prime Minister, although we do not have a Prime Minister in this House.

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Kiunjuri! The hon. Member is entitled to his opinion and there is nothing wrong with that.

Mr. Angwenyi: On a point order, Mr. Temporary Deputy Speaker, Sir. That is the most elaborate answer we have had in this House for the last four years and it actually befits a Prime Minister's answer!

The Temporary Deputy Speaker (Mr. Musila): Order! Order, hon. Members! Dr. Kituyi did ask Question No.020. Could we have the Minister for Water Development responding to it?

The Assistant Minister for Environment and Natural Resources (Mr. Kofa): Mr. Temporary Deputy Speaker, Sir, I heard Dr. Kituyi say that he was uncomfortable with the answer. Could he repeat what he said?

The Temporary Deputy Speaker (Mr. Musila): Yes, Dr. Kituyi, what were you uncomfortable with?

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, I am comfortable with the Assistant Minister answering my Question. But like any other hon. Member, with the right conscience, I am uncomfortable with Mr. Kipng'eno arap Ng'eny, after appearing in court, to come and answer Questions in this House.

The Temporary Deputy Speaker (Mr. Musila): Order! Order!

The Assistant Minister for Environment and Natural Resources (Mr. Kofa): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) The Ministry collected a total of Kshs1.2 million from Little Nzoia Water Supply in Tongaren Division of Bungoma District up to the period that water stopped reaching Tongaren due to high population settlement in the source of the water supply. The revenue collected was remitted to the Treasury and the project has not collapsed; it is the demand for water that outstripped the supply.

(b) I am not aware of any loan borrowed to construct the Little Nzoia Water Supply. The water supply was handed over to my Ministry in 1978 by the Ministry of Lands and Settlement, after the project had been fully implemented.

(c) My Ministry will consider rehabilitating the Little Nzoia Water Supply along with others, when Bungoma District Development Committee presents it as a core project in its development priorities.

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, I have a little problem and I beg to seek the indulgence of the Chair. I do not know how to ask a supplementary question, when a Question with three facts received three answers from the Ministry all of which are factually incorrect. The Assistant Minister says that he is not aware of any loan used for constructing that water supply project. Twelve settlement schemes borrowed money from the Co-operative Bank and were billed promptly. Up to date, the settlement schemes still owe the Co-operative Bank money and the Minister says that he is not aware. If he is not even aware whether the scheme was started, how can he know about other details? He tells us that there is no water supply because of human settlement at the source of the water. The source of the water is outside Bungoma District. How can the DDC of Bungoma say that this is a priority when the water is being used by people who are outside the district? I just wish to ask the Assistant Minister one question. Now that the Minister seems not know the details about the Little Nzoia Water Supply, then the facts contained in this statement are all wrong. Could the Assistant Minister just explain two things? Why has the Government found it fit to tap water from a faulty water project along River Nzoia, within Tongaren Division, and take all that water to Eldoret Town to flower farms without a single institution or resident in Tongaren Division being allowed access to that water, when all the properties have pipes, but there is no single drop of water anywhere in Tongaren Division?

Mr. Kofa: Mr. Temporary Deputy Speaker, Sir, it is true that there is a problem of water in Tongaren Division of Bungoma District. As I said, this is due to the high demand for the water, as a result of the population settling there, leading to this problem.

About the question of water being taken to Eldoret Town, I am not aware.

Eng. Toro: Mr. Temporary Deputy Speaker, Sir, I think the Assistant Minister is not serious about what he is answering. If you look at part "c" of his answer, he says that his Ministry will consider rehabilitating the water project when the DDC prioritises the project. If it is a project already existing, and it is the role of the Ministry to maintain any water project, then why does the Assistant Minister want the DDC to sit and prioritise

what is already in existence?

Mr. Kofa: Mr. Temporary Deputy Speaker, Sir, the water policy is meant to encourage consumers to run their own projects. However, the Ministry has always given guidance and technical advice. If I heard Dr. Kituyi right, he said that there was a loan for that project, but I wish to inform him that it was not a loan but a grant.

The Temporary Deputy Speaker (Mr. Musila): Order! Mr. Assistant Minister, in view of what Dr. Kituyi has said, are you satisfied that you are giving this Question a fair answer? Would you not wish that the Chair gives you time to come out with a better answer?

Dr. Kituyi: Mr. Temporary Deputy Speaker, I could help you know it a bit better.

The Temporary Deputy Speaker (Mr. Musila): I can defer this Question because obviously, the facts being given on the ground seem not to be what you are saying. As the Chair has ruled in the past, it is very important that Ministers and Assistant Ministers take this House more seriously and give factual answers. Mr. Kofa, would you rather I defer the Question, maybe, up to next week so that you can do more research on it?

Mr. Kofa: Mr. Temporary Deputy Speaker, Sir, I do not object to that, since it is the hon. Member's right to get a satisfactory reply. Perhaps, he could meet me so that we can discuss it and then I will be ready to answer it next week.

The Temporary Deputy Speaker (Mr. Musila): The Question is deferred till Tuesday, next week.

(Question deferred)

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could you give a ruling that some of the Questions which are serious are directed to the real Ministers, instead of "mitumba" Ministers?

(Laughter)

The Temporary Deputy Speaker (Mr. Musila): Order! Mr. Angwenyi, you know that, that is not proper.

Mr. Sungu: On a point of order, Mr. Temporary Deputy Speaker, Sir. In view of your ruling, and in respect of what my friend, Mr. Angwenyi, has said, would I be in order to ask Mr. Angwenyi to withdraw and apologise to the House for the use of that unparliamentary language?

The Temporary Deputy Speaker (Mr. Musila): Yes, Mr. Angwenyi.

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I profusely apologise, but please, ask Ministers to come with the relevant replies.

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Angwenyi!

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I profusely apologise and withdraw.

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Angwenyi! You apologise and you do not tell the Chair what to do.

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I profusely apologise and withdraw.

Dr. Ochuodho: On a point of order, Mr. Temporary Deputy Speaker, Sir. Given that the substantive Minister for Water Development, Mr. Ng'eny, is currently facing a court case, and the Assistant Minister is efficient, could the Government consider upgrading him to be the substantive Minister?

The Temporary Deputy Speaker (Mr. Musila): Order, Dr. Ochuodho! That is mischievous!

Mr. Ndilinge: Mr. Temporary Deputy Speaker, Sir, I do not have a written answer, to my Question.

Question No.365

UPGRADING OF SULTAN HAMUD HEALTH CENTRE

Mr. Ndilinge asked the Minister for Health:-

- (a) when Sultan Hamud Health Centre will be upgraded to sub-district hospital status; and,
- (b) whether he could consider posting a doctor to the health centre.

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

(a) The Ministry has no immediate plans to upgrade Sultan Hamud Health Centre to a sub-district hospital.

(b) It is not possible to post a doctor to a health centre.

Mr. Ndilinge: Mr. Temporary Deputy Speaker, Sir, Sultan Hamud Health Centre is a very useful health centre to the area residents. Sultan Hamud Health Centre is at the border of Makueni District and Kajiado District.

It serves both districts. It serves the highway accident victims, and that is why I am saying that there is need for that health centre to be upgraded to a district hospital or sub-district hospital. Now, if the Assistant Minister is not willing to upgrade the health centre, could he assure the House that he is going to send an ambulance to the health centre to be used to serve the centre?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Ndilinge! You have asked the Question. Let the Assistant Minister respond to it.

Mr. Ndilinge: Mr. Temporary Deputy Speaker, Sir, I want the Assistant Minister to tell the House whether he is going to provide an ambulance, so that it can be used to assist the accident victims on the Mombasa Highway who are supposed to be served by a doctor in Machakos, since he is not ready to post a doctor to Sultan Hamud.

The Temporary Deputy Speaker (Mr. Musila): Fine, let the Assistant Minister respond.

Dr. Galgalo: Mr. Temporary Deputy Speaker, Sir, what the hon. Member is saying is true. It serves a large population that covers two districts. It is true that it is also on the Mombasa-Nairobi Highway and there are many accident victims who are taken there, but there are other health facilities in that vicinity. We currently have Makindu Sub-district Hospital which is about 45 kilometres away from that place, and Nthendu dispensary which is about 30 kilometres. There are so many facilities within that vicinity that can---

The Temporary Deputy Speaker (Mr. Musila): Order, Dr. Galgalo! Does it mean that--- The question is: Are you prepared to give an ambulance to Sultan Hamud Health Centre ultimately? When you say that there are other dispensaries, does that mean that there is no justification? Please, let us treat these questions more seriously.

Dr. Galgalo: Mr. Temporary Deputy Speaker, Sir, I am treating the Question very seriously and I am trying to justify why we cannot make it a priority project; the supply of an ambulance to the health centre that he is talking about. I was trying to build up a situation, whereby you will appreciate that it is not necessary.

Mr. Kiminza: Mr. Temporary Deputy Speaker, Sir, is the Assistant Minister in order to mislead the House by saying that he is not able to supply an ambulance because Makindu Health Centre is only five kilometres away? The Chair knows that Makindu is not five kilometres away from Sultan Hamud.

Dr. Galgalo: Mr. Temporary Deputy Speaker, Sir, I did not say five kilometres. I said 45 kilometres. However, I cannot respond to his question because I have not been allowed to make my statement; about trying to justify why it is not necessary for us to send an ambulance there.

Mr. Mwakiringo: Mr. Temporary Deputy Speaker, Sir, taking into consideration the high rate of the accidents along the Nairobi-Mombasa Highway on the KANU roads, what is the Government's policy on equipping the hospitals along the Mombasa-Nairobi Highway because Sultan Hamud is very far from Makindu, Emali, and other areas? What is the Government's policy on that because of the rampant accidents on the roads?

Dr. Galgalo: Mr. Temporary Deputy Speaker, Sir, we are working out a scheme, whereby we will set up facilities that will be able to cater for emergencies in all our health facilities that lie along the main highway. We want to equip them with emergency facilities. However, as for that particular health centre, we want to convert one of the rooms into a minor theatre such that the clinical officer and his staff will be able to attend to emergencies awaiting transfer of the patients to other hospitals.

Mr. Kikuyu: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister says that the Government cannot upgrade this health centre to a sub-district hospital because the distance from Makindu Sub-district Hospital to Sultan Hamud is 45 kilometres. What justification is there in upgrading Machakos, Kathiani and Kangundo to district hospitals when they are seven kilometres away from each other? Why can he not upgrade this one to a sub-district hospital, considering the high rate of deaths on the Mombasa-Nairobi Highway?

Dr. Galgalo: Mr. Temporary Deputy Speaker, Sir, upgrading of health facilities does not just depend on distance. There are other factors that we take into consideration like population catchment. These district hospitals that we have talked about have a much larger catchment area and a bigger population to serve than this particular health centre. However, the DDC, Makueni, has recommended that Nunguni Health Centre be upgraded to a sub-district hospital and that is the line of action we are pursuing.

Mr. Ndilinge: Mr. Temporary Deputy Speaker, Sir, I do not know whether the Assistant Minister is as serious as he had said he was about this issue. Sultan Hamud Health Centre is older than Nunguni by far. It was actually officially opened by the Late Jomo Kenyatta. The Assistant Minister has already told the House that the distance from Sultan Hamud to Makindu is 45 kilometres. He has just been informed by Mr. Kikuyu that Kathiani and Kangundo are just ten kilometres from Machakos District Hospital. Why do you not consider upgrading this health centre which is 45 kilometres from Makindu? I want the Assistant Minister to tell the House whether he will provide means of transporting patients from Sultan Hamud Health Centre to Makindu which is 45 kilometres away.

Dr. Galgalo: These health centres serve a population of less than 100,000. We---

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

The Temporary Deputy Speaker (Mr. Musila): What is your point of order? Let the Assistant Minister answer the question!

Dr. Ochuodho: My point of order is that the previous Questioners have repeatedly said that Sultan Hamud Health Centre even serves mobile populations, that is people who travel along Mombasa Road---

The Temporary Deputy Speaker (Mr. Musila): Order, Dr. Ochuodho! The Assistant Minister had hardly pronounced a sentence when you stood up on a point of order. Can we allow the Assistant Minister answer the question and if he finishes and there is a point which you feel that you should raise, then you do so?

Dr. Galgalo: Mr. Temporary Deputy Speaker, Sir, before I was rudely interrupted I said that, for a facility to be upgraded to a sub-district hospital status, it has to serve a population of more than 100,000 people. This---

Mr. Ndilinge: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Assistant Minister to mislead the House when he knows very well that my constituency, Kilome, has more than 120,000 residents? He has already attested that it serves both Machakos and Kilome---

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Ndilinge! We have got to have some order here. You asked a question. If you are not satisfied with the way the Assistant Minister is answering, you have another way of pursuing it, but not through interruption. Could you continue?

Dr. Galgalo: Mr. Temporary Deputy Speaker, Sir, I said that for us to upgrade a facility to a sub-district hospital status it has to have a catchment population of between 100,000 and 250,000 people. This facility does not serve 100,000 people. If Kilome has a population of more than 100,000 I believe it has other health facilities such that all the residents of Kilome do not depend on this particular health facility. As far as transportation of accident victims is concerned, you will recall that this Ministry is in the process of disbursing ambulances to all provincial and district hospitals. I believe that Makueni District Hospital will have an ambulance which will be able to serve the residents of Makueni for the time being.

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

The Temporary Deputy Speaker (Mr. Musila): Let it be a point of order, Dr. Ochuodho.

Dr. Ochuodho: My point of order is this: Is the Assistant Minister in order to mislead the House that the potential population coverage for Sultan Hamud Health Centre is not more than 100,000 while we know that the traffic that passes along Nairobi-Mombasa Highway far exceeds the number that we are talking about, in one year?

Dr. Galgalo: Is the hon. Member suggesting that all the people who travel from Nairobi to Mombasa are residents of Makueni?

The Temporary Deputy Speaker (Mr. Musila): Indeed!

Before Eng. Toro asks his Question, I would like to point out that Mr. Shidiye's Question was skipped and we will come back to it in the next round.

Mr. Ndilinge: On a point of order, Mr. Temporary Deputy Speaker, Sir. Surely, the Assistant Minister is not considerate about the people of Kilome. Is it in order for him to mislead this House when he knows that it is only last year when we had a landslide and more than 4,000 passengers were suffering in that area of Sultan Hamud? Four people died and they were taken to the Sultan Hamud Health Centre. There were no drugs there and there was nobody to attend to them. Is the Assistant Minister in order to mislead this House when he knows very well that Sultan Hamud is a very important health centre which should be upgraded to a sub-district hospital?

The Temporary Deputy Speaker (Mr. Musila): Mr. Ndilinge, I do appreciate your feelings on this matter, but surely, we must follow some order. The Assistant Minister has answered your Question and I know you are not satisfied. Can we continue with that question because you are now asking a question instead of raising a point of order?

(Mr. Ndilinge stood up in his place)

Mr. Ndilinge, can you sit down? Mr. Assistant Minister, could you comment on what Mr. Ndilinge has asked?

Dr. Galgalo: Mr. Temporary Deputy Speaker, Sir, I had already made that comment. I said that, for a start, we are supplying all our district hospitals with ambulances and Makueni District Hospital will have its ambulance. If the Members of Makueni DDC decide that the best facility that should have that ambulance for the time being is the Sultan Hamud Health Centre, it is well and good.

Mr. Mutahi: On a point of order, Mr. Temporary Deputy Speaker, Sir. This is very interesting because I was with Mr. Ndilinge during the last Parliament and he knows the Standing Orders. You communicated to him for about five minutes when he was still on his feet. Is it in order to be so rude as to stand while you were talking to him?

The Temporary Deputy Speaker (Mr. Musila): Mr. Mutahi, Mr. Ndilinge was, of course, out of order but I do not think he was rude. I think he was just emotional about his Question. I did see the point and I did order him to sit down and he obeyed. There is nothing the Chair can say about that.

Next Question!

Eng. Toro: Mr. Temporary Deputy Speaker, Sir, I have not received any written answer to this Question.

Question No. 116

OPERATIONS OF ZONE HOLDINGS CREDIT

Eng. Toro asked the Attorney-General:-

- (a) whether he is aware that a company by the name Zone Holdings and Credit Investments Company Limited has been operating in Kandara Constituency and has swindled unsuspecting wananchi lots of money, promising loans double the amounts deposited; and,
- (b) what action he is taking to ensure that victims are refunded their deposits.

The Temporary Deputy Speaker (Mr. Musila): The hon. Attorney-General is not here, therefore, we will come back to this Question during the second round.

Mr. Kathangu's Question, for the second time?

Mr. Kathangu: Mr. Temporary Deputy Speaker, Sir, I am sorry I came late.

Question No. 426

NAMES OF RETIRED POLICE OFFICERS

Mr. Kathangu asked the Minister of State, Office of the President:-

- (a) whether he could table the names of all retired members of the Flying Squad and the Criminal Investigations Department, over the last 36 months; and,
- (b) what steps the Government is taking to check the use of firearms against the citizens.

The Assistant Minister, Office of the President (Mr. Samoei): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) Yes, I can provide a list of retired members of the Flying Squad and the Criminal Investigations Department over the last 36 months.

(b) The Government is taking the following steps to check illegal use of firearms against the citizens: Security operations aimed at recovering firearms illegally held by criminals have been intensified. Information gathering on entry points, trafficking routes, distribution and sale points in respect of illegal guns has also been intensified. Amnesty for surrender of illegally-held firearms has been declared from time to time. Security officers have been given firm instructions on the use of firearms on their part and the misuse would result in appropriate legal or disciplinary action.

Mr. Kathangu: Mr. Temporary Deputy Speaker, Sir, I received from the Assistant Minister a list of about 66 names of those Criminal Investigations Department (CID) and the Flying Squad officers who have either been retired or dismissed. But I have a very interesting case here of an officer who is listed as No.58, P.C. Hamisi Mwero, who the Minister says was removed. I would want to know how he was removed. Secondly, we know that many police officers have been involved in robberies, carjackings and shootings. Will the Assistant Minister confirm here whether these 66 officers were involved in these crimes?

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, the officer whom I had indicated was removed, was sacked on disciplinary grounds. In addition to Mr. Hamisi Mwero, there were eight other officers who were sacked from the CID due to indiscipline. There have been cases, as the hon. Member has said, where policemen have been involved in cases of robbery or misuse of firearms. We have taken appropriate action whenever this has come to our notice.

The Temporary Deputy Speaker (Mr. Musila): By the way, Mr. Assistant Minister, the list of these

names should also be given to the office of the Clerk of the National Assembly for record purposes.

Mr. Muchiri: Mr. Temporary Deputy Speaker, Sir, of late, there have been killings of the CID, the police and the National Intelligence Service officers in Nairobi. Could the Assistant Minister inform this House whether he has tried to find out whether there is an underground movement that is killing these officers or a subversive element that exists in this country?

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, indeed, we have lost some police officers in the fight against illegal firearms. This has been due to the aggressive nature with which the policemen have gone out of their way to make sure that we rid our City of the illegally-held firearms. The Police Force will make whatever sacrifices need to be made to bring the situation under control.

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, it is the duty of the Police Force to protect the wananchi. Even in Hollywood, you will see the policemen going out of their way to chase after criminals and protecting the wananchi. But what is the Ministry doing to protect the citizens of this country against the proliferation of small arms into this country, specifically, through refugees? It has come to our notice that refugees are the main suppliers of firearms in this country. It is easy to buy firearms in Kenya, even for as little as Kshs5,000 in Nairobi.

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, indeed, the existence of illegally-held firearms in this country can be attributed to a large extent to the presence of refugees. The refugee problem is not a Kenyan problem, but an international problem. Indeed, as I speak here, the Minister in charge of the Internal Security is travelling to New York to liaise with other countries and discuss how to solve the refugee problem. With this, we hope to stop the proliferation of small firearms.

Kathangu: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has said that information gathering points have been established, particularly because of trafficking, distribution and sale of firearms. It is common knowledge that when Rwanda, Somalia and Sudan were in turmoil, the Government continued to give accommodation to refugees from these countries. They came into the country in their vehicles and they had guns. Most of those guns were deposited in places such as Dandora, Kangemi and Kawangware and the Government did not disarm these refugees. How will we expect the Government to be serious in future about solving the problem of the refugees?

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, I do not think the information the hon. Member has given is correct. We acted according to our international obligations in respect of persons who came into this country as refugees. Unfortunately, some of them did not respect the hospitality of this country and came along with firearms, without the knowledge of the Government.

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister not misleading the House by deviating from the issue of the police officers and giving an excuse about refugees when he knows that the police officers who have either been retired or fired are the ones who expose their former bosses in the Police Force who are involved in crime?

The Temporary Deputy Speaker (Mr. Musila): Mr. Maore, you are a very experienced hon. Member here. Mr. Assistant Minister is responding to a supplementary question by Mr. Kathangu, and is precisely answering it as asked. What you are asking now is probably what you wanted to ask but you did not catch the Chair's eye. The Assistant Minister is answering the question as asked by Mr. Kathangu.

Continue, Mr. Samoei!

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

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Angwenyi!

Mr. Angwenyi: Our people are being killed all over the country!

The Temporary Deputy Speaker (Mr. Musila): Mr. Angwenyi, the Assistant Minister is answering Mr. Kathangu's question. I am following up very keenly what he is saying and it is relevant to Mr. Kathangu's question. If you have another question, rise up and if I see you, I will give you a chance to ask it. But you cannot ambush the Chair in that way.

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, as I said, we have international obligations as a country, which we must respect. For refugees who meet the UNHCR conditions, we have an obligation to have them in this country. Unfortunately, as I said, there are some refugees who have not respected the hospitality of this country, and indeed, have come along with firearms. We are doing everything possible to make sure that these firearms are surrendered to the police, and recent operations in Nairobi were geared towards achieving this goal.

Mr. Kathangu: Mr. Temporary Deputy Speaker, Sir, you know the Flying Squad in this country has been misused. We have had people eliminated in the streets of Nairobi because of telephone calls. People identify their enemies, call the Flying Squad officers and claim that their vehicles have been stolen by their enemies. What

we hear after that is that people have been killed or shot in the streets. The Flying Squad officers do not investigate matters reported to them, but swing into action and kill. We would like to know from this Assistant Minister what the Government will do to stop the police from shooting innocent people.

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, mistakes have been made in the past, but the Flying Squad has refined its mode of operation and, lately, its officers counter-check whatever information is availed to them before they take action.

Question No.215

EXPLOITATION OF TOBACCO FARMERS

Dr. Ochuodho asked the Minister for Agriculture:-

- (a) whether he is aware that tobacco farmers are seriously exploited by tobacco companies;
- (b) how the payment for every kilogramme of raw tobacco compares with the price of the final product - cigarette; and,
- (c) what he is doing to ensure that tobacco farmers have collective bargaining power, especially through formal recognition of their growers' associations.

The Assistant Minister for Agriculture and Rural Development (Mr. J.D. Lotodo): Mr. Temporary Deputy Speaker, Sir, first and foremost, I would like to apologise for coming late. I was caught up in a traffic jam between Kilimo House and Parliament Buildings! However---

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Assistant Minister! I think the Chair does not accept the excuse of a traffic jam. This is because traffic jams are all over and everyone knows what time he should be here! We will accept your apology but, please, do not spoil it by giving us the reasons.

Proceed!

The Assistant Minister for Agriculture and Rural Development (Mr. J.D. Lotodo): Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to reply.

(a) I am not aware.

(b) It is difficult to make direct comparison between the amount of money paid to the farmers for every kilogramme of raw tobacco, and the sale price of the final product due to the following reasons:- Raw tobacco has to undergo a value-added process before it reaches the consumer, whose activities include cost of essential services, transportation of leaf tobacco, processing costs at the factory, cost of manufacturing and distribution of the final product, distribution, sales cost, administrative costs, Excise Duty payable to the Central Government, margins to the distributors, wholesalers and retailers, Corporate Tax and margins to the business.

(c) The Minister has encouraged farmers to form farmers' groups, which will assist them in bargaining for better prices of their produce. With regard to the tobacco farmers, a tobacco association has been formed to assist farmers to bargain for better terms.

Dr. Ochuodho: Mr. Temporary Deputy Speaker, Sir, the only reason why the Assistant Minister has not given us any figures is because, they would expose the exploitation of the farmers. I put it to him that farmers are paid Kshs5 to Kshs80 of one kilogramme of dried packed-ready tobacco. One kilogramme of dried tobacco produces about 1,000 cigarettes. Although I do not smoke, I know that one sportsman cigarette costs Kshs2.50. So, for one kilogramme of tobacco, the firms get Kshs2,500, and they only pay the farmers Kshs5! I think to be honest, at the very least, those farmers should be given Kshs500 per kilogramme. In Zimbabwe, the farmers are paid Kshs308 per kilogramme. In Malawi, the farmers are paid Kshs123 per kilogramme. I have data to prove that. Why are Kenyan tobacco farmers so exploited? Why does the Government not consider prevailing on the tobacco companies to pay our farmers reasonably?

Mr. J.D. Lotodo: Mr. Temporary Deputy Speaker, Sir, I am not aware of those figures but on average, the price of tobacco is Kshs60 to Kshs66 per kilogramme, depending on the quality. I have stated so many factors that causes the decline in the prices, and also pegged the price of tobacco to Kshs60 per kilogramme. Therefore, there is no question of exploiting the farmers!

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, it is a well known fact that farmers in Kenya are exploited! That is why every sector is going down, and that is the reason why the farmers cannot make ends meet. Could the Assistant Minister tell this House whether the Government has any policy to look into the pricing of farming commodities and, especially, the tobacco farmers, with a view to improving them, instead of leaving everything completely to the manufacturers to decide what they should pay?

Mr. J.D. Lotodo: Mr. Temporary Deputy Speaker, Sir, the hon. Member should agree with me that we

have the liberalisation papers for that produce. Therefore, that question will be looked into.

Mr. Sungu: Look this way, Mr. Temporary Deputy Speaker, Sir!

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Sungu! You are supposed to stand and catch the Speaker's eye! You are not supposed to catch the Speaker's ear, but the Speaker's eye!

Mr. Shill: Mr. Temporary Deputy Speaker, Sir, we know that our economic backbone in this country is agriculture. Could the Assistant Minister confirm or deny that we are experiencing an economic disaster, just because the farmers are not paid well for their raw materials?

Mr. J.D. Lotodo: Mr. Temporary Deputy Speaker, Sir, you will realise that, for the last three years, we have experienced drought and famine. Therefore, the farmers suffered very much. The prices paid to farmers are determined by the quality of the crop delivered to the buyers. The quality is also influenced by various factors, which include the weather, inputs supply, agronomic practices, curing skills by the farmers, block export demand, world market and global stock export prices!

Mr. Shill: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Assistant Minister to evade my question? I asked him either to confirm or deny that we are having an economic disaster in this country because farmers are not paid properly for their raw materials!

The Temporary Deputy Speaker (Mr. Musila): Indeed, that was the question, Mr. Assistant Minister! So, answer that question!

Mr. J.D. Lotodo: Mr. Temporary Deputy Speaker, Sir, as I said, the cause of problems to the farmers is the weather. Secondly, I know that there are payment problems to the farmers but, currently, we are trying to liberalise the market, so that market forces can determine the prices to be paid to the farmers.

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, is it not true that most of the tobacco is grown in western Kenya? Is it not true that the factory processing tobacco is located in Thika? Does that not amount to discrimination against the farmers, because their sons and daughters are not employed in that factory?

Mr. J.D. Lotodo: Mr. Temporary Deputy Speaker, Sir, according to a feasibility study that was done, I do not know how the factory was located at Thika. But we can still establish a factory in western Kenya.

Dr. Ochuodho: Mr. Temporary Deputy Speaker, Sir, it is very unfortunate that the Assistant Minister has acknowledged that, whereas one kilogramme of tobacco gives the companies Kshs2,500, farmers get only a paltry Kshs5! Even if I use the Assistant Minister's figure of Kshs60, surely, that is a rip-off! Just imagine buying at Kshs60 and you get Kshs2,500 per kilogramme after selling!

However, my major problem now is that there is a tobacco farmers' association called the Kenya Tobacco Growers Association (KETOGA), which has been complaining and writing, not only about the exploitation in terms of underpayment, but also about the failure of the companies to give protective gear for health purposes. There are many hazardous chemicals that are used in cigarette manufacturing. In other countries, the companies give the farmers protective gear. Could the Assistant Minister prevail upon the tobacco companies to recognise and deal with the legitimate tobacco growers association, KETOGA, which can bargain for the farmers?

Mr. J.D. Lotodo: Mr. Temporary Deputy Speaker, Sir, the Ministry will take that into account. As far as the chemicals are concerned in the tobacco industry, the Ministry will write to them to take precautionary measures necessary to protect the people in those areas.

Mr. Gitonga: Mr. Temporary Deputy Speaker, Sir, could you allow me to give information?

The Temporary Deputy Speaker (Mr. Musila): No! No! The Question is finished! The next Question is by Mr. Shidiye for the second time!

Question No.066

WATER SHORTAGE IN MODOGASHE TOWN

Mr. Shidiye asked the Minister for Water Development:-

- (a) whether he is aware that there is an acute shortage of water in Modogashe Town;
- (b) whether he is further aware that all public institutions are almost closing down; and,
- (c) when he will drill boreholes in the area and how much money has been set aside for the same.

The Assistant Minister for Environment and Natural Resources (Mr. Kofa): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

- (a) Yes, I am aware.
- (b) No, I am not aware. However, in view of the water problem in the town, my Ministry has made

arrangements to supply Modogashe Town with water by tankers, from the borehole in neighbouring Habaswein Division.

(c) My Ministry has provided a rotary drilling rig with all the necessary components to Northern Aid, which has offered to fund and drill a borehole at Elan, 20 kilometres from Modogashe Town. My Ministry is not in a position to give the amount of money to be used, since the Non-Governmental Organisation (NGO) is not channelling the funds through the Treasury. However, it is required to drill and equip the borehole. The rig is currently at Yakubasadi in Isiolo District and, as soon as it finishes drilling that borehole, it will be mobilised to Elan in Garissa District.

Mr. Shidiye: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has not made any changes in his answer by telling us that, yes, he is aware there is an acute shortage of water; and then, secondly, he tells us that he is not aware that public institutions are closing down. Modogashe Town has more than 50,000 residents and he wants to tell us that he is going to supply the entire town with one water tanker that will ply between Habaswein and Modogashe which are 80 kilometres apart. Is he serious? Secondly, is the water tanker there in the first place before I ask him more questions?

Mr. Kofa: Mr. Temporary Deputy Speaker, Sir, when the hon. Member talks of institutions closing down, that is not the Ministry's concern.

Dr. Ali: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Assistant Minister is telling us that he is not concerned about public institutions closing down. Is he really serious? If hospitals and schools close, is he in order to say that he is not concerned?

Mr. Kofa: Mr. Temporary Deputy Speaker, Sir, that is exactly what I am saying, that the Ministry of Environment and Natural Resources has nothing to do with dispensaries, schools and other institutions. So, that is why I said I am not aware.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House that the Ministry is not concerned about the people it is going to supply water? Why do we have the Ministry then?

Mr. Shill: Apologise!

Mr. Kofa: Mr. Temporary Deputy Speaker, Sir, there is nothing to apologise for. All that I am concerned about is water development and not schools and dispensaries. That is why I am saying I am not aware of institutions closing down. That is all I am saying!

Mr. Shill: On a point of order, Mr. Temporary Deputy Speaker, Sir. The truth of the matter is that the United Nations Children's Fund (UNICEF) is the one which is giving out money for that project. However, unfortunately, this Ministry, through corruption, has granted another NGO the permission to do this work and yet it is not going to work. Could the Assistant Minister, therefore, tell us when that NGO is going to send that drilling rig to Elan to do that job because these people have never had water for the last 38 years?

Mr. Kofa: Mr. Temporary Deputy Speaker, Sir, first of all, to answer hon. Shidiye on whether the drilling rig is there or not, the answer is "yes", it is there. It was donated by Japan International Co-operation Agency (JICA) to the Office of the President which in turn took that drilling rig to the Ministry of Environment and Natural Resources. That drilling rig, as I said, is in Isiolo. Once work is completed there, it will be taken to Elan immediately.

Mr. Shill: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for this Assistant Minister to evade answering my question? I know that, for sure, this drilling rig is now out of order. When is it going to come to Elan

because I know it is out of order and the money that had been allocated to that project has been "eaten"?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Shill! I thought the Assistant Minister said that as soon as the drilling rig leaves Isiolo it will go to Elan. Is that not what the Assistant Minister said? Could we hear from Dr. Ali!

Dr. Ali: Mr. Temporary Deputy Speaker, Sir, first and foremost, it is a pity that the Assistant Minister says that he does not care whether the public institutions close down or not, because I do not know how hospitals and schools can work without water. So, that is his responsibility. However, the other thing I want to ask is: How many litres of water does the water tanker supply from Habaswein to Modogashe Town? Secondly, which tanker is it and which Ministry or NGO is it from?

Mr. Kofa: Mr. Temporary Deputy Speaker, Sir, first, I did not say that I do not care. Secondly, in that connection, he did not specify whether institutions closed down because of lack of water. Now, that being the case, the Ministry will look into that. As I said, there are two tankers that are serving the community; carrying water from Habaswein to Modogashe Town.

Mr. Shidiye: Mr. Temporary Deputy Speaker, Sir, this Assistant Minister is not serious and this is the third time this Question is coming to the House. Any time I ask it, it is merry-go-round. This Assistant Minister is misleading the country, he is not honest, lacks integrity and he should resign!

The Temporary Deputy Speaker (Mr. Musila): Mr. Shidiye, ask your question!

Mr. Shidiye: Mr. Temporary Deputy Speaker, Sir, I say so because it is a serious matter. It is the life and death of my people! If it is the life and death of my people and he does not want to give me a drop of water, then he has no business being in that Ministry. I am saying this because I have been asking this Question in this House for some time. Mr. Speaker deferred it last week. The Assistant Minister is totally incompetent to answer this Question and I do not deserve this!

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Shidiye! I gave you a chance to ask a question and if you do not have a question---

Mr. Shidiye: I have a question!

The Temporary Deputy Speaker (Mr. Musila): If you have a question, ask it now!

Mr. Shidiye: Mr. Temporary Deputy Speaker, Sir, I am building it up! I have a lot of anger. I want to come to the question. That drilling machine is obsolete. Where is the drilling machine he is talking about?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Shidiye! I appreciate that this is a very important Question. In fact, I appreciate your feelings. I allowed you to ask a question but, instead, you are only telling me you are angry. Could you ask the Assistant Minister your question for the last time?

Mr. Shidiye: Mr. Temporary Deputy Speaker, Sir, Modogashe Town is the headquarters of Lagdera Constituency. As the Member of Parliament for the area, I cannot stand there since I am told: "Go and bring water and do not come back to us unless you do so." And yet this Assistant Minister is telling us that I cannot get water for my people. Why is the Assistant Minister talking like that?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Shidiye! I order you out of the Chamber!

Mr. Shidiye: I will not leave! This Assistant Minister is joking!

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Shidiye! I order you out of the Chamber because you are completely disorderly!

(Mr. Shidiye withdrew from the Chamber)

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Water is life. Could this Assistant Minister undertake to supply water, immediately, to Modogashe Town?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Angwenyi! I did not even give you a chance! That Question is over!

Mr. Murathe: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the KANU Chief Whip and Members of the KANU party to come and wash their dirty linen in public?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Murathe! I have already taken action against Mr. Shidiye and there is no point raising a point of order on that matter.

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir. I know the tradition, practice and procedure of the House; that a Member is supposed to vent his fury and anger on the Chair. Now, could the Chair apologise to the House for allowing hon. Shidiye to vent his anger directly on the hon. Assistant Minister who is my neighbour at home?

The Temporary Deputy Speaker (Mr. Musila): I was on my feet trying to silence Mr. Shidiye but he became disorderly. So, he has been punished accordingly. So that matter is finished.

Questions by Private Notice! Mr. Mwakiringo!

QUESTIONS BY PRIVATE NOTICE

ISSUANCE OF WORK PERMIT TO MR. ALBERTOS CANALE

Mr. Mwakiringo: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State, the following Question by Private Notice.

(a) Is the Minister aware that Mr. Albertos Canale, Malindi resident, applied for a Class "H" permit to develop an estate on Plot No.263/32 along Limuru Road in 1996?

(b) Is he further aware that Mr. Canale did not develop any estate and that the plot he is purported to have developed is non-existent?

(c) In view of the foregoing, could the Minister explain:-

(i) Why Mr. Canale was issued with a Class "H" permit without any proof of transfer of funds for the development of the estate, contrary to immigration requirements?

(ii) Why Mr. Canale is working in the hotel industry in Malindi instead of estate development as indicated in his permit?

The Assistant Minister, Office of the President (Mr. Samoei): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Mr. Albertos Canale, a resident in Malindi applied for Class "H" permit and was granted. However, I am not aware that he did not develop the plot that he had proposed that he was going to develop.

(b) Mr. Canale was granted Class "H" entry permit to work as a Director of Atlantis Complex Ltd., on submission of written proof by ABN AMRO Bank, of Nyerere Road, Nairobi, that he had brought into the country an equivalent of US\$214,950 for development of the estate along Limuru Road.

(c) Mr. Canale has been issued with two additional entry permits because he had invested substantially in two on-going hotel and tourism business ventures which, at the time of granting the permits, were employing a sizeable number of Kenyans and earning the country foreign exchange.

Mr. Mwakiringo: Mr. Temporary Deputy Speaker, Sir, you have heard the kind of answer that has been given by the Assistant Minister. I asked whether the Assistant Minister is satisfied that Mr. Canale, who is an Italian, developed the said plot. In his letter of application, he only used a letterhead which does not have a registered office, address, telephone number or any other information. He is the only one who applied, and yet, he was only a 1 per cent shareholder. The remaining 99 per cent shares were held by Mr. Gremo, who was supposed to have applied for a permit. He says in his letter:

"I have transferred US\$214,950, which is equivalent to Kshs128 million for this project."

He has not named the bank from which this amount of money was transferred and to which bank, and yet, he was issued with a work permit by the corrupt officials in the Immigration Department. This was done, and yet, there was no proof in the file to show that he had transferred that amount of money. The purpose of issuing this man with a work permit was to enable him develop an estate. The plot number he gave for that estate is non-existent. Has he developed that estate? If not, why is he in Kenya illegally, because he is not doing the business he was intended to do?

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, Mr. Canale, indeed, did transfer US\$214,950, and we do have proof, as I have said from ABN AMRO Bank of Nairobi. I would like to say that the Principal Immigration Officer checked that fact and confirmed it to be true. As to whether he has developed the estate, I have said that I am not aware. However, Mr. Canale has since become a shareholder of Trackers Camp Ltd., in Malindi. This is a business venture that employees Kenyans and earns this country foreign exchange. Additionally, he has also obtained shareholding in Baharini Beach Club, as the Chairman and Director, and we gave him an additional work permit. It is within the law for an investor to apply for more than one work permit so long as he can prove that he has invested money in this country.

Mr. Badawy: Mr. Temporary Deputy Speaker, Sir, on several occasions, I have drawn the attention of this House to the fact that citizens of Kenya in Malindi have been displaced by foreigners. This is a typical example, where the Assistant Minister admits that he is not aware that Mr. Canale invested in the initial proposal that he had; that is building an estate along Limuru Road, and that he has not moved to Malindi where he has invested. Could the Assistant Minister tell us the extent of Mr. Canale's shareholding in those two businesses that he has mentioned? The scenario in Malindi is that we see foreigners who hold Class "H" permits but engage in all sorts of businesses and professions that can be undertaken by Kenyans, like caretaking of residential houses, animators, chefs, tour guides and what-have-you. Could the Assistant Minister tell us the extent to which Mr. Canale has invested in Malindi in those two business ventures that he has mentioned?

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, as I have said, Mr. Canale has invested in Baharini Beach Club and he has 30 per cent shareholding. Mr. Canale has also invested in M/S Coconut Village and Malindi Beach Management Ltd., where he has 35 per cent shareholding. I do admit, however, that we have cases of people who present false information and go as far as getting entry permits into this country. However, since we are computerizing the Principal Immigration Department, their days will shortly be numbered.

Mr. Mwakiringo: Mr. Temporary Deputy Speaker, Sir, Mr. Canale is an extortionist in Malindi. He is harassing other Italian investors in Malindi by saying that he corrupted all Government officials and that they are in his "pocket". So, the Italian investors in Malindi live in fear because of this man. However, Mr. Canale has only 1 per cent share in Atlantis Complex Ltd., while Gremo has 99 per cent. In Trackers Camp Ltd. Mr. Canale has 1

per cent shareholding, Coconut Village and Malindi Beach Management Ltd. - 1,000 shares compared to Mr. Leornado Borerera who has 10,000 shares, Mauricio Gladin - 1,000 shares and Geo Franco Vitali - 90,000 shares. This man has corrupted his way through the Immigration Department, Office of the President, the police in Malindi and everybody else. Now that he has used false documents in order to stay in Kenya, could the Assistant Minister confirm that he will take appropriate action even if it means sending him out of this country so that people can live in peace in Malindi?

Mr. Shill: On a point of order, Mr. Temporary Deputy Speaker, Sir. Mr. Mwakiringo has made a very serious allegation that a foreigner has said that he has corrupted this Government. Could he substantiate that claim?

The Temporary Deputy Speaker (Mr. Musila): Order! Mr. Shill, the question was directed to the Assistant Minister. Let him respond to what Mr. Mwakiringo said first.

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, indeed, the statements made by the hon. Member are outrageous. The information, as provided to this House, is correct to the best of my knowledge. I do not think that it is imaginable that a foreigner can, indeed, make the claims the hon. Member has made about this Government, the police and the Immigration Department. However, we will look into the issues raised by the hon. Member and take appropriate action, if I find that there is merit in what he has said.

Mr. Mugeke: Mr. Temporary Deputy Speaker, Sir, I have not received a copy of the written answer.

ACQUISITION OF MBOYA MEMORIAL HALL

Mr. Mugeke: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Vice-President and Minister for Home Affairs the following Question by Private Notice.

(a) Is the Minister aware that KANU Nairobi Branch has taken over Mboya Memorial Hall in Makadara Estate?

(b) Is he further aware that the hall has been sub-divided into small units (offices) for hire, contrary to the wishes of the late Minister and the people of Makadara?

(c) Could the Minister order KANU to vacate the premises and restore the hall to its original status?

The Assistant Minister, Office of the Vice-President and Ministry of Home Affairs, Heritage and Sports (Mr. Osundwa): Mr. Temporary Deputy Speaker, Sir, this Question was supposed to be answered by my colleague, Mr. Choge, who is bereaved. I request that it be put on the Order Paper tomorrow or next week.

The Temporary Deputy Speaker (Mr. Musila): At the request of the Assistant Minister, the Question is deferred.

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Speaker, Sir. This is the first time we are hearing an Assistant Minister telling us that his colleague was supposed to answer this Question. As far as this House is concerned, we know very well that Ministers have a collective responsibility. If an Assistant Minister is in this House, it is his responsibility to make sure that a Question is answered. I do not think the Chair should allow the Assistant Minister to get away with that. He should be made to answer this Question, or go back now and get his colleague, or the Vice-President, to answer this Question. But this House cannot be treated to that kind of contempt.

The Temporary Deputy Speaker (Mr. Musila): Very well! Mr. Mwenje, you have made your point. The Chair does appreciate that, that is not the best the Ministry can do. Even if there is a problem in the Ministry, there is more than one Minister. But be that as it may, Mr. Osundwa has said he does not have an answer. So, I cannot make him answer a Question that he does not have an answer for. I am not saying that, that is satisfactory. It is unsatisfactory. Indeed, the Chair has been raising the issue of Questions not being treated seriously by Ministries and I do not think I can over-emphasize the point. But Mr. Osundwa has no answer and the Question is deferred--

Mr. Mugeke: But the Questioner is here, Mr. Temporary Deputy Speaker, Sir!

The Temporary Deputy Speaker (Mr. Musila): The Question is deferred to tomorrow afternoon.

(Question deferred)

Next Question, Mr. Shill!

CLOSURE OF REFUGEE CAMPS

Mr. Shill: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Vice-President and Minister for [Mr. Shill] Home Affairs the following Question by Private Notice.

(a) When will Hagadera, Ifo and Daghahley Refugee Camps in Garissa District be closed as recommended by Garissa District Development Committee?

(b) When will the Government implement the recommendations of the District Development Committee?

The Assistant Minister, Office of the Vice-President and Ministry of Home Affairs, Heritage and Sports (Mr. Osundwa): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) The Government will close Hagadera, Ifo and Daghahley Refugee Camps when all the refugees leave. To that end, the Government has been working closely with the UNHCR to relocate some of the refugees elsewhere and encourage others to voluntarily return home.

Mr. Shill: Mr. Temporary Deputy Speaker, Sir, sometimes, due to frustrations, hon. Members go mad about the answers that are given in this House. The number of refugees in those camps is double the population of the entire Garissa District. We have problems of environmental degradation and insecurity as the concern shows. Even the children in schools are more than the schools in the entire district. They have internally displaced us. Since there is peace and a Government in Somalia, why can the Government not take the initiative of returning these people who go to Somalia daily without hinderance?

Mr. Osundwa: Mr. Temporary Deputy Speaker, Sir, the Kenya Government is a contracting party to the convention relating to the status of refugees and according to Article 33(1) which I will gladly read, the Government cannot return refugees to their countries if the conditions have not improved. For the benefit of the Member, I will read the relevant section of this Convention. It says:-

"No contracting state shall expel or return a refugee in a manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

I will table the resolution.

(Mr. Osundwa laid the document on the Table)

Mr. Mwenda: Mr. Temporary Deputy Speaker, Sir, since the recommendation by the DDC is to have these camps closed down and now that the Assistant Minister has confirmed that they are in consultation with the UNHCR, how many refugees have been relocated or repatriated so far?

Mr. Osundwa: Mr. Temporary Deputy Speaker, Sir, I do not have the exact number of refugees who have been repatriated. But if he came up with a Question specifically for that, I would be glad to answer it.

Dr. Ochuodho: Mr. Temporary Deputy Speaker, Sir, when the Government in Somalia was elected, the Kenya Government was very slow in recognising it. In fact, it had to take Parliament to prevail on them to recognise it. Now that the Government of Kenya, through this Parliament, recognises the existing Government in Somalia, is he confirming to us that ever since no single Somali has been taken back to that Republic with the Government in place?

Mr. Osundwa: Mr. Temporary Deputy Speaker, Sir, though we recognise what is happening in Somalia, we are not sure the conditions have improved to the extent that we can return these refugees.

Mr. Shill: Mr. Temporary Deputy Speaker, Sir, I appreciate what he has read. But you cannot have refugees in your country and at the same time host the warlord who has chased them. As we speak right now, the warlord, Gen. Aideed, is here in Nairobi and yet, the people whom he chased are still here. How can we allow those warlords here and at the same time allow those refugees here? Is Kenya a dumping ground?

Mr. Osundwa: Mr. Temporary Deputy Speaker, Sir, there are so many factions of warlords in Somalia. This particular warlord the hon. Member is referring to could have run away from the same problems that these other refugees have run away from.

Mr. Shill: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Assistant Minister is misleading the House. The warlord has not run away but he is here because he has been called by this Government.

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Shill! I appeal to Members to maintain their cool when asking questions so that they can be answered sensibly. It does not help the situation by Members shouting at the top of their voices as if we cannot hear what they are saying. Could you respond to what Mr. Shill has said, Mr. Assistant Minister?

Mr. Osundwa: Mr. Temporary Deputy Speaker, Sir, the question was when the Government was going

to close the aforementioned refugee camps and not about the warlords who have come here. So, I have not understood his question.

The Temporary Deputy Speaker (Mr. Musila): End of Question Time!

POINTS OF ORDER

EVICION OF HAWKERS FROM WESTLANDS

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like the Minister for Lands and Settlement to issue a Ministerial Statement with regard to the volatile situation in Westlands where people have been fought and evicted from their market stalls, where they have been for years and year. The fight has escalated and people have been hospitalised. This has been caused by a group of people who want to evict the stall owners who have been there for many years. The situation is serious and it is important that the Minister for Lands and Settlement clears the air on who owns the plot, why these people are being evicted and why they cannot be allocated those stalls where they have been since time immemorial. Could the Minister issue a Ministerial Statement to that effect? But since he is not here and I can see some Ministers from the Office of the President, could you ask them to convey the message to him, so that we can have the information in the afternoon?

The Temporary Deputy Speaker (Mr. Musila): Very well!

KILLING OF THREE PEOPLE BY POLICE

Mr. Muchiri: On a point of order, Mr. Temporary Deputy Speaker, Sir. Early in the month of March or April, I requested the Minister in charge of Internal Security to make a Ministerial Statement concerning three young people who were killed by the police in Dagoretti. He had promised to make the Statement within one week but he has not responded two months down the line. Could you ask the Minister to make the Statement tomorrow?

The Temporary Deputy Speaker (Mr. Musila): Mr. Nassir, would you like to comment on behalf of your colleagues?

The Minister of State, Office of the President (Mr. Nassir): Mr. Temporary Deputy Speaker, Sir, I have taken note of what the hon. Member has said and it will be made next week.

The Temporary Deputy Speaker (Mr. Musila): Very well! Next Order!

MOTION

IMPLEMENTATION OF YALA SWAMP RECLAMATION PROJECT

Mr. Oloo-Aringo: Mr. Temporary Deputy Speaker, Sir, I beg to move:-

THAT, in view of the fact that Yala Swamp Reclamation and Development Project in Siaya, Bondo and Busia Districts was initiated by the Government of Kenya to increase food production and that Area One, comprising of 2,300 hectares, had been reclaimed from the swamp and transformed into farmland, and that the designs and plans for reclamation of the remaining 17,000 hectares had been approved by the Government for implementation; this House urges the Government to:

- (a) repair the dykes and rehabilitate Area One and end flooding of this area;
- (b) implement the reclamation of the remaining part of the Yala Swamp and open the area for settlement by the indigenous people of Siaya, Bondo and Busia; and,
- (c) extend irrigated farming to the adjacent locations of Usonga, Alego, Yimbo, Sakwa, Bunyala and Samia in order to increase food production in the country.

Mr. Temporary Deputy Speaker, Sir, an identical Motion to this one was adopted by this House on 15th July, 1998; it had unanimous support of the House. Both the Government and the Opposition agreed then that matters of food policy are of concern to everybody, and that until we are self-reliant in food and we have food to export, we must continue to raise the question of food policy, which is contained in this particular Motion.

The Government supported the Motion after which the Minister concerned, Mr. Mohamed, personally visited Yala Swamp and launched the repair of the dykes and the construction of additional weir at the intakes of the irrigation scheme. We attended the function. We had great fanfare with the Minister when he stated that the

project belonged to the Government. He stated that the Government supported the irrigation of Yala Swamp and that, indeed, it was part of our national food policy.

Mr. Temporary Deputy Speaker, Sir, the Minister publicly committed the Government to rehabilitate Phase I of the project and solicit funds to reclaim Phases II and III. Then something else happened. The contractors were appointed, after which they moved to the site with their equipment and personnel. However, after a few months, they withdrew from the site. I now know that there were arguments between the contractors and the engineer for variation. Subsequently, the African Development Bank (ADB), which had granted a loan, decided to withdraw from the project just because of disputes, which hinged on corruption. The variation that was asked for was over 100 per cent of the project cost itself. Nowhere in the world can a variation exceed the original price of a project.

Therefore, we consider that the Government has reneged on its promise to implement the project. This is a major project for the people of Siaya, Busia and Bondo Districts. Approximately 500,000 people of this country, who are taxpayers, are asking the Government to come back to the project because it was its "baby" from the beginning. The project was initiated in 1970 and financed by the Government of Kenya, the United Nations Development Programme (UNDP) and the Food and Agriculture Organisation (FAO). It reclaimed 2,300 hectares of land, leaving a balance of 17,000 hectares of land unreclaimed; that land can be reclaimed and turned into farmland.

Mr. Temporary Deputy Speaker, Sir, breakages of protection dykes have taken place due to floods following heavy rains in 1988, 1989 and 1994. During the *El Nino* rains of the recent past, the dykes were totally broken and the area re-flooded. So, most of the 2,300 hectares of land that were reclaimed from that swamp have gone under water again. Now, only 900 hectares of land are farmland.

Like all other swamps, Yala Swamp provides nutrient-rich alluvial soil. A lot of that soil is drained from Nandi Hills and the escarpment. The purpose of the reclamation was to recover and retain more land for agricultural production. Once drained, the swamp would produce fertile agricultural land for the growing of rice, maize, beans and citrus fruits. Therefore, the reclamation of that swamp will play a major role in agricultural production.

Mr. Temporary Deputy Speaker, Sir, the role of the Government is, first and foremost, to formulate public policies. The Government seeks the votes of the people of this country and promises the people certain things. One of those things is to provide leadership in the formulation of public policies that will assist the people. Truly, the area of food production is an important area of national policy. The Government has come to this House, and we have approved the National Food Policy Paper. But we have also said that the national food policy is totally inadequate, and that it cannot answer the plight of Kenyans, particularly the large populations in this country.

It is important, therefore, that we revive the national food policy and make irrigation central to it; irrigation should be made a component of the national food policy. We, therefore, must require the Ministry of Agriculture and rural Development, in conjunction with the Ministry of Water Development, to produce a master plan for the use of this country's water resources. We are very lucky that in Nyanza Province we have not only the large Lake Victoria, but we also have five permanent rivers. However, all the water from those rivers goes to waste. That is the same water which sustains the Egyptian economy. The Egyptians use water from River Nile to sustain their lives. It is for that reason that we challenge the Government to realise that water resources and the human population of this country are assets. It is, therefore, up to the Government to not only come up with that policy, but to also implement that policy.

Mr. Temporary Deputy Speaker, Sir, the Yala Swamp Project is just one example of what can be done in terms of irrigation. A similar project in Bura, Tana, has also collapsed. That shows our failure in our national food policy. Hola Irrigation and Kenyatta Settlement Schemes have also collapsed. We also have the Garissa Scheme, which has not taken off. We cannot, therefore, be serious as a Government if we do not address the problem of the use of surface water for purposes of irrigation in this country to increase food production for our people.

Therefore, we expect the Government to, one, come up with a national food policy that will make irrigation to be at the centre of that policy because we have enough surface water, both in the lakes and the rivers. We have enough underground water in this country. Most of Kenya can actually produce food if we address the question of irrigation. We shall not tire to talk about this because we know that this is the direction through which we can liberate our people from hunger and poverty. The Government is in a position to provide technology for drainage, particularly the large-scale technology that is required for reclaiming some of our land.

This Government can provide engineering services. If only we had the will, we could actually irrigate large parts of Kenya. The important question which we are asking is: What does the Army or Navy do in peacetime? They can be mobilised to provide the engineering know-how to reclaim some of these areas. They

assisted in the construction of Garissa Road. This shows that instead of them just being in barracks, they can be transformed into a group that can assist in the development of this country. The technology which already exists in the Armed Forces, the Navy and the National Youth Service can be mobilised for purposes of constructing the drainage systems in this country, and thus reclaim land and water to enable our people to produce enough food. Many countries have used their armed forces in this way during peacetime. There is no point of maintaining a large army, a very expensive outfit, when, indeed, that army can be used for the construction of this country. As I pointed out, we have already used the army in the construction of some of our roads, for example, Garissa Road. We can do the same so that the engineering capacity of the Army and the Navy can be used to reclaim the Yala Swamp and, therefore, make it available for our people to produce enough food.

Mr. Temporary Deputy Speaker, Sir, this project will have important repercussions. It will not just be used for irrigation, but it will also produce hydro-electric power. It will produce water for domestic and industrial consumption. This is because, as we manage and harness the water of River Yala and of Lake Victoria, we shall be able to make it available for use in different forms for our people. This technology exists in many countries. For example, China has successfully implemented irrigation technology for the last 2,000 years. I have had the privilege of visiting China. It is one country that does not have malnourished children. Why? This is because China produces adequate food for its population. That is what has made China a superpower. It is not possible to be a superpower if you do not address the food problem of your people. You cannot be a superpower with hungry people. You can only be a superpower if your people are well-fed. One way to feed the people is to address the question of the use of both surface and underground water in our country. For example, Israel has survived as a country because it uses ground water effectively. It produces enough food through use of irrigation. They address this question through use of ground water. Israel has become a superpower in the Middle East, and it will continue to be a strong country because of the use of irrigation technology, which guarantees self-sufficiency in food production.

I have given the example of Egypt because it depends on the River Nile. In fact, we say the River Nile is the life-blood of Egypt. Egypt uses the waters of River Nile, which come from Lake Victoria. We are lucky to have Lake Victoria; the largest fresh water lake in the world, with permanent rivers draining into it. We have the opportunity here, but we tend to misuse it. We want Government to think ahead. That is why we seek votes from the people and promise to transform their lives. You cannot transform their lives if you do not have clear national policies. One of the most important national policies is that on food production. Therefore, I am appealing to this Government to address this problem because technology is available in the country. It is also available from our friends. Our friends are willing to support us, not so much in going for handouts, begging for food in foreign countries, but investing in agriculture in our home.

Mr. Temporary Deputy Speaker, Sir, let us consider the so called poverty reduction. You cannot talk about poverty reduction when you are not addressing the issues of agriculture. The whole problem of revamping agriculture is the basis of eradication of poverty. This is because if we apply modern technology, agriculture will employ the majority of our people. At the moment, we have graduates of primary schools, secondary schools and universities running into half a million each year. We are talking about small schemes without addressing the core issue of this country which is agriculture and the production of food.

Mr. Temporary Deputy Speaker, Sir, a country such as Netherlands has reclaimed its land from the sea. It has pushed the sea back and used the reclaimed land for production of food. Today, it has one of the most successful agricultural enterprises because it has reclaimed its land from the sea and it is using it for the production of food. This country has enormous potential.

Mr. Temporary Deputy Speaker, Sir, I have said many times that there is nothing wrong with the air we breathe in Kenya. There is absolutely nothing wrong with the water which we have in Kenya. There is nothing wrong with our people. The question is: What is wrong with Kenya? What is it that has hampered our development? The answer is very simple: It is poor leadership; that where there is no leadership or where the leadership has no vision, we will not progress. The problem in our country is bad leadership. When we talk about bad governance, we have concrete evidence to support this. The Yala Project, for example, collapsed because of corruption. The contractors went to the site and the contract was signed, but because of an argument over 10 per cent, they walked out of the site and have not returned. The African Development Bank refused to give further assistance. Who are being punished? It is the people of Kenya. Why? Because two officers are arguing about 10 per cent. This is the tragedy in this country. This is the bane of our country. If this Government does not address the question of corruption, there is no progress we will make in alleviating poverty in our country.

One area to jump-start it is in the area of agricultural projects. We must think big. We must think of land reclamation as a national policy. We are not only talking about the Yala Swamp project, but also about the

settlement scheme in Bura, the entire river Tana which can be actually used to store water for irrigation. We can turn the entire Garissa area into a bread basket if we use the Tana River. We can turn the entire Ukambani into a bread basket for this country if we address the question of irrigation. It is for that reason, therefore, that I am asking this House once again to prod the Government, because that is also our role. If Government is sleeping, it is our duty as Parliament to compel it to act. That is what we are paid to do here. I have said many times, it is not the Government that is supervising us; it is we who are the *nyapara* of the Government. Therefore, when they fail in their project, we come here to tell them what to do. Whether we are on one side of the House or both sides, our role is one. It is to help this Government to think about tomorrow, to plan and to plant seeds of development instead of rivalries for succession. The sooner we talk about the issues that affect our people, the better this country will be.

Mr. Temporary Deputy Speaker, Sir, with those remarks, I beg to move and I will ask Mr. Ngunjiri to second this Motion.

Mr. Ngunjiri: Mr. Temporary Deputy Speaker, Sir, I stand here to second this very important Motion.

I would start by informing those who do not know, that we are talking about a swamp that ends up in Lake Victoria and is created by River Yala that starts from the Nandi Hills, meanders through the entire Lake Basin, passes through Yala at the back of the shop of Mr. Dogo, and ends in Lake Victoria. This is a permanent water source that does not go to sleep. As the saying goes in Luo, water does not sleep. If it starts moving, it moves even at night.

Mr. Temporary Deputy Speaker, Sir, this is a natural resource, that we must - in this contemporary world - learn to harness. If we live in a country that does not appreciate its natural resources and harness them for the betterment of our people, we are not worth living in this century. If we cannot recognise that our rivers are a source of life for our people, we are not worth living next to those rivers. This is an area where the Government had put in an effort, but like any other efforts of the Government, it waned. It is high time the Government saw most of its projects to conclusion. The potentialities of this country and in every inch of this country are endowed by nature, whether arid, semi-arid or agricultural. More so, we will never talk of an agricultural country if we are not involved in irrigation. We must get involved in modern irrigation. Yala Swamp is a typical example of granaries of this country.

Mr. Temporary Deputy Speaker, Sir, I know politics in this country has always leaned towards: "Support me. Be part of my Government so that you can reap the fruits of Independence." We do not know that the people on the opposing side of the Government are also customers of what we produce from the favoured areas. By ignoring all the natural resources, we are just inhibiting the development of our country. We are calling upon the Government to wake up and make use of the Yala Swamp. The acreage we are talking about is enormous. I do not see why this country should be subjected to begging for food. I do not see why we should have famine in this country when the water that Yala Swamp pours into Lake Victoria is being used in Egypt for the production of cotton, sugar and fruits that are now getting into our market and crippling us. Here we are crying, day in, day out, that those are subsidised foods whose importation should be stopped. In this global economy, we are not going to survive if we do not revisit our natural potentiality, particularly, Lake Victoria which has got abundant fresh water. We are not going to survive under COMESA if we do not revamp the Yala Swamp, Bura Irrigation Scheme, Ahero Rice Scheme and all the other irrigation schemes that have collapsed.

Mr. Temporary Deputy Speaker, Sir, these irrigation schemes have collapsed because we are inventing the wheel and we have not known the technology. They have collapsed because corruption, sectionalism in politics and wrong policies of our Government, which calls upon leaders to initiate projects. The Government must wake up and initiate projects which are natural resources-based. There is no other place endowed with natural resources more than our country. We are looking at a situation where we are not going to sit back here and cry because of cheap sugar from Sudan, that depends on water from Lake Victoria. The machinery is bought with the petroleum dollar that we have paid for the oil. Here we are crying foul over cheap sugar from Sudan. How can Sudan produce more sugar than Kenya? It is because we depend on Harambee for development projects. I must say here boldly, that the Harambee spirit must be repackaged because our people's mentality has been tuned to assume that the leaders of this country are supposed to initiate these projects. The Government must initiate these projects.

Mr. Temporary Deputy Speaker, Sir, we have no animals called "development-conscious" and "development-unconscious" leaders. The Government must wake up and revive these irrigation schemes. The National Development Party Members of Parliament are now sitting on the Government side because the Government has been sleeping and must wake up. We want to be close to them this time round and wake them up. The other hon. Members on the opposite side of the House were in the Government for many years, but also slept. They only woke up to find themselves on the Opposition side. Now that we are on the Government side, we are going to wake it up and tell the opposite side of the House exactly where they slept.

Mr. Temporary Deputy Speaker, Sir, if you looked at India, it is totally self-sufficient in food security. Mauritians are not crying about famine. The people of that country are now producing textile products which are crippling our economy and now we are talking about AGOA. There should come a time when the clothes we are exporting to the United States under AGOA scheme are going to be 100 per cent produced in this country, and yet we are not talking about cotton. Everybody is only talking about tea and coffee. How about if we stopped taking tea? We must begin to look at the agricultural potentiality of our country. We are not going to be an agricultural country any more, if we do not rely on irrigation. With irrigation and our type of climate, we will harvest maize three times in one year. I come from a constituency where we can have three maize harvests per year if there was irrigation. It is next to the lake, but we only harvest maize once a year. When the rains fail, there is famine. Thank God, even when the rains fail, we can still earn from fishing and purchase maize. But even the fish could be depleted. We have reached a time when we must look at ourselves. Are we going to leave this country better than we found it, or are we just going to plunder it and leave it in garbage?

Mr. Temporary Deputy Speaker, Sir, River Yala has the capacity to produce 25 megawatts of hydro-electricity, and yet that is not a big scheme. That project can be undertaken any time. Thank God, we now have the Sondu-Miri Hydro-Electric Project. Some people are talking about environmental degradation, and yet there must be sacrifice to any development. When a country is industrialising, there must be sacrifice even if it means environmental pollution. It is important to set our goals right and know where we are heading. For example, we may want to provide food, good leadership and good livelihood for the people of Kenya. For a long time, Kenya has lacked visionary leaders who are tolerant of one another. We should not have leaders who just sit there and bicker. We would like to have leaders who can take bold steps on behalf of their people and not leaders who are not visionary. We should be united in development, so that every inch of this country is productive.

With those remarks, I beg to second.

(Question proposed)

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

It is very refreshing to hear the two hon. Members of Parliament who have just broken ranks with the Opposition, moving and seconding this Motion. It is refreshing to hear them trying to nudge this Government from that side of the House--- Especially hon. Ngure, who weighs 150 kilogrammes trying to nudge KANU to move on and, indeed, also, hon. Oloo-Aringo who weighs 120 kilogrammes. I think KANU has got to wake up! It has got heavyweights behind it. It would have been good if those heavyweights were shooting from this side. Now, they will be shooting KANU from the back!

Mr. Temporary Deputy Speaker, Sir, we have got the National Irrigation Board (NIB) which should be instrumental in implementing this Motion. But we wonder where they have been. According to the Report of the Auditor-General (Corporations) for 1997/98, we have about six irrigation schemes run by the NIB. We have got Mwea Irrigation Scheme, Perkerra Irrigation Scheme, Hola Irrigation Scheme, Ahero Irrigation Scheme, West Kano Irrigation Scheme and also Bunyala Irrigation Scheme. A lot of what is produced by these irrigation schemes consists of a crop like rice, which constitutes about 95 per cent of the activities in the irrigation schemes. It is important that the NIB starts to think about how it can become a shifting cultivator in this country. It should think of how it can irrigate more land in this country. Without expanding the amount of land under irrigation, there is no way we are going to increase our food production.

Mr. Temporary Deputy Speaker, Sir, the NIB has become a settler in the style of the colonial white settlers who were in this country about 70 years ago. The NIB should really re-think of how it can expand its activities in terms of opening up new areas for irrigation. We have got enough water for it to do so. It should not pre-occupy itself with how it can convert Mwea Irrigation Scheme into a settled area. It should facilitate the issuance of title deeds to the people of Mwea and move on to open up other areas, especially in Ukambani. Hon. Ndilinge has always talked of Ukambani having 16 rivers, all of them pouring water into the Indian Ocean, benefitting people across the sea but not Kenyans. It is very important that the whole conceptualisation of the NIB be changed so that it can open up new areas in this country for irrigation. I do not see why they cannot think about moving water from Lake Turkana by force of gravity, to North Eastern Province to start viable irrigation projects.

(Loud consultations)

Mr. Temporary Deputy Speaker, Sir, the hon. Member for Narok North had better listen to this. It is important that we move water from Lake Turkana by gravity to North Eastern Province, down to Garissa. Let us

open up new areas for irrigation in this country. Projects like the one at Hola--- I was in Hola about a year ago, and I found how our people and the Government bow to white people. It is like selling fridges to the Eskimos. In Hola, they introduced a mechanical way of irrigation, using petrol-powered engines. In this regard, the Hola Irrigation Scheme was spending Kshs12 million per year. Instead of using gravity, they want to use machines to carry out irrigation. That is how they did it at Hola. So, when they installed very expensive equipment to pump water for irrigation, and the Tana River "objected" and shifted course, these machines went to waste. That expensive equipment was not necessary. For nearly three years, the Hola Irrigation Scheme could not function because the Tana River changed course and no irrigation could be carried out.

Mr. Temporary Deputy Speaker, Sir, let us think about the easiest ways of irrigation, like the Egyptians did invent the *Shadoof*. When I was in high school, we were taught about three ways of irrigation which never used petrol-powered engines. They used gravity and that is the way it should be. God created the earth and gave us one kilogramme of brain to use. Why do we not use it? God also decided to give the elephant nearly 100 kilogrammes of brain, but it is not more intelligent than the human being. We must use our brains to increase food production in this country. We should also be able to use the easiest, cheapest and most acceptable methods of irrigation. We should not become servants of Europe by doing unnecessary irrigation, using mechanical equipment that is not necessary. Let us use gravity because we have the water. We have got enough water in this country to do irrigation so as to improve food production and the health of our people.

Mr. Temporary Deputy Speaker, Sir, when you walk down the road to Mwea, you will find people who are very unhealthy. This is because they are afflicted by cholera, typhoid, intestinal diseases, scabies, meningitis and bilharzia. We need to improve the lot of our people as we do irrigation. It is important that when we think about irrigation, we are thinking about how we can settle our people and increase food production in this country for local consumption and also export. We have now become members of COMESA. Recently, the Member for Mwea revealed that the Government has imported 150 metric tonnes of rice from Egypt, notwithstanding the fact that, at Mwea, we have got 45,000 metric tonnes of unsold rice. This country needs 110 metric tonnes only and still the Government has got money to spend in supporting Egyptian farmers, but not our farmers.

Mr. Temporary Deputy Speaker, Sir, during my contribution to the Budget Speech, I said that Nyayo economists have failed this country and continues to fail us. We do not want to look at the needs of our people and organise how we can put them to work. Irrigation is one of the ways we are going to use to make sure our people are self-sufficient in food and we have a surplus for export.

Let us not go into COMESA as if this is another religion that has been brought into this country to make our people go hungry and to provide a market for foreigners, whether they are across the border in Egypt or not. But in effect, we should go into COMESA in an intelligent way. They should form a market for us, and we should not be a market for them. If we are going to form a market for them, we will provide employment for their people. But if they form a market for us, we will create employment for our people and that should be the bottomline. We are thinking about 30 million people and agriculture employs 80 per cent of them. It is important that agriculture becomes a mainstay of the economy the way it used to be. The Government cannot allocate Kshs5 billion for agriculture in the Budget out of a Budget of Kshs225 billion and say that is what the Government is doing to assist our people.

It is important to support this Motion and venture into irrigation in order to expand production and productivity in this country, so that we can support our people and change from subsistence agriculture, to commercial agriculture in order for us to participate in the export market and improve the incomes of our people. Kenyans should not be languishing in hunger and continue depending on the outside market to supply us with goods every time. Even when it comes to consumption or subsistence, they are being supplied by foreigners. It is important that we support this Motion which will improve agriculture.

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Affey): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I will begin by congratulating the Chair for its appointment to the Temporary Deputy Speakership.

The Motion before this House is so important that I wish this House had a full capacity this morning to support it. The hon. Mover, in his Motion, says that, "In view of the fact that Yala Swamp--- I would like to add here that, many people do not know the significant potential of the Yala and the Lorian Swamps.

Mr. Temporary Deputy Speaker, Sir, as has rightly been stated, the Yala Swamp is in Siaya District while the Lorian Swamp is located in Wajir District at Habaswein, which acts as the headquarters of my constituency, and I have stated here many times when contributing to the Budget Speech and when I get the opportunity to contribute other Motions.

This country will never be at peace with itself, and this country will never develop to the satisfaction of the Government and Kenyans in

general, unless we entirely utilise the potentials that we have without any bias, segregation and without any feelings that one region has been left out from the national development plan. Let us ask ourselves as a country, why do we transport thousands of tonnes of relief food to North Eastern Province (NEP) every year, yet we have the Lorian Swamp? Why do we do this?

Mr. Temporary Deputy Speaker, Sir, I did some calculations and realised that in Wajir District alone, the Government supplies about 4,000 bags of maize every month. So, including transport cost, my basic calculation has shown that about Kshs5 million is used every month and Kshs60 million every year. For five years, the Government spends Kshs350 million on relief food. This has the effect of creating dependence and laziness, year in, year out. That place is an emergency or disaster zone. I do ask myself: Why do we do this? If we can use the same amount of money, we can be able to irrigate Lorian Swamp. The Lorian Swamp can feed this country and the entire East African Region. The Lorian Swamp has such potential but we have not yet exploited it. It has such unbelievable potentials.

It is only in Habaswein that you need to drill 80 metres underground to get water supply. The water got from the ground is clear and abundant. You can supply water from Habaswein to Nairobi City for 200 years without stopping, even when there is no rain in other parts of the country. There is a report that was prepared by the Government in 1971 and it is there for us to study. If we can supply water to this City from Habaswein, then all we need is water to irrigate parts of NEP with few farm inputs and a little goodwill. Even donors are ready to chip in if these proposals are submitted.

I have said here many times that security problems in North Eastern Province have direct relationship with the poverty level there. For the last one year, people in NEP have lost over 500,000 head of cattle. Those are worth billions of shillings. The net effect is that, many people are settling in the main centres and they are now trying to realise that they need alternative economic activities to do. They have found out that pastoralism might not necessarily a sustainable economic activity. But where pastoralism has failed and people have settled in Habaswein over the last many years, that town has multiplied its population. We require funds to be set aside deliberately in the Budget by the Minister for Finance, so that we can be able to find out whether that region is the saviour of this country.

Mr. Temporary Deputy Speaker, Sir, I take seven days to tour my own constituency alone. It is massive and it covers 27,000 square kilometres of abundant resources of various minerals, gold, oil, land, water but the contradiction of poverty--- We must make a deliberate effort to develop this region. It should not only be in Yala, Lorian or Garissa, but even in Turkana. I believe that when God put us in NEP, He knew that land was not a problem, but a potential. He put people in Central Province because he knew what that land had for them. We have the population and all the necessary prerequisite activities that we need to generate income. That is all we are asking for.

The other time, hon. Members from coffee-growing areas met over the STABEX funds. At least they had something to talk about. What do we people in NEP, especially the pastoralists, have to talk about? Our land is plenty, but fallow. Even those who are crying for land in the Rift Valley, Central Province and even in Kisii should know that land is plenty in NEP. If we could be able to have the necessary resources to develop NEP, then that area could be able to support many people.

Mr. Temporary Deputy Speaker, Sir, Wajir has the same climatic conditions with Israel and parts of Sudan. These days we are getting rice and sugar from Sudan. We have the Sudan, Egypt and Israel conditions in this country. Why do we not want to develop those conditions and do agriculture the way those people in Egypt and Sudan have done. Why do we cry over our problems? The Motion is in good spirit. Regarding its terms, we should not restrict ourselves to Yala but also go to other areas. We are asking that it should apply all over the country, including Habaswein.

Mr. Temporary Deputy Speaker, Sir, apart from irrigation, we have enormous resources in terms of minerals in this country. Oil is plenty in this country. If what we need is oil, it is there. There are companies which are ready to exploit it. The only thing that we require are the conditions necessary. We do not want people to come disguised as explorers, and they end up dumping toxic waste in North Eastern Province and other parts of the country. The net effect is what we saw during the *El Nino* rains. What was under was unearthed and people have lost lives, and we ask for investigations to be carried out in order to establish the cause of outbreak of strange diseases of late in Habaswein, Hadado and Arbajahan in Wajir District. The Ministry of Health should establish whether that has got anything to do with the people who came disguised as explorers, but left behind toxic waste in the NEP. This is happening today even in Somalia, where international criminals are dumping all sorts of all things along the Coastline of Somalia because there is no Government there.

The net result of all that, as I said, is poverty reduction. We are fighting poverty, and we are talking about it, but we need our talks to be supported by some concrete measures and deliberate efforts. Let us invest our money

where it has returns. Security will be a thing of the past if we invest in NEP. We have potential to feed this nation.

With those few remarks, I support.

Mr. Kikuyu: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. I must say that the Mover of the Motion has very brilliant ideas in his mind in that, a nation which cannot feed herself is not worth being called a nation. Kenya, for the last 35 years since we attained Independence, has been importing food year in, year out, when we have some of the best soils in this world, which are good for farming. This country can be self-sufficient in food production if all arable lands are being utilised properly.

But you will find that we have very big national plans which are never implemented. An hon. Member before me talked about the Bura Irrigation Scheme. It is in the lowlands, and it gets its water for irrigation from Tana River. Why should we pump water to Bura Irrigation Scheme? Our country has raised hills and we can do irrigation by gravity. When we rely on the foreign planners, they come and plan for this country, and make us to buy their machines for pumping water. It is high time Kenyans started using our local intelligence to plan for ourselves, so that we carry out irrigation in the clear African way, using river water by gravity.

It is pathetic that you will find within one Government, there is a bridge costing over Kshs200 million which is constructed over a river, but we fail to dam water from that river for irrigation. It shows how divided we are within our Government; how the Government does not consolidate its ideas because if you have to put up a bridge across Athi River at a cost of Kshs200,000 in the dry Ukambani land, why can you not use that bridge as a dam also? A good example is on the big dam as you cross Athi to Embu which is being used for hydroelectric production. Most of our bridges are expensive and they just fly over our rivers. Why can we not have a Government using the local brains to have bridges as well as dams at the same time? If you bring together experts from the Ministry of Roads and Public Works, Ministry of Agriculture and Rural Development and Ministry of Environment and Natural Resources, we will have a lot of water everywhere in Kenya to be used for irrigation purposes. But it seems that planners in those three Ministries try to plan independently, hence we use a lot of money for no apparent reason, just for constructing bridges.

Whereas I support the Motion very highly, I must also say that ecologists and public health officers must move in where we are developing the irrigation schemes so that we do not have a situation like what happened in Ghana, regarding the Upper Volta Dam, which, although was a blessing in disguise to the people, it brought a lot of sicknesses. Hence, experts must also move in when we develop those irrigation schemes, so that we can control water-borne diseases which our people are not familiar with. If you go to places like the Eastern Province, the potentiality of producing food three times in a year is there. What we lack is water in these provinces, and we usually say that we have water everywhere during rains and no drop of water to drink during the dry season. If we want a nation which is self-sufficient in food, we must use all our available resources so that we can develop irrigation schemes which are enough to give Kenyans enough food.

Since I was born at a place called Muputi in Machakos, every year we have famine relief food, yet our people are washed away by torrential rains running through Athi River and Tana River and most of their tributaries in the district. If the Government could only tap those rivers for irrigation purposes, I can assure the Government that our people are hard-working and they can produce enough food. We want the Ministry of Environment and Natural Resources to start a conservation scheme, so that Kenya can have water year in, year out. If we can have a water conservation scheme, and we have the National Irrigation Board (NIB) working in place and doing its work, and not idling as it is, then I can assure you that this country can be a net exporter of food. If countries which are in the desert like Egypt, Israel and many others are producing enough food for themselves and even have excess to export, I do not see why a country that receives rain twice a year should be borrowing food for relief every year. The Government usually responds to such questions by saying that they will do the Yala Dam when funds are available and yet they have money to import food when we have famine. That money should not be used to import food. We want it to be used on irrigation so that our people become self-sufficient. We do not want a Government which ensures that its people remain poor so that it can bribe them with food donations during elections. Now that we are approaching the general elections, you will see how much food will be poured in Eastern Province, just to bribe people to vote for them, regardless of whether the people there need it or not. We do not want such a situation to be perpetuated. Our people have become beggars and idlers because the Government cannot provide them with ways and means of irrigating their land so that they can be independent.

We are being held at ransom by the Government so that it can control us through famine relief. This must stop. The Government should channel all the money that our people pay through taxes towards developing the basic structure for sufficient food production in this country. There is a small furrow which was built during the emergency period by the detainees called the Yatta Furrow. It has become the major cash earner in the whole of Machakos District and horticulture is practised there. If we can have 20 such furrows criss-crossing Ukambani, it

will be a major horticultural exporter. We are languishing in poverty because the Government wants us to be beggars the same way it wants people in Yala Swamp to be beggars when they can produce rice for export and become financially independent.

The Government should be serious. Development should not just benefit a few elite in the country. In 1971, this country had 10 millionaires for every 10 million beggars. Now I can say that we have 30 millionaires for every 30 million beggars. We cannot continue with that situation again. The Government must change its priorities and give people water so that they will produce enough to feed themselves. People who can feed themselves can afford to be independent in thinking and hence vote with their consciences and not their stomachs. It is with those strong sentiments that I am asking the Government to provide the necessary facilities and infrastructure so that we can have enough water and food security. It is with the same stress that I still say that we should have disaster preparedness and, hence, store enough food to cover periods of shortage.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Dr. Oburu: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to a very important Motion. First, there is a misunderstanding about the Yala Swamp Scheme. Most people contributing to this Motion have a misconception that Yala Swamp is essentially an irrigation project. It is a drainage project. Two thousand, three hundred hectares were drained from a swamp which has a potential of more than 12,000 hectares. The 2,300 hectares into which a lot of public funds were spent is now going to the dogs because of lack of maintenance. This was a diversion of River Yala to enable the swamp to drain. The 2,300 hectares is now going to waste because more than 1,000 hectares has been flooded by water. This is a waste of public funds and unless the project is completed, the whole of the 2,300 hectares will be completely wiped out within the next one year.

The Irrigation component of this project was a very small portion of which Kshs150 million was to be spent to build a weir and, therefore, impound water for irrigation to grow rain-fed rice seeds. The amount of money spent in that area cannot be more than Kshs10 million, and yet we are told that the whole of Kshs150 million has been squandered. This is one example of complete corruption in a project which is meant to help not only the people of Bondo, Alego-Usonga and Busia, but the whole of Western and Nyanza Provinces in production of food. When the 2,300 hectares was reclaimed, it was placed under the management of the Lake Basin Development Authority (LBDA). The LBDA was meant to produce seedlings to farmers so that they can get timely supply of seeds for farming. It was also meant to produce citrus and other horticultural crops to help the farmers to grow these vital crops in their farms.

However, the LBDA has turned out to be a competitor of the farmers. Right now, the LBDA is not growing seeds. It is growing maize, cassava, millet and other crops for commercial purposes, instead of producing seeds to supply to farmers. Despite the fact that it is growing seeds, it is not allowing the farmers to plant in time because, supposedly, the farmers will cross-pollinate their crops. They only allow farmers to start planting when the time for planting is over. The LBDA has become an impediment rather than a facilitator of development of the Yala Swamp.

This area which has a potential of more than 12,000 hectares can become a granary of food production for the whole of Nyanza and Kenya. It is turning into a nightmare because it is neglected. If water recedes back, that place just becomes a breeding ground for mosquitoes and other menaces which only create disease in the area. Most people think that our people are lazy because we have a lot of water in terms of rivers and a fresh water lake. Therefore, they do not understand why sometimes it becomes a food-deficit area.

Mr. Temporary Deputy Speaker, Sir, evaporation takes place from Lake Victoria, moves over our area and rains in the Nandi Hills and Kakamega in the Western Province without raining in our area. It is, therefore, very vital that our perennial water sources such as River Yala, River Nyando and River Kuja, which are all draining into Lake Victoria, should be harnessed and used for irrigation to assist our people. Any small drought in our area causes a water shortage to the extent that we lose even livestock.

We also need dams. From time immemorial, our people have used dams to sustain livestock development. I know donors who pump money into areas such as Machakos District and Kerio Valley which are classified and gazetted by the Government as arid and semi-arid areas. These areas are no more arid and semi-arid than our areas. If you classify aridity and semi-aridity by the level of rainfall an area receives, you will find out that Machakos District receives above 1000 millilitres per annum and my area receives below 1000 millilitres per annum, yet my area is not classified as an arid or semi-arid area. This applies across the board. It does not only apply to Bondo Constituency, but also to Kisumu Town, Rachuonyo District, Kadem and the whole of the southern Nyanza. It is, therefore, necessary that we should classify the whole of Nyanza region as a semi-arid area so that we can also have the same donor resources pumped into it, in order to develop our area, particularly through irrigation.

Mr. Temporary Deputy Speaker, Sir, we are told that we cannot compete in the COMESA region in the production of crops such as the sugar-cane. Sudan, for instance, is irrigating sugar-cane with water from Lake Victoria through River Nile. That is why Sudan can produce high-quality cane with better sucrose content. Sudan can produce better cane because the production cost is low. It can also produce high yields per acre because of irrigation. If these waters are coming from here and going to Sudan, why should we complain that Sudan is producing cheap sugar? Why can we not use our water to also irrigate and produce cheap sugar? There is no reason why we should keep on lamenting---

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not wish to interrupt Dr. Oburu, but is it in order for him to continue talking about irrigating from Rivers Nyando and Yala, when he knows, or ought to know, that Kenya is actually prohibited by an international treaty, which was signed by our colonial masters with Egypt and Sudan, from interfering with any river that is flowing into Lake Victoria?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, perhaps, the lawyer is not aware that the treaty only prohibits Kenya from interfering with the water levels of Lake Victoria. The treaty does not prohibit us from using our waters for irrigation and benefit our people. There is no way you can sign a treaty which binds you to feed other people when you are unable to feed your own people. If there was such a stupid treaty, there would be no reason why it cannot be reviewed in the interests of our country. I am speaking being fully aware of that treaty, but I do not think that it prohibits us from using our own waters to assist our people to produce enough food.

With those few remarks, I beg to support.

Mr. Nderitu: Thank you very much, Mr. Temporary Deputy Speaker, Sir.

I am glad to be here again, to go through this Motion which I think takes us back to the budgetary allocations. First, we are talking about building dykes. If the Minister for Finance cared enough to allocate money to the Yala Swamp Reclamation and Development project, there would be money now in the Budget to construct dykes. But because he does not care and find it wise to talk to the hon. Members of Parliament from that area, then I want to tell my friend, Mr. Oloo-Arango, the Mover of the Motion, that there is no money for this. This is very sad. I wish the Minister cared.

Mr. Temporary Deputy Speaker, Sir, year in, year out, there have been floods and a lot of people have been killed. A lot of destruction has occurred to this area, but what has the Government done? We are repeating this here and come the short rains, you will see it splashed in the newspapers. What is the Government doing about this? In fact, it all boils down to what I said yesterday: Our managers are wanting. They do not have their priorities right. The Motion states it very well for the attention of the Government. We need water in this area harnessed so that we can produce enough food. We have talked about this since I came to Parliament in 1998. Areas such as Taita-Taveta District, North Eastern and the Rift Valley Provinces need irrigation schemes. The Republic of Libya realised that the problem it had was lack of water. So, it transported water 200 kilometres through an underground conduit, which is five metres wide. We are very good at transporting oil to Uganda rather than transporting water. Our priorities are wrong!

Mr. Temporary Deputy Speaker Sir, we have talked about irrigation of the horticultural crops here, and everybody who has stood up here has said that we need irrigation schemes in Ukambani. Who are we telling that? Who is listening? Who is hearing this and who will act upon it? I do not understand why we waste all this time. In fact, we will pass this Motion here, but will this Government act? I would like this House to move a Motion to amend our Standing Orders so that whatever we pass in this House becomes law and is implemented immediately. But you will find that vehicles to use while following up implementation will have no tyres and fuel. It is very painful if we will have to be standing here day in, day out, passing good Motions like this one, and they are never acted upon. Kenyans are dying because of the negligence of the Government. Kenyans are suffering because somebody somewhere is not doing his job right, or the person who has been bestowed with the responsibility of doing his job has to serve his masters; I do not know whether by sitting down or snoring.

This country is very rich and it can allocate funds to the tune of at least Kshs1 billion to every constituency today, so that the horticultural production can be revived. This country spends more than Kshs4 billion to import foodstuffs during famine. Why can that Kshs4 billion not be pumped into the Yala Swamp Reclamation and Development project this year, into the Yatta Scheme next year, and into Machakos District the other year? I do not see why multinational companies donate food to us during famine. Why can they not assist us now? Why can the Government not approach Great Britain and the United States of America and tell them that we do not want them to bring us maize meant for horses to be eaten by Kenyans, and that they should assist us with money, so that at the end of the day, Kenyans can produce their own food?

With those few remarks, I beg to support the Motion.

The Minister for Rural Development (Dr. Masakhalia): Thank you, Mr. Temporary Deputy Speaker, Sir. Let me, at the outset, indicate the Government's support for the Motion. In that regard, I would like to

commend the Member for Alego-Usonga for bringing the Motion to the House, and the very able manner in which he presented the same. I would also like to commend hon. Members who have contributed to the Motion, which we accord importance to.

Mr. Temporary Deputy Speaker, Sir, from time immemorial, River Yala has brought water from the West Rift Plateau to Lake Victoria, bringing with it nutrients for plant life and fish. As a result, a very expansive fertile area estimated to be about 25,000 hectares has been created in the districts of Siaya, Bondo and Busia. The economic history of this Republic attests to endeavours of the Government in developing the Yala Swamp area, because of the fertility and natural resource that it offers. Two areas have been addressed and the first one is the development of the drainage infrastructure. You have heard of the dykes. The other area that has been addressed is irrigation.

Mr. Temporary Deputy Speaker, Sir, I would like to emphasise that the Government accords priority to the two areas that have been addressed. There is irrigation in relation to food policy and food sufficiency in the country. But we have faced problems that have accounted for the limited success in mounting a developmental process that would have resulted into the utility of a very valuable resource in the three districts. The first problem has been financial difficulties. It is estimated that we need Kshs2 billion to implement our planned projects. Let me also indicate that we have had problems in applying technology. In saying so, I know that there is technology available on the shelves, but it entails financial resources for it to be applied in our situations. So, we have planned programmes and I would like to assure the House that the Lake Basin Development Authority (LBDA) has programmes which have been structured into phases.

We have the short-term rehabilitation programme for which we need about Kshs4 million, just to rehabilitate what we already have. For the long-term developmental programme, which addresses the areas of infrastructure, drainage development and irrigation, we have a formidable budget. Currently, I would say that we have a stalled programme which entails an outlay of about Kshs151 million. The project has stalled because that funding has not been available. However, it entails getting the Kanyoboli feeder canal to be developed. It also entails the development of a rice seed multiplication plant.

Mr. Temporary Deputy Speaker, Sir, in summary, we have a programme which entails immediate measures being taken, amounting to about Kshs4 million. We have long-term measures, that is the development of dykes and canals, which entail an outlay of Kshs31.5 million. We have a well which is estimated to cost Kshs93 million. We also have irrigation, drainage and infrastructure, which entail Kshs160 million. This is a formidable budget which we will endeavour to obtain. Indeed, the Lake Basin Development Authority (LBDA) does not have these resources, but where there is a will there is always a way. We will endeavour to get support from bilateral and multilateral sources. We have already initiated discussions with all donors and sources of funding from which we hope to get the resources which we need to initiate not only to complete the short-term rehabilitation programmes, but also the long-term rehabilitation programmes.

Mr. Temporary Deputy Speaker, Sir, I would like to revisit the topic of food policy and relate it to irrigation. A number of Members have referred to the need to redouble our efforts not only in relation to Yala Swamp, but also to other river beds and projects such as Bura and Lorian Swamp in Wajir District, and there are those programmes that the National Irrigation Board (NIB) is responsible for. I would like to assure the House that the Government attaches a lot of importance to irrigation and re-activation of those stalled projects that were designed to increase the amount of irrigation in the country with the objective of making Kenya a fully self-sufficient food country.

I would also like to echo the sentiments of Members who stated that there is need to redouble our efforts. I would give the example of a dry country like the Republic of South Africa, which is more dry than Kenya. In that country, every farm has got a well or a dam that conserves water from the limited perspiration they get from rain. That country is self-sufficient in food. Rain might come for a period of about two months and while the crops are growing, the rain will stop. The rest of the growing period for the crops is looked after by supplementation of irrigation from the wells and dams, and we have never heard of South Africa running short of food. These are the examples that the Government would like to emulate. I am quite sure that with redoubled effort, we will succeed in rehabilitating the irrigation projects that are now faulty, for example, Mwea Tabere Irrigation Scheme. I can see that Mr. Nderitu has gone out. The others are Kano Plains Rice Irrigation Scheme, and above all, the Yala Swamp, which is a resource that we have not exploited adequately.

Mr. Temporary Deputy Speaker, Sir, with these few remarks, I beg to support the Motion.

The Temporary Deputy Speaker (Mr. Muturi): May I call upon the Mover to respond.

Mr. Oloo-Aringo: Thank you, Mr. Temporary Deputy Speaker, Sir. Because of the importance of this Motion, I have agreed to share my time with Mr. Katuku, whom I will give four minutes to contribute. I will also give Mr. Sungu four minutes to contribute, if you can give me the last two minutes.

Mr. Katuku: Thank you, Mr. Temporary Deputy Speaker, Sir. First, I would like to thank the Mover for giving me four minutes to contribute to this important Motion. I would also like to thank him for bringing such an important Motion before this House. Hon. Members have expressed their views on this Motion, and I would like to support those hon. Members who have said what is lacking. This is because we have experts and policy makers, but what is lacking is the implementor.

Kenyans are tired of rhetoric and empty promises. We have been told in our Budget Speeches that this amount of money will be spent on this and that particular project. We have also been told by Ministers, unlike my friend who has just finished to contribute to this Motion--- This Minister has talked about the various projects which they would like to be implemented. He has talked of Mwea Irrigation Scheme, Yala Swamp and other irrigation schemes, but will this ever be done?

Since I joined this Parliament, I have said that the only way to eradicate poverty and food shortage in Mwala Constituency, which I represent in Parliament, is to develop projects which will help the people at the grassroots level to produce enough food for themselves. I would like to point out that we have had several hon. Members raise this issue. I have in mind the hon. Member for Budalangi, who has said in this House that his people are suffering as a result of floods, but nothing has been done. The Minister comes up with good promises but they are never implemented. The Minister for Finance does not allocate money to reclaim the dry land, which can be potential in the production of crops.

We have hon. Members from regions which are dry, like North Eastern Province and Eastern Province. We need water for our animals to drink; we need water to grow horticultural crops. For example, in my constituency, the Government promised long time ago to develop a furrow along Athi River in order to tap water from this River and use it for irrigation along that area. Even now, this has not been done; it is a question of promises. I would like to request the Minister, when he considers the other regions, also to bear in mind the Mwala Irrigation Furrow, which was designed along with the Yatta Furrow. When the Minister gets money, he should consider developing this furrow because it will be essential to my people and Kenyans who are suffering.

Mr. Temporary Deputy Speaker, Sir, we should get our priorities right. That is very important. We should not put more emphasis on giving relief food to our people. You should think of teaching our people how to fish and not to give them fish. The Government should get its priorities right and assist people who live in Yala Swamp and all the irrigation schemes in this country. We can feed ourselves if we put more emphasis on this. I would not like to see a situation where funds in my area go into individuals' pockets instead of helping our people. Like Mr. Karauri said here the other day, we do not want flags and this kind of business; we want our people to be looked after.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I would like to support this Motion. Thank you.

Mr. Sungu: Thank you, Mr. Temporary Deputy Speaker, Sir. Over 30 years after Independence, history will judge us, the leaders of this country, very harshly. I say so because, even after all these years of leadership by Africans of this African nation, we still have food deficiency and poverty. The answers are with us and they are in reclamation of these lost lands that our forefathers used to farm. The answer is in irrigation to provide food to the populace where there is shortage of water. As it has been said by some of my colleagues, most of Nyanza falls under the category of arid and semi-arid lands. You cannot farm under those harsh climatic conditions if you do not have the assistance of irrigation and projects that are funded by the Government and donors on that category. Therefore, I would like to say that this Motion was timely because it is time we took the bull by the horns and looked at our problems, so that we can find solutions to them. This House must never be turned into a talking-shop. The sentiments expressed here by Members who are elected by the people of this country must be looked into by the Ministers concerned so that these policies can be put in action, so that they can find a solution to our problem.

Mr. Temporary Deputy Speaker, Sir, I come from this area and particularly Kano. During the rainy season, Kano experiences perennial flooding year after year, and in the dry season, the soil is parched that you can find cracks where snakes and even human beings can be buried. It is pathetic that we have waters of Lake Victoria there and we cannot use that water to irrigate. We have rivers flowing in this area to feed Lake Victoria and we cannot use this to irrigate the land so that our people can feed. What is closest to my heart is Nyamthoye, an area which is barely two kilometres from Kisumu. This area is so rich in alluvial soils and yet, we are being robbed of the use of this potential rich agricultural land by a river which has lost its course; that is, River Nyamasaria or River Kibos. It will take so little to channel this river into the lake so that the people of this area can have access to the land and farm it, so that they do not become beggars in their own country, so that they do not go hungry. Let us not talk about alleviation of poverty when we cannot do the simplest thing that does not require so much money. I am sure the Ministry concerned uses enough fuel in just one month to do what is necessary in these areas

so that our people can have food.

I do not want to say much because I was only given a short time.

With those few remarks, I beg to support.

Mr. Oloo-Aringo: Mr. Temporary Deputy Speaker, Sir, may I take this opportunity to thank all my colleagues who have had the opportunity to contribute to this very important Motion. Let me also thank all those who support this Motion but who did not have time to contribute on it. May I also thank the Minister for supporting the Motion on behalf of the Government.

But like hon. Katuku said, we want action more than words. As I said, it is not the first time this Motion has come before this House. We have debated it before. We even went ahead to contract repairs for Phase I of the dykes which were broken, but because of corruption and disagreement between the contractor and the Lake Basin Development Authority (LBDA), they moved out of site. If the Minister is serious, let us, first of all, return to the repairs of the dykes in this particular area.

Secondly, Mr. Temporary Deputy Speaker, Sir, you could see from the contribution of Members that this is a national Motion. It is talking about food production in the country as a whole and how to improve and increase food production. I think one of the most brilliant contribution was by my good friend, Mr. Affey. He mentioned the Lorian Swamp in Garissa, which is capable of transforming and feeding the entire North Eastern Province. So, Yala Swamp is just one example of what can be done elsewhere in Kenya. We do not have to wait until we have big money. Let us start with a proper policy. If you do not have a policy, you cannot implement anything. You cannot implement projects based on vague policies.

Mr. Temporary Deputy Speaker, Sir, I want to say that this House is getting tired of promises. We must hold the bull by the horns. I would like to suggest to my colleagues that, very soon, we are going to bring a Bill to this House to amend the Irrigation Act and make it people-friendly. Currently, the Act is being used punitively. I would like to cite the case of Mwea Irrigation Scheme to illustrate that point. Farmers at Mwea Irrigation Scheme have literally been turned into slaves in their own country by the National Irrigation Board (NIB). The NIB has failed; that is why this country has not made progress in food production.

So, if the Government is serious about food policy, let the Minister overhaul the Irrigation Act, and this House will assist him. If he does not overhaul that Act, we will bring a Bill here and overhaul it. We have now learnt that this Government needs to be pushed in order to do certain things. Some of us will continue to be active even if we now speak from the Government side of this House. We do so to ensure that the Government does what we want it to do. A Government of the people must serve the people; it is not superior to the people.

Mr. Temporary Deputy Speaker, Sir, the time we spend here on debating the taxation policy is a waste of public funds. I want us to spend more time on economic issues. I am very pleased that the Minister hit this particular aspect on the head. Being an economist, I hope that he will go a little further to address the issue, which is in the statute itself. The law is itself punitive. That is why farmers at Mwea Irrigation Scheme are "fighting" with the NIB. The NIB is trying to reap where it did not sow. That is the tragedy.

If we take the Yala Swamp project seriously and implement it alongside that of Lorian, we shall be seen by others to be serious. The challenge is on both the Government and this House. I want to say again that when the Government fails, we, as Parliamentarians, must rectify the laws. We must bring a Bill to this House and overhaul the Irrigation Act to make it accountable to the people of Kenya, and put vision into it so that we can reclaim areas that can be irrigated. We can reclaim swamp land, convert it into farmland and produce enough food for our people. Really, that is our aim as Parliamentarians. The purpose of our being here is to improve the welfare of our people. As boldly printed at the entrance of this Chamber, this House is "For the Welfare of Society and the Just Government of Men." That is the motto of Parliament and Government. That is what I am drawing the attention of the Government to. Every time Ministers come into this Chamber, they should read that motto so that we may not go wrong.

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

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Muturi): Hon. Members, for the convenience of the House, we shall interrupt our business now. So, the House stands adjourned until this afternoon, at 2.30 p.m.

The House rose at 12.25 p.m.