

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 7th November, 2001

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

PRAYERS

## ORAL ANSWERS TO QUESTIONS

**Mr. Shitanda:** Mr. Deputy Speaker, Sir, I have not received a written reply for my Question.

*Question No.519*

### VEHICLE FOR KABRAS POLICE STATION

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

- (a) whether he is aware that Kabras Police Station has no vehicle for its use;
- (b) whether he is further aware that as a result of that, the station is unable to respond to crime effectively; and,
- (c) when will a vehicle be availed to the station.

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

**Mr. Deputy Speaker:** What has happened to the copy of the written reply that the hon. Member was supposed to receive from you?

**The Assistant Minister, Office of the President** (Mr. Moroto): Mr. Deputy Speaker, Sir, I believe that he was given a copy of the written reply. If he was not given, then it must be lying somewhere.

**Mr. Shitanda:** Mr. Deputy Speaker, Sir, I have not seen a copy of the written reply and I do not know what he is talking about!

**Mr. Deputy Speaker:** Proceed, Mr. Moroto!

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

(a) Kabras Police Station has a vehicle, registration number GK Z445, a Mahindra Jeep. The vehicle is serviceable.

(b) Arising from my reply to part "a" above, parts "b" and "c" do not arise.

**Mr. Shitanda:** Mr. Deputy Speaker, Sir, this Mahindra vehicle the Assistant Minister is talking about was brought to this station after I had filed this Question. However, is he aware that Mahindra vehicles have not been very effective in the work they have been subjected to do by the Police Department? In fact, three-quarters, if not all, of the Mahindra vehicles, which were supplied to the Police Department about three years ago, have been grounded. Could the Assistant Minister consider giving Kabras Police Station a serviceable vehicle because this Mahindra vehicle is not working in most times, and if it is ever working, it can only be used on the tarmac road, but not on rough terrain? What steps is he taking to ensure that Kabras Police Station is supplied with a vehicle that is reliable?

**Mr. Moroto:** Mr. Deputy Speaker, Sir, the priority of the Police Department at the moment is to provide transport for police stations in crime-prone areas which have no vehicles at the moment. In the case of these Mahindra vehicles, we have received information from the Police Department that they are doing well, especially in areas where the terrain is hilly and so on. So, I believe if that vehicle is serviceable the way I have been informed, then it will work. But my Ministry will give more vehicles to that region.

**Mr. Obwocha:** Mr. Deputy Speaker, Sir, what the Assistant Minister is saying is not true. If you go to most police stations in the country, you will find that these Mahindra vehicles have been grounded. Could the Assistant Minister tell this House the policy of Government in so far as these Mahindra vehicles are concerned? We know these Mahindra vehicles were brought into this country through a scandal. Could the Police Department revert back to the Land Rovers they used to have, which had served the police force and this country well?

**Mr. Moroto:** Mr. Deputy Speaker, Sir, the Police Department is comfortable with the Mahindra vehicles. In fact, the police officers are the ones who are using those vehicles. The hon. Member who is [**Mr. Moroto**] raising the issue of Mahindra vehicles now is not using a Mahindra! He had better have one Mahindra vehicle so that he can be in a position of raising the matter next time.

**Mr. Shitanda:** Mr. Deputy Speaker, Sir, is the Assistant Minister aware that out of the 400 Mahindra vehicles acquired by the Police Department in 1997, only 40 of them are still serviceable countrywide?

**Mr. Moroto:** I am not aware of that, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Mr. Maitha's Question!

*Question No.360*

PAYMENT OF DUES TO FORMER KCHS EMPLOYEES

**Mr. Deputy Speaker:** Mr. Maitha is not here; we will come back to his Question later.  
Mr. Mwenda's Question!

*Question No. 448*

CONSTRUCTION OF HIGH GRAND FALLS  
HYDRO POWER STATION

**Mr. Deputy Speaker:** Mr. Mwenda is not here; we will come back to the Question later.  
Mr. Twaha's Question!

*Question No.509*

UPGRADING OF MPEKETONI TO URBAN COUNCIL

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

(a) whether he is aware that Mpeketoni Division in Lamu District has a large population whose service requirements exceed the capabilities of the county council; and,

(b) whether he could consider creating an urban council for Mpeketoni Division.

**Mr. Deputy Speaker:** Is there anybody here from the Ministry of Local Government?

**An hon. Member:** Nobody is here now!

**Mr. Deputy Speaker:** Since there is nobody now, we will come back to that Question later.

Next Question, Mr. Munyasia!

*Question No. 585*

PROSECUTION OF MR. STEPHEN  
MUKHWANA'S MURDERERS

**An hon. Member:** He is equally not in!

**Mr. Deputy Speaker:** If he is not there, we will come back to that Question later.

**Mr. Angwenyi:** On a point of order, Mr. Deputy Speaker, Sir. You can see the negative impact of the Harambee system. Most of these Members of Parliament have gone out there to look for Harambee money!

**Mr. Deputy Speaker:** Order! Mr. Angwenyi, that is not a point of order! Next time you stand up on that kind of issue, I will deal with you!

Mr. Maitha's Question for the second time!

*Question No. 360*

PAYMENT OF DUES TO FORMER KCHS EMPLOYEES

**Mr. Deputy Speaker:** Since Mr. Maitha is not there, the Question is dropped.

*(Question dropped)*

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

*Question No.448*

CONSTRUCTION OF HIGH GRAND  
FALLS HYDRO POWER STATION

**An hon. Member:** He is still not here!

**Mr. Deputy Speaker:** Since Mr. Mwenda is not here to ask his Question, I will drop the Question.

*(Question dropped)*

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

*Question No.509*

UPGRADING OF MPEKETONI TO URBAN COUNCIL

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

(a) whether he is aware that Mpeketoni Division in Lamu District has a large population whose service requirements exceed the capabilities of the county council; and,

(b) whether he could consider creating an urban council

**[Mr. Twaha]**

or Mpeketoni Division.

**Mr. Deputy Speaker:** Anybody here from the Ministry of Local Government?

**An hon. Member:** Nobody is here yet!

**Mr. Deputy Speaker:** Mr. Twaha, I will have to defer this Question to Tuesday next week.

*(Question deferred)*

**Mr. Deputy Speaker:** Mr. Munyasia' Question for the second time.

*Question No.585*

PROSECUTION OF MR. STEPHEN  
MUKHWANA'S MURDERERS

**Mr. Deputy Speaker:** Is Mr. Munyasia still not here?

**An hon. Member:** He has not arrived yet!

**Mr. Deputy Speaker:** Since he is not here, the Question is dropped.

*(Question dropped)*

**QUESTIONS BY PRIVATE NOTICE**

SHOOTING OF MESSRS. KARIUKI  
MOSES AND NGUGI KIGURU

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

(a) Is the Minister aware that Mr. Erastus Kariuki Moses and Mr. Simon Ngugi Kiguru were shot by police officers at Makomoboki Trading Centre on Sunday, 21st October, 2001, as a result of which Mr. Erastus Kariuki died at Kenyatta National Hospital on 27th October, 2001?

(b) Is he further aware that there was identification parade on Tuesday, 23rd October, 2001,

where six police officers attached to the police post were paraded instead of seven officers?

(c) If the answers to "a" and "b" above are in the affirmative:

(i) Why has the police officer(s) who shot Mr. Simon Ngugi not been charged?

(ii) Who is the seventh police officer attached to the police post who was not paraded among the others and why?

(iii) Could the Minister give the names of all the seven officers attached to Makomoboki Police Post?

**Mr. Deputy Speaker:** Is Mr. O.K. Mwangi not here? His Question is dropped!

*(Question dropped)*

#### HANDOVER OF NGADORI WATER PROJECT

**(Mr. Ndwiga)** to ask the Minister for Water Development:-

(a) Is the Minister aware that all the health centres in Nginda Location are undergoing severe hardships because the water corporation has disconnected water in Embu District?

(b) When will the Ministry hand over the management of Ngadori "A" Water Project to the community since the water corporation has failed to manage the project?

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

*(Question dropped)*

#### ADJUSTMENT OF CEREALS PRICES

**(Mr. Munyao)** to ask the Minister for Agriculture:-

(a) Is the Minister aware that due to poor prices of cereal food per bag, which is caused by lack of clear food policy from the Government, this country is likely to experience food shortage next year?

(b) How much food is held in stores at the moment?

(c) How much do we expect from the current crop in the country?

(d) Could the Minister urgently allow a price of Kshs1,200 per bag of maize, and Kshs2,000 per bag of beans, which will encourage farmers to produce?

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

*(Question dropped)*

#### TB DIAGNOSING MACHINE FOR NDANAI HEALTH CENTRE

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

(a) Is the Minister aware that Ndanai Health Centre has no machine for diagnosing TB cases or a medical officer to attend to TB patients?

(b) When will the Minister post staff and supply equipment to deal with TB cases in Ndanai Health Centre?

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

*(Question dropped)*

**Mr. Obwocha:** On a point of order, Mr. Deputy Speaker, Sir. The problem we have is that the Order Paper comes out very late at night on Tuesday. By that time, many of us have left the precincts of Parliament. Therefore, many hon. Members are not aware that they have Questions to ask on Wednesday morning. Could I be in order---

**Mr. Deputy Speaker:** You are certainly not in order, Mr. Obwocha, because on Tuesday morning, in respect of ordinary Questions, there is a listing of all the Questions for the week. If you are talking about Questions

by Private Notice, I can understand, but in respect of the ordinary Questions, there is a listing of all the Questions for the whole week on Tuesday. So, that is not an excuse whatsoever!

Let us move on to the next Order!

### MOTIONS

#### LEAVE TO INTRODUCE ARID/SEMI-ARID LANDS EMERGENCY FUND BILL

**Mr. Deputy Speaker:** Is Mr. Keynan not here?

*(Mr. Deputy Speaker consulted with  
the Clerks-at-the-Table)*

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

**Mr. Deputy Speaker:** Mr. Twaha, can you not see that the Chair is consulting?

**Mr. Twaha:** On a point of order, Mr. Deputy Speaker, Sir. I would like to draw the attention of the Chair to the fact that we do not have a quorum.

**Mr. Deputy Speaker:** Oh, my goodness, gracious me! You have been here long enough, but you still have not learnt! There is no question of quorum before we begin the order of the day, which is commencement of business!

**Mr. Twaha:** Mr. Deputy Speaker, Sir, you have recognised Mr. Keynan.

**Mr. Deputy Speaker:** But we have not started the business of the House! You are being too clever by half; it will not be any good!

**Mr. Maundu:** On a point of order, Mr. Deputy Speaker, Sir. I have never seen it happen that when the Speaker is on his feet, an hon. Member of Parliament is also on his feet. I think my friend should be cautioned against that conduct.

**Mr. Deputy Speaker:** Well, I hope he has heard you!

Let us move on to Mr. Keynan's Motion!

**Mr. Keynan:** Mr. Deputy Speaker, Sir, I apologise for having come late. Nimekimbia sana!

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

THAT, this House do grant leave to introduce a Bill for an Act of Parliament entitled the Arid and Semi-Arid Lands Emergency Fund Bill.

On 14th July, 1999, this House passed unanimously a similar Motion urging the Government to introduce a Bill entitled "The Arid and Semi-Arid Lands Emergency Fund, but since that time, nothing has happened. I have been asked by the residents of over 22 districts which cover the marginalised districts to come up and seek leave of the House to introduce this Bill. As the Chair can realise, over the last 37 years, we have been concentrating on only two sectors of our economy as a country. It is high time we diversified our economy. The other day I was shocked to learn that Botswana, which has less than 6 million livestock, is among the leading countries in beef production. In 1968, the same fellows were here to learn from Kenya on this sub-sector.

The Chair is aware that the Kenya Meat Commission (KMC) and the Livestock Marketing Division are no more. The livestock farmers have been left with nothing to take care of their products. As I speak here now, there is a programme which is being funded by the African Development Bank (ADB). This programme covers bee-keeping. These people are willing to spend more than Kshs2 billion, and yet the livestock sub-sector has not been considered. We have been talking about poverty eradication, but have we sat down and conceptualised who are the poor people? In this nation, where do we find the poor people?

Mr. Deputy Speaker, Sir, we are talking about over 40 constituencies which cover two-thirds [Mr. Keynan]

of this country. Since the House passed the previous Motion unanimously, it is my prayer that the House will grant leave to introduce this Bill, which we have drafted. The only thing that we want is the revival of the KMC. We want to organise the pastoralist communities by forming co-operative societies which will assist them. I represent a constituency which is 100 per cent rural, and the people who live there rely on livestock. I would like to say that we have no market for our livestock because the KMC and Livestock Marketing Division are no more. Even the Dagoretti Market where we used to take our animals for sale is no more. So, what should we do? Where should a livestock farmer sell his animals? I would like to say that the KMC is very important. It is the livelihood of the

pastoralist community.

When we talk of the revival of the KMC, there are a number of pertinent issues which have not been considered. First of all, the KMC is under receivership of the National Bank of Kenya. Today, the Government is willing to commit over Kshs2.5 billion to bail out the Kenya Power and Lighting Company (KPLC), when the KMC requires less than Kshs900 million. If the KMC would have been revived, it would have contributed to the improvement of over 10 million Kenyans. Can we see this discrepancy? The Mitsubishi Corporation of Japan wanted to revive the Kenya Meat Commission (KMC), but there is no land. The land has been grabbed. All the holding grounds are no more. So, how do you revive a whole plant on non-existent land? We want the Government to write off all the debts of the KMC. This is the only way we can guarantee the revival of the KMC. In the early 1970s, the KMC used to provide canned meat to the entire country. Today, we are importing canned meat and yet, we have over 20 million livestock in this country. It is high time we used our own resources to curb the rising poverty in the midst of Kenyans. The other day, the Minister promised to issue a policy statement on the KMC, but I do not believe it is forthcoming because the structures are not there. Equally, we would like to appeal to the Government to repossess all the holding grounds belonging to the KMC from Mandera to Athi River, Kitale, Kisumu and Mombasa, so that, once again, we can revive the KMC.

Mr. Deputy Speaker, Sir, this particular Bill will address the problem of water. We used to have watering points during the colonial times. I remember we used to have cattle paths all the way from Mandera to Isiolo. There used to be particular routes and they had boreholes and pans. These pans are no more. Today, if a livestock farmer decides to drive his cattle all the way from Mandera because of insecurity, lack of water and prolonged drought, it will be difficult for them even to reach Nairobi or Mombasa. They will perish on the way. One thing that this Bill endeavours to address is the issue of provision of water just to revive what was there. If you get an opportunity to go to northern Kenya, you will find that 90 per cent of the pans are silted. Most of these pans were constructed in the early 1960s and others in the early 1970s. Today, all of them are silted and they cannot hold water because of siltation. One thing this Bill will do, if we get funds, is to desilt all the dams and pans, and the livestock farmers will get some security because there will be water.

Mr. Deputy Speaker, Sir, another issue that has not been addressed is one of Artificial Insemination (AI) or veterinary services. These facilities are non-existent in northern Kenya. The other day we had the issue of the outbreak of anthrax. This is a common feature in Kenya, especially within the pastoralist communities. Coming to the issue of AI, these facilities are not there because most of the veterinary officers have been retrenched, or, because the KMC or the LMD are not there, they find no need to venture into areas dominated by the pastoralist communities. This is again one thing that we need to look into if at all we have to address the issue of poverty. We have this thing on paper and to address it is very difficult. We have it on paper and yet, we have not agreed on the approach.

My constituency, Wajir West, is a rural constituency 100 per cent, and one thing that has contributed to the issue of insecurity is lack of water. This is because there is no de-stocking. Livestock farmers are at the mercy of nature. These people, traditionally, keep large herds of animals. Previously, they used to sell them to the KMC. There used to be the LMD. Sometimes they used even to take their livestock to the Middle East through Somalia. Somalia has not had a government for the last ten years and yet, these people have lost the only source of market for their livestock. It is high time the Government addressed this serious problem afflicting nomadic communities. I have in mind over 40 constituencies, starting from Baringo Central all the way to Mandera West.

Kenyans are yearning for constitutional changes. A hungry stomach has no principles. The pastoralists are hungry. It is survival for the fittest. While we appreciate the demands of Kenyans about their constitutional rights, those of other Kenyans, especially the nomadic communities, should also be respected because theirs is survival for the fittest. They are struggling to live. They are struggling to get water and other facilities for their livestock. These facilities are not there. You can see clearly that we are in a different world. We want to reconcile this issue of the haves and the have-nots among Kenyans. We cannot afford to have a divided country in this new millennium. This Bill intends to reduce the gap between the Kenyans who have had an opportunity to enrich themselves and to lead a better life, and the Kenyans who have never had the opportunity. The only way to do it, in my considered opinion, is through this Bill. We waste a lot of money on unnecessary things. What we are asking for is not a lot. We are asking for a structure or an institution that will take care of the interests of these people. I will not shy away from saying that the Ministry of Agriculture and Rural Development just takes care of the interests of coffee and tea farmers. I do not despise those Kenyans who are coffee or tea farmers. We indirectly benefit from the proceeds from coffee and tea, but are we going to neglect two-thirds of the land mass of this country? Countries like Egypt, Israel and Botswana have had similar problems. When a section of a nation feels discontented, there is a likelihood of total apathy.

Mr. Deputy Speaker, Sir, as much as we are in the process of addressing serious issues, like the constitutional review, it is my prayer that this august House will unanimously pass this Motion. I anticipated that I would be granted leave to introduce this Bill. The Bill is ready, and today, I will circulate it to all hon. Members for their suggestions and any improvements, so that the pastoralist communities, also become proud of this august House. We have had a number of great things emanating from this august House and we want the pastoralist communities, who live in 22 districts, or in the ASAL districts to get the gesture of this august House as we prepare ourselves for this serious constitutional review and the great succession.

Mr. Deputy Speaker, Sir, there is time for everything and as a country, we have discussed a number of issues. Even in America, whoever discovered the continent found a community there. But because this community was considered uncivilised, it did not participate in the industrial growth of the American society. One of the problems today facing the Americans, though they had a marshall plan for the Indian community, is this community. In Nigeria, in the Delta region where oil has been discovered, the community there has been neglected for so many years by the successive military regimes. Today, one of the problems they have to live with is how to approach this issue because they have two communities; one which has enjoyed the resources, and another one which has not. The resources are there, but they have been tapped to benefit other people. In our neighbouring country, Uganda, they are seriously addressing the issue of the Karamojong. They have created one district for the Karamojongs and there is a Minister who is in charge of Karamojong affairs. This Minister has got his own budget which caters for water, health, education and literally everything. Our Government has better resources, or trained manpower to address the problems affecting the pastoralist communities. I have said there is time for everything. Today, we are trying to come up with a Constitution that will last for the next 200 years. We are trying to control the serious issue of succession. Equally, this is the time when we are supposed to empower the pastoralist communities.

Mr. Deputy Speaker, Sir, you have heard today that 87 per cent of the residents of Wajir West rely on relief food. These are statistics from the Government and it is not my creation. Over the last three years, we have had a natural calamity; drought. We have been told that the distribution of relief food from the Government and the World Food Programme (WFP) will be brought to an end on 31st December, and we are wondering how we are going to survive.

Mr. Deputy Speaker, Sir, what we are saying is that let us have a Bill that will specifically address the needs of the livestock farmers in specified areas. I know this is a country of diversity in social, political, economical and literally everything. The other day, one of the Ministries purchased a small car for Wajir District. It is a pity that this car, up to now, has not reached Wajir Town. It broke down somewhere between Wajir and Garissa. The officer who bought that car, I am sure, did not imagine that there are poor roads in North Eastern Province. If he knew, then he would have purchased for us a Land Rover or Land Cruiser that would have fitted our poor roads. We are saying that we need a Bill that will address seriously the plight of our people.

Mr. Deputy Speaker, Sir, the contents of the Bill have been discussed exhaustively. I do not want to waste the time of hon. Members. The Bill is ready. I would like to thank the KANU Parliamentary Group because I have learnt that they said they will unanimously support this Motion. That is a good gesture. Equally, I would like to thank lawyers from the pastoralist community. They have drafted the Bill free of charge. It has not cost me anything. The Bill is a product of an entire pastoralist community.

It is my prayer that once this Motion is passed, pastoralist community will have an avenue to market their livestock. This will mean that the funds will come either direct from the Consolidated Fund or donors. These funds will be used to revive KMC. Currently, there is a tug of war between the Ministry of Agriculture and Rural Development, donors and pastoralist community. Officers in the Ministry of Agriculture and Rural Development feel KMC is moribund. We are also saying KMC is our lifeline.

Mr. Deputy Speaker, Sir, I would urge this House to pass this Motion because most of these things were discussed in the previous Motion that we passed in this House. I would like to end my contribution here and ask hon. Shidiye to second.

**Mr. Shidiye:** Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to second this Motion. The pastoral communities are at crossroads. They are at crossroads in this country because of what they are. The pastoral communities are the worst affected by weather vagaries. They are the only communities who are living 93 per cent below the poverty line. Life expectancy in pastoral areas, unlike in the other parts of the country, is 32 per cent, whereas in other areas it is about 47 per cent.

Mr. Deputy Speaker, Sir, we are living in two societies in this country. It is very unfortunate. We, as hon. Members, if we say the truth and we spill the beans, know our history and what has been happening in this country. There is hamitic myth. During the colonial time, the colonial Government never wanted to educate the pastoralists because they knew these people are very bright and they could turn the tables against them very fast.

For example, in this country, the largest number of watchmen are from pastoral areas. Why? Because they are the least educated. That is the only job they get in the market.

Mr. Deputy Speaker, Sir, time has come when those people are envying the dead. Every two years, there is drought in the province. Every year, we depend on food handouts. This is the only community in Kenya which from 1st January to 31st December, depend on Government relief. Remember, we are very proud people. But why is there such a fate in this country?

Mr. Deputy Speaker, Sir, whereas the rest of Kenyans can boast of tarmac roads, water supply and education, among other amenities, we have none of them. It is the only province in Kenya where there is not a single tarmac kilometre. If you asked the people in northern Kenya how a tarmac road looks like, perhaps, they will say this thing is only found in heaven.

Mr. Deputy Speaker, Sir, I think what has failed this country is centralised planning. Somebody in Nairobi sits down and decides to send a district fisheries officer to Wajir District, where there is no water, dam and fish. Somebody in his right sense decides to send a district forests officer to Wajir District and yet, there are no forests. That is poor planing. We are not focused. If we are sending a district livestock officer to Lamu Island, what do we expect him to do there? This is exactly what is happening. There are no fish in Wajir and somebody is sending a district fisheries officer. He sits in Nairobi swinging on a chair and bragging of planning. If you asked him how do we reach Wajir District, he will tell you that you have to pass through Eldoret. This officer does not even know the basic geography of this country. There is a big confusion. That is why people do not understand us. It is difficult. It is a shame that when we are fighting for basic needs like water and food, other people are living and dying of obesity. We are dying because of hunger. That is the truth. People are not understanding us; that is, we are even thinking of *majimbo*. Some people are telling us that if we embrace *majimbo*, we will not get anything. So be it! We were not even getting anything before. So, we would not care. Let us survive on our own. We are confused. Each year, our people depend on relief food. Each year, we spend over Kshs100 million for security.

Until recently, when the PC who is one of us came and said things had to stop; within three months, we realised insecurity was a myth. We smashed it. We realised there was no insecurity. It was all propaganda and people were eating money on that. We want that money to be channelled for development, if we are serious. But we are speaking in different languages. We would not understand. The planners who sit in Nairobi do not understand our problem. We have been making noise and crying for justice for donkey's years, but nobody is ready to listen to us. Time has come when the Constitution Review Process begins, we will put down our foot and demand for nothing short of affirmative action. Money must be channelled direct from the Consolidated Fund to develop that area. Otherwise, you know what will happen. When your neighbour is hungry, he will invade you. If you have food in your mouth when your neighbour does not have any, then you should not expect peace. That is very difficult. Rules of natural justice demand that if you have to eat, your neighbour must also eat.

Mr. Deputy Speaker, Sir, for instance, we had the Livestock Marketing Division. During the colonial times our animals were bought three times per year; then during the Kenyatta regime, they were only bought two times per year. Under the present regime, it used to be done once, but now that programme has been scrapped. The Kenya Meat Commission factory has a big padlock on it. This is the only community which has no factories where people can sell their products. Other communities can sell tea, coffee and fish, but where can we take our animals? Our people have many animals, but they do not know where to sell them. They are at the mercy of the people in Dagoretti and Dandora. If you transport a live animal from Garissa, Wajir and Mandera, by the time it reaches Nairobi, it has lost more than half kilograms. The brokers would then purchase it at only Kshs1,000 and yet the cost of transportation is not Kshs1,000.

Mr. Deputy Speaker, Sir, our businesses have collapsed. Our children are out of school, and our people are dying of hunger. Since the *El Nino* rains up to last week, we had never had a drop of rain. We can turn around that area to produce food which can feed the entire Kenyan population because it has one of the best fertile soils; even cotton and citrus fruits can be grown there. How do we turn around the living conditions of that area? Somebody in Nairobi does not want the situation to change because he feels that the people of North Eastern do not deserve it, and the people from the area must depend on food handouts. We have been condemned to poverty and hunger. This situation must change.

Mr. Deputy Speaker, Sir, we used to have the Ministry of Livestock, but today it is no longer there. We even have the Minister in charge of minerals, but not the Minister in charge of livestock. Livestock alone can turn around the economy of the entire country. There are countries like Botswana which depend on livestock alone. Nobody wants to listen to us. It has only remained a song or a joke of the year. If in Burkina Faso we have a Minister in charge of prisons, why can we not have a Minister in charge of livestock in Kenya since it is the



largest sector in the arid and semi-arid areas? It is only agricultural farmers who are considered in Kenya. Are the rest of the farmers not Kenyans? Do they not deserve the same treatment and to be supported? It is very unfortunate that people do not understand us. If Kshs2 billion was allocated to northern Kenya, it would adequate to turn around the living conditions in northern Kenya.

Mr. Deputy Speaker, Sir, right now we are talking about the East African Community and Kenya has the biggest market. For example, Ethiopia has about 80 million people, Somalia 15 million people, whereas Eritrea and Djibouti are virgin markets. If we developed the road from Garissa to Mandera, we could be able to sell all our products. These countries do not even have industries. Every time we want to trade with Uganda which is producing the same products. They also have similar industries like Kenya's, besides being more educated. If we are committed to our people, the agenda must change. If we are committed to protecting the lives of the people of northern Kenya, and arid and semi-arid areas, the thinking of Kenyans must change. After all, the biggest land mass is arid and semi-arid area. If somebody decides not to provide the people of North Eastern Province with adequate security and good development policies, then we are doomed.

We are not interested in succession battles. We are interested in the Government that will change the lives of the people of northern Kenya. We are sending signals to all the Presidential aspirants that we are one united northern Kenya, meshed and we can turn tables. Some people think that, that is the land of cows and dust, whereas that is not the situation. That is land where there are reasonable people who want to make fundamental changes in this country. If we are taken lightly, we will not accept to be hoodwinked. We are not going to be signatories to the present Constitution because we never participated in the Lancaster Conference of 1961 and 1962. We are going to participate in the present Constitution Review process fully and make sure that we vote in a Government which will support the economic survival of the people of northern Kenya, nothing short of that. It will be a big fight. We shall use all the means possible to achieve that.

**Mr. Kombo:** How?

**Mr. Shidiye:** Mr. Deputy Speaker, Sir, my friend, Mr. Kombo, knows how we are good fighters. We are going to get to that.

With those few remarks, let me say that this Motion is timely, and every Kenyan who recognizes the people of northern Kenya must support it.

*(Question proposed)*

**Mr. Maitha:** Mr. Deputy Speaker, Sir, I stand to support this Motion which is a very good Motion for the people living in semi-arid land. Those hon. Members of Parliament who say that we do not own livestock should know that the Coast region is harbouring people who live in the semi-arid land, for example, Tana River. This is a very important Motion that everybody should support.

Mr. Deputy Speaker, Sir, this Motion which has been brought by our friends from North Eastern Province shows that the *majimbo* system which is being supported by KANU and NDP cannot work out. This clearly shows that once the *majimbo* system is in place, some people will suffer. You will find that in Kenya, other regions are very rich and others very poor. A good example is where people from semi-arid areas, where they depend on livestock, have been marginalised. They have been made to suffer by the Government. There was no need to kill the Kenya Meat Commission. It is vital that once this Bill is brought to this House, eventually, the people from arid lands will benefit. Even if we do not have this Bill, there is need for the Government to think of providing these people with the facilities they need. There is no need to have the Kenya Meat Commission in Nairobi, when we do not have livestock in Nairobi. This factory should be taken where people really have cattle, so that they can use those facilities.

Mr. Deputy Speaker, Sir, it is the same way one would regard Utalii College. It is located in Nairobi and people who live in Nairobi are the ones who are admitted to the college. In the end, people from the Coastal region miss training opportunities in the college. That is the same way we are viewing environmental situation.

Mr. Deputy Speaker, Sir, I do support very much that once this Bill is brought here and supported by the Government and passed by the House, it will help people in ASAL areas. People are suffering in Coast Province, for example, Tana River District. They are very poor because they do not have market outlets where they can sell their livestock produce. They have a lot of livestock, but there is no good market outlet. The local people are very poor because their livelihood depends on livestock, but the Government does not give them special facilities in order to improve their livestock farming.

We have seen the state of affairs in Central Province, where tea and coffee are grown. We have many tea and coffee factories there. We have seen the kind of infrastructure available for sugar-cane growing areas. The farmers have been provided with good facilities. The ASAL areas should be equipped and that is why we are not

ready for *majimbo*. This is because some regions are not equipped with the resources that they deserve to be given. We are here to find out which areas in this country are poor and those that are rich. We are not saying that our friends in ASAL areas, maybe, from Baringo and all other areas, will be made to suffer once a *majimbo* Government is enacted. But right now as we are talking, these people have been suffering and are finding it very difficult to live there. The Government has been sending relief food to them. They do not have water, or any other resource. The Members of Parliament elected from those areas find it difficult to talk on behalf of their people because they cannot express themselves for fear of the Government. They cannot fight for their people who cannot even sell their livestock, and have no water and roads. It is high time every region in this country is given the mandate to tap its riches. God is great because he gave every person in every country the natural resources that he or she requires in order for that person to live. That is why you see coconut trees being grown in the coastal area. Tea is grown in the central region and other areas, and sugar cane is grown in the western region.

Those crops are God-given, and if the Government is willing to support pastoralists in ASAL areas, they can improve their livestock farming and enhance their livelihood. For example, our friends in Central Province are getting STABEX funds, and the sugar belt area is earning over Kshs60 billion from sugar. This money is being paid by those who are importing sugar, but pastoralists from the ASAL areas are not getting any money from their hides and skins which are exported outside this country(?). It is the same way in Coast Province, while the Government spends Kshs7 billion bringing palm oil from Malaysia and other countries, the Coast people do not earn any percentage from the Kshs7 billion.

Mr. Deputy Speaker, Sir, that is why we are asking: Are we different from the other regions? Why are we made to suffer? Why is the Government keen to assist only other regions? That is why we need such laws so that people in poorer regions, like those people living in ASAL areas, could see that their God-given facilities are earning them a living.

If you go to areas like Lamu, where mangroves are grown in big numbers--- The Government has issued a directive to the slum dwellers in Lamu not to harvest mangroves. This is a God-given commodity. You wonder why the Lamu people are not allowed to harvest mangroves. They are not allowed even to get to their forests and get timber. Those are the God-given resources of those areas. If it is possible, laws should be enacted in this Parliament to make it possible for regions with untapped resources to be tapped so that the local people can earn their living. Their God-given resources should be tapped. For example, livestock in ASAL areas should be exploited so that the economy of those regions is improved.

It is bad to give benefits to exporters of skins or hides who do not even know how to rear livestock. You will find that all factories are given to exporters of hides and skins and yet they do not know what livestock means, but just because they are in good books with the Government. You will find somebody from the ASAL areas is denied a licence to do the livestock export business. They are given to those people who either fund the KANU Government during the General Elections, or the good boys within the Government. This trend of viewing other Kenyans as "little people" is making many Kenyans unhappy. These Kenyans feel like they are not even Kenyans. We do not want to have a situation where some Kenyans are rich and others are poor. All Kenyans should be made rich by being given whatever is theirs.

It is my wish that if this Bill is brought to this Parliament, those living in ASAL areas like Lamu, NEP and other areas will share---- In fact, the Government should make it possible for them to get the facilities they need so that they can improve their living. There is no need for the Government to say that it is alleviating poverty in this country, if it cannot think of laws to safeguard people who are living in ASAL areas.

With those few words, I support this Motion.

**Mr. Twaha:** Thank you, Mr. Deputy Speaker, Sir. I would like to support the Motion. I also support the points raised by other hon. Members. There was one hon. Member who said that there are some sections of this great country of ours which have been marginalised, namely, the NEP and the coastal areas. I support what Mr. Maitha said. I think there is need for coastal and NEP people to be more assertive and to demand their rights, just like people from other areas have been demanding their rights. You will find that people from Western and Nyanza provinces have been taking a strong political stand and they have been able to negotiate favourable terms for themselves and their industries.

I will give the example of the sugar industry. It is so well protected that the local price of sugar is three times the world market price, while other crops like cotton in Lamu have been left open to compete with *mitumba*. You cannot have new products competing with second-hand goods, and our farmers in Lamu are suffering as a result of that. There is need to balance these things. There should not be double-standards in our economic policy in the country. We either liberalise or have a protectionist regime. I would advocate that the Government goes back to the protectionism that we used to practise. This is because the same policy advisers from the World Bank

and IMF, funded by the European Union, United States and Japan, practise protectionism. They do protect their industries and agriculture. The agricultural sector in the European Union is very heavily subsidised, and in America they have subsidies for their farmers and they take good care of their farmers. Imports of agricultural commodities from outside face quotas, tariffs and all sorts of barriers before they are allowed into their markets. But, unfortunately, the Minister for Finance, Mr. Okemo, told us the other day that he got a list comprising of 200 conditions and some of those conditions are suicidal, and we agree with him.

I will give an example of the poverty level that we are talking about. We are not going to solve the poverty problem in this country unless we protect the value of the Kenya Shilling. We have a lot of poverty in this country, and unless we protect the value of the Kenya Shilling, we are going to remain poor. Instead of Members of Parliament swearing to protect the Constitution, they should swear to protect the value of the Kenya Shilling. Sometime in 1991, we were told that the purchasing power of mwananchi was going to be protected. Donor agencies prevailed upon the Government to conduct tea and coffee auctions in US dollars. When we did that, we eliminated demands for the Kenya Shilling. That decision resulted in the dollar becoming stronger and the shilling becoming weaker. There is no motive for anybody to hold the Kenya Shilling. I would like to recommend that the tea and coffee auctions are done in shillings so that every week, there is, at least, a transaction motive to hold the shilling. By so doing, the shilling will have value and we will have the purchasing power. That is how we can deal with this poverty problem.

Mr. Deputy Speaker, Sir, of late, there has been a dispute between the pastoralist Orma community and the agriculturalist Pokomo community. They are fighting over water and land. We have got the Galana Ranch which is owned by the Agricultural Finance Corporation (AFC). This ranch covers 1.5 million acres, but presently, it has 5,000 head of cattle. This is gross injustice because people are killing one another due to shortage of land and yet, AFC owns 1.5 million acres of land, with 5,000 head of cattle. The Government should look into this issue and give the Galana Ranch to the Orma community in Tana River, so that they can graze their cattle there. This will reduce the tension between the two communities, which has led to the deaths of innocent people.

With those remarks, I beg to support.

**Ms. Karua:** Thank you, Mr. Deputy Speaker, Sir, for giving me the chance to support this Motion.

Mr. Deputy Speaker, Sir, this Motion is posing a challenge to the Government for not taking seriously the responsibility of developing the whole country. The Motion also reflects the seriousness with which Members of Parliament are taking their duties as leaders and as the people responsible for bringing forth policies that suit their constituencies.

Mr. Deputy Speaker, Sir, I do not think anybody doubts the need to set aside funds to bring all parts of the country at par in terms of development. We shall never be cohesive or feel that we belong to one country until all the people in this country have equal access to the resources of this country. The arid and semi-arid areas suffer from lack of basic infrastructure. Even though we are complaining from all corners of the Republic, it is obvious that there are areas which are worse off than others. It is time the Government adopted affirmative action for arid and semi-arid areas in terms of budgetary allocation. Each year, there should be budgetary allocation to help accelerate development in these areas so that they can be at par with the rest of the country. We would like to see a serious effort by the Government to make certain basic services available in the country. These include access to health, education and roads. This cannot happen unless affirmative action is adopted in terms of budgetary allocation.

Mr. Deputy Speaker, Sir, last week we had a Motion on affirmative action with regard to decision-making, requesting that representation of women in decision-making organs be increased by legislation. Most people associate affirmative action with women. But I would like to say that affirmative action should be applied to all disadvantaged groups and in all areas of our lives as the citizens of this country. That is why I am saying the only way we can help to develop the arid and semi-arid areas is to have in place a policy of affirmative action and having the legal mechanisms to back it.

I would like to draw the attention of the Mover of this Motion and the House to the fact that the Equality Bill which was published in August this year has a section in it calling for affirmative action in budgetary allocation for marginalised areas in this country. In passing this Motion, the House and the Mover should ensure that when the Bill is drafted, there should be collaboration to so that we can see what is contained in other Bills and what can be consolidated so that we can move together. All these efforts are necessary to cure the problems we are having.

Mr. Deputy Speaker, Sir, it is not possible for funds to be set aside in a single year to cure the problem that is there. That is why I am calling for the adoption of affirmative action measures so that each year, we set aside funds to achieve the objectives of this Motion. Every time Members of Parliament propose Private Members Bills, we are told to wait for the Ghai Commission. There are things that cannot wait. We cannot keep on asking

people who are suffering and have been denied the chance to develop, to wait for Constitution of Kenya Review Commission. This Parliament has power to continue enacting laws.

In supporting this Motion, I call for the speedy drafting of an appropriate legislation which should be passed speedily by this House, so that when next year's Budget is prepared, affirmative action measures will commence for arid and semi-arid regions. Otherwise, this House will just become a talking shop, where we pass Motions without implementation. We are challenging those in the Government to ensure that what is passed in this House is implemented.

Mr. Deputy Speaker, Sir, I support those hon. Members who advocated for the revival of the Kenya Meat Commission (KMC). Another meat processing plant should be planned for the North Eastern Province and other areas so that transportation of cattle becomes unnecessary. This will make the concerned communities access the market. But I do not think that the KMC plant in Athi River is not necessary. It happens to be situated within a district where there are pastoralists, whose main activity is the rearing of livestock. We should, therefore, be calling for the expansion of that plant so that they are evenly distributed in the areas that need them. I think it will be a great mistake if we do not ensure that KMC is revived. Parliament has the powers to do so. We do not have to wait for the Government! If the Government is slow in formulating policy, this House, by passing this Motion and subsequently enacting the Bill, can cause the issue. This House can also cause the issue of setting aside funds by ensuring that before the Budget is passed, it responds to the issues that hon. Members have determined. It is time we remembered, as Members of Parliament, that some of the things we are asking the Government to do, we can do ourselves by passing Motions and Bills in this House. I am glad to see that we are taking that responsibility seriously.

With those remarks, I support the Motion.

**The Assistant Minister for Health** (Dr. G.B. Galgalo): Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Motion wholeheartedly, because I think it is one of the most important Motions that have ever come before the Floor of this House, in support of the people of northern Kenya.

As other Members have said, the people of northern Kenya have been left behind in terms of development. That has a historical perspective. When this country was colonised by the British, they treated northern Kenya as though no people lived there. They did not initiate any project that one can say was for the benefit of that community. There were no schools, roads, health facilities or watering points for livestock, and insecurity was rampant. Generally, the colonial government neglected northern Kenya. Unfortunately, not much has been done to correct that development imbalance between northern Kenya and the rest of the country by subsequent governments; that is the Kenyatta Government and this Government. That is why we are calling on this House to show the Government that there are Kenyans living in northern Kenya who need services as much as other Kenyans in other parts of the country.

Mr. Deputy Speaker, Sir, northern Kenya is arid, but there is no desert. We have seen that with goodwill, even deserts are turned into productive, wonderful and green forest lands. We have seen that in the Middle East and elsewhere. So, if deserts can be turned into productive lands, why not areas which are just arid or semi-arid? All that is required is goodwill to pump a little of the Government resources into those areas. It is not much! All that is needed is to provide water for livestock. Livestock production is a very important industry.

There is a lot of potential in it. Even with so much neglect and without any consideration and policy from the Government, livestock production is still going. All the beef that is consumed in the rest of the country comes from northern Kenya. If people are able to do so much without any support from the Government, what about if they are assisted in some small way? That is what the Motion is asking for. The Government should provide water, so that the people will be able to engage in agricultural activities. That is all we are asking for.

Mr. Deputy Speaker, Sir, there is also the issue of insecurity. It is like northern Kenya is deliberately neglected in terms of security. One wonders why there are many police officers in other parts of the country and all there is there are petty crimes. In northern Kenya, there are communities which have been fighting over meagre resources, like one or two watering points and yet, there are no police officers. For example, there are very few police posts in Moyale District. There are several parts of the district where there are no police officers. So, if we provide water and security, that is all we need. The people will be able to look after their livestock. They will be taught good modern production techniques to produce livestock. That way, they will be able to help themselves. That would be the single most important way of fighting poverty in northern Kenya. It does not matter how much we talk or how many seminars are held on poverty eradication. It does not matter how you send officers in all the departments. It does not matter whatsoever, unless livestock production in northern Kenya is taken seriously.

Mr. Deputy Speaker, Sir, then, there is the issue of marketing. That is where most Members have talked

about the Kenya Meat Commission (KMC). The KMC was a vibrant organisation and an outlet for our livestock.

But I think it was deliberately "killed" as a way of subjecting our people to the poverty which now prevails. The KMC has to be revived. There is no alternative. If you do not want to revive the KMC, then you do not care about northern Kenya. It is better to declare that, rather than giving all kinds of excuses, and saying that it is not viable! What do you mean? There are enough livestock and all that is required is to slaughter the animals there and market the beef and beef products. It is viable and does not need much money. It has to be revived.

With regard to processing of the leather products, we need industries in northern Kenya. There is need to establish leather processing industries in northern Kenya. If you observe now, every single day, there are lorries that bring hides and skins to Nairobi. From here, they are processed and sold abroad. Why do we not have leather processing industries established in those areas? That is where the leather comes from. For example, it does not make sense to build a tea processing factory in Moyale! It does not make sense to bring tea from Kericho and take it to Moyale for processing! You should build industries where the raw materials are available. In this case, meat and leather processing industries have to be established in northern Kenya.

*[Mr. Deputy Speaker left the Chair]*

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

Then, there is the issue of agriculture. The soils are good. What is lacking is---

**Mr. Munyasia:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you see that contrary to general practice, when Mr. Shill left your Chair, he just ran away without standing there to bow to you! He just ran back to his seat!

**Mr. Shill:** Mr. Temporary Deputy Speaker, Sir, I apologise!

*(Mr. Shill approached the Chair and bowed)*

**The Assistant Minister for Health** (Mr. G.B. Galgalo): Mr. Temporary Deputy Speaker, Sir, I wish to continue. I was saying that the soils are fertile, good and amenable to agriculture. Again, what is required is water for irrigation. We can produce plenty of cotton and other food crops. But, right now, due to constant rain failure, the people are unable to plant their crops. The crops "die" before they mature because the rainfall period is very short. So, if we introduce irrigation for purposes of food and cash crop production, that would be a very positive step.

Mr. Temporary Deputy Speaker, Sir, finally, there is high mineral potential in northern Kenya. We have heard of possibilities of oil being found in some parts of northern Kenya, but nobody bothers! If oil was found in northern Kenya, it would be good not just for northern Kenya, but for this country. We know how strong the economies that depend on oil are. World politics is pegged on oil production. If we have the potential to produce oil, and if there is oil beneath our soils, what the hell are we waiting for? Why do we not go ahead and look for it? Why do we not go and get it? That would boost our economy. There are other minerals like gold. There is plenty of gold in my constituency. People there just go and pick pieces of gold and sell them to get a little money. Why does the Government not take that seriously? We have a Minister in charge of mineral exploration. Why do we not go out and explore minerals in those places? That would be beneficial to the entire economy of Kenya and not just northern Kenya. We will not be in situations where people will be cheating that they are exporting gold when they are not. We have all kinds of minerals. It is just lack of seriousness on the part of our system. We have to address those issues if we care about northern Kenya. If this does not wake up the Government into taking action, we, as Members of Parliament from northern Kenya, will use that as a platform to enshrine these demands in the Constitution of Kenya when the Constitutional Review Commission comes up.

Thank you, Mr. Temporary Deputy Speaker, Sir.

**Mr. Kombo:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to support this very important Motion. At the outset, I would like to thank the Mover of the Motion because a Motion like this shows that we are dealing with issues and that Parliament is not just a talking shop. On the question of marginalisation of North Eastern Province, we should state clearly that all these 35 years that the Government has been in place, it has not cared about many areas in this country. It is not North Eastern Province alone.

Recently, I was in Mr. Parpai's constituency, and I almost cried when I saw how that area has deteriorated. There are no roads and so forth. Last week, I passed through Marakwet District and I saw the same

problem. We have a Government which does not care about developing this country. It is made up of people who worry only about their stomachs and nothing else. It is now bankrupt of ideas.

I would like to take this opportunity to ask all Members of Parliament from the arid and semi-arid areas to quit that Government and join us in sorting out the problems in this country. I support the Motion purely from an economic point of view. Firstly, any country, even if it is developed, which ignores one area only makes it a burden to the rest of the country. That is an economic fact. You have got to develop a country in totality and you cannot just look at one area. Within economics, the laws of diminishing returns are such that a shilling today invested in North Eastern Province will produce much more than a shilling invested in areas that have already developed. These are economic facts and that is why it is important that a Motion like this one is supported by all of us.

Mr. Temporary Deputy Speaker, Sir, I look at the northern part of Kenya as the sleeping giant of economic development for this country. They have rich soil that only lacks water. If we provide that area with water, there is a lot that can come out of that area. Irrigation has made Israel a great country in terms of agriculture. North Eastern Province soil is almost the same as that in Israel. If we provided water to this region, cotton, oranges and other crops would all be grown there and we would be helping the rest of the country as well. Poverty reduction countrywide cannot take place if one area is left to rely on the rest. We cannot have a small part of a country producing, while the other areas rely on it. If we are talking about poverty reduction, then in our development strategies we have got to take into account this rich sleeping land that we have ignored for all these years. With the reduction of poverty, we will also get rid of insecurity.

The North Eastern Province has had a lot of insecurity problems and we can tie these to poverty. If we develop that area - and that is what this Motion is really trying to say - we will then reduce insecurity. That means that all the money that is spent on sorting out security problems in North Eastern Province will be available for development in many other areas of the country, including North Eastern Province.

Mr. Temporary Deputy Speaker, Sir, the issue of livestock has been mentioned. The Kenya Meat Commission should be revived. Even more importantly, I believe that if we spent Kshs10 million building small abattoirs in various parts of North Eastern Province, then the livestock will not have to be moved too far away for slaughter. That way, we will develop the livestock industry. Botswana has a very high per capita income because of livestock and we can do the same. North Eastern Province is very close to the Middle East. I have a dream that one day, North Eastern Province made into a free port could attract a lot of trade from the Middle East. If we could have a proper road network from the rest of Kenya, going to North Eastern Province with a nice airport, this would ensure that exports from the Middle East would be transported through that road.

It is purely for economic reasons that I think this is an important Motion which everybody should support. The economy of Somalia which neighbours the North Eastern Province grew last year by about 5 per cent despite all its problems, while Kenya as you know, registered negative growth rate. Even in a bad situation like the one for Somalia, the economy can still grow. That means there is a lot in that region that we could tap. If the Government can start thinking of ways of investing whatever money that we have left in the right places, our economy would improve.

With those few remarks, I beg to support.

**The Assistant Minister, Office of the President** (Mr. Haji): Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion. North Eastern Province and most of Eastern Province have unfortunately suffered from two major problems. One of them is lack of proper leadership in the past. **[The Assistant Minister, Office of the President]**

Another one is constant natural disasters. I am pleased to say this morning that the current crop of Members of Parliament from the province would be termed as good leaders because they have on many occasions spearheaded the crusade for the betterment of the people of North Eastern Province. I would like to take this opportunity to appeal to the electorate in North Eastern Province to vote back the majority of the current Members of Parliament because they have done a very good job.

As many speakers have said, the index of the poverty line in the province is about 93 per cent below the poverty line, compared to the rest of Kenya. Similarly, the life expectancy of the people of that area is low compared to many parts of this country. This is because the area is prone to persistent drought and diseases. Also, their livelihood depends on livestock, which is almost being wiped out due to various diseases.

Mr. Temporary Deputy Speaker, Sir, I think we would have been in a better position if we had good leadership in the province which will articulate the problems of the people.

**Mr. Ndicho:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I would not like to take my friend's time, but the Motion is about arid and semi-arid areas and not about North Eastern Province. It talks about

Maasailand, Turkana, Baringo and all these other areas. Could you also talk about the people in those areas?

**The Temporary Deputy Speaker** (Mr. Mwenda): Order, Mr. Ndicho! The hon. Assistant Minister is on the right path.

**The Assistant Minister, Office of the President** (Mr. Haji): Mr. Temporary Deputy Speaker, Sir, if my friend heard me from the beginning, I said that I support the Motion and it talks about the same thing you have mentioned. I am making reference to the area that I know best and where I come from. However, I do agree that Maasailand, parts of Eastern Province--- Even Ndeiya in Kiambu District here is not better off than North Eastern Province. I have been a District Commissioner there and I know the problems that are there.

*(Applause)*

So, please, allow me to say what I wanted to say.

Mr. Temporary Deputy Speaker, Sir, North Eastern Province suffers from many problems and they are not only drought and diseases of livestock but also declining education standards. The education standards are declining in the province and for two consecutive years, the results of students who sat for KCSE have been cancelled because of alleged cheating. It is not only that, but even those students who make good grades are not able to go for further education because of their parents poverty.

Similarly, when we talk about the economy of that area, we know the people depend on livestock. However, right now, apart from the livestock diseases, we do not have a proper marketing strategy. We know that in the olden days, we used to have a Livestock Marketing Division. When drought was about to come, this Livestock Marketing Division would buy the livestock and normally bring it to Isiolo ADC farms, where they were fattened and sold to the market. However, unfortunately, our people have now been left to the mercy of merciless traders because they do not have any other alternative of selling their livestock inside or outside Kenya.

Mr. Temporary Deputy Speaker, Sir, I would even say that instead of us talking about an emergency fund, perhaps, we should have talked about a permanent fund for that region.

*(Applause)*

That is a kind of a Marshall Plan to bring the people of those areas at par with their other brothers. The rest of Kenya would be like a lorry pulling a trailer and most of the times, if you know, accidents by lorries are caused by trailers because they swerve from one side to another. This country cannot afford to be carried like a trailer all the time. I think time has come when we should call a spade a spade and ask the country to think seriously about the arid and semi-arid areas. We should have special funds set aside in order to bring the people on board otherwise, we will see that these areas will be derailing the rest of Kenya because of their poverty level.

Mr. Temporary Deputy Speaker, Sir, we do not want to be reduced to a situation like that of those people in Europe who move from one place to another. I have forgotten their name.

**Ms. Karua:** They are called Gypsies.

**The Assistant Minister, Office of the President** (Mr. Haji): Yes, Gypsies. Eventually, when we lose all our livestock, we will be reduced to Gypsies. Gypsies in the UK and other places invade people's homes, steal from houses and farms because that is the only way they can survive. We do not want to see a situation like that in this country. We would like all Ministries to be directed to draw proper plans for those areas.

Mr. Temporary Deputy Speaker, Sir, we know that some years ago, DANIDA used to support dips all over the country. When our people realised the importance of dips, this programme ceased while the rest of Kenyans have benefitted from the same. We would like a programme like that to be introduced in those arid and semi-arid areas.

Mr. Temporary Deputy Speaker, Sir, the other problem is lack of health services particularly in the treatment of water-borne diseases. People there either drink raw water from rivers or stagnant water from dams, which contributes a lot not only to malaria, but also bilharzia. As I speak now, there is no drug for bilharzia in any of the shelves of the Government pharmacies in the country, and yet many people are suffering from it. We would like the Government, particularly the Ministry, to rethink its strategy and introduce drugs for bilharzia.

Mr. Temporary Deputy Speaker, Sir, regarding insecurity, which also contributes to poverty and lack of development, I think it will be wrong for us to blame the Government alone. We are also to blame because, apart from the insecurity created by people in neighbouring countries, I think we should also educate our people on the need for them to observe law and order, and also to live together in harmony instead of engaging in livestock theft and other criminal activities.

Mr. Temporary Deputy Speaker, Sir, I would like to commend His Excellency the President for his

concern for the plight and suffering of the people of Somalia. He has just initiated a reconciliation process among the people of Somalia which was concluded yesterday, and I think this will contribute towards the security of that area. I would like to appeal to the people of Somalia, particularly the leaders of various factions, to come together for the benefit of their own country, their people in Somalia, and for the children of the wounded who have not known security and peace for the last 11 years. I think if they fail to come on board during this coming reconciliation meeting which Kenya is initiating with its neighbours in Ethiopia, Djibouti and Sudan---

I beg to support.

**Mr. Shill:** Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion.

I feel very saddened by the attitude of hon. Members of this august House towards this Motion. You can see that the House is almost empty. This Motion is very important. We wanted everybody in this House to contribute to it since it is about the marginalised areas of this country. Last Wednesday, this House threw out a Motion which sought to strengthen women participation in the business of this House. That showed how insensitive this House is towards marginalised members of our society.

Mr. Temporary Deputy Speaker, Sir, where there is no justice, there is no peace. Unless this country's resources are distributed equitably, there will be no peace. Even in Nairobi, one cannot drive his beautiful car peacefully because the number of the have-nots is very high. The Government always comes up with good-worded papers but it never implements them. We have been told that this country has put in place a poverty eradication policy. I wonder what poverty the Government wants to reduce or eradicate when livestock, which is the economic mainstay of some people in this country, is without a market. How do you expect a mother among the Samburu, Turkana, Maasai or communities in the North Eastern Province to pay school fees for her children when she does not have a ready market for her cattle, goats and camels? It is a shame that we are in this situation. That is just like tying somebody's hands and then asking him or her to compete with other people.

Policy-makers in the Ministry of Agriculture and Rural Development have really marginalised communities in arid and semi-arid areas. For example, the camel has no place in this country despite the fact that it is regarded as a golden animal the world over. Why is it that the camel is not mentioned in our agricultural policy? Our policy-makers in the Ministry have a negative attitude towards people in arid and semi-arid areas. Ministry officials in Nairobi really do not think that people in arid and semi-arid areas belong to this country. Probably, they think that we do not deserve water, food and other things.

Mr. Temporary Deputy Speaker, Sir, I do not think that it is possible for the Government to revive the Kenya Meat Commission (KMC). We have been singing that song for so long. Every time a new person is appointed Minister for Agriculture and Rural Development he gives us hope but that hope is never realised. It is high time that pastoralists were given the freedom to look for a market for their livestock. Wajir District, for example, has a very big military airport. Kenya is not at war with any country. Why do we have a military airport there? Why do we not use that airport commercially? We could use that airport to export meat to Saudi Arabia and other countries, and make money very quickly.

People in arid and semi-arid areas do not get enough veterinary drugs. That is why animals from those areas cannot be disease-free. The Agricultural Development Corporation (ADC) has very big ranches such as Galana and Kulau, which are not being utilised. Good grass grows in those ranches but not even a single head of cattle is found in them. Ironically, the pastoralists living around those ranches are barred from grazing their livestock in the ranches. The Government is suppressing its own people while at the same time claiming that it is committed to eradicating poverty.

Mr. Temporary Deputy Speaker, Sir, we are sometimes told that Garissa produces the best water melons, papaws and other fruits, and yet the Government does not support the irrigation project down there. When the *El Nino* rains destroyed the water pumps used by farmers in that district, they were never replaced. Borehole irrigation is also possible in that area, but nothing is being done to facilitate it. Water is essential for the continuity of life, but the small number of boreholes and other water sources in the arid and semi-arid areas of this country leaves you wondering whether the Government is really committed to saving the lives of people in those areas.

The money that has been spent on the bullets factory in Eldoret is enough to provide sufficient water for everybody in arid and semi-arid lands. Why should we manufacture bullets when our lives are at risk from lack of water? Some places in the arid and semi-arid areas cannot have even a drop of water because of the poor policies this country has in place. We feel that this Government has enough---

**The Temporary Deputy Speaker** (Mr. Mwenda): Order! Order! Hon. Members, it is now time for the Government respondent to reply to this debate.

**The Minister for Rural Development** (Dr. Masakhalia): Mr. Temporary Deputy Speaker, Sir, I commend the Member of Parliament for Wajir West for bringing this Motion before the House. I also commend



the hon. Members who have contributed to this debate.

Talking about the need for developing arid and semi-arid areas to the Government is like preaching to the already converted. Seventy-five per cent of Kenya's territory comprises of an arid ecology. Only 25 per cent of our territory comprises of medium and high potential land. The medium and high potential parts of the country are relatively developed agriculturally. Income levels are still very low in rural areas, and the Government's objective is to see that the situation changes. We have programmes through which we intend to achieve this. The Poverty Reduction Strategy Paper (PRSP) outlines some of the strategies we have formulated to change the situation. Even people in the medium and high potential areas are still languishing in poverty.

We have had plans before. This is not the first time we are focusing attention on the development of the arid and semi-arid areas. As a career planner, I remember that way back in the 1970s and early 1980s, we had programmes such as the arid and semi-arid development programmes. We concede that those programmes did not bear fruits; they did not result in the development levels that we desired for those areas. But I should re-emphasise that the Government has tried to focus attention on the developmental needs of arid and semi-arid areas in the past. Currently, we have the PRSP. I would like to remind the House that the PRSP is designed to provide priorities and outline measures for addressing poverty in this country.

The PRSP covers the entire country, including the arid and semi-arid areas. There is an aspect which I would like to emphasise. That is the participatory nature of the strategies. We have adopted the top-down approach. The stakeholders, all over the country, participate in the planning exercise, setting priorities and, where possible, in the allocation of the available limited resources. Resource allocation is to be carried out through the Medium-Term Expenditure Framework (MTEF). This rolling plan is designed to ensure that the priorities identified by the people get funding not only in one fiscal year but also in subsequent fiscal years, and thus ensure that the planned programmes are implemented.

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

*[Mr. Deputy Speaker took the Chair]*

What eludes us is the availability of resources. We do not have the level of resources that is needed to support the developmental programmes in our agenda.

Mr. Deputy Speaker, Sir, as I said earlier, we support the Motion. I would also like to refer to the efforts which the Government has made to develop most parts of the country through the establishment of regional authorities. We have six regional development authorities. To begin with, in the arid areas, we have the Ewaso Nyiro North Development Authority (ENNDA), the Ewaso Nyiro South Development Authority (ENSDA), the Coast Development Authority (CDA), the Tana and Athi Rivers Development Authority (TARDA), the Kerio Valley Development Authority (KVDA), and lastly, the Lake Basin Development Authority (LBDA). As you can see, four of those authorities cover 75 per cent of Kenya's arid land.

Currently, the authorities are characterised by lack of adequate funds. The ENNDA is being supported by the African Development Bank (ADB) in some of its programmes and we are endeavouring to see to it that adequate funds are available to undertake those projects that members have alluded to. I will come to that a little later. The ENSDA is also negotiating with donors and we hope that with time, it will have adequate resources to support the programmes that it has designed. What is needed [**The Minister for Rural Development**] actually is to strengthen those development authorities. If we strengthen them, then we will be able to fund the programmes that have been referred to, such as water development projects, livestock marketing and the revival of the Kenya Meat Commission (KMC). There will soon be a Paper here dealing with that subject. Disease control and health infrastructural development will also be undertaken.

Mr. Deputy Speaker, Sir, I would like to concur with all those hon. Members who have spoken in favour of the Motion. I want to indicate that what has been suggested here is already in the blueprint of the Government development programmes.

With those few remarks, I beg to support.

**Mr. Keynan:** Mr. Deputy Speaker, Sir, I am greatly overwhelmed and I must thank hon. Members here for having seen sense and agreed to support this very important Motion.

This is not a North Eastern Province Motion. It is a Kenyan Motion. I would like to thank the Minister and hon. Members on the Government side for their support of this particular Motion. North Eastern Province is one of the most affected areas as far as the arid and semi-arid districts are concerned. Our problems are unique. I would like to give a historical perspective of the problems we have undergone. During the colonial times, the

colonialists applied tricks to North Eastern Province that they never applied in other parts of Kenya because of its harsh climate. North Eastern region was under the emergency law even during the colonial times. When other Kenyans were struggling for Independence, we were not even sure whether we were part of the other Kenyans. Because of this situation, people of North Eastern Province were left without knowing whether they were Kenyans or whether their future lay somewhere else. Successive regimes in the country have capitalised on this very unfortunate situation.

You will remember that immediately after we got our Independence, because of this uncertainty, a section of the residents of North Eastern Province decided to move towards Somalia. This unfortunate scenario was used to deny development to the deserving and innocent people of North Eastern Province. What followed was that different regimes passed laws that were all meant to suppress development, political feelings and even deny our people their rights.

Mr. Deputy Speaker, Sir, as you are aware, I have always said that if there is a section of this country that benefitted from multipartyism it is North Eastern Province. We have had the District Contagious Act and the emergency laws. The other day, I moved a Motion here on the Indemnity Act, which was not passed. I would like the Kenyan public, through their able representatives here, to understand that when we cry, we are shedding off the culture and the image of banditry. You will have noticed that of late, there have been a lot of *Harambees* all over northern Kenya. This is not because we have a lot of money, but we have appreciated too late the spirit of *Harambee*. We have seen what other Kenyans have done through *Harambees*. I would like hon. Members to see this Motion in that context.

This particular Motion is likely to address the issue of veterinary clinical services, which have been non-existent in northern Kenya. Artificial insemination for the improvement of breeds quality is not known in northern Kenya, neither the issue of education and extension services for livestock farmers. Meat inspection and disease control are also not known in northern Kenya.

Mr. Deputy Speaker, Sir, when I was a young boy, we used to eat the flesh of animals that had died of anthrax. Americans have been crying over anthrax, but this disease is not new to us. It has been part and parcel of our way of life. Maybe, our immunity is slightly higher than that of Americans. This is not Greek. It is a disease that we have never had control of. Maybe, we will be one of the beneficiaries of the new discoveries about anthrax.

I want to touch on the issue of livestock marketing. This is one of the very important issues. Eighty seven per cent of the people of North Eastern Province rely on famine relief food. This is because there is no market for their livestock. When you do not have a market for your livestock, the only thing you can do is to slaughter your animals. Due to drought, we have lost all our animals. I know that there is a lot of money in both the Office of the President and the Ministry of Agriculture and Rural Development for emergency services. If these resources are pooled together and directed to these particular affected areas, I am sure we can bring development to them.

Mr. Deputy Speaker, Sir, there are a number of countries that rely on livestock. In Kenya, the quality and the quantity of both meat and milk products have been affected because of the closure of the KMC. The mutton industry and the quality of hides and skins have been equally affected. We used to have insurance for livestock under the defunct Kenya National Assurance Company. I can tell you that insurance is now a strange concept because I am also a pioneer in insurance. It is a strange concept because it does not exist at all. So, all of us are under the mercy of nature. There are countries in the world which do not have minerals and entirely rely on livestock. For example, the Scandinavian countries, Denmark; Argentina in Latin America, Australia, New Zealand and Botswana in Africa, all fall under that category. In 1968, the Botswana Government posted officers in this country in order to learn Kenya's experience on livestock. I am sure they will be ashamed to learn that the beautiful livestock plants they saw in 1968 have been completely run down.

Mr. Deputy Speaker, Sir, I want to assure hon. Members that by mid next week, I will give them a copy of the proposed Bill for them to peruse and comment, so that it can be a product of this House.

There is time for everything. We normally say that, "make five before 5.00 p.m ---". Since we were elected as Members of Parliament, I can proudly say that this House has done a lot for Kenyans. I want this House to devote itself seriously to business. We have had a number of Motions which have been tailor-made for different sections of the Kenyan population. This House has been passing issues which touch on the rights of Kenyans unanimously and I want to commend every hon. Member for this.

Finally, I want to say that, there was an Israel scientist who did a research on Lorian Swamp in 1970 and found out that we can pump water from the Lorian Swamp to the entire East African Region because it has sufficient underground water. We need water for irrigation! We have resources, but the big issue is over the use of that water. If we can de-silt the existing dams and use all the boreholes well, we can revive all the animal projects in this country; like the Kenya Meat Commission (KMC) and the LMD. If we do so, we will be able to develop.

Mr. Deputy Speaker, Sir, an hon. Member said here that the economy of Somalia, which has been doing without a government during the last few years, has achieved an economic growth rate of 5 per cent. I will not doubt that because 70 per cent of our people use the Somalia route to take their animals to the Middle East markets since the Kenyan market does not exist. However, prevalence of diseases, lack of disease control, the ban imposed by the European Union and a number of other issues have greatly affected the livestock industry. These are small things which do not require a lot of funds, but commitment.

Mr. Deputy Speaker, Sir, just like we have paid attention and attached a lot of importance to the constitutional review process, we should address the issue of poverty and imbalance in development and the plight of the people of Northern Kenya.

With regard to the issue of mineral exploration, there is a site in my place - I am glad the Minister for Energy, Mr. Raila, has accepted to visit that site - which comprises a fenced off area of 10 square kilometres. In 1988, when His Excellency the President visited the site, we were told that oil exists there. But since then we have not heard anything about it. All trees in the surrounding areas have dried up and we have heard people saying that there is toxic waste which was dumped there. I want to commend Mr. Raila for having accepted to visit that site. I believe that there is oil in that area. Right now we have a Ministry of Mineral Exploration and there is a lot of concentration on oil exploration in the Coast Province. The Ministry should now venture in Northern Kenya to find out whether that land has anything to offer.

Without wasting time, I would like to donate two minutes to Mr. Affey.

**An hon. Member:** Your time is over!

**Mr. Keynan:** Mr. Deputy Speaker, Sir, with those remarks, I beg to move.

*(Question put and agreed to)*

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

SELECT COMMITTEE TO INVESTIGATE  
TITANIUM MINING CONTRACT

THAT, in view of the public outcry over the mining contract/concession granted by the Kenya Government to Tiomin Inc. of Canada, this House resolves that the Government suspends forthwith the said contract/concession and sets up a Select Committee consisting of the following persons:-

Hon. Martha Karua, M.P.

Hon. Emmanuel Karisa Maitha, M.P.

Hon. Suleiman Kamolleh, M.P.

Hon. Mohammed Abdi Galgalo, M.P.

Hon. David Murathe, M.P.

Hon. Peter Njeru Ndwiga, M.P.

Hon. Peter Oloo-Aringo, M.P.

Hon. Darius Mbela, M.P.

Hon. Musikari Kombo, M.P.

Hon. Dr. Abdullahi Ali, M.P and,

Hon. Jimmy Angwenyi, M.P.

and that the Committee shall investigate the said contract/concession with a view to ascertaining whether:-

(a) It complies with international and local environmental standards;

(b) Such contract/concession offends international law and human rights instruments and in particular the international covenant on civil and political rights; and,

(c) The said contract/concession is for the mutual benefit of the people of Kenya and Tiomin Inc. and further make appropriate recommendations to the House within nine months.

**Mr. Deputy Speaker:** Order! Order, hon. Members! Before us is a Motion by Ms. Karua. The Minister in charge did approach the Chair and suggested that the Motion should not be debated because it is *sub judice*.

I want the Minister to be on record giving reasons as to why he feels this Motion cannot be discussed in the House. I will then give a chance to Ms. Karua to respond, then I will make a ruling.

Mr. Kalweo, the Floor is yours!

**The Minister for Mineral Exploration** (Mr. Kalweo): Thank you, Mr. Deputy Speaker, Sir, for giving me this chance.

I stand here to inform the House, through the Chair, that the Motion before us cannot be debated because the matter is touching on *sub judice*. Were it not for the court cases, we were of the opinion that this Motion should be discussed because the issues that it touches on are the ones that the Ministry wants to deal with first before giving any licence to the said company.

There are two cases pending before court; one is before the High Court, Nairobi, while the other one is in a Mombasa court. I have documents in relation to the two court cases in Nairobi and Mombasa.

With regard to the case in Mombasa, the ruling was made and I appealed against it, but the appeal is still pending before court. These are the documents that I would like the House to peruse and see whether they can form the basis for the Chair to rule that the contents of the Motion are *sub judice*.

*(Mr. Kalweo laid the documents on the Table)*

**Ms. Karua:** Mr. Deputy Speaker, Sir, this Motion is not *sub judice*. The Minister has avoided to say what is exactly before the courts because I believe he also knows that discussing the Motion in this House will not affect the *sub judice* issue.

What is before the court and the documents he has laid on the Table is an application for an order of prohibition, prohibiting the Government from issuing the licences, while the Motion today is addressing policy issues so that this House can scrutinise and see whether this Motion is in accordance with the environmental laws and international standards.

The case in court is by specific litigants addressing their specific needs, while this Motion wants Parliament to take up its responsibility and address the policy issues affecting the whole operation. It cannot be said by any stretch of imagination that, the fact that one aspect of the matter is in court between a few litigants and Tiomin Inc. of Canada, this House is paralysed from performing its duty as a watchdog of the citizens of this country, on all issues.

I would urge that the Motion goes on as indicated on the Order Paper and I would also like to point out that a notice of the Motion was given in April this year. If the Government genuinely believed that the matter was *sub judice*, where have they been all this time? It is becoming increasingly popular for the Government to confuse the interests of individuals with the interests of the Republic and those of the citizens of this country. I believe what we are dealing with is not the issue of *sub judice*, but the issue of certain personalities having interest. I would like to urge the Chair to allow this Motion to proceed.

*(Applause)*

**Mr. Deputy Speaker:** Order! Order! First of all, let me say that in my understanding of the principle of *sub judice*, not all matters in court are necessarily *sub judice*, but more importantly, to return to this issue before us, this is a Motion that was filed to the Ministry in May. It was submitted by Ms. Karua in April, but it was sent to the Ministry in May. I think it is very unfair on the Chair for the Minister to come when Parliament is in session and expect it to read through a whole pile of papers and make a ruling on the spot. So, Mr. Minister, really, this is an example of ineptitude on the part of the Ministry. I refused to look at those documents in detail because that would have prejudiced me against what Ms. Karua was going to say. I would like the House to understand that once such a matter has been raised, the Chair should be given an opportunity to read through those documents and see what is on record, as having been said by the Minister and the hon. Member. So, under these circumstances, I think the best option is for the Chair to direct that this Motion be deferred until next week, and that the Chair will give a ruling by Monday on this matter so that it can appear---

**Hon. Members:** On Tuesday!

**Mr. Deputy Speaker:** No! The ruling of the Chair does not have to come to the House first. It will go to Ms. Karua so that she can know that her Motion will be on the Order Paper as the first item of business on Wednesday, 14th November, this year.

*(Motion deferred)*

Mr. Minister, lay those documents on the Table of the House properly!

(*Mr. Kalweo laid the documents on the Table*)

**Mr. Muite:** On a point of Order, Mr. Deputy Speaker, Sir. I rise on a point of order to seek the guidance of the Chair because this is not the first time that the issue of *sub judice* is being raised in this House. The way to implement or interpret any rule of law is to bear in mind the objective of that particular rule rather than the mechanical implementation of the rule. Has time not come for the Chair to give an exhaustive ruling on the parameters of the *sub judice* rule, particularly as regards the supremacy of Parliament? This is because as long as one is not saying that the plaintiff or the defendant should succeed--- In other words, as long as one is not supplanting the court in determining the merits of issues, I for one, have never understood the *sub judice* rule to be prohibiting debate in any manner. I would really like to plead with the Chair that we get an exhaustive ruling, not just limited to this particular case, but a ruling that will state the extent to which Parliament can discuss and debate even a matter which is in court as long as it does not decide on the merits.

**Mr. Maitha:** On a point of order, Mr. Deputy Speaker, Sir. I would like to seek guidance from the Chair. There are two issues here that the Chair should safeguard. I remember very well that a Motion on Goldenberg was brought to this House, and the same Chair had the same difficulty and later on allowed that Motion to be discussed in this House. I would like to seek guidance from the Chair whether it will not be held responsible for listening to one side. It is reported in today's newspapers that yesterday KANU discussed this issue and suggested that---

**Mr. Deputy Speaker:** What is your point of order?

**Mr. Maitha:** Mr. Deputy Speaker, Sir, is it fair that because KANU did not want this Motion to be brought to this House today, it is being deferred until next week; and that the Chair cannot make a ruling? I would like to point out that the Chair has made a ruling on other Motions of similar nature there and then.

**Mr. Deputy Speaker:** Order! I do believe that the request Mr. Muite has put to the Chair is fair and the Chair should really address this issue because this is not the first time this matter has come up. That is precisely what the Chair will do. In respect of Goldenberg, you will recall that the Chair made a ruling for it not to be discussed when we were discussing the Report of the PAC. Hon. Members have different views as to whether the Chair acted properly or not, but the fact of the matter is that the Chair made a ruling, which stands now. The Chair ordinarily makes rulings when there are issues related to conduct or procedure in the House, but when it does not feel confident enough to make an authoritative ruling, other rules do allow it to give notice of his intention to consider that matter in detail and make a detailed ruling later on. This is precisely what I have done.

**Ms. Karua:** On a point of order, Mr. Deputy Speaker, Sir. I would like to seek guidance from the Chair because I think the ruling of the Chair that it scrutinises the documents and makes a ruling on Monday places me, as the Mover of the Motion, at a disadvantage. The Chair will scrutinise documents which had not been made available to me and which I am not entitled to comment on. I would, therefore, like to know whether I can forward my written comments on the contents of those documents so that my views on those documents are also considered and not just the views of the Minister. Secondly---

**Mr. Deputy Speaker:** Order!

**Ms. Karua:** Mr. Deputy Speaker, Sir, I have a small point I would like to make.

**Mr. Deputy Speaker:** Order! There is no Motion before us. The documents have been laid on the Table, and so, they are the property of all hon. Members. The Chair will consult you so that you can give it your views because this is not a matter that is secret or confidential. This is an open matter, and if you have some views you would like to express, particularly, with regard to the documents that have been laid on the Table, I will invite you.

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

**Mr. Deputy Speaker:** Order!

**Mr. N. Nyagah:** On a point of order, Mr. Deputy Speaker, Sir. The issue pertaining to this Motion was brought to the House Business Committee. The hon. Mover explained to the Committee what pertained to the case in court. That is how the Motion was put on the Order Paper. I do understand and appreciate the predicament that we are faced with. But, maybe, in your ruling, it would also be helpful to us if you probably directed the Government side that in future, it would save the time of this House and the Hon. Members who have Motions, if this kind of documentation was brought forward and scrutinised by the House Business Committee.

**Mr. Deputy Speaker:** By the way, the Chair has not ruled out the debate on this Motion.

**Ms. Karua:** But we are being delayed!

**Mr. Deputy Speaker:** Order! Let us move on to the next Motion!

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/RELIGIOUS ORGANIZATIONS

THAT, considering the big number of churches and religious organisations in the country; noting that all religious organisations are currently registered under the Societies Act; further being aware of the unnecessary delay in registering these organisations due to the large number of applications by persons wishing to register their societies, this House urges the Government to introduce a Bill for an Act of Parliament to deal specifically with the registration of churches and other religious organisations.

**Mr. Deputy Speaker:** Is Mr. Kiminza not here?

*(Motion dropped)*

CONSTRUCTION OF DAMS IN ASAL AREAS

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

THAT, in view of the changing patterns of rainfall in the country; being aware of the famine which affects Kenyans time and again; and taking into consideration the recent rationing of water in major towns and some urban areas, this House calls upon the Government to construct at least two dams in each constituency in the arid and semi-arid areas and also along areas in which the Tana and Athi Rivers flow in order to provide constant water supply for domestic and irrigation purposes.

Mr. Deputy Speaker, Sir, first of all, I would like to thank you and the Chair for being considerate, because when this Motion came up last week, I was not in to move it. However, the Chair was considerate enough to reinstate the Motion because of its importance.

Mr. Deputy Speaker, Sir, from the outset, I would like to observe that the Motion is calling for the construction of two dams in each constituency in Kenya. There are 210 constituencies in Kenya, including Baringo Central. I would, therefore, expect support from all Members, including the Member for Baringo Central on this particular Motion.

Mr. Deputy Speaker, Sir, the Government of Kenya does not have a clear water policy. It is in this regard that we are now forced, as Members of Parliament, to ask the Government to come up with a clear water policy. A water policy is required not only in this country, but in many other countries. If this country had a water policy, the several shortages cited in many areas would not be there. The people concerned would know what to do because a policy guides a country. It is for this reason that I am calling upon the Government to come up with a foreseeable water policy which can give us solutions to these water shortages.

Mr. Deputy Speaker, Sir, it would be observed that severally when it rains, like it has rained now, rivers, small and large and even roads pour all water into areas where it is not needed. Small and big tributaries all empty their water into the ocean and lakes. It is only this week when we read that Machakos and Nyanza were flooded. Flooding is also a sign of lack of water policy because if there was a clear water policy to harness water, there would be no floods in any area. The flow of water would be controlled and there would be no area with plenty of water when others are suffering. The countries which have got water policy usually keep on giving Kenya famine relief food at the time of need. I have in mind countries like Israel and Hong Kong which depend on morning dew. They tap that dew and control it properly. This makes them to survive.

Mr. Deputy Speaker, Sir, a water policy for this country is very important. Several Questions keep on coming into this House about water shortages. This week, we had two or three Questions and almost every other week in this House, we are told of an area where there is no water. I would like the Minister, when he will be replying to this Motion, to take into account the several questions which have been raised in this House about water dams and water shortages. In fact, it was yesterday when we were told that the residents of Dagoretti are suffering because of shortage of water. Also, as we consider this, we would like to request the Government to come up with a clear policy on the supply of clean water. This is not news because it has been said in this Parliament severally.

Mr. Deputy Speaker, Sir, water is life. We need water for human consumption, animals and irrigation. With proper water supply, the economy of this country would improve and continue to do well in future. If water is life, everything else, even the growth of the economy depends on clean water. I have got in mind areas like North Eastern Province, Tana River, Lokichoggio, Samburu, Isiolo and Maasailand, where we have got large tracts of land. Some of these areas which are not inhabited today would be inhabited if there was clean water. No land is

bad land. Any land can be productive. With good water policy, we can divert water from Tana River and use it to irrigate our land. With clean water, those areas of North Eastern Province can become productive particularly now when we are talking about the African Growth and Opportunities Act (AGOA). This country is set to grow cotton and castor oil, which will be very useful. The area has good temperature and the survival of some of these crops is fairly easy. We are, therefore, looking for a system where we can block Tana River in several places before it pours its water into the Indian Ocean. I am also thinking about other rivers. When we got a loan from the Italians to supply piped water from Kilimanjaro to Machakos, Kajiado and other areas, discussions between this Government and the Italian Government considered which option would be cheaper. They considered the option of blocking the river about three or four times from Thika down the stream up to the Indian Ocean, or installing water pipes all the way from Kilimanjaro. Studies have shown that it might be more economical to block other rivers severally than piping water from Kilimanjaro to Machakos, Kajiado and thereabouts. But even with all that information, because of other self-interests and the high commissions involved, a decision was made that we pipe water from Kilimanjaro all the way. There are disadvantages of piped water as opposed to dams. I have in mind issues like war. The water pipe from Nul Turesh to Machakos, Kajiado and other areas has got many advantages because already, there is a single water pipe up to Sultan Hamud.

The other day, the Committee on Agriculture, Lands and Natural Resources had to walk all the way from Nul Turesh to Sultan Hamud to find out why the pipe was not supplying water to the areas destined to get water. When we went there, and I thank the Assistant Minister who accompanied us, we found that because that water is piped in one single pipe from Nul Turesh up to Sultan Hamud without making stopovers or "Ts", the inhabitants of the areas within which the pipe passes cause bursts so as to water their animals and drink. I am sure you would not let your people die because of lack of water when it is just passing outside your door. We recommended to the Assistant Minister - and I hope they have started implementing - that there should be Ts lifted in every five or ten miles. They should also build water tanks where water can flow in and then people at a radius of about five kilometres can water their animals and have water for human consumption. That is the only way that water from the Nul Turesh Project can reach people downstream. With that kind of pipes and intake being so good, that water can reach people downstream. It is sad that there is no water flowing in those pipes.

Mr. Deputy Speaker, Sir, when we call upon this Government to construct dams, we also consider some areas that need more water than other areas. For example, people of North Eastern Province cannot rely on piped water. This is because, if a water pipe bursts in Nairobi, it takes so many days to be repaired, and yet there are so many engineers around. What will happen if a pipe bursts in North Eastern Province or elsewhere? We prefer dam water as opposed to piped water in most of those areas.

It is for that reason that, after all the considerations, we now call upon the Government to come up with a policy of constructing two dams in each constituency per year. This will give us 420 dams in a year. Therefore, in five years' time, there will be over 2,000 dams in Kenya. If this policy was adopted at the time of Independence, we would be having in excess of several thousands dams.

Mr. Deputy Speaker, Sir, this is an easy thing to do. Most of us have travelled around the world, particularly Swaziland, South Africa, Zambia and Zimbabwe, among other countries. In those countries there are man-made lakes. When it rains there, water is harvested.

Mr. Deputy Speaker, Sir, whenever it rains here we imagine this Government would harvest the water. For example, when it rains in Nairobi, it is very difficult to walk around because of water. But after a day or two, the area dries up and the water goes to waste. It is crucial that this Government comes up with a lasting water policy.

Mr. Deputy Speaker, Sir, we need extensive irrigation in this country because rain-fed farming is not sufficient. This is because not all the areas of Kenyans are equally endowed with rain. There are some areas where we have got good rains which is reliable in 12 months; other areas receive maybe a drop and that is all. It is for this reason that we are asking the Government to come up with a water policy or a system that will assist the people in rural areas to harvest their rain water. If a policy of harvesting water is initiated by the Ministry, it will encourage our farmers to harvest water which will help our people. If we could come up with a system of encouraging a water tank in each building, we will receive a lot of water.

This country needs to be self-sufficient in food production. If we have to keep good animals, then we must have enough water. We are told by doctors that our bodies consist of about 40 per cent of water. Water is essential in our bodies.

I would urge hon. Members in this House to support this Motion. I want the Ministry also to support this Motion. We urge the Minister to come up with a proper water policy. We do not want just to be operating in a vacuum.

Mr. Deputy Speaker, Sir, I do not know the Minister who will reply to this Motion, but if it is the

Minister for Water Development himself, I know he will support this Motion. He comes from an area where the implementation of this Motion will assist. I have got a copy of DP's manifesto on water. It says that in the event DP forms the next Government, we will construct two dams per constituency per year.

I am sure the Government will be telling people in Kilome today and tomorrow that they will give them water. After all, we even hear that there are some people who are drilling dams and making dams in Kilome. It is important that this country puts in place a proper water policy and I urge the House to support this Motion.

Mr. Deputy Speaker, Sir, with those few words, I beg to move and ask hon. Ndicho to second this Motion.

**Mr. Ndicho:** Mr. Deputy Speaker, Sir, I stand to second this Motion because, if it is passed, definitely, Juja Constituency will benefit because of Athi River.

This is a Motion that is worth supporting because its implementation will help constituencies where Athi River and Thika River passes through. Already, there are some feasibility studies which have been carried out along the basin of Athi River at a place called Munyo Sub-Location of Gatuanyaga Location of Juja Constituency. The basin is so big; it is naturally built. We only need to block part of the river and then a dam forms itself along that river. I whole heartedly support this Motion. I am also happy that the Minister for Water Development is coming up with the Water Bill that will explain the policy and how this country will harvest its water and harness it for use by our people.

Mr. Deputy Speaker, Sir, two companies in Thika Town are already benefiting a lot from the waters of the Athi and Thika Rivers. They are growing pineapples and coffee. These companies are Delmonte and Kakuzi Limited. They have not even constructed dams. All they have done is to take a pump to the river. All pineapples grown around Thika are as a result of water from Athi River. Delmonte provides 50 per cent of all the pineapples export to Europe and other parts of the world. If we can allow a foreign company like Delmonte to benefit from waters of Athi River, you can imagine how Kenyans would benefit, if this Motion was implemented and every constituency got a dam or two. People would be allowed to go with their small pumps and pump water to irrigate their smallhold farms. In the ASAL areas, we get the best vegetables, fruits and other crops. I am calling upon the Government to borrow a leaf from the multinational companies operating around Thika, for example, Kakuzi Limited which pumps water from River Athi and Thika River to the hills. They grow the best coffee that is used to blend other coffee from the rest of the world. If the multinational companies can do that what about our Government? Does it mean that just a company from Europe can have more money than our Government? The Government can get more revenue constructing dams in order to utilise this water.

Mr. Deputy Speaker, Sir, this water must not only be used for irrigation or domestic purposes. Fish farming can be introduced along the river basins of the Tana and Athi rivers. This will encourage farmers along the rivers to become fish farmers. They could go to Kisumu and Turkana where there is fishing to undergo a one-week seminar in order to know how to rear fish. This will also encourage and boost fish farming in this country for export, which, in turn, will improve the foreign resources of this country. The purpose of dams is not only for irrigation and domestic use, it can also boost the economic development of this country. Dams also improve the climatic conditions. This is an important Motion. The arid and semi-arid areas are fortunate this morning because we have discussed and supported Motions that are geared towards improving those areas. We support these Motions, because they are issue specific. They are not focusing on personalities or politics. These are the kind of issues we would like to see being discussed in our country. We have done enough politicking, calling one another names. We have said all we wanted to say for the last ten years. For the time being, could we now settle down on issues and let the Government take these issues seriously.

Mr. Deputy Speaker, Sir, sometimes back, there was a Government policy that by 2000 every household in this country will access clean drinking water. When that marshal plan was done, probably somebody thought that 2000 was far away, and that is why people are still sitting on their laps and nothing has been done towards harvesting and harnessing such a natural resource like water. The question that lingers in our minds today is whether it is poor planning, lack of money or corruption that has resulted into the marshal plan not being fulfilled. Our conclusion is that, it is due to corruption. It is due to corruption because, year in year out, the Minister for Finance reads in this House the Financial Statement and then every Ministry, including the Ministry that deals with water, is allocated some funds for the development of water usage, for irrigation, domestic use and changing the climatic conditions. What does the Government want us to do?

Mr. Deputy Speaker, Sir, this House will give every support to this kind of Motion so that the Government gets the legal backing, moral support and goodwill of the House. The onus then remains with the Government to do the rest. When we speak year in year out without seeing any development in the Water Department, what are we supposed to do? Over the years, instead of more people accessing clean water and dams being constructed for irrigation and domestic use, we have seen a decline. We have heard from the Mover that in



his areas, a pipe bursts and stays for weeks or months before it is rectified. What of other far off areas? It is not only pipes that can be used to transmit water from one point to another, we can also use furrows. The Yatta Plateau benefits from the Yatta furrows which were dug up during the *Mau Mau* insurgency. That water for all the years has helped these people. We are calling upon the Government to support this Motion.

With those few remarks, I beg to support.

*(Question proposed)*

**Mr. M.A. Galgalo:** Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. This Motion is very important. I remember we had a similar Motion in 1989, the Government gave a nod to it, but has not acted.

Mr. Deputy Speaker, Sir, this year, along Tana River there has been pressure exerted by pastoralists on the river line, and that has cost a lot of lives. This was simply because the pastoralists did not have access to water and the hinterland, and therefore exerted pressure on the river bed. In 1964, the United States Agency for International Development (USAID) started funding the drilling of boreholes in NEP, so as to create grazing blocks and for the people to have sufficient water. They were also given rigs in order to reduce soil erosion. Two years later, that programme was abandoned.

Mr. Deputy Speaker, Sir, when we talk about food security in this country, or poverty reduction, the provision of sufficient water for irrigation, livestock and domestic use is very important. For instance, the initial plan for Bura Irrigation project was to have water by gravitation. It is written in the feasibility study that was prepared by FAO; that, water would start upstream and flow by gravitation, so that irrigation could extend from Bura and all the way to Wenje(?). That was going to settle over 100,000 families. Because of greed of individuals in the system, the likes of Lempaka, who was then the National Irrigation Board General Manager, they circumvented the whole programme. They installed a water pump which has become too expensive to maintain, that the last ten years, Bura Irrigation Project has not been functioning. People who have been settled there - nearly 10,000 families were supposed to be settled there - left because the project flopped. If you look at Ahero and West Kano, if the planners were to put a big dam on the Nandi hills and allow water to flow by gravitation, the schemes of Ahero and West Kano would be alive and would have produced enough rice and food, not only for the people of Nyanza, but for the whole nation. I think somehow, we have always done the opposite of what is our benefit.

Though this river traverses Ukambani, Athi River flows through Eastern Province and to the Indian Ocean and the Akamba have always had at least five Assistant Ministers and one Minister, and they have never been able to utilise it. They are still living on famine relief food. I think this is a waste of resources and bad planning. While I very strongly support this Motion, I would like to tell the House that the Minister for Water Development in 1978, when he was the Permanent Secretary for Water, promised this nation that by the year 2000, every household would have clean water. He is now a Minister.

Today, divisional headquarters like in my place are closing down because of lack of water. We do not have dams and boreholes. Even whatever has been donated by the Egyptians or this Government, is one-sided. I wonder whether Mr. Ng'eny is the Minister for "Rift Valley" alone because we have not benefitted at all. Tana River District does not have a single dam or borehole and it is part of ASAL areas. I have been constantly going to his office for the last two weeks because I wanted him to get me a water booster, so that water is supplied to my people. I understand the Minister has attached all the rigs of the Ministry to his constituency, digging boreholes for his schools, when people in my constituency and in the whole district are suffering. They have been dying along the River Tana because of lack of water in the hinterland. I think it is high time the Minister became sensitive and a nationalist. It is time the Ministry considers us in this country as one unit, deserving services from the Ministry.

If we could have two dams every six months per constituency, we would have done a great service to this nation. I remember during the *El Nino* rains, water that passed from the ground made roads in Kibwezi impassable. There was so much water and the Ministry sat on its laurels. It never wanted to harness that water or even to plan on how to put it into good use. Like now, it has rained, and water is everywhere and can be harnessed. Had it not rained, areas in the entire Northern Kenya would have suffered because they were under pressure. I, therefore, want to support this Motion and call upon the Government to support it; that, water is life and that it is a necessity and we are entitled to have it. Our Government should support us in dealing with the water crises that we are experiencing now.

When we talk about the Poverty Reduction Strategy Paper, how much of it is directed towards improvement of livestock? This Motion is very clear. Let us provide water as much as we can and let us change

our policies so that where we have rivers, the Government will put up dams so that water can flow by gravitation. That is very important. Unless we do that, we shall be complaining year in, year out. I have had problems with some of the managers of this project. We had grown cotton, and they deliberately refused to water it. The pumps are working, fuel is brought there but it is not put into operation and yet a population of over 40,000 people depend on that project and its water supply. With all my heart, I want to plead with the Minister to be more sensitive, more Kenyan and more supportive to the people of this country.

With those few remarks, I support the Motion.

**Mr. Muite:** Mr. Deputy Speaker, Sir, we are discussing a very passionate issue of water and there are those who say that the Third World War is going to break out and be fought over the issue of water. Closer home, we have seen the suffering in Nairobi and other urban centres on this issue of water. It is important that as we discuss this issue of water and the building of dams, we bear in mind that unless this Government reverses what appears to be an official policy of turning Kenya into a desert, the water situation in this country will become even more critical in the near future. When we go on destroying the forests at the rate at which we are destroying them, we will turn the country into a desert. The rivers will stop flowing, and even if we construct dams, there will not be sufficient water to fill them. If you construct a dam in the midst of a desert, you will not be able to fill that dam with water. So, we must reverse this policy of turning Kenya into a desert by destroying forests. In February this year, when the Government first degazetted 167,000 acres of forest, a group of Kenya professionals calling themselves the Kenya Forestry Working Group approached the United Nations Environmental Programme (UNEP) here in Nairobi, for assistance in mapping out the forest and establishing whether, the Government was merely regularising the settlement of people in the 167,000 acres of forest land.

This group approached UNEP in order to ascertain whether that was true. The UNEP, approached another group called the Global Resource Information Database (GRID). This international body was able to access very sophisticated equipment that use satellite link devices. Together with UNEP, they were able to come to Kenya and fly at very high altitude, using sophisticated equipment which is satellite guided. They were able to map out all our forests with great precision. The areas proposed for excision were also mapped out. Those very accurate photographs are here. When hon. Kalweo stood in this House and said that the degazetment of the 167,000 acres is merely regularisation of forest areas that have already been settled, that is not the true. These photographs which I will lay on the Table of the House show that the 167,000 acres that are proposed to be excised are covered by thick forest. So, it is not true that those forest have already been settled.

*(Mr. Muite laid the document)*

Mr. Deputy Speaker, Sir, when you look at these photographs, the entire 167,000 acres of forest land are covered by thick forest cover. You will observe that there are rivers that flow from these forests. Lake Nakuru, Lake Baringo, Lake Turkana are going to dry up if this excision proceeds. You will find that River Sondu, which flows from Mau West Escarpment and feeds Lake Victoria will dry up. Even Lake Neutron in Tanzania has its origin in the Mau Escarpment. If we destroy our forests around the Mau Forest, we will endanger the Sondu-Miriu Hydro-Electric Project. What we are doing is beyond criminality. We must stop it, so that when we construct those dams, they can be filled with water. I do hope that, in view of the documents that I have laid on the Table, Mr. Kalweo will study them and issue a Ministerial Statement to this House. It is contempt of the House for the Minister to mislead this House! He needs to clarify the position. When we were debating the Motion on Adjournment, he said that those areas have already been settled, and they were merely regularising. The documents show otherwise. To the extent that, that statement misled the House, this House is entitled to clarification and possibly an apology. In the very least, the Government must now state categorically that it will abandon the excision of the 171,000 acres.

Mr. Deputy Speaker, Sir, water is certainly very important. Irrigation is very important. If you go to the archives of the Government, you will find that back in 1948, a study was done here in Kenya. The study showed that what is called short rains in the rest of the country turns out to be very heavy rains in Ukambani. I do thank Mr. Munyao for bringing this Motion. They tested the soil and the recommendation in 1948 was that if we constructed, not huge dams like Turkwell, but small-scale dams to irrigate 2,000 or 1,000 hectares by simply blocking the gulleys that turn into very huge rivers during the rainy season in Ukambani, that area will replace Uasin-Gishu in food production. Is it not an embarrassment that 1948 was also the year in which the State of Israel was founded? Today, Israel is feeding the rest of the world with fruits. They are even recycling water from sewerage in order to grow grass and other plants. We are in heaven! A country like Kenya is a heaven! We are just misusing it! If we put all the money that we have been borrowing into the construction of dams, we

would be able to feed ourselves and surrounding countries which are in turmoil! We fail to take advantage of the turmoil in Sudan, Ethiopia and Congo. If we had a vibrant economy, Kenya would have become the Switzerland of Africa, when all the countries that surround us are in turmoil. We need to make a start.

The other day, I was saying that we do not need to be dependent on aid. We do not need to be addicted to aid, if we can utilise our own resources. It is significant that the little water that Israel is able to collect--- What they did was to pass a law. During the reconstruction in Israel in 1948, they passed a law obliging people to transport the demolition materials to a particular area, in order to create some little dams. We have got constructions and demolitions going on all the time. We have problems with where to dump the materials. If you go to Eastlands, you will find refuse building mountains next to where people live. Why do we not pass a law requiring those people to dump where we want to construct a dam? It is not that expensive to build those dams, if we have got the political will and resources. That is what we should aim to do. If we did that, we would be able to transform this nation. We will be able to take off economically. What is more embarrassing than to call ourselves an agricultural country and yet, we are not able to feed ourselves. An agricultural country that has more than 3 per cent of its population---

**Mr. Deputy Speaker:** Order! You time is up!

**Mr. Muite:** But the light is still on!

**Mr. Deputy Speaker:** Proceed, Mr. Affey!

**The Assistant Minister for Foreign Affairs and International Co-operation** (Mr. Affey): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this very important Motion by Mr. Munyao.

The hon. Member wants the Government to provide funds to establish, at least, two dams in each constituency in this country. Tana and Athi Rivers have been mentioned in this Motion and I would also like to add River Ewaso Nyiro. This river has been the lifeline for the people of Wajir South. In the last ten years, the river has been dry because of water harvesting at the source. We have allowed large-scale farmers to do water harvesting at the source of River Ewaso Nyiro. As a result of that harvesting we have been denied the use of that water. People have established big horticultural farms and tea estates along the source of that river. Very soon, we will drive our camels and goats to the source and you can imagine what that will mean. There will be tension, conflicts and war. To avoid that, we want the Government to review its policy so that the Ewaso Nyiro River comes back to supply water to the people of Habaswein which they really deserve.

There has been erratic rainfall in the last four years since the *El Nino* rains. People in North Eastern Province, especially Wajir, have had the misfortune of confronting drought. We lost animals. In my Constituency, there have been three main trading centres where the Government has spent so much money in terms of tankering water from the district headquarters to those centres. If that money can instead be allocated towards building a major dam for these people, then we will save them the burden of getting water tankering during the drought season. They can rely on the dams that will have been created to collect water when it is plenty. This is the right time for the Minister to take the initiative. I know he will support this Motion. He cannot afford to oppose it because water is the life support for the people of this country.

We have requested for quite some time, what the hon. Member has brought here as a Motion. We said that when the Government is preparing the Budget, there must be a deliberate effort to support this particular Ministry so that these dams can be established. We need to develop these dams in order to have sufficient food security in this country. Mr. Muite has just suggested that Israel is able to feed not only the citizens of that country, but to export food to other countries. I think we have similar climatic conditions to those of Israel. If Israel can feed its people under those circumstances, I think we can also feed this country, if these areas are properly catered for in terms of financial support.

Mr. Deputy Speaker, Sir, we had also requested the Minister to find a way to replace all the boreholes which were established since 1974. There are boreholes in this country, especially in Wajir, which have outlived their lifespan. They have been in existence for over 25 years in these centres which are now becoming major towns with schools and hospitals. There is danger of these boreholes collapsing. Any time a borehole collapses, this disrupts the lifestyle of the people in those areas.

Mr. Deputy Speaker, Sir, while providing money to put up these dams, there will still be need for the Government to find money to replace these boreholes which serve the centres which, over time have turned into major cities. We have schools and hospitals in these centres. Supposing those boreholes collapsed this evening? They could easily collapse under the pressure of drought and that is when we need the boreholes. When there is drought, the dams provide an alternative for the people of those areas.

Mr. Deputy Speaker, Sir, I want to allow the Minister to contribute to the Motion because he wants to propose some amendments to it. However, with those few remarks, I support this Motion.

**Mr. Munyasia:** Thank you, Mr. Deputy Speaker, Sir, for the opportunity to contribute to this Motion. The Motion is asking that every arid and semi-arid area, besides those that are along Tana and Athi rivers, should get two dams. I hope the Minister for Water Development is here taking notes. Fortunately, he is now in clearer glasses.

*(Applause)*

Mr. Deputy Speaker, Sir, I think it has to be defined that when those dams are constructed along big rivers like Tana and Athi, this Government must move away from tokenism. The Mover of the Motion did not think that the Government was going to construct a small dam measuring 100 feet by 50 feet or something like that. They could easily get to something like that and say they have a dam over there like they were telling us this morning that they have already taken action because they have Ewaso Nyiro Development Authority somewhere when, in fact, they do not. So, we need big dams that can be relied on and collect a lot of water during the rainy season. This water can last for months or even a few years. This Government can assist those arid areas breathe a little more life.

Mr. Deputy Speaker, Sir, I have been to Turkana District, for instance, and it is a very rich area. As soon as the rains come, the grass sprouts so fast. At one time, I was even thinking that a certain field was a rice field, but it was not; it was just wild grass but it again dries up very fast. However, there are water points that could be developed into big dams because it rains very heavily in this area but there is another consideration that this Ministry should make. River Nzoia, for instance, has "wild" waters, especially when it rains in the Cherangany and Mount Elgon Hills. This water flows down and causes havoc to our people of Bunyala. Budalangi is a semi-arid area and so these people suffer floods. In fact, as I am speaking now, there are people who have been dislodged from their homes. They have left their homes and they are now living in small shelters in market centres that are a little raised. That water needs to be tamed.

This Ministry has been thinking for too long that the way to tame the waters of River Nzoia is to build dykes. Those dykes break very soon. Studies have been carried out and they show that it is possible to build two big dams along River Nzoia. In that way, the water will be tamed and controlled and people can use it when they like. This water can be used to grow rice, millet and sorghum, and also to generate electricity. Then there would be little need for rationing electricity. The Ministry should undertake the particular project of building dams along River Nzoia to tap its water and make it more useful to the people rather than have it pushing the people out of their homes year in, year out.

Mr. Deputy Speaker, Sir, I have been to Ukambani. The Mover of this Motion is from Ukambani. I know how rich that area is and how hard-working the people in that area are. This would be the solution. I do not think the Minister needs any persuasion. We know that those people can do it. But even in those areas which people mistakenly think are a little better endowed, such as Sirisia, the colonialists knew what problems people experienced there. The colonialists had built about 40 dams in my constituency. If you go there, you will still see the marks where those dams were built; there are still some broken walls.

So, I would like to appeal to the Ministry to revitalise those dams by digging out the soils from them. When it is dry, as was the case in 1994, my people travel 15 to 20 kilometres a day to water their cattle. In the process, they by-pass the dry dams that had been erected by the colonialists. We have been complaining every year that the Ministry should dig up those dams. I am happy that Mr. Munyao brought this Motion before the House. I wish to add my support to it.

Thank you, Mr. Deputy Speaker, Sir.

**The Minister for Mineral Exploration** (Mr. Kalweo): Mr. Deputy Speaker, Sir, this Motion is very important. I thank Mr. Munyao for bringing it before the Motion. However, I beg to support the Motion with amendments, so that it reads as follows:-

THAT, in view of the changing patterns of rainfall in the country; being aware of the famine which affects Kenyans time and again; and taking into consideration the recent rationing of water in major towns and some urban areas, this House calls upon the Government to construct dams in each district in the arid and semi-arid areas and also along areas in which the Tana, Athi, Turkwel and other rivers flow in order to provide constant water supply for domestic and irrigation purposes.

Mr. Deputy Speaker, Sir, I propose that we amend the Motion in this manner in order for it to cover more areas.

**Mr. Deputy Speaker:** Mr. Kalweo, you have just read the new Motion that is going to be debated. Could

you propose your amendment?

**The Minister for Mineral Exploration** (Mr. Kalweo): Mr. Deputy Speaker, Sir, I propose that the Motion be as I have read it out. I have gotten rid of the words "at least two" from the original Motion.

**Mr. Deputy Speaker:** Order! Order, Mr. Kalweo! In moving an amendment to a Motion, you must draw the attention of hon. Members to the specific words you want deleted or added and the lines on which they appear in the Motion.

**The Minister for Mineral Exploration** (Mr. Kalweo): Mr. Deputy Speaker, Sir, I am proposing that we delete the words "at least two" on the fourth line. We should also delete the word "constituency" and insert the word "district" in place thereof. Then on the fifth line after the word "Tana", we should delete the word "and" and insert a comma, then we insert the words "Athi River, Turkwel and other rivers". Therefore, the amended Motion reads:-

THAT, in view of the changing patterns of rainfall in the country, being aware of the famines which affect Kenyans time and again, and taking into account the recent rationing of water in major towns and some urban areas, this House calls upon the Government to construct dams in each district in the arid and semi-arid areas and along areas in which the Tana, Athi, Turkwel and other rivers flow in order to provide constant water supply for domestic and irrigation purposes.

We know Kenyan rivers and all the climatical regions of this country. The whole of North Eastern Province, Ukambani and parts of Meru, for example the northern part of my constituency, are dry. So, if this Motion goes through, most areas would benefit from it. We have the Ewaso Nyiro River, Turkwel River, Yala and Bura Rivers and many others. This is a very important move that the hon. Member thought about. The Government is in full support of this Motion. We have replaced "constituency" with "district" because of financial constraints. The policy of the Government is in conformity with what the hon. Member has alluded to. With those few remarks, I beg to move the amendment.

**Mr. Deputy Speaker:** Mr. Minister, if there is no seconder to your amendment, I am afraid, it will lapse.

**Mr. Muite:** Mr. Deputy Speaker, Sir, I stand to second the amendment as proposed by Mr. Kalweo and to say that the Government, this time round, should not allow this Motion to go and gather dust in some Government offices. In the next Budget, the Government should provide funding for the construction of these dams in reality. Let us match our words with actions. I agree entirely that it may be a little over ambitious to seek to have dams in every constituency. But, at least, we should have dams in every district. That is achievable.

I beg to support this amendment and to take this opportunity to call upon the Minister to respond to the other issue I raised regarding the destruction of forests.

*(Question of the amendment proposed)*

**Eng. Toro:** Mr. Deputy Speaker, Sir, I stand to support the Motion as amended. The issue of water in our country has been a thorny issue throughout. Every year, when the Minister presents his Budget, he does not allocate enough funds to those areas that require water harnessing and, generally, achieving the goal: Water for all by the year 2000.

#### ADJOURNMENT

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

The House rose at 12.30 p.m.