

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 28th March, 2002

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

## PRAYERS

## NOTICE OF MOTION

### ADOPTION OF REPORT ON LIVE COVERAGE OF PARLIAMENTARY PROCEEDINGS

**Mr. Kirwa:** Mr. Speaker, Sir, I beg to give Notice of the following Motion:  
THAT, this House adopts the Report of the Select Committee on Broadcasting and Televising Parliamentary Proceedings.

## ORAL ANSWERS TO QUESTIONS

*Question No.088*

### NON-PAYMENT OF DUES TO FORMER EMPLOYEES OF KRCS

**Mr. Maitha** asked the Vice-President and Minister for Home Affairs:-

(a) whether he is aware that former employees of the Kenya Red Cross Society, stationed at Marafa Refugee Camp between the years 1995 and 2001, have not been paid their terminal dues to date; and,

(b) what action he is taking to have the said employees paid their dues promptly.

**The Assistant Minister, Office of the Vice-President and Ministry of Home Affairs, Heritage and Sports** (Mr. Choge):

Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the employees of Kenya Red Cross Society, employed on temporary basis, claim that they were not paid their dues.

(b) The issue is a dispute before the High Court in Mombasa, under reference High Court Case No.199 of 1996, and we are still awaiting the court's decision in this matter.

**Mr. Speaker:** Is that so, Mr. Maitha?

**Mr. Maitha:** Mr. Speaker, Sir, this issue has already been determined and the Kenya Red Cross Society was told to pay them. That is why I brought the Question to this House.

**Mr. Speaker:** Do you have the Court Order?

**Mr. Maitha:** I saw it, but I did not come with it here.

**Mr. Speaker:** Please, give it to me on Tuesday, next week.

**Mr. Maitha:** That is okay, Mr. Speaker, Sir.

*(Question deferred)*

*Question No.082*

### DISAPPEARANCE OF CONSTABLE PETER THUKU

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

- (a) under what circumstances Police Constable Peter Thuku, No.37631, disappeared in June, 1986, while on duty at the Industrial Area Police Depot;
- (b) why the relatives of the police officer were not informed immediately Mr. Thuku disappeared; and,
- (c) when the next of kin will be paid his benefits.

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

(a) Police Constable No.37631, Peter Mwangi Thuku, who was attached to the Industrial Area Police Depot as a driver, was last seen on duty on 27th June, 1986, from where he disappeared. Upon expiry of 21 days, the officer was declared a deserter and the other police administrative formalities were instituted.

(b) The relatives were informed in time.

(c) Benefits will be paid to the next of kin once they submit the necessary papers for pension processing.

**Mr. Muchiri:** Mr. Speaker, Sir, it is now

almost 16 years since that police officer disappeared. Why has it taken the Government that long to pay the benefits to the next of kin of this police officer? The Government is supposed to look into the welfare of all police officers in the Republic of Kenya!

**Mr. Haji:** Mr. Speaker, Sir, I am as concerned as the hon. Member is. It is true that this matter has taken so long to settle. I would like to assure the House that in future, this kind of thing will not be allowed to happen.

**Mr. Kariuki:** It is a pity that the family of the late police officer have not been paid the necessary benefits after 15 years. Is this how the Ministry operates? Are there similar cases like this one or this is an exceptional case?

**Mr. Haji:** Mr. Speaker, Sir, my Ministry operates very efficiently. This is a very isolated case, and I am sorry about it.

**Mr. Anyona:** Mr. Speaker, Sir, I would like to take the Assistant Minister's word for now. Could he tell us what he is going to do to make sure that this family is paid immediately?

**Mr. Haji:** Mr. Speaker, Sir, I will instruct the Commissioner of Police to get in touch with the Officer Commanding Police Division, in order to locate the family so that they can forward the necessary documents to the chief for onward transmission to the Pensions Department.

**Mr. Muchiri:** Mr. Speaker, Sir, could the Police Department ensure that they have computerised records of all police officers, so that cases of this nature do not occur in future?

**Mr. Haji:** Mr. Speaker, Sir, that aspect will be taken into account.

#### *Question No.026*

#### PLOTS ALLOCATION TO RESIDENTS OF MIHARATI

**Mr. Githiomi** asked the Minister for Lands and Settlement:-

- (a) whether he is aware that the residents of Miharati Village have not been allocated plots that they have occupied since 1963, despite a visit and promise by the Nyandarua District Commissioner;
- (b) why it has taken so long to allocate the plots; and,
- (c) whether he could ensure that the plots are allocated to the local residents and that none of them is sold by the Provincial Administration.

**Mr. Speaker:** Anybody here from the Ministry of Lands and Settlement? We will come back to the Question later.

Next Question, Mr. Katuku!

#### *Question No.075*

#### CONSTRUCTION OF BRIDGE ON MIU RIVER

**Mr. Katuku** asked the Minister for Roads and Public Works:-

- (a) what plans he has to construct a bridge on Miu River along Miu-Makutano-Lema Road; and,
- (b) when the road between Mbumbuni-Miu-Lema-Nthwanguu will be gravelled.

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

(a) My Ministry does not have plans to construct a bridge on Miu River, along Miu-Makutano-Lema Road.

(b) Road C101 between Mbumbi-Miu-Lema has been earmarked for sport improvement during this financial year.

**Mr. Katuku:** Mr. Speaker, Sir, the Assistant Minister has said that he has no immediate plans of constructing the bridge. Why does he not have plans to construct it? When does he plan to have this bridge constructed? This is a Class "C" road and it is very busy. Could the Assistant Minister consider constructing a drift on this river? This is very crucial.

**Eng. Rotich:** Mr. Speaker, Sir, we hope to include the estimates for this bridge in the next financial year.

**Mr. Katuku:** Thank you, Mr. Speaker, Sir. I hope they will remember to include it in the next financial year. On part "b" of the Question, the Assistant Minister has said that the road between Mbumbuni-Miu-Lema-Nthwanguu has been earmarked for spot-patching or improvement this year. Could he tell us the amount of money that he has put aside for this work, and when it will start?

**Eng. Rotich:** Mr. Speaker, Sir, Kshs7,535,000 has been earmarked for spot-gravelling.

**An hon. Member:** Where is the money?

**Eng. Rotich:** Mr. Speaker, Sir, the money is available.

**Mr. Speaker:** Very well. Let us move on to Mr. Githiomi's Question for the second time!

*Question No.026*

PLOT ALLOCATION TO RESIDENTS OF MIHARATI

**Mr. Githiomi** asked the Minister for Lands and Settlement:-

- (a) whether he is aware that the residents of Miharati Village have not been allocated plots that they have occupied since 1963, despite a visit and promise by the Nyandarua District Commissioner;
- (b) why it has taken so long to allocate the plots; and,
- (c) whether he could ensure that the plots are allocated to the local residents, and that none of them is sold by the Provincial Administration.

**Mr. Speaker:** Is there anybody here from the Ministry of Lands and Settlement? There is nobody from that Ministry!

**Mr. Githiomi:** Mr. Speaker, Sir, could you then defer the Question to next week so that it can be answered?

**Mr. Speaker:** Very well! I will do that!

*(Question deferred)*

QUESTIONS BY PRIVATE NOTICE

STRANGLING OF A WIDOW IN KINALE

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

- (a) Is the Minister aware that, on the night of 12th December, 2001, in Kinale, a widow was raped and then strangled to death and the matter reported to Uplands Police Station?
- (b) What action has the Minister taken to have those involved in the criminal act apprehended?
- (c) What assistance will the Government offer the orphaned children?

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

(a) The Ministry is aware that, on the night of 12th December, 2001, in Kinale, a widow was raped and then strangled to death and the matter reported at Uplands Police Station. The Assistant Chief of Kinale reported to the police that there was a body of a woman lying at Thiniga River and suspected to have been murdered.

(b) The police officers proceeded to the scene and the dead body was identified as that of Hannah Wangare Githahu. Investigations were carried out and the postmortem revealed that she was raped and strangled to death. As a result of the investigations, the following suspects were arrested; Simon Muiruri and Robert Runja Njamba. They were subsequently charged with murder before the Resident Magistrate, Limuru; vide Lari Police Station Case File No.CR218/1/2002.

(c) Arrangements will be put in place for admission of the orphaned children to charitable homes for education facilities, food, clothes and accommodation. The Provincial Administration will be requested to undertake this assignment.

**Mr. Gitonga:** Mr. Speaker, Sir, let me take this opportunity to thank the police at Uplands Police Station for

moving very fast in apprehending these suspects, who actually raped and strangled this widow. Since it is the beginning of the year, and we have gone through the first term, how soon will this arrangement be put in place for the admission of these children to charitable homes where they will get education facilities? Could the Assistant Minister also confirm if the Government has made money available, because even if the assignment is handed over to the Provincial Administration and they have no funds to pay for these children, it may not be possible for them to be admitted in some of these institutions?

**Mr. Haji:** Mr. Speaker, Sir, as I said earlier on, the Provincial Administration is under instructions to look for an orphanage where these children could be admitted. All over the country, orphanages do not ask for fees. We hope that these children will get a suitable home where they will be taken care of.

**Mr. Muchiri:** Thank you, Mr. Speaker, Sir. I would also like to thank the Assistant Minister, and the police, for the action they took to apprehend the suspects. If the Government could have been acting in that manner, members of the public could not be complaining. There are many orphans in this country. Could the Assistant Minister also instruct his DCs to take a similar action concerning the orphans?

**Mr. Haji:** Mr. Speaker, Sir, with all due respect to my brother, Mr. Muchiri, he is aware that, if I promise something, I normally take action. But in this case, the question of finding homes for orphaned children lies with all the leaders and not only the Provincial Administration. I hope that, with the co-operation of leaders, they will look into this problem.

**Mr. Gitonga:** Mr. Speaker, Sir, the Assistant Minister did not answer part of the question that I had asked. I asked him: How soon] will this arrangement be made for the admission of these children to charitable homes? Furthermore, has the home where these children will be admitted been identified? I am asking this question because the schools have already started, and gone through the first term, and yet, some of these children are not in school. How soon will these homes be identified so that the children can be admitted to schools?

**Mr. Haji:** Mr. Speaker, Sir, as soon as possible. The hon. Member will be of help, if he will let us know if there is any delay in this matter.

#### RELOCATION OF ISRAEL EMBASSY

**(Mrs. Ngilu)** to ask the Minister of State, Office of the President:-

- (a) Is the Minister aware that Israel Embassy is located in a densely populated area of the City?
- (b) Is he further aware of the dangers and security risk that this poses to the residents of the area?
- (c) What urgent measures is the Government taking to relocate the Embassy?

**Mr. Speaker:** Is Mrs. Ngilu not here? Her Question is dropped!

*(Question dropped)*

#### ARREST OF KENYA AIRWAYS STAFF FOR DRUG TRAFFICKING

**(Mr. Imanyara)** to ask the Minister for Transport and Communications:-

- (a) How many Kenya Airways staff have been arrested in connection with offences related to drug trafficking?
- (b) When and where were the arrests made and how were the staff dealt with?
- (c) Is the Minister aware that these arrests have caused tremendous disrepute to the national airline?
- (d) What measures has the Minister taken to eradicate the practice of drug trafficking among Kenya Airways staff?

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

*(Question dropped)*

#### IMPLEMENTATION OF COFFEE ACT, 2001

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

- (a) What steps has the Minister taken to prepare for the implementation of the Coffee Act, 2001?
- (b) When will the elections of the new Coffee Board and the Coffee Development Fund Trustees be held?

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

*(Question dropped)*

Why am I not hearing anybody complaining about absent hon. Members? You always complain about absent Ministers!

**The Assistant Minister for Transport and Communications** (Mr. Keah): We are here! Let them ask Questions!

**Mr. Speaker:** Anyway, let us move on to the next Order!

Mr. Mwenje!

### POINT OF ORDER

#### SHOOTING OF MR. KAMAU BY POLICE

**Mr. Mwenje:** Thank you, Mr. Speaker, Sir. On Sunday, a Mr. Stephen Muturi Kamau, aged 20 years, was shot dead at Dandora while he was selling his ware. This is a well known hawker. He has been hawking his ware in Dandora. But, on Sunday, the police shot him three times even without ordering him to stop. The young man did not run away---

**Mr. Speaker:** Mr. Mwenje, are you debating?

**Mr. Mwenje:** Mr. Speaker, Sir, I am not debating, but I am only explaining---

**Mr. Speaker:** What is it that you exactly want?

**Mr. Mwenje:** Mr. Speaker, Sir, I am only explaining what happened. This is a very sad situation. The mother of this young man is here and when she goes to the police station to ask what happened or to be allowed to see the body of her son or record a statement, the police officers refuse and frustrate her. I would like to seek a Ministerial Statement from the Minister in charge of Internal Security to tell this House and the country the circumstances that led to the shooting of this young man. Why are the police officers refusing to attend **[Mr. Mwenje]** to the mother of the deceased?

**Mr. Speaker:** Very well! Next time, I will expect you to ask a Question! That is the correct thing to do!

**Mr. Mwenje:** Mr. Speaker, Sir, this matter was urgent!

**Mr. Speaker:** Order! You are ambushing the Chair. You never even consulted it. I would have advised you to put a Question by Private Notice to the Minister. But, anyhow, where is the Minister?

**The Assistant Minister, Office of the President** (Mr. Haji): Mr. Speaker, Sir, a Ministerial Statement will be issued next week.

**Mr. Speaker:** Very well. The other person who had informed me about his intention to raise a point of order was Mr. Wamalwa. Where is he? He is not here.

**Mr. Githiomi:** On a point of order, Mr. Speaker, Sir. Since the Minister for Lands and Settlement has come in, could I be allowed to ask my Question now?

**Mr. Speaker:** You obviously know that you are out of order!

**Mr. Ndicho:** On a point of order, Mr. Speaker, Sir. Under the circumstances, and going by the ruling you made yesterday, that hon. Members of this House should take the business of the House seriously, could the Minister be asked to apologise to the House for coming late?

**Mr. Speaker:** By the way, Mr. Ngala, where were you?

**The Minister for Lands and Settlement** (Mr. Ngala): Mr. Speaker, Sir, on my way to the House, I got held up in the traffic jam and, therefore, I arrived here late. But if you wish that I reply to the hon. Member's Question, I will do so.

**Mr. Speaker:** No! No! I am not worried about that. You know at what time the House begins. It begins at 2.30 p.m., and you were not here at 2.30 p.m. or any other time thereafter. I would like you to apologise to the House for coming late.

**The Minister for Lands and Settlement** (Mr. Ngala): Mr. Speaker, Sir, I apologise to the House for coming late.

**Mr. Gitonga:** On a point of order, Mr. Speaker, Sir. The Minister for Lands and Settlement is sitting where the Leader of Government Business sits.

**Mr. Speaker:** Order! I think I am getting a little tired of this prefecting of where hon. Members of this House sit. There is absolutely nothing wrong for any Minister to sit where the Leader of Government sits in his absence. Ministers can sit anywhere on the Front Bench and you can sit anywhere on the Back Bench. The only time you are out

of order is if you are tempted to sit where Mr. Keriri is sitting now. I have not heard you complain about Mr. Keriri sitting where the Leader of the Official Opposition sits. So, can we now do serious business? It is tiring for us to reduce ourselves to dealing with trivial issues about sitting arrangements all the time. So, can we proceed?

**Mr. Maitha:** On a point of order, Mr. Speaker, Sir. According to your ruling, you are also tired of the Leader of Government Business. Since hon. Members are complaining about who should be sitting there, could we know if that seat will be occupied? It has not been occupied for the last two weeks.

**Mr. Speaker:** Order! Again, that is frivolous! Why should that actually bother you? You are in the Opposition! Why should it bother you to know who sits where on the KANU side?

**Mr. Maitha:** Mr. Speaker, Sir, but there are Motions to be brought before the House!

**Mr. Speaker:** Order! You should wait until those Motions are not replied to. It should not bother you to know who sits where on the KANU side. This should not take our time and we must proceed. In any case, Mr. Maitha, why was nobody bothered that you were absent for a few days this week?

## BILLS

### *First Readings*

#### THE WATER BILL

#### THE TRAFFIC (AMENDMENT) BILL

#### THE NATIONAL COMMISSION ON GENDER AND DEVELOPMENT BILL

#### THE CONSTITUTION OF KENYA (AMENDMENT) BILL

**The Assistant Minister for Environment and Natural Resources** (Mr. Kofa): Mr. Speaker, Sir, I beg to move that in accordance with Standing Order No.101A, the Water Bill 2002, Bill No.5, be referred to the Departmental Committee on Agriculture, Lands and Natural Resources.

*(Order for the First Reading read - Read the First  
Time - Ordered to be referred to the relevant  
Departmental Committee)*

**The Minister for Energy** (Mr. Raila): Mr. Speaker, Sir, I beg to move that in accordance with Standing Order No.101A, the Traffic (Amendment) Bill, Bill No.6, be referred to the Departmental Committee on Energy, Communications and Public Works.

*(Order for the First Reading read - Read the First  
Time - Ordered to be referred to the relevant  
Departmental Committee)*

**The Attorney-General** (Mr. Wako): Mr. Speaker, Sir, I beg to move that in accordance with Standing Order No.101A, the National Commission on Gender and Development Bill, Bill No.7, be referred to the Departmental Committee on Administration of Justice and Legal Affairs.

*(Order for the First Reading read - Read  
the First Time - Ordered to be referred  
to the relevant Departmental Committee)*

## MOTION

#### ADOPTION OF REPORT ON LIVE COVERAGE OF PARLIAMENTARY PROCEEDINGS

**Mr. Kirwa:** Mr. Speaker, Sir, thank you for giving me the opportunity to, on behalf of the hon. Members of the Select Committee on Broadcasting, move the adoption of the Report of the Committee on live audio-visual broadcasting of both the House and Select Committees' proceedings.

Mr. Speaker, Sir, I beg to move:-

THAT, this House adopts the Report of the Select Committee on Broadcasting and Televising of Parliamentary Proceedings laid on the Table of the House on Thursday, 3rd May, 2001.

On 19th July, 2000, this House selected a Committee to look into ways and means of ensuring that there is live broadcasting of the House proceedings. We executed our mandate in strict compliance with Standing Order Nos.155 and 162. In doing so, we managed to do a number of things: We called a number of witnesses to the Committee who gave us valuable information as to how broadcasting can be effectively done in this country. We listened to a number of presenters from the Kenya Broadcasting Corporation (KBC), the Kenya Television Network (KTN), the Nation Media Group, the *East African Standard*, the Royal Media Services, the School of Journalism of the University of Nairobi, the Kenya Institute of Mass Communication, the Kenya Union of Journalists, the Internet Service Providers, Association of Senior Editors and the Kenya Industrial Property Office. We visited a number of countries to compare their broadcasting systems to ours. We had the opportunity of visiting the House of Commons, and the House of Lords, and saw what they do in trying to air their proceedings to the population. Here closer home, we went to South Africa, where we learned that the broadcasting of parliamentary proceedings there is more advanced than ours.

Mr. Speaker, Sir, having done all that, we realised that there are certain things that ought to be done for this broadcasting to be achieved. First and foremost, we recommended that we should start broadcasting our parliamentary proceedings from July last year, which was not possible for logistical reasons. I hope that, once this Report is adopted by the House, broadcasting of parliamentary proceedings will commence in July, this year.

Mr. Speaker, Sir, the Committee did recommend, and for good reasons that, the signal which is received by the media houses for transmission be owned by Parliament. We thought this was necessary because of the following reasons: One, it is good for this particular programme, being at its formative stages, to be controlled by Parliament and any media house that needs to broadcast, will be picking the signals directly from the House. The other reason is the fact that, we need to have uniform dissemination of information from the House so that we avoid situations where some embarrassing photographs of hon. Members and other participating individuals are going to be taken by some cheeky media people.

Mr. Speaker, Sir, we also recommended that certain aspects of Parliamentary proceedings, for example, State Opening of Parliament and the Budget Speech, be fed into the internet. This will provide a wider facility for Kenyans and other individuals interested in Kenya, to get information on what goes on in Parliament on that particular day.

The Committee also did recommend that the current Library Committee be re-designated; the Library, HANSARD and Broadcasting Committee and its functions be expanded accordingly. This will take care of storage and retrieval of information and it will also give easy access of information to hon. Members who want to make quick reference before contributing in the House. Our recommendation was that, that facility should be as close to the Chamber as possible for hon. Members to access information. The Committee also recommended that relevant rules and regulations of coverage be adopted to govern Parliamentary proceedings. Suggestions have been given on some of the rules in this particular Report.

The other recommendation made by the Committee was that, the Kenya Broadcasting Corporation (KBC) starts a Parliamentary channel to deal with coverage of Parliamentary proceedings. We were not restricting it only to KBC, we are also saying that, other media houses may also establish a Parliamentary channel. Let us bear in mind that all Parliamentary channels will be getting their signals directly from Parliament, having gone through the normal editing by the Parliamentary staff. We are saying this because the KBC, as the organisation which is supported by the taxpayers' money, though that support is now declining, it has been enjoying the monopoly of getting support from the taxpayer, must take the earliest opportunity to provide this facility to all Kenyans.

Mr. Speaker, Sir, the Committee also recommended that the Media Complaints Council should receive and settle complaints related to unfair treatment in coverage by the print and audio-visual services. This will take care of some of the situations where hon. Members and members of the public, feel that the Press is not treating them well. The example of this nature is in South Africa where they have is the Press Complaints Council under the Ombudsman, where any aggrieved party, be it the Press or the person who was unfairly treated by the Press, would complain to the Ombudsman who will then dispense with that particular complaint. We felt this was the fairest way of avoiding situations where many newspapers are sued by individuals who, because of their position in society, may get unfair share of what they call libel settlements. This will ensure that some of these individuals will complain to somebody who is likely to be an arbiter, who understands the reportage and the circumstances where such report might have been carried out.

Mr. Speaker, Sir, the other one is that sections of the Constitution and other legislations--- It was evident that some sections of the Constitution must be amended for this to be effected. There are also other legislations that ought to be amended or harmonised to allow this facility to go on. The recommendations as to which specific sections of the Constitution need to be amended, are contained in the details of the Report that has already been laid before this House.

Our other recommendation was on Section 25 of the National Assembly Powers and Privileges Act, Cap.6 of the Laws of Kenya; which should include Parliamentary tapes of live coverage as part of the journals of the House. We thought this was necessary because, currently, this particular Act is obsolete to the extent that it has not provided for the latest technology. It means, therefore, that for this to be effected, we need to amend it to provide for tapes to be part of the journals of the House.

Finally, as far as those recommendations are concerned, we realised that various Acts of Parliament; existing rules and regulations, including the Standing Orders, ought to be amended or harmonised in order to accommodate live broadcasting and televising of proceedings of the House. We are grateful to a number of individuals who did assist the Committee in reaching its conclusion and finalising the Report.

Mr. Speaker, Sir, may I say the following: The next general elections will be won on a number of issues. One, is propaganda which takes the form of various media houses which disseminate information, which is not as accurate as it should be, to the public. We have had the monopoly of KBC broadcasting throughout the country and instead of respecting that particular monopoly, KBC, for the last couple of years, has decided to send information in favour of the ruling party to the extent that the National Governing Council of the ruling party is given live coverage when it meets, while so many other parties, which are equally important to the welfare of this country, do not get even coverage after they have had their meetings. We cannot pretend that this is what is contained in the IPPG amendment, that was supposed to be a gentleman amendment for the KBC and all interested or concerned parties, to respect the rules of fair play.

Mr. Speaker, Sir, we cannot pretend that this year's general election will be free and fair when the KBC still takes the liberty to consider the ruling party as the only party that exists in this country.

As far as the KBC is concerned, there are certain programmes which are tailored to slant public information in favour of certain individuals or communities in this country. There is a programme on KBC that is aired every Friday evening that purports to educate Kenyans on the history of different communities, particularly the Kalenjin community. For very strange reasons, the presenter of this programme has chosen to isolate two communities among the Kalenjin. He considers Kipsigis and Nandis as cursed communities. This machination should not be allowed.

**Mr. Speaker:** Order! Mr. Kirwa, which page of the Report are you referring to?

**Mr. Kirwa:** Mr. Speaker, Sir, it is part of the fairness of dissemination of information, given that the KBC is the key player in this country.

**Mr. Speaker:** Order! Mr. Kirwa, this House and the Chair has special interest in this Report. It is entitled: The Select Committee on Broadcasting and Televising of Parliamentary Proceedings. It is not Nandi's or Kipigisi's proceedings. So, could you, please, consider it as a matter that this House and the Chair has special interest in? Being the Chairman, will you be relevant to the Report, henceforth?

**Mr. Kirwa:** Mr. Speaker, Sir, issues that concern communities are so emotive that I cannot ignore them while talking about the KBC. As a leader from one of those communities, I will have shirked my responsibility if I do not address them. But, given your advice, let me proceed with the other issues as raised in the Report.

**Mr. Speaker:** Very good!

**Mr. Kirwa:** Mr. Speaker, Sir, as a matter of concern, I still insist that KBC should realise that it has got the support of taxpayers. This support includes hon. Members from both sides of the House. Therefore, KBC must be as fair as possible in terms of their coverage.

Mr. Speaker, Sir, in conclusion, I wish to highlight two pertinent issues. These issues not only have adverse effects on televising and broadcasting in this country, but also have a bearing on the mandate of the Committee. First, the Committee found out that KBC is ill-equipped and so badly structured that it cannot effectively play the role of a true national broadcaster. Secondly, the existing legislative and regulatory framework is shrouded in mysteries and excessive controls which make national coverage by independent media houses totally impossible. The Committee, therefore, strongly recommends that, in order to create fairness and impartiality, the KBC must be urgently restructured and be provided with adequate modern equipment. In addition, the Communications Commission of Kenya Act 1998 must be amended to ensure total liberalisation of the airwaves.

Mr. Speaker, Sir, while the Minister in charge of communications, did mention to the Committee that they have been trying as much as possible to be fair to all media houses, evidence abounds to the effect that some of these broadcasting stations have not been given adequate facilities to be able to broadcast throughout the country. The



Minister did argue that some of the stations that did have the capacity have been given this capacity. That information was proven to be wrong by the Committee; from the findings that we managed to get in our detailed Report.

Mr. Speaker, Sir, the wish of the Committee is that, when broadcasting stations want to broadcast throughout the country, as long as they are technically viable, and they are keeping within the rules of fair play, they should be allowed to do so. This will not only improve the information that the KBC will disseminate to members of the public, but it will also encourage the KBC to be as impartial as possible. Democracy needs constant exposure. The adoption and implementation of these recommendations by the House will not only create greater democratic openness, but also provide effective communication and interaction between the House and members of the public.

Consequently, the role and function of Parliament will be better understood in the wider political, social and economic governance of our society. I am saying this because the role of this House has been totally misunderstood both by members of the public and the media, to the extent that anything that happens in Parliament is highlighted in the negative, as if this House has not performed its role as an independent Parliament.

Mr. Speaker, Sir, I have had the opportunity to sit consecutively in the last three Parliaments. I can say without hesitation that this Parliament has been as independent as it is expected to be, with the exception of a few cases when some people want to use the muscle of their numbers to kill some Motions.

Mr. Speaker, Sir, I urge the implementing agencies to do justice to this particular Report and implement its recommendations as soon as possible. A lot of Motions passed by the House have never been implemented.

Mr. Speaker, Sir, on behalf of the hon. Members of my Committee, it is my humble prayer that this House will adopt this Report.

I beg to move.

**Mr. Kombo:** Mr. Speaker, Sir, I thank you and the House for giving me the opportunity to serve on this very important Committee. Under the able chairmanship of my friend, Mr. Kirwa, the Committee was able to do a lot. We also got plenty of support from the Clerk's office, and I would like to extend my thanks to them as well.

Mr. Speaker, Sir, the question of openness, or allowing the media to cover every aspect of Parliamentary work, is the norm around the world, and not an exception. In fact, as we looked into all these issues, we were rather surprised that we, in Kenya, and Parliament here, are still in the stone-age where we still hide away from members of the public. So, opening up our business to public scrutiny is the norm. Even in a neighbouring country like Uganda, Committees are not only open to members of the public, but they get members of the public involved. For example, when the Public Accounts Committee (PAC) sits, there is a policeman to ensure that if there is any corrupt deal being uncovered, immediately, he takes action.

Mr. Speaker, Sir, we found out that to move out of the stoneage is very important, and that is why we recommended very strongly that we open up, not only the House, but even the Committees as well. In our deliberations we met with the media barons as well, and we put to them, that if we open up Parliament, the media must also promise to be responsible, because with freedom, responsibility is also an issue. I am glad to say that we were assured by the media barons that they will do everything possible to ensure that there is responsibility within the media once the House opens up. We felt that exposure is the mother of transparency and accountability. The public should be made aware of what is happening, particularly in Committees. As you know, within the Committees, individuals are interviewed and a lot of information comes out. But we sit back and hide and say that "we cannot reveal this to the public until the Report has been tabled in the House". We felt that sometimes it is good for the public to know what transpired behind the curtains. If an individual who is being questioned on a corrupt deal is seen by the public on television with his hands shaking, it would help to make sure---

**Mr. Speaker:** Could you use another word,

Mr. Kombo?

**Mr. Kombo:** Mr. Speaker, Sir, I would then use the word "trembling". It would be very good for the public to judge whether that individual is guilty or not. So, it is not just left to the Committee to pass the judgement, but the public would also see how the individual dealt with that matter. When we were looking at the whole aspect, the question of *sub judice* came up, and it really bothered us because we tend to hide behind all sorts of archaic rules so that the public does not know what is happening. In fact, with regard to that issue, in Canada, the issue of *sub judice* does not arise. In Canada, it is held that if a Judge is going to be influenced in his judgement by what he hears or reads, then he is not worth being a judge. So, that issue of *sub judice*, which really bothers us, should be addressed.

Mr. Speaker, Sir, I once chaired the Anti-Corruption Select Committee, and so many issues and individuals were brought before the Committee, but because of the prevailing situation, the public will never know what transpired. If we had opened it to the media, I am sure the public would have learnt a lot from what was going on. The media is part of the stem that helps in good governance. They should be given an opportunity to give support in the whole process of good governance. After all, Parliament is there to ensure good governance in our system. We also felt that, for example, the problem of not raising a quorum, that we have had in the recent past, would be history because

every legislator would want to sit in the House to make sure that the electorate at home see him or her, so that they know he or she is not running away from the business of the House.

Mr. Speaker, Sir, we also thought that opening up the House to the media would enable the electorate to see the performance of elected leaders. The bashing that we have always received from people who do not really understand what goes on in the House would be a thing of the past. You should open up and let the electorate watch, for example, Mr. Kalonzo, performing so that they know that he is, in fact, working for them and not just fooling around.

**Mr. Speaker:** Order! Would you please withdraw that word? Hon. Members never "fool around".

**Mr. Kombo:** Mr. Speaker, Sir, I withdraw the words "fooling around" and substitute them with playing around or *mangamangaring* in the House.

**Mr. Speaker:** Order! I suppose what you are doing is precisely what the television coverage will stop you from doing. You must be serious by talking honourably about your brothers and using appropriate language. So, will you, hence forth, pretend that I am the television, and convey your language to the public and your demeanour?

**Mr. Kombo:** Mr. Speaker, Sir, I concur with your sentiments. You can see what would happen if we opened up the House to the media so that all of us would be serious and not just merely speak to the galleries, but be serious with what is going on. One of the major issues that we found is restricted airwaves. Today it is only KBC that can reach the whole country, and if you ask the Minister in charge - who also appeared before the Committee - why the Nation Radio is not being aired in Tesoland or Turkanaland, he had no answers to this question. So, as we open up, we should ensure that all media houses are given an opportunity to be heard throughout this country.

As Mr. Kirwa was moving the Motion, he said that KBC has been used very effectively by the powers that be to make sure that only selected information reaches the public for the sake of winning their hearts. In fact, the IPPG passed laws in this House to make sure that KBC opens up, but it has never done it. The Government simply ignored that law. You will, however, find that today, Kiss FM is heard as far as Tanzania. This is because it is owned by either a State House squatter or an ally of the State House squatter. These are the problems that the Committee brought forward to make sure that we clean up our house, because the laws that we are using are archaic. The laws that need to be cleaned up are all in the Report, and we must make sure that we clean up, start afresh and move forward into the 21st Century and not live in stone age era of the 18th and 19th centuries.

With those few remarks, I beg to second.

*(Question proposed)*

**Mr. Ndicho:** Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to contribute to this very important Motion, which seeks to have the proceedings of this House broadcast live to our people. I wish to seize this opportunity to congratulate Members of the Committee, led by Mr. Kirwa, who have done such a tremendous job. They even took their time to visit the United Kingdom; to see how the Parliament in that country works with televised parliamentary proceedings. They also took their time to visit South Africa, which is among the nations in Africa which are advanced as far as broadcasting of parliamentary proceedings is concerned.

Mr. Speaker, Sir, if you go through their [Mr. Ndicho] Report, you will find out that they have done a thorough job. All they are trying to do is to put Kenya in the same position with the so-called developed countries. The issue of dissemination of information is crucial and important in this time and age, where our people need to know what their leaders say and how they say it. They need to know the exact things that are said. That is because the spaces provided by the current existing media houses might not be adequate for our people to know exactly what transpired in this House. So, I wish to commend the Committee for doing such a good job.

Mr. Speaker, Sir, I would like to comment briefly on the issue of the establishment of a Media Complaints Council. In Kenya today, not only inside Parliament but outside, when somebody has been reported negatively, especially when you talk about Members of Parliament, our remedy lies with the Chair. For the many years that you have been here, when a Member of this House has been quoted out of context, there is no other body that Members rush to, except the Chair. For many years, we have seen Members coming to you to complain. I wish also to commend you because you take action swiftly. You order the offending newspaper or media house to amend the report and apologise to the aggrieved persons.

Mr. Speaker, Sir, Members of the Committee went to South Africa where there is an office of the Ombudsman, which receives complaints from aggrieved Members. Therefore, I would rightly say that you have been our Ombudsman as far as complaints from Members are concerned. We also commend you for that. If we are going to establish an office of the Ombudsman, he is going to help you to deal with such matters as and when they come. So, we really support the idea of a Media Complaints Council.

Mr. Speaker, Sir, I must say that, for the ten years that I have been in this House, our journalists both in the print and electronic media have done a commendable job. The Kenya Broadcasting Corporation (KBC) might have its own shortcomings outside this House. But I listen carefully to reports aired by the KBC about Parliament. The KBC receives my commendation because it reports exactly what transpires in this House. Having listened to the KBC over the years, and being the media house which has the advantage of a national coverage, I give them position number one! I urge them to continue that way. I say that because I listen to the KBC and what is reported from Parliament is not censured. Even when we criticise the Government, it is reported exactly like that! As far as parliamentary proceedings are concerned, the listeners of the KBC get everything. You can bear me witness.

Mr. Speaker, Sir, I also commend the Kenya Television Network (KTN) in so far as the coverage of parliamentary proceedings is concerned. They are precise and give deeper details. I give them number one for television coverage. The Nation Television are runners-up to the KTN.

Mr. Speaker, Sir, I am privy to some information that when the Citizen Radio and Television started, they made an application to this House to be allowed to broadcast parliamentary proceedings live. To me, that was a positive step towards the development of both our House and the country. We do not know what happened to that application. All they were asking is to be allowed to put their signals and equipment here, and then be transmitting proceedings live to Kenyans. I think now, with the adoption of this Report, that would be possible. Alternatively, instead of having signals and equipment in the House, I would propose that we have our own Parliamentary Broadcasting House or station! We should also have a weekly newspaper for that matter, being published every Friday! It would be reporting each and every bit of what every Member said in this House. We sympathise with the rest of the Press because they have space limitation. But if we own our newspaper, just for the purposes of letting our people know what we say, it would be good. A parliamentary broadcasting station or a newspaper would also create in-house revenue. I am sure the revenue would be so much, that we can exempt the Exchequer from paying Members of Parliament. We can generate our own income because broadcasting and newspaper publishing is one of the most lucrative industries where you can generate some money. Then, with Members of Parliament generating their own money, they can pay themselves three or four million, depending on the income that they would have generated from their own broadcasting station. I do not see why that is not possible and that is my recommendation.

Mr. Speaker, Sir, I commend our journalists for exhibiting professionalism in reporting of parliamentary proceedings. I have visited a few countries within our region. Those who have visited Uganda, Tanzania, Malawi, Zimbabwe, Zambia, Namibia and Mozambique have seen the level of their parliamentary reporting in comparison with ours. I would like to proudly say that our reporting is more superior than what they have in those countries. So, I really commend them. But there must be one "rotten egg" here and there. I really call upon people who exhibit non-professionalism in reporting to make sure that they exhibit good journalism.

Mr. Speaker, Sir, I do not know whether you know that there is a section of the Press which is called alternative press, pink or sometimes gutter press. It is called many names! There are so many of them. Some of those newspapers report things from Parliament. I know that you might not have come across what they write but, sometimes, they report very nasty things about Members of Parliament. But since there is no subscription to them, you might not know what they write. That is why there should be a body to make sure that what those people report is the truth. There is what we call the Defamation Act, which we wonder what our Attorney-General is doing about it! The green, yellow and pink gutter press besmirch anybody they wish and yet, there is nowhere you can go! We have an Attorney-General who should invoke the Defamation Act so that these people do not get away with it. I would also call for an improvement of our Parliamentary public address system. I am sure some of these gadgets do not work properly. Sometimes the Press might pick up a word wrongly because the hon. Member who is contributing is not audible or the communication is not clear. In order for everybody to get everything that is being said, I am calling upon the Minister for Finance to ensure that in the next Budget which will be read in June this year, he should allocate some funds for the improvement of the public address system.

**Mr. Speaker:** By the way Mr. Ndicho, we do have that money and we hope to use it before the end of the financial year to improve the whole of our public address system.

*(Applause)*

**Mr. Ndicho:** Mr. Speaker, Sir, that is the sweetest news we will go home with this evening. The person who should do that must do it immediately so that the Press can pick everything that Members of Parliament say here.

Finally, I do not want to contravene the Standing Orders to the effect that I should not refer to the people in the Gallery. I do not know whether you have gone to the small office that is allocated to all the Parliamentary reporters. It is so small that they have to allocate themselves different times to use it. When we are also doing that---

**Mr. Speaker:** What were you looking for over there?

**Mr. Ndicho:** Other than being a Member of Parliament, you must know that I am also a media mogul. There was a time last year when Messrs. Gatabaki, Matiba, Daniel Moi and I used to be followed. I do visit them once in a while to exchange notes on our profession and I also find myself squeezed in the room. The media and Parliament cannot work separately. They are one and the same thing. The Chair recommended that I represent this Parliament in an International Conference on Parliament and the media, in Capetown next week. I will go with these documents so that I can show them what we are doing and I wish to thank the Chair for that. This conference will give us an opportunity to find out what other countries do as far as their parliaments and the media are concerned and compare that with our local situation. I would like to urge that, that small media office be expanded because these people are part and parcel of our parliamentary proceedings. Without them we cannot really function. Our people really need to know what we are saying and doing. We need to give these reporters some enabling environment so that they can do a good job. We should give them a spacious office.

I really wonder why the Press people are allowed to cover the proceedings of this House and yet we lock them out of the Committees of the House. I would like the Press to be allowed to cover the proceedings of the Committees of the House. Lawmaking starts from our Committee system. They should also know how we draft Bills and come all the way with the hon. Members up to this House. Let us also allow the Press to cover the Committees. I am not saying that we should allow them to cover the Speaker's office, but we should give them that freedom to know what we do in the Committees.

Once again, I wish to commend the Committee for doing a good job. I implore this House to ensure that we pass this Motion, make it law and adopt all these recommendations. If there are areas that need some money, I would like to beseech the Minister for Finance that, come June this year, he should allocate money to purchase the equipment we are talking about. He should provide the money that this Report is requesting for. Otherwise, having been caught up in the era of information technology, the Kenyan Parliament should not be left behind by other Parliaments of the world. I would like to urge hon. Members that when this Motion comes to the final enactment into law they should pass it once and for all so that we can compare favourably with other Parliaments in the world.

With those many words, I support this Motion.

**Capt. Ntwiga:** Mr. Speaker, Sir, I stand to support the adoption of this Report by this House. It is a very good report. Before I came to this House, I used to sit in the Speaker's Gallery and watch my former MP sleeping at a certain corner. If there had been live broadcasting at that time, my then MP would not have been sleeping at that corner. I am very happy now that I am here.

**Mr. Speaker:** Order! Are you suggesting that hon. Members sleep here? You are totally out of order. Could you withdraw that remark?

**Capt. Ntwiga:** I withdraw that remark, but that is a former Member of Parliament.

**Mr. Speaker:** Order! The House is still in session and I happen to be at the centre of it.

**Capt. Ntwiga:** Thank you, Mr. Speaker, Sir. By allowing live broadcasting of the debates in this House by various media houses, the debate in this House will be of high quality because none of the hon. Members here would wish to be seen by the electorate, debating inarticulately. As the other hon. Members have said, the problem of lack of quorum in this House will be a thing of the past when we adopt this Report. I believe this Report will be adopted and supported by all hon. Members.

If the proceedings of this House are open for coverage by the media - although it is not live coverage - there is no reason why the PAC, PIC and other Departmental Committees should not be subjected to the same, so that the public can know what we do in the Committees. I would urge that the Standing Order which states that discussions in various Committees should not be covered by the Press until the report is brought to the House be done away with. The Press should be allowed to cover the Committee proceedings so that they can report this to the public.

Mr. Speaker, Sir, another issue is the liberalisation of the media houses. Information is very important in developing the minds of the people and developing the country outside there and helping the people. Therefore, the Minister for Transport and Communications should allow for the liberalisation of the airwaves for all media houses throughout the country so that our people in the rural areas are informed and educated. As we adopt this Report, that should happen. It should not only be Kenya Broadcasting Corporation (KBC) that reaches the rural folk, but every media house should be allowed to broadcast and inform the rural folk of what is happening everywhere in the world.

Mr. Speaker, Sir, as I support the adoption of this Report, I have a bone of contention with the media. Today's *Daily Nation* has blown out of proportion the sitting position of the Leader of Government Business in this House. If you read it, it says that the Leader of Government Business is not taking his rightful position in the House whereas there is nowhere in the Standing Order which says that he should sit in a certain place. Although I agree that the Leader of Government Business should take his rightful position as is the tradition, *The Daily Nation* has blown that issue out of proportion and that is why we are saying that the media should be carrying out live coverage of Parliamentary proceedings to show the sitting positions of the other side. However, I would wish to---

**The Vice-President and Minister for Home Affairs** (Prof. Saitoti): On a point of information, Mr. Speaker, Sir.

**Mr. Speaker:** Capt. Ntwiga, would you like to be informed?

**Capt. Ntwiga:** Yes, Mr. Speaker, Sir.

**The Vice-President and Minister for Home Affairs** (Prof. Saitoti): I want to inform the hon. Member that, indeed, the Leader of Government Business is free to move along the Front Bench, in the course of his work, to consult. Indeed, nowhere in the Standing Orders is it stipulated that the Leader of Government Business must be glued to one particular place.

Mr. Speaker, Sir, let me also inform *The Daily Nation* that it is exceeding its own mandate of moderating the behaviour of the hon. Members in this House. I believe it is only the Chair which can moderate the sittings or the conduct of the hon. Members in this House. I do not, for that reason, wish to seek any tutorials from *The Daily Nation* as to the manner in which I should conduct the business of this House in my capacity as Leader of Government Business.

**Mr. Speaker:** Very well. I think the hon. Member is informed. However, you were absent when I clarified this matter. Maybe the Vice-President and Minister for Home Affairs would like to know that, that issue arose earlier on and the Chair said that we are becoming too petty in taking all our time talking about where we sit.

Proceed, Capt. Ntwiga!

**Capt. Ntwiga:** I thank the Vice-President and Minister for Home Affairs for that information. Traditionally, as a matter of authority, the Leader of Government Business is in his rightful position now and, therefore, the media is not going to blow the matter out of proportion again.

**Mr. Speaker:** Capt. Ntwiga, that is now okay. I think you are now blowing it out of proportion.

**Capt. Ntwiga:** Mr. Speaker, Sir, I am not blowing it out of proportion. As I said, when we shall come to the Budget Speech in June, we shall support in total whatever monies this Committee will propose. I believe that we shall be in total agreement when that time comes so that we get that facility. Therefore, we shall have live broadcasts just as it is happening in the rest of the world. In this regard, Parliament will become lively and interesting and debates will be of high quality.

With those few remarks, I support the adoption of the Report.

**Dr. Ochuodho:** Thank you, Mr. Speaker, Sir. In support of the Motion moved by our Chairman, hon. Kirwa, I want to say that if Members are going to pass this Motion, as I believe they will, that will demystify Parliament. Many Kenyans are ignorant of what goes on in Parliament. I think, by opening it up and I cannot think of a better way of opening it up other than by live broadcasts, Kenyans will be informed of what goes on in Parliament.

Mr. Speaker, Sir, indeed, even as I support this Motion on live broadcasting, I would also want to appeal to the Parliament administration through the Chair, that a "*Know your Parliament*" programme should also be started as a way of informing Kenyans especially the youth, about what goes on in Parliament. I am delighted that, occasionally, young Kenyans come to this House to follow whatever goes on. Much more of that could be done. I do appreciate that Parliament so far has been pretty open in that regard but I think a deliberate attempt should be taken to let Parliament be open. There is no better symbol of pride that a nation can have than Parliament.

**Mr. Speaker:** Dr. Ochuodho, you may wish to learn that on my table there is a series of booklets about Parliament that I am writing a foreword on and will sign them in due course. One is already printed and there is another one coming out. I would encourage you, as a legislator, to write one as well and help me in that process.

Proceed, Dr. Ochuodho!

**Dr. Ochuodho:** Thank you, Mr. Speaker, Sir. I am very delighted to hear that and I think the Chairman should be congratulated and praised for trying to open up Parliament and demystify it. Sometimes I wish we could demystify all our institutions including the presidency.

Mr. Speaker, Sir, I remember visiting Eritrea about two years ago and in the evening when I went into a bar to drink, the next person I realised I was sitting next to was the Head of State who had been driven in an old Toyota car with only two bodyguards and he came to socialise with other people. I think there is no better way to demystify our institutions and open them up so that people know what really goes on and also know that we are normal human beings and not supernatural beings.

Mr. Speaker, Sir, I want to also say that the Energy, Communications and Public Works Committee was privileged recently to visit about seven countries. In every country that we visited, we found out that each of them has got live broadcasting of Parliamentary sessions. Clearly, this is the trend the world over and it is in this regard that I think it is opportune that the Kenyan Parliament should not be left behind.

Mr. Speaker, Sir, we talk a lot about the "Young Turks" and "dot.coms". If you are talking about the information age, I feel saddened that Kenya cannot pride itself in talking about it because our Parliament is one of the

very few even in Africa, that does not have live broadcasting. Our neighbours, like Tanzania for instance, long introduced live broadcasting. Our Ugandan neighbours have even gone a step ahead. Today, if you want to communicate with Members of Parliament, you just go to the web page on the internet and reach them.

Mr. Speaker, Sir, at some stage, I was saddened when I heard a Member of Parliament of this House being told: "If you are looking for information, check about this on the web page". He heard about web page so many times until he had to ask: "Who is this person called web page that you keep referring us to?" That just shows that our Parliament has not seriously taken the importance of the information age into consideration or realised the importance of information.

Mr. Speaker, Sir, it is in that regard that I am glad that the Committee has also recommended that our proceedings, when this Report gets adopted, will also be relayed through the internet so that more Kenyans, and other people with an interest in Kenya, can also follow the proceedings. I also believe that the quality of debates of this House will also be enhanced, because when a Member is aware that hundreds of thousands, if not millions of Kenyans, out there are following whatever transpires here in this House, I think they will be a little more responsible and hence, we expect the quality of debates to improve.

Mr. Speaker, Sir, I would like to add that in the UK, the British Broadcasting Corporation (BBC), which is the public media, house has devoted a whole channel for purposes of relaying parliamentary proceedings. We do know that the most popularly watched programme on Wednesday afternoon is what they call the "Prime Minister's Question Time." That just goes to show that there is a lot of interest in the UK public. In my view, there would be much more interest among the Kenyan public especially if Question Time was to be aired and not to mention the proceedings of the Committee that has a lot of interesting proceedings. It is in that vein that I am hoping that the Kenya Broadcasting Corporation (KBC), and knowing that they have spare channels, will make one of those channels available for purposes of live broadcasting of parliamentary proceedings. I say so because, in the past, when some media houses have requested for frequencies, they have been told that they cannot be given because the frequencies have been taken up. I do know that the KBC has about three or four channels or frequencies that have been allocated to it, but it is not utilising them.

Mr. Speaker, Sir, I do know that the previous speaker talked about his predecessor dozing or sleeping in Parliament. I want to reassure Members that there will be regulations that will ensure that a certain kind of behaviour is not reflected in reporting. Of course, freedom must come with responsibility. We are hoping that, even as we are going to advocate for live broadcasting, there will be rules of the game to go by. In this document, it is stated what will be conveyed live and what should not be conveyed live. But as a firm believer in the freedom of speech, expression and media, I am hoping that those rules will not be used, as have been done elsewhere in the past, to stifle the freedom of the media and not to allow Kenyans to know and watch what goes on in this august House. Mr. Kirwa has told us that this project is affordable. We are only talking about US\$1 million which is equivalent to Kshs60 million. I think that is a price that is well worth paying for the purposes of allowing Kenyans to follow the proceedings of the House. In any case, the Committee went round meeting chief executives of media houses and we were informed that there are certain media houses which are willing even to sponsor or finance such a project. So, I am hoping that the cost itself will not be used as an excuse to stop introduction of live broadcasting in this House.

Mr. Speaker, Sir, also allow me to say that one of the things that the Committee recommended was the introduction of a Media Complaints Council. I am glad to note that the media industry itself, in its wisdom and believing in self-regulation, in which I too, personally, very strongly believe, has gone ahead to create a media counsel. This is very much in tandem with what the Committee has proposed. I have to confess that, of all the countries we did visit, none really had a media council so to speak. I think having a media council will go a long way, not only in regulating the print but also, the electronic media. Whereas we have got some form of legislation with regard to print media, I must take the opportunity also to call for a Broadcasting Bill which is long overdue. As of now, there is no law that says what conditions one has to fulfil to be awarded a broadcasting licence. So, it is at the whims of the Minister responsible for communications to allocate licences. Currently, it is very confusing, because you go to one Minister to get the licence and you go to another Minister to get frequencies. I must also say that, the world over these days, the Ministries of Information and Communications are combined. But in Kenya, we still separate them. We still do not seem to have taken cognizance of what is called the congruent; the interactivity between broadcasting media, print media, telecommunications, computers and the like. But in many other parts of the world, they have been grouped together into communications. As things stand now, we have that problem. You go to one Ministry to get the licence which is useless. We have been informed that the Nation Media Group has been given a licence but, without frequencies, it is as good as not having a licence. It would help if we did harmonise broadcasting legislation through a Broadcasting Bill so that the process is at one stop point. Whenever you are given a licence, it is automatic that the frequency is also given. But I must also add my voice of concern that whereas in other applications they are told to

wait until a new Media Bill or a Broadcasting Bill is brought into effect, we find that the Government still continues to issue licences. I have a case of the BBC in mind. Even interestingly, I find that there are certain parts of the country where we receive the BBC from local transmitters. Why are we not allowing our media houses, especially the Kenya Television Network (KTN), Nation Media Group and Citizen FM, the capacity to broadcast countrywide? I do know for certain that one cannot say that there is a shortage of frequencies when we have frequencies that have been given out and they are not being utilised. To be fair to all players, it would be very important that a Broadcasting Bill is brought to this House.

Mr. Speaker, Sir, may I also take this opportunity to congratulate the Kenya Broadcasting Corporation (KBC) and the Nation Media Group. On 18th March, when my party was being swallowed, they transmitted live the proceedings from Kasarani. I was very saddened to come back into the country after two and half weeks' absence to find that I was partyless. But, nonetheless, because of that live transmission, I was able to follow the proceedings through the internet. While on the one hand I appreciate that it was important that, that process was transmitted live because that is what the media should do, to inform the public, but why did it have to happen? Was it just because it was KANU that was involved? Two weeks prior to that, the National Alliance for Change (NAC), the alternative government or the government-in-waiting, in my view, launched what was most significant to have happened in this country this year; the unveiling of the constitutional and electoral reform proposals. But where was the media? The KBC was called, I personally, booked with them, but they failed to turn up. Why did they not come to cover the NAC live? In my view, what happened at Hilton that day, when the constitutional and electoral reform proposals were being unveiled, was by far more important than the joke that we witnessed at Kasarani. But for two weeks, what did we see of the media? Whenever I was opening the internet page of the newspapers, 99 per cent of the material that they had was this craziness. It is craziness because I do not think whatever transpired added the number of *sufurias* on the tables of Kenyans!

I do not want to blame the media for that, but it would only have been fair that, that day's function of the National Alliance for Change (NAC) was covered. The public media, especially the Kenya Broadcasting Corporation (KBC), should be reminded that it is violating its own Act as amended through the Inter-Parties Parliamentary Group (IPPG) reforms in 1997. The KBC Act provides that the Corporation shall give uniform air time to divergent political views.

So, when KBC gives 50 per cent of its air time to KANU, it should give 50 per cent of its air time to the NAC, which is the alternative government. However, this does not happen. You find that during news time, the KBC spends eight minutes talking about the President, the remaining two minutes about some Members of Parliament from some corner of the country praising the same KANU leader. That cannot be fair. When KBC spends a few moments on news about the Opposition, it must be negative news. In this regard, I challenge the Minister concerned to table news coverage on political events. Such evidence can be used to convince this House that the KBC allocated its air time as provided in its Act. It is time that KBC started to be fair. I have singled out the KBC because it is the only media house with a sizeable reach in the country.

Mr. Speaker, Sir, I would also like to raise my concern about the misuse of some existing laws by the Judiciary to stifle the Press. Recently, an hon. Member of this House was awarded Kshs20 million as compensation for libel. You realise that one of the things that this Committee recommends is the amendment of the Defamation Act. I would even go further to propose a repeal of this Act. If every time a media house publishes a story which portrays somebody in poor light it is made to pay such colossal sums of money in damages, there is no way that young media houses will grow. Currently, the only Opposition-friendly newspaper in this country is *The People Daily*. Is the Government trying to "kill" the media houses which give the alternative view? In this regard, I would like to take the opportunity to caution the concerned hon. Member that it is very important that we do not open up old wounds. Many Kenyans would like to forget the ills that have been done against them.

**Mr. Speaker:** Dr. Ochuodho, come back to the Report!

**Dr. Ochuodho:** Mr. Speaker, Sir, I am speaking on the Report. One of the recommendations of the Committee is the amendment of the Defamation Act.

**Mr. Speaker:** The Report does not deal with any individual case. Could you proceed?

**Dr. Ochuodho:** Thank you, Mr. Speaker, Sir. The case in question was about the Turkwel George Power Station, which falls under the Committee on Energy, Communications and Public Works. In order to protect the freedom of the Press and the freedom of expression, I would like to call upon the concerned Departmental Committee to look at the facts of Turkwel George Power Project to verify whether the claims that have been made---

**Mr. Speaker:** Order! Order, Dr. Ochuodho! You certainly cannot come here to overrule a decision of the High Court. Go there and lodge an appeal on behalf of *The People Daily*. Please, deal with the matter at hand!

**Dr. Ochuodho:** Mr. Speaker, Sir, I appreciate your counsel, but allow me to make a passionate appeal to the

Judiciary - that it should not allow itself to be used to muzzle the media.

Finally, may I take this opportunity to thank the House for, this time round, having passed the Motion that called for the establishment of this Select Committee. Two similar previous attempts, I believe by Mr. Kirwa and another hon. Member, to have a similar Motion passed here, failed. I want to thank hon. Members for having passed this Motion this time round. I also appeal to them to adopt this Report, so that, come 1st July, 2002, live broadcasting of this House's proceedings can become a reality. That will not only be of use to Kenyans but also to media houses. As it is now, by 4.30 p.m., members of the Press go back to their media houses to file their stories. If we had live broadcasting of this House's proceedings, that kind of inconvenience would not exist.

With those many remarks, I support.

**The Minister for Energy** (Mr. Raila): Mr. Speaker, Sir, I thank you for giving me this opportunity to contribute to this important Motion.

I want to begin by saying that I am fully in support of this Report. However, this is an obvious issue over which we should not really be grumbling. I want to thank the Committee for having used the opportunity to go round the world on a joy ride, getting information which we already have. I hold the view that we did not need to form a Select Committee to run around the country--

**Mr. Kombo:** On a point of order, Mr. Speaker, Sir. As you know, when hon. Members go out on parliamentary business, it is serious business; it is not a joy ride. Is it in order for the Minister to imply that, in fact, the Committee went round the world on a joy ride?

**The Minister for Energy** (Mr. Raila): Mr. Speaker, Sir, as an engineer, I do not believe in re-inventing the wheel. What I am trying to say is that, since the information contained in this Report is available, we did not need to send people to South Africa, the United Kingdom and Australia only for them to come back and tell us the obvious. All that we needed to do was to pass a Motion here and said that we wanted live coverage of this House's proceedings. We would then have left the implementation of our resolution to the technocrats.

We did not need to be told how the Parliaments of South African, the United Kingdom and Australia are being covered. We already have all that information. That is why I am saying that this is typical case of misuse of public funds.

**Mr. Obwocha:** On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to imply that the Select Committee that went round the world to collect this information misused public funds?

**Mr. Speaker:** Order! Order! The Committee is reporting to its parent, which is the House. If hon. Members of this House think that this job could have been done while we were seated here, then they have a right to say so. It is, indeed, right that hon. Members of this House give their opinion to Committees on their modes of operation. I cannot be heard, as the Speaker, to tell hon. Members that they cannot give directives to the Committees, because the House is the parent of the Committees.

Proceed, Mr. Raila!

**Mr. Michuki:** On a point of order, Mr. Speaker, Sir. I rise to seek your indulgence, because I am getting confused. The Committee was set up by this House. The need for its constitution was debated here and endorsed. At that time, nobody came up with a proposal that the Committee should not move from here.

**Mr. Speaker:** Order! Order! Mr. Michuki, do you understand what "debate" is all about? Let Mr. Raila say his bit. I will give you a chance to tell him that he is wrong. That is what debate is all about; it is not regimented. Mr. Raila may be wrong or you may be wrong.

**An hon. Member:** Do you think he is wrong?

**Mr. Speaker:** Probably, he is wrong. I actually think that he is wrong!

*(Laughter)*

**The Minister for Energy** (Mr. Raila): Mr. Speaker, Sir, I cannot agree more with your ruling. A great politician once said: "I may not agree with what you have to say, but I shall defend unto death your right to say it." So, hon. Members may not agree with what I am saying. However, having been given an opportunity to speak, they should listen to what I have to say. I am entitled to my opinion. I have gone through this Report. I believe that it is not telling us anything new. The information contained in this Report is available in some literature in this House. If we wanted to introduce live coverage of this House's proceedings, we only needed to take a decision in this House and have it implemented. Implementation of such a resolution is the work of technocrats. They are now telling us that they need about Kshs60 million to buy equipment. That may be one source. I am sure when that will be implemented, we may get other information, and the cost may not be Kshs60 million; it may be Kshs20 million, or Kshs80 million or Kshs100 million. However, I do agree with the main recommendation of the Committee; that we should introduce live



coverage of the debates in this House. This is because I believe that, that is going to improve the quality of debates in this House; that, hon. Members know that they are being watched---

**Dr. Ochuodho:** On a point of order, Mr. Speaker, Sir. Is my former boss in order to mislead the House; that, the Kshs60 million came from one source while the Committee got quotes from various sources? Also for purposes of record, the former boss seems to be uncomfortable thinking that I travelled. I want to assure him that I have never travelled.

**Mr. Speaker:** Order, Dr. Ochuodho! You are getting back to the old bad habits of never, ever allowing any other hon. Member to contribute. What you are talking about is your side of the story. Let him talk about his side. Maybe, you may wish to know, and the House may wish to know that, as a matter of fact, Parliament has already budgeted for this particular purpose. I think we have some money lying somewhere waiting for your decision. So, can we relax?

*(Laughter)*

**The Minister for Energy** (Mr. Raila): Mr. Speaker, Sir, the hon. Member, for his own comfort, may know that I am the least worried about his activities. This is what you can call irritating irrelevance. I am saying that the introduction of live coverage in the House---

**Dr. Ochuodho:** On a point of order, Mr. Speaker, Sir. You heard what Mr. Raila has said. Are those words parliamentary?

**Mr. Speaker:** "Irritating irrelevance?"

**Dr. Ochuodho:** Yes, Mr. Speaker, Sir!

**Mr. Speaker:** I think so!

*(Laughter)*

**The Minister for Energy** (Mr. Raila): Mr. Speaker, Sir, I am sure that, when hon. Members know that their constituents are watching what they are saying in the House, some of them are going to improve in their conduct. Issues like physical confrontation in the House may be a thing of the past in the House when live coverage is introduced in the House. Hon. Members are also going to prepare themselves better for debates in the House than is presently the case. So, I support that there should be live coverage of debates.

The Report says that Parliament should start televising and broadcasting its proceedings with effect from 1st of July, 2001. I think that is irrelevant because the Report was not brought to the House by that time. Even if it was brought, it would not have been possible to implement it within that period. So, the Report says:-

"That, the committee found out that the Kenya Broadcasting Corporation (KBC) is ill-equipped and badly structured to effectively perform the role as a true national broadcaster."

Mr. Speaker, Sir, I do not know whether hon. Members took time to go into the KBC studios and also look at the list of equipment that has been purchased by the KBC. I do not believe that it is the question of equipment because I think that, if that were the case, one would say that KBC has got better equipment than most of the studios that we have in the country today. There may be other factors, but it is not the question of equipment.

The Committee goes further to recommend very strongly that, in order to create fairness and impartiality, KBC be urgently restructured and be provided with adequate money and equipment and the Kenya Communications Commission Act 1998 be amended to ensure total liberalisation of airwaves. I fully support a certain amount of liberalisation of the airwaves.

But total liberalisation does not exist anywhere in the world. Even in the United States, where liberalisation has been taken to the extreme, they do not have total liberalisation of airwaves. The restrictions that have been introduced are those of ownership. In fact, 60 per cent of the shares must be owned by the indigenous Americans for one to be able to get a broadcasting licence. I think that this is not properly well-thought; that, this misses the point. We should not first go to the other extreme without looking at our strategic national interests which are of paramount importance. Some hon. Members are taking the issue of some negative coverage in the media. When we talk about freedom of the media, we must understand that it works both ways. You cannot have your cake and eat it. That is why one should not only expect all times to be positively covered. Another hon. Member was saying that the *People* newspaper is the only media that covers the Opposition positively. That is a typical case of partisan media. The media should not be covering only certain sets of views positively; it should be neutral. That is why we have never taken issue with a number of newspapers which write very negatively every other day about us. But it is said that, that is the price that we must pay for the freedom of the Press that we have been talking about.

I would like to say that KBC has made tremendous progress in its news coverage. I want to take hon. Members down the memory lane, ten years ago, to be able to appreciate the kind of improvement that has been made in media coverage, particularly by KBC. We must know that we are living in evolutionary times; that, even the media

itself is evolving in our country. The hon. Member who moved this Motion said that the forthcoming general elections will not be free and fair; that, they are going to be rigged. I want to say that there is no need for anyone to rig the forthcoming elections because they have already been won. Those who are talking about rigging elections are those who are panicking because they know that they will be defeated very badly.

**Mr. Kihoro:** On a point of order, Mr. Speaker, Sir. The hon. Member on the Floor has said that the next general elections have already been won even before we have embarked on the process. Could he be called upon to substantiate fully what he means by that? Could we be told whether the elections have already been rigged and, therefore, there is no need to hold them?

**The Minister for Energy (Mr. Raila):** Mr. Speaker, Sir, I was saying that the hon. Member who moved this Motion said that the next general elections are not going to be free and fair. I was just responding to that remark; that, there should not be need for anybody to try to rig the forthcoming elections because they have been won. I am saying that because I am too confident, seeing the kind of disarray and disorganisation that exists on the other side.

*(Applause)*

They have not been able to put their house in order. When talking about the freedom of the Press, what do you expect from the Press when a very prominent member of the so-called "Alliance for Change" goes public in his constituency and says that he is going to be the candidate because the Kikuyus and Kalenjins have already provided the President of Kenya, and he is cheered in his constituency. When the matter is reported in the Press---

**Mr. Kihoro:** --- (inaudible).

**Mr. Speaker:** Order! Mr. Kihoro, if you cannot listen to a contrary opinion to the one held by you, please, you can leave the Chamber! If you must remain in this Chamber, you must listen! Please, listen! Just bear the pain!

*(Laughter)*

Member of Parliament was cheered by his constituents when he declared that he was going to be the candidate for the National Alliance for Change. When this matter was prominently reported by the media---

**Mr. Kombo:** On a point of order, Mr. Speaker, Sir. Where is that story about the National Alliance for Change quoted in the Report?

**Mr. Speaker:** Where is it, Mr. Raila? By the way, what is National Alliance for Change?

**The Minister for Energy (Mr. Raila):** Mr. Speaker, Sir, we were talking about the live coverage of the proceedings of Parliament and what is contained in the Report. The Report is talking extensively about freedom of the Press. The hon. Member who moved this Motion alluded to freedom of the Press. Some of them are very caustic in their challenge to the media. The media is sometimes on the receiving end because some Members of Parliament stand before their constituents and make certain remarks which they cannot support the following day. The hon. Member in question declared that he was going to be the Presidential candidate for the National Alliance for Change because hon. Kibaki was already disqualified.

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

**Mr. Speaker:** Order, Mr. Kibicho! Does it mean that any time Mr. Kibaki's name is mentioned, you must stand up? You must sit down now!

**The Minister for Energy (Mr. Raila):** Mr. Speaker, Sir, when this matter was prominently covered by the Press, that hon. Member complained that the media is out to destroy the National Alliance for Change. He denied ever making such allegations. Those allegations were carried by the *Daily Nation* and the *East African Standard*. The reporters who covered that function come from the same ethnic community with the concerned hon. Member. He spoke in his mother tongue and all the five reporters present were able to capture that!

**Mr. Speaker:** That is enough! Just leave that now!

**The Minister for Energy (Mr. Raila):** Mr. Speaker, Sir, I totally agree with the idea that we should have live coverage of the proceedings of Parliament. We should also agree on how that is going to be done. In some other parliaments - although they have tried to use the United Kingdom model - the camera is directed at the person who is contributing at that particular moment. The camera may wander sometimes to catch the reaction of Members in the House. There is also another model where the camera beams on the whole Chamber. This is a debatable issue because some Members of Parliament may not want that one because it may cover other Members who would be dozing in the House and their constituents may not be impressed.

**Mr. Speaker:** Order, Mr. Raila! Members of Parliament never doze! Never!

**Mr. Ndicho:** Mr. Speaker, Sir, could he tell us what that action which was captured by the print media in the past is, where somebody is sitting like this?

*(Mr. Ndicho made some demonstration)*

**Mr. Speaker:** That is called active relaxation!

*(Laughter)*

**The Minister for Energy** (Mr. Raila): That is being in active consultation with the ancestors!

With those remarks, I beg to support.

**Mr. Kibicho:** Mr. Speaker, Sir, I stand to support this Motion. The beneficiary of live broadcast of parliamentary proceedings is the Kenyan public. They will get to know what happens in this House and make informed decisions on matters that emanate from this House. The opinion which will be formed about the debates in this House will be correct. What Kenyans get today is a version that has been edited.

Mr. Speaker, Sir, at the moment, even editors of newspapers do not get the correct version of parliamentary proceedings because they depend on reports which have been summarised by reporters. This will come to an end because a true picture of what transpires will be captured by the live broadcast.

Mr. Speaker, Sir, I do not support the assertion by Mr. Raila that the trips which this Committee made outside this country were a waste of public funds. The Committee came up with a very good observation of what they saw when they went abroad. They noted that in countries where live broadcasts are in existence, the signals are owned by Parliament. When they went there, they noted that it is not only broadcasting houses which install all their cameras. There are rules and regulations which govern that practice. They were able to see how those rules and regulations are implemented by the respective parliaments. So, that money was well spent.

Mr. Speaker, Sir, when the live broadcasting of parliamentary proceedings start, the KANU Government is going to fare very badly. Those Ministers who speak broken English and are irrelevant will be viewed very negatively by the public, and that will assist the National Alliance for Change, contrary to what hon. Raila talked about. He alluded to the fact that the Opposition is in disarray, but I want to tell him that when the live coverage of the proceedings of Parliament starts, the Opposition has men and women who are well-researched in their speeches and convictions. The Kenyan public will come to the conclusion that this Government has no business to rule!

**Mr. Koskei:** On a point of order, Mr. Speaker, Sir. If you were listening keenly, you must have heard Mr. Kibicho say that there are Ministers in this House who speak broken English. That is a very wild allegation! Could he be asked to substantiate?

**Mr. Speaker:** Order, hon. Members! To the best of my knowledge, none of the Members of Parliament present here was born an Englishman or Englishwoman. You all learned this language through the various schools and colleges to certain and varying degrees and extends. To that extent, I am able to communicate with all Members of Parliament present, all of them having been certified by the relevant authority to come to this House. I have been able to listen and hear, enriched as it has always been, by your own variation of tribal languages.

Proceed, Mr. Kibicho!

**Mr. Kibicho:** Mr. Speaker, Sir, your observation is correct, but all I am saying is very simple. When broadcasting or televising of parliamentary proceedings will be made live, Kenyans will know the calibre and quality of the Ministers who are here. We, as a nation, should form a national opinion. Kenya is one, and all Kenyans cannot sit in this House. I would like to say that all Kenyans are represented by us. The cost we put in to broadcast the proceedings live will make those Kenyans want to participate in the debates in the sense that they will know exactly what a Member has said and make their own decision.

I would like to urge the House to lead by example when it will implement this Report. I would like to urge the House to copy other parliaments which have done it successfully. This is because, occasionally, we like doing things haphazardly so that we appear to satisfy others and not to achieve what we intended to achieve. I would like to explain what I mean by saying this. What happens in other countries is what has been agreed upon. Since we are a minority and the outside is the majority, what may be agreed upon can only be represented if that Committee is not composed of men and women proportionate with the strength of parties other than the Opposition and KANU.

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

**Dr. Anangwe:** Thank you, Mr. Speaker, Sir, for giving me this opportunity to make my contribution to the Motion. Let me say at the outset that I support the Motion and the idea that this particular Report should be adopted and implemented in the interest of this House and the Kenyan public. I would like to urge the Government and the KANU side to support this Report. This side should ignore the fact that, probably, the Chairman was Mr. Kirwa. They should forget about Mr. Kirwa and look at the issues that are at stake. In this case, the issues are in terms of improving communication. If you have difficulties with who the presenter was and you do not want to give him mileage, borrow a

leaf from the eating of a turkey. If you eat the turkey and decide to look at the legs and the head, you will feel nauseated. So, ignore the head and the legs and concentrate on the issue, which is the main meal, and that is this Report. Forget about Mr. Kirwa, who is a communication barrier between KANU and this particular Committee.

I would like to say that this Report has very nice ideas, and if they are pursued to the end, there will be some improvement in communication between this House and the Kenyan public. This is because live coverage is a primary source and not a secondary one. Usually, Kenyans get reports today through reporters of Kenya Broadcasting Corporation (KBC) and newspapers, and usually, they are in a digested form. The digestive process can tamper with what the Member of Parliament may have said on the Floor of the House. So, if it is live coverage, it is original; there is nothing secondary; there is no room for distortion. An hon. Member will be heard by his constituents from first hand information rather than the kind of distortions we sometimes see in the newspapers. Indeed the current arrangement where reporting of the proceedings of this House either goes through the newspapers or through the KBC or other media stations, sometime is full of distortion. Indeed, there are hon. Members of Parliament who make very good contribution, and I have had an opportunity to listen to them. But when you look at what the newspapers have written-- - Sometimes, they do not even report them. They do not even report what has been said. The KBC, for instance, will go systematically reporting one hon. Member after another, but will conveniently skip another. I have been a victim of this and wondered the wrong thing I had spoken on that particular occasion.

**Dr. Kituyi:** The legs of a turkey!

**Dr. Anangwe:** Mr. Speaker, Sir, I am saying that sometimes there is favouritism in the kind of coverage and reporting that goes on through the current arrangement. Sometimes there are distortions. This is a case where what you said and what is being reported are two different things altogether, or sometimes there is selective reporting. You said many good things and along the way, just to punctuate what you had already said, you may utter something more sensational. That is what will be picked up and the body of what you may have said is ignored. We need professional reporting in this House. I am sure that if live reporting was to be introduced in this House, there would be an improvement and a different perception that is out there, particularly on the Kenyan public who will listen to this report.

Mr. Speaker, Sir, a number of recommendations have been made in the Report. One recommendation has to do with regulatory framework or the kind of arrangements that should be in place for us to realise this good idea. Two issues arise between Parliament's own broadcasting, versus that of the private sector, for example, the Nation or any other media station coming in to take charge. I would rather we go for a parliamentary one. This is because if we allow a private entity to take charge of that live broadcasting, we may fall into the difficulties we normally face with the private newspapers and television stations when they report. These people choose what to emphasise. Some are very partisan, and in that particular regard, the reporting will not be as fair as it would be if Parliament owns the facility and manages the broadcasting. In any case, this House has well trained HANSARD Reporters, and the quality of the HANSARD Reports, if one looks at them, meticulously shows a job well done, and we can build on that so that we exclude private broadcasting or destroy this particular role of the private broadcasters. Newspapers and radio stations will have to source from the parliamentary facility that will take charge of this particular role.

The other issue that seems to be highlighted in this Report is the role of the television as well as the radio. I would rather we put more emphasis on the radio because many of our people cannot afford television sets. Indeed, if we want to have effective communication, we should put more emphasis on radio communication. If we do that, the rural people will get whatever has transpired in the House. A television set is a very expensive gadget and its use is dependent upon availability of electricity or some alternative source of energy. If we anchored this arrangement of televising parliamentary proceedings - television broadcasting - we would probably be addressing a minority of our population and not a significant part of it. Probably, it is just people in urban areas and a few in rural areas who are connected to electricity who would watch the televised proceedings. We know that only 9 per cent of the Kenyan population has access to electricity. That gives you the percentage of our population that we would be addressing. As we go through the institutional arrangement and plan how we will set up these facilities, emphasis should be put on radio rather than television broadcasting.

Mr. Speaker, Sir, I have looked at the rules of coverage that are contained on page 5 of this Report. I realise that the Committee seems to be over-stretching its mandate by becoming too technical. What is important for us is to resolve that we are adopting this Report, but the technical aspects need to be sorted out by professionals. They should think through the kind of set-up we have in here and see what kind of effective arrangements can be put in place. But for us to go ahead and prescribe rules the way we have done in this Report would be tantamount to doctoring what should be captured from the Floor of the House. This is not just a propaganda exercise, but a communication process, and as a communication process, it ought to capture the reality the way it is, and leave Kenyans to interpret it and reach their own conclusions. So, let us not say that the camera will only cover this aspect and not the others. If, for instance, a cameraman captures an hon. Member of Parliament having extensive relaxation and Mr. Speaker advised on this, then

let it be. That is the reality. The public should be let to reach its own conclusion that, indeed, in Parliament, there are those hon. Members who are bored and those who are active, so that if elections were to be called, they could also base their judgement on that particular live coverage, particularly if the tapes will be left here and could be borrowed by members of the public. This could be a good tool of campaigning because campaigners could take the tapes to public rallies and play them back.

Mr. Speaker, Sir, I have also looked at the recommendations as summarised in Part IV. They are very good recommendations, and if they are given due consideration, I am sure the institution and the facility that we will be put in place will be effective.

With those few remarks, I beg to support.

**Mr. Maitha:** Bw. Spika, ninaunga mkono Hoja hii ambayo imeletwa katika Bunge hili ili tuweze kutangaza shughuli zetu katika runinga. Ningetaka kuwashukuru wale wote ambao wamehusika katika Kamati ambayo imekuwa ikichunguza kuhusu jambo hili. Wananchi wa Kenya wangepaidika sana kama shughuli za Bunge hili zingekuwa zikitangazwa kutoka zamani. Kama Waswahili wanavyosema, "kuelimika si kustaarabika". Nimesikiliza kwa makini wenzangu wengine ambao wameelimika sana wakiongea, lakini nimeona kuwa wanadharau maoni ya wengine ambao walienda kuyaona mambo ambayo nchi nyingine zimefanya, na ambayo sisi hatujaweza kufanya hapa kwetu. Ninasema hivyo kwa sababu, hivi juzi nilitembelea nchi ya Israel na niliona kwamba shughuli za Bunge lake zinatangazwa katika runinga. Mambo ambayo yanatendeka katika Bunge lile yanaonyeshwa wazi wazi. Nchi hiyo inafaidika sanakwa sababu chochote kinachofanyika katika Israel nzima, ni lazima Bunge lijulishwe na Wabunge walijadilie wazi wazi. Kwa hivyo, wananchi wote wanapofanya kazi ama wakiwa nyumbani, wanaweza kuona katika runinga viongozi wao wanasema nini kuhusu matukio mbali mbali.

Kama vile unavyojua, Israel ni nchi ambayo imezingirwa na maadui, na wakati wote huwa katika hatari ya kuwapata wananchi wakiwa wamepigwa bomu. Bunge la nchi ile linatangaza shughuli zake katika runinga saa zote na wananchi wanalitegemea. Pia, sheria za Israel hazimruhusu mwananchi yeyote kufanya maandamano barabarani dhidi ya Serikali. Utaona kwamba Mawaziri wana maofisi katika Majengo ya Bunge na jambo lolote likitendeka nchini, Waziri yeyote anaweza kupatikana katika ofisi yake ili aeleze ni kwa nini kitu fulani kinafanyika.

Ninasema hivyo kwa sababu migomo inayoendelea katika nchi hii haistahili kufanyika katika barabara zetu na kuwafanya wananchi wengine kutofanya kazi zao. Katika nchi nyingine, migomo inafanywa nje ya jengo la Bunge peke yake. Hata huko Marekani, migomo mingi inafanyika nje ya jengo la White House. Mara nyingi, stesheni ya Cable News Network (CNN) huonyesha migomo mingi ikifanyika nje ya jengo la White House kama vile viwete wakilalamikia jambo fulani.

Bunge letu la Kenya limekosa kufaidika kwa kutoonyeshwa wazi wazi shughuli zake, na wananchi wamekuwa wakipata mambo machache tu katika radio kwa sababu utangazaji katika radio unafanyika saa nne za usiku wakati ambao kila mtu amelala. Watoto wa shule wanaokuja katika Bunge hili, hawana nafasi ya kufuata mambo ambayo yanazungumziwa Bungeni. Kama shughuli za Bunge hili zingekuwa zikionyesha wazi wazi katika runinga, basi watoto wa shule hawangepata taabu kuja katika Bunge hili ili kuona vile mambo yanavyotendeka. Wangepangalia taratibu za Bunge katika runinga. Siku hizi watu wanatosheka wakiangalia mambo katika runinga.

Nilisema kuwa kuelimika si kustaarabika kwa sababu inabidi sisi tuende katika nchi nyingine ili tuone mambo mazuri zaidi ambayo wengine wamefanya. Inabidi pia tujulize ni kwa nini tuwe na kitu kizuri ambacho kimefanana na cha wengine. Kwa hivyo, nikiunga mkono mambo ambayo yamezungumziwa na yakapendekezwa katika Ripoti hii, ningetaka kusema kwamba Serikali wa Kenya watafaidika kama Ripoti yoyote ambayo italetwa katika Bunge hili itatiliwa maanani na kutekelezwa na wale ambao wanatakiwa kutekeleza.

Nchi hii imekuwa na migomo mingi sana, kama vile mgomo wa walimu. Walimu waligoma kote nchini. Waziri aliyekuwa akikusika na elimu wakati huo, ambaye sasa anahusika na utalii na habari, tulikuwa tukimuona kila wakati akijibizana na walimu.

*[Mr. Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Dr. Anangwe) took the Chair]*

Lakini ilibidi walimu wakubili na Wabunge au Wabunge wajitokeze kwenda kuwaunga mkono. Tunajua kwamba Bunge lolote lile, katika nchi yoyote ile, ndilo linalotengeneza sheria na kusimamia kila kitu. Mawaziri wanaohusika kujibu maswali wako katika Bunge hili. Kwa hivyo, ni rahisi kama walimu wangepanya mgomo na kuja katika Bunge. Katika Mabunge mengine ambayo tumezitembelea, kuna pahali ambapo pametengwa kwa wale ambao wanataka kuja kulalamika kuhusu jambo fulani; kama vile mishahara, au wale ambao wameudhiwa na jambo lolote. Watu hao wanakuja huko na wanamulikwa na mashine na kuonyeshwa katika runinga. Na saa ile ile, Wabunge, viongozi wao,

hata Rais wa nchi ile, wanatakiwa kulihutubia Bunge kuhusu jambo fulani ambalo linatatiza wananchi wao.

Bw. Naibu Spika wa Muda, kwa sababu hiyo, tunasema kwamba, kama tungekuwa na mambo madogo madogo kama hayo yaliyofikiriwa kutoka zamani; na ambayo tunapigania wakati huu; au wananchi wetu wanaona kwamba hayafanywi na viongozi, ingelikuwa kwamba yanaweza kuthibitika mara moja, kwa sababu ingekuwa hakuna haja kwa Mbunge kuuliza swali Bungeni, ama kutaka Waziri ajibu swali kuhusu kitu ambacho angeona ni sawa, ama kuhusu tatizo lile ambalo linamsumbua.

Bw. Naibu Spika wa Muda, hivi karibuni tutakuwa na mgomo wa wauguzi, ambao hata mimi nawaunga mkono kwa sababu hawajapatiwa mishahara yao. Wakienda barabarani wakigoma, itanibidi niwauunge mkono kwa sababu Serikali imewaonea. Lakini ingekuwa vizuri kama wauguzi wale wangelitumia Bunge hili kutatua tatizo lao. Yafaa kama wangukuja kufanya mgomo wao pale nje, na Waziri anayehusika na Wizara ile aitwe na viongozi na kuonyeshwa katika runinga ili wananchi wamwone akijibu maswali na kutoa jibu la kuwatosheleza au kuwaudhi wauguzi, ndipo Serikali iingilie jambo hilo. Lakini mtu mmoja atawaambia kwamba: "Mkigoma, tutawaachisha kazi. Mkifanya hivi, tutawafanya vile." Ama mtu mmoja anatisha walimu kwamba: "Msipofanya hivi, tutawafanya vile." Bunge hili ndilo msingi wa nchi hii na wananchi wa Kenya, na yafaa liwe ndilo linalozungumza saa zote, na kuhakikisha kwamba wananchi wake wanaona kinachoundelea.

Bw. Naibu Spika wa Muda, nikiendelea kuunga mkono Hoja hii, ningesema kwamba, waandishi wa magazeti na hata wale wenye makampuni ya utangazaji ni watu muhimu katika nchi yetu na dunia nzima. Katika dunia nzima wakati huu, Wabunge wengi wanapenda kuangalia vipindi na habari katika runinga za BBC na CNN kwa sababu mashirika hayo yanaeleza kuhusu mambo ya dunia. Hata wakati KTN ilipoanzisha mtindo wa kuonyesha chaneli za nje kama vile CNN, Shirika la Utangazaji la KBC pia liliigiza mtindo huo, ambapo KBC ndilo shirika la utangazaji la umma la kwanza hapa Kenya lililoanzisha mtindo huo. Tunataka Shirika la utangazaji la KBC kuwa katika mstari wa mbele kufanya mambo ambayo tunayaona kuwa mazuri.

Kwa mfano, jana tulikuwa na sherehe kubwa kule Mombasa ya kuondoa takataka kutoka eneo la kutupa takataka lililokuwa linawaudhi watalii wanaokuja Kenya. Harufu ya takataka pale Kibarani ilikuwa inawaudhi watu wengi na imezungumziwa kwa muda mrefu. Jana ilikuwa ni siku kubwa ya kuondoa takataka zile na kuzipeleka pahali pengine. Lakini unashangaa kwamba Shirika la Utangazaji la KBC halijaonyesha kitendo cha kuondoa takataka zile. Mashirika yaliyoonyesha sherehe hiyo ni Nation na KTN. Waziri wa Serikali za Wilaya alienda kule jana na alionyesha katika mashirika ya Nation na KTN. Lakini Shirika la Utangazaji la KBC, ambalo ni la Serikali linalotarajiwa kulinda maslahi ya nchi hii, vile vile lingeonyesha takataka zikiondolewa katika eneo la Kibarani, Mombasa. Kwa sababu tunataka watalii waje Kenya na kutuletea pesa, Shirika la Utangazaji la KBC linatakiwa kuchukua umuhimu wa kitendo kile na kuwaonyesha Wazungu katika nchi za nje, hata linageuza kanda za kipindi kile kwa mashirika ya uchapishaji, ili waweze kuonyesha picha hizo katika nchi zao. Hapa kwetu, sisi wenyewe hatujaona picha za kanda zile! Hii ni tabia ya Shirika la Utangazaji la KBC! Unaweza kuzungumzia kuhusu kitu fulani leo lakini Shirika la Utangazaji la KBC litaonyesha habari hizo kesho kutwa! Lakini utakuta kwamba kuna watu wengine ambao ni muhimu kwa Shirika hilo! Kanda yao inaonyeshwa leo hata kama iko wapi, itapeleka moja kwa moja hadi KBC na itapewa nafasi ya kwanza.

Bw. Naibu Spika wa Muda, hatupendi Shirika la Utangazaji la KBC liwe la siasa, lakini tunataka wananchi wetu walitegemee. Tunataka uchumi wetu utegemee Shirika la Utangazaji la KBC, na watu wote wa Kenya wawe na imani nalo. Hivi sasa ukiangalia runinga ya KBC na radio, watu siku hizi--- Kwa mfano, kule Pwani, kuna idhaa ya radio inayoitwa *Pwani FM*, KBC na pia kuna kampuni nyingine ya kidini iliyoanzisha channel yake ya FM, *Baraka FM*. Ukitaka mkutano wako wa siasa au Harambee yako ijae watu wengi, tangaza habari hizo kupitia *Baraka FM*. Watu wengine watasikiliza *Baraka FM* kushinda *Pwani FM*, na hata KBC. Tumefanya hivyo na nina ushahidi wa kutosha, hasa mwishoni mwa wiki iliyopita.

Bw. Naibu Spika wa Muda, sisi wachezaji wa Bunge FC tulienda kucheza huko Pwani na wafanyakazi wa KPA, kuwasaidia kwa sababu mambo ya biashara za KPA. Waziri wa Uchukuzi na Mawasiliano, mhe. Mudavadi, alikuwepo. Lakini kwa sababu sizizojulikana, tulipeleka matangazo kwa *Baraka FM*, *Pwani FM* na KBC. *Baraka FM* ilikuwa inatangaza kila baada ya nusu saa kwamba: "Timu ya Bunge FC itacheza na wafanyakazi wa KPA." Watu walikuwa wengi katika uwanja huo na walipoulizwa ni wapi walipata habari hizo, walisema, "*Baraka FM!*"

Bw. Naibu Spika wa Muda, Jumapili iliyofuatia, timu ya Bunge FC ilicheza na timu ya Wazee wa Kazi na maelfu ya wananchi walijaa uwanjani. *Baraka FM* na *Pwani FM*, ni idhaa zinazotegemewa kwa matangazo kwa mwananchi wa kawaida katika Pwani. Tunashangaa kwa nini Shirika la Utangazaji la KBC; channel ya wananchi ambayo ndiyo ilikuwa ya kwanza wakati Kenya ilipata Uhuru, na ni channel inayotegemewa na watu wengi--- Ni kana kwamba wananchi wamepoteza imani na KBC.

Hata nyumbani mwangu, ninapofungua KBC televisheni, watoto wangu wanasema: "Daddy, afadhali ufungue KTN tuone, kuliko kufungua KBC." Nikiwauliza ni kwa nini, wanasema: "Ah, hao wanaonyesha vitu ambavyo sisi hatuelewi!" Tunataka vipindi ambavyo vitafurahywa na watoto. Kwa mfano, kipindi cha "Leo katika

Bunge" katika televisheni; KTN wanaonyesha picha za Wabunge. Kwa mfano, Kalonzo Musyoka akizungumza Bungeni, Shirika la KTN linamwonyesha na watoto wake wanamwona akizungumza na kusema: "Mzee leo amezungumza Bungeni." Lakini Shirika la Utangazaji la KBC halileti habari hiyo na kuonyesha katika runinga. Hiyo ndiyo tofauti ambayo tunataka kuonyesha hapa. Kwa nini mashirika ya utangazaji ya kibinafsi yanatangaza habari vizuri kuliko KBC, ambalo ni shirika la Serikali? Ni muhimu kwa KBC kama shirika la Serikali kuhakikisha ya kwamba inatangaza habari kama vile BBC, Sauti ya Amerika na CCN. Mashirika haya hutegemewa sana na wananchi wao kwa habari kamili. Ni lazima shirika la KBC kuyapa kipao mbele mambo muhimu hapa nchini ili wananchi wetu wawe na imani nao.

Bw. Naibu Spika wa Muda, utaona ya kwamba magazeti hapa nchini hayajishughulishi na mambo muhimu ambayo yanaweza kuleta msisimko kwa wananchi wetu na kuwafahamisha kuwa uchumi wetu unadidimia. Badala yake, wao huandika mambo ambayo hayana ladha. Kwa mfano, mambo haya ambayo tunazungumza hapa Bungeni ni muhimu kwa wananchi wetu. Utaona ya kwamba hata kama mhe. Mbunge atazungumza mambo ambayo yanaweza kuiletea faida nchi hii na ikiwa mwandishi wa magazeti hampendi, basi hataandika chochote juu ya hotuba yake. Na ikiwa mtangazaji wa KBC hampendi mhe. Mbunge huyo, basi hata katika kipindi cha KBC cha "Leo Katika Bunge" hutalisikia jina lake likitajwa.

Bw. Naibu Spika wa Muda, utaona ya kwamba utangazaji wetu na uandishi wetu wa magazeti ni haffu na unaendeshwa katika misingi ya kikabila, iliyojaa chuki ambayo inasababisha mambo muhimu kutowafikia wananchi wetu. Kwa mfano, jana, katika Mkoa wa Pwani, kuna tukio fulani muhimu ambalo lilitokea lakini shirika la KBC haikulipa kipao mbele. Kiwanda cha samaki ambacho kimeajiri zaidi wafanyakazi 3,000 kilifungwa na shirika la European Union (EU). Wafanyakazi hao wote walipoteza kazi. Wavuvi wetu hawatavua na kuuza tena samaki kwa sababu kiwanda hicho kilifungwa. Watu wa Mkoa wa Pwani watakufa njaa. Ni aibu kuwa shirika la KBC halikutangaza tukio hilo la Mkoa wa Pwani. Ni shirika tu la KTN ambalo lilitangaza tukio hilo. Shirika la KBC halikuwa na habari kuhusu tukio hilo la jana. Ni mambo kama haya tunayotaka yatiliwe maanani na vyombo vyetu vya utangazaji, na umuhimu usambazwe kote nchini.

Mwisho, ningependa kuipongeza Kamati hii kwa kazi yao nzuri. Kuna baadhi ya watu wanaofikiria kuwa Kamati hii haikufanya kazi nzuri kwa sababu mambo mengi waliyoyataja tunayafahamu. Hata hivyo, kuna haja ya mtu kujielemlisha. Wengine wetu ambao wamesoma hadi vyo vikiu na kupata digrii hapa nchini hupenda sana kupata digrii ya pili katika nchi za kigeni kwa sababu tunaamini kuwa huko kuna elimu bora kuliko hapa nchini. Mtu akirejea nyumbani baada ya kupata digrii ya pili, hujitambulisha kama mtu aliyepata digrii ya kwanza hapa nchini na ya pili aliipata Uingereza na kwingineko. Waswahili husema, "kuelimika si kustaarabika". Hata kama umesoma hadi kiwango cha juu na nchi yako haifaidi na elimu yako, basi hiyo elimu haina umuhimu wowote kwa nchi yako. Kila siku wasomi wetu huandika ripoti ambazo zinaweza kuisaidia nchi hii. Lakini ripoti hizo zinahifadhiwa katika kabati na hazitufaidi kwa lolote. Tunachotaka hapa si ripoti ambazo zitahifadhiwa katika vitabu na kusomwa na wananchi wetu tu; tunataka vitendo. Tunaposema tunataka shughuli za Bunge hili zinukuliwe katika redio au runinga, tungetaka Serikali hii kuhakikisha jambo hili linafanyika mara moja. Ikiwezekana, tungetaka wananchi wetu waweze kuona jinsi tunavyoendesha shughuli zetu wiki kesho. Tungependa kuwa na kipindi maalum ambacho kitajishughulisha na mambo yanayotendeka hapa Bungeni.

Bw. Naibu Spika wa Muda, ningeiuliza Serikali yetu isiwe na kijicho kwa mashirika ya utangazaji yanayotaka kuelimisha wananchi wetu, ili wajue mambo muhimu yanayoendelea hapa nchini. Kwa mfano, watu wa Mkoa wa Pwani hawapati matangazo ya televisheni au kusikiliza redio ya shirika la Nation. Hii ni kwa sababu ya wasiwasi wa Serikali kwamba shirika fulani likipanua mabawa yake hadi sehemu fulani ya nchi, basi wataumiza shirika fulani. Kwa sababu ya kubinafsisha utangazaji nchini, kwa nini Serikali hii inakataza mashirika ya kibinafsi kuwafikia wananchi katika sehemu fulani za nchi? Tungependa televishini na redio ya shirika la Nation kuwafikia wananchi wa Mkoa wa Pwani. Tunashukuru kwa sababu shirika la KTN tayari limefika Pwani. Pia tunashukuru kwa sababu Baraka FM inatangaza moja kwa moja kutoka Mkoa wa Pwani. Kwa hivyo, tunataka mashirika yote ya utangazaji yawafikie wananchi wa Mkoa wa Pwani. Ni jambo la kuhuzunisha kuwa unapofika hapa Nairobi, unaambiwa kuwa tukio fulani lilitokea na kutangazwa na shirika la Nation.

Kwa hivyo, ni muhimu sana kuona kwamba ripoti hii haitachukuliwa kama ripoti ilioandikwa na wanasiasa fulani waliyotembelea mataifa ya kigeni. Tulitembea na tukaona makavazi katika bunge nyingi. Kwa mfano, tulipoitembelea Bunge la nchi fulani, tulionyesha kanda ya Mbunge aliyekufa karibu miaka 40 iliyopita. Mhe. Mbunge huyo alitetea sheria fulani. Kanda hiyo ilichukuliwa kutoka makavazi yao na tukamuona Mbunge huyo akiitetea sheria hiyo. Hapa tuna nakala za HANSARD. Watoto wa shule wanaokuja hapa huruhusiwa kuona jinsi tunavyozungumza na kupewa nakala chache za HANSARD, kisha wanarudi kwao. Itakuwa ni vizuri sana kama kungekuwa na kanda za televisheni ambazo wananchi wetu wangeweza kununua na kuona vile waheshimiwa Wabunge wanavyoendesha shughuli zao. Wengi wetu tuliwasikia waheshimiwa Wabunge kama vile Ronald Ngala, Thomas Mboya, Kodhek na wengine wengi. Kama wangukuliwa katika kanda za runinga, basi tungekuwa na kanda

nzuri katika makavazi yetu na tungeweza kuwauzia wananchi wetu. Wale ambao wanafanya utafiti juu ya shughuli za kisiasa hapa nchini wangeweza kuona vile waheshimiwa Wabunge wanavyozungumza na kulinganisha na waheshimiwa Wabunge wa zamani kwa sababu siasa zetu zimekomaa sana.

Bw. Naibu Spika wa Muda, kwa hayo machache, ninaunga mkono Hoja hii.

**Mr. Mutiso:** Mr. Temporary Deputy Speaker, Sir, thank you for allowing me the opportunity to make my comments on the Report of the Select Committee on the Broadcasting and Televising of Parliamentary Proceedings. Much has been said, and I would not like to repeat what has been said.

However, I would like to underscore the importance of live broadcasting and televising of parliamentary proceedings because it has some economic implications. We all know that Parliament is an institution which deals with the policy papers of the Government. Since 1992, Government policies have been subjected to a lot of scrutiny by external development partners. I believe that live broadcasting and televising of parliamentary proceedings will enhance the confidence of bilateral donors in the policies of this Government.

The quality of debate in this House has been subjected to a lot of misinformation by the media houses. By allowing live broadcasting and televising of parliamentary proceedings, the media houses will not misinform members of the public.

Mr. Temporary Deputy Speaker, Sir, let me also say that the Committee proceedings, particularly the Public Accounts Committee and the Public Investments Committee, which are the watchdogs of this House have an enormous task of supervising how Government projects have been taken into account. This week we passed the Tenth Report of the Public Investments Committee which highlighted some of the anomalies that have been conducted in the last few years by Government officials. I think if the live coverage of parliamentary proceedings would include the Committee proceedings, the level of corruption in some of the Government departments would also be checked. In 1994, there was the new World Economic and Information Communications Order Conference in Denmark, and since Kenya is one of the countries that subscribe to this institution, it would, therefore, only be fair for this country to allow live coverage of parliamentary proceedings.

I believe the importance of live coverage of parliamentary proceedings can be aptly demonstrated by what happened on 18th March, this year. That was the historic day when we had the KANU and NDP merger. Due to the coverage of the meeting, the Kenya Shilling's value appreciated substantially. That improved the confidence of investors in this country. That is the only way this Parliament can build donor confidence in this country. I fully support the Committee Report and also urge, if possible, that this Parliament sets the date for implementation as 1st July, 2003.

With those few remarks, I beg to support.

**Mr. Kihoro:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this very important Motion. This Motion is a clear proof that this nation is moving into the new information age. Only one year ago, this House adopted a Motion on the freedom of information. That Motion was very important in terms of giving our people access to information. It should not be that what is proposed by the Motion on the Floor is supposed to promote what was also adopted by this House in the Freedom of Information Motion. In the Report which has been submitted by the Select Committee, Paragraph 2.1 tells what the whole debate is all about. The Paragraph reads:-

"The Committee noted that many Parliaments, including our immediate neighbours broadcast their proceedings live. Broadcasting brings Parliament closer to the people and creates awareness on what their representatives do in Parliament. The confidence of the electorate in the dignity of Parliament will be enhanced through live broadcasting. This is a real picture of the House as opposed to the current selective coverage of the events".

Mr. Temporary Deputy Speaker, Sir, one person who is mostly covered in this country by the media is President Moi. One month ago, there was a news item in the newspapers that he had anointed four young turks to take over the running of the country, and within four days, that statement was reversed by the Presidential Press Unit. If only we had an independent coverage of that event---

**The Minister for Tourism and Information** (Mr. Kalonzo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to talk outside the contents of this Report? Is he suggesting that there would have been live coverage of that event by this House? Why does he not restrict himself to what is before the House?

**Mr. Kihoro:** Mr. Temporary Deputy Speaker, Sir, it is like I have shown him the red flag, and he has come charging at me. I have shown him the red flag by saying what I said, to actually know whether he is alive or asleep.

**The Minister for Tourism and Information** (Mr. Kalonzo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for my learned friend to use that language which is not dignified?

**Hon. Members:** What language?

**The Temporary Deputy Speaker** (Dr. Anangwe): Mr. Kihoro, stick to the Report.

**Mr. Kihoro:** Mr. Temporary Deputy Speaker, Sir, that is why I started off by reading a paragraph in the



Report. I do not remember any hon. Member who has spoken before me quoting any paragraph in the Report. It is only that in that paragraph, the last sentence talks about selective coverage in this House. Some well researched, very informative and appropriate contributions which are made in this House are not reported, while some which are not worth being reported, but simply because they have come from the "correct sources", are reported. The public is, therefore, not informed of what is happening in this House. It is important that live broadcast of proceedings in this House be initiated as soon as possible. There should be simultaneous transmission of proceedings which will enable many hon. Members of Parliament to reach their electorate. This is the only appropriate *quid pro quo* of the electorate. The feedback must be simultaneous and not based on hearsay.

There has been a lot of hearsay, and sometimes many have claimed to have been misquoted - I will not retract my statement - including those at the highest level. Many hon. Members from the party on the opposite side of the House have been able to extract a lot of income from litigation on the basis that they have been defamed. If only they were caught on the camera, there would be no litigation. Newspapers have become fairly expensive for our people, basing on their incomes. If you were to buy one newspaper per day for the whole month, you would spend about Kshs3,000. If you want to have a variety of newspapers, you might have to spend Kshs12,000 per month. It is important that information from this House be made available to the citizens of this country in the cheapest possible way. I would prefer the television, which I have been told by my good friend, Mr. Maitha, is known as "runinga" in Kiswahili, and also the radio. The radio is very important. Looking at the incomes of our people, we must be practical at all times. If we are going to have live broadcasts, our people who will afford receivers in their own houses will be able to know exactly what is happening in this Parliament.

Mr. Temporary Deputy Speaker, Sir, this Parliament is important, and cannot be ignored. Whatever is happening here should be the basis of public debate outside. Very many Questions have been answered in this House in the affirmative, but what is happening on the ground is very different. If there was live broadcast, our people would be informed immediately what has been said by the various Ministers of Government, and there would be no contradiction out there. This country would then become more democratic because that is always our concern. If there is true democracy, there would be more *ugali* on our plates every evening.

Mr. Temporary Deputy Speaker, Sir, it is important that if we are going to have live broadcast--- Tomorrow, I might decide to come and quote from the books out there--- I have quite a number. I might also come and quote from a book which, according to what I have been informed, there is a long list of banned literature in this country. There are very many books that are banned and we want to read them. One of the things that must be done is to lift the ban on literature in this country, so that our people will be able to read whatever they want to. Even if they want to read Fim Yun from North Korea, Mao Tse-Tung or Lenin--- I know Mr. Musyoka used to read those books a lot at the university, although now, he has been taken in a different direction. It is important that, that ban on banned books should be lifted. The so-called seditious literature should not be banned. There should be no seditious literature. The only law that should be operating is the law of defamation. I do agree that, that is an important law and it should be applied because people can be defamed by the media. That is the only area where there should be a review of our laws.

Mr. Temporary Deputy Speaker, Sir, it is also important for the Press to regulate itself. The Press should be able to do so because I believe they have got very high morals. There are very high standards that are held by people in the print and electronic media. It is important that they set their own press council, so that they can know what will go to our people. When the laws and code of conduct are breached, they should have a way to enforce that.

It would, therefore, be very inappropriate to have live coverage of proceedings in this Parliament which is going to be done in a way that is going to be seen, whereas out there, we are going to enforce another law that is going to prevent the Press to run what they consider to be news, however unpalatable it might be to some individuals. In that respect, it is important to look at the law of defamation. I know that we have got a colonial statute that goes back to 1954. It is important that, that law be reviewed in a way that it can be enforced on issues about libel and slander. That would be a very important step to be done. The law needs to be modernised because, I believe, eventually, there will be cases which are culpable on defamation.

*[The Temporary Deputy Speaker  
(Dr. Anangwe) left the Chair]*

*[Mr. Speaker resumed the Chair]*

Mr. Speaker, Sir, as we introduce live broadcasts in the House, I know there are things that are going to go live to members of the public. Some of the most memorable images that I have on my mind are about Members of Parliament fighting in India. That was televised live sometime ago and it is still very fresh on my mind. I remember a

shoot-out in the Spanish Parliament in 1975 was televised live. I remember a fight in the Italian Parliament sometime ago by Italian Members of Parliament. So, that is one of those prices---

**Mr. Speaker:** Are you looking forward to that happening in this Parliament?

**Mr. Kihoro:** Mr. Speaker, Sir, what I am saying is that, what is inevitable, if this House is going to adopt this Motion, is that some very unacceptable scenarios will come from this House and they are going to be projected live. So, I believe that is going to drive more sense and greater responsibility on the part of Members. That is what I believe is going to happen. It is not that Members are going to become more unruly. I believe they are going to become obedient and act in accordance with the Standing Orders.

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

**The Assistant Minister for Finance and Planning** (Mr. Arap-Kirui): Thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute to the debate on the Committee's Report. I wish to express my support to the idea of live broadcast of debates in the House. While accepting that, I think that, that is basically a good idea. I think we should leave the details of what needs to be done to attain that to the experts. There are various recommendations in the Report, which one of my colleagues has commented on. Going into the details of what needs to be done, where and what I would like to propose that we leave those details to the experts. That is because one of those detailed comments seems to smack of a bias. There is, in the introduction of the Report, a comment to the effect that the Committee found the Kenya Broadcasting Corporation (KBC) ill-suited and ill-equipped to provide live broadcast of house proceedings. We are, at the same time, saying that the House should set aside funds to buy equipment---

#### QUORUM

**Dr. Anangwe:** On a point of order, Mr. Speaker, Sir. I do not wish to interrupt Mr Arap-Kirui, but do you realise that there is no quorum in the House?

**Mr. Speaker:** Well, unfortunately, Dr. Anangwe, you are right that there is no quorum. Ring the Division Bell!

*(The Division Bell was rung)*

**Mr. Speaker:** Order! Now we have quorum. Continue, Mr. Arap-Kirui.

**The Assistant Minister for Finance and Planning** (Mr. Arap-Kirui): Thank you, Mr. Speaker, Sir. I do support the basic idea proposed by the Committee that we do have live broadcasts of debates in Parliament. However, I would also like to suggest that we should not go into the details of how this may be done or who may do it. I am particularly concerned about comments to the effect that the KBC is ill-equipped and badly structured to offer live broadcasts of debates. I do not know whether there is any broadcast station at the moment that is well equipped or organised to provide live debates of the House. Saying that the KBC is ill-equipped and badly structured is prejudging the issue when, in fact, there may not be any comparison by which to measure the equipment status of the KBC or any other organisation.

*[Mr. Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Dr. Anangwe) resumed the Chair]*

In the same breath, I would like to say that we need, as Parliament, to set aside funds to purchase equipment. We do admit that we are not only ill-equipped, but we have no equipment at all. I would like to join other contributors to this debate who commented on biased media reporting of debates in this House in the past. We have had occasion where hon. Members have risen in the House to complain about being misrepresented. There are many hon. Members who contribute, but they are not reported at all. I am a constant victim of this bias because most of my contributions are often not reported. I know of two occasions when my contributions were attributed to other hon. Members. One such instance was when I responded to last year's debate on the Budget. The response was attributed to a completely different Minister, not even from the Ministry of Finance and Planning, who could not, by any stretch of the imagination, have been expected to have responded to the debate.

One would hope that live broadcasts would preclude such errors or biases. It should be borne in mind that live broadcasts can also be edited. They will only be live to the extent that they are broadcast at the same time that the events occur. However, if they are meant for later broadcast, they will not be live. We might have to determine exactly what we mean by live broadcasting. Do we mean that they should go on air as we debate in the Chamber or at the end of the day? In the latter case, they may not be strictly live. Once they are not strictly live, then they can be edited and the same biases can occur as we see in the print media. Although I had said we should not go into details as we debate

these issues, we need to provide safeguards to ensure that live broadcasting means exactly that. If it is not live broadcasting and we accept it as such, then there should be safeguards to ensure that there is no selective transmission. For example, we could insist that broadcasts be made in certain given bands of time, and that there will be no editing. I think this would be one way of going about it. This is an issue that would need to be looked at by experts in this regard.

Otherwise, the idea of live broadcasts of debates in this House is a good one. I hope it will limit excesses. One hon. Member referred to such excesses a few minutes ago. I believe such excesses also go with the culture of a particular nation. There are some areas in the world where people tend to be more physical than normal---

**Mr. Munyasia:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the New KANU Chief Whip in order to keep standing here while Mr. Arap-Kirui is talking? Should he not either be moving or sit down? He has kept standing here all the while as Mr. Arap-Kirui was talking. Is he in order?

**The Temporary Deputy Speaker** (Dr. Anangwe): That is not a point of order! Proceed, Mr. Arap-Kirui.

**The Assistant Minister for Finance and Planning** (Mr. Arap-Kirui): Thank you, Mr. Temporary Deputy Speaker, Sir. I hope you will save me from these constant interruptions.

As I was saying, one would hope that live broadcasts of debates in this House would reduce excesses, especially those referred to by one hon. Member in an earlier contribution. He cited cases where we have seen fights in a number of parliaments in different parts of the world. There have been instances in this House, gladly in the not too recent past, when there have been fights. I hope that these live broadcasts will reduce such excesses and that any hon. Member who may be prone to such excesses would feel restrained. Although knowing some of these hon. Members, and some are sitting right in front of me, they may revel in the idea of a physical fight on the Floor of the House. I hope that will be far from---

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

**The Assistant Minister for Finance and Planning** (Mr. Arap-Kirui): Mr. Temporary Deputy Speaker, Sir, I think you can see what I meant.

**Mr. Mwenje:** Mr. Temporary Deputy Speaker, Sir, did you hear Mr. Arap-Kirui say that some hon. Members may resort to physical fights, and that they are sitting in front of him? Could he mention who he is referring to? If he cannot say who and substantiate, then he should withdraw those remarks.

**The Assistant Minister for Finance and Planning** (Mr. Arap-Kirui): Mr. Temporary Deputy Speaker, Sir, there are many hon. Members in front of me. I wonder why hon. Mwenje was standing up, or is he such a person? With those few remarks, I support.

**Mr. Omingo:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this very important Motion regarding the coverage of parliamentary proceedings through radio and television.

Mr. Temporary Deputy Speaker, Sir, if this Motion is passed the way it is, we shall surely improve the quality of debate. There are some hon. Members of Parliament who after passing a proficiency test in Swahili and English hardly even stand on the Floor of the House to contribute to anything whatsoever, simply because 90 per cent of the contributions here are done in English. They go floating more often. If we expose them to the Kenyan public through live coverage, I am sure the electorate would naturally make a proper choice and give us quality hon. Members who can offer quality contributions on the Floor of the House. Therefore, this is a challenge to the hon. Members of Parliament, that when they sit in this House they are supposed to contribute objectively.

Mr. Temporary Deputy Speaker, Sir, you have seen that on a number of occasions, most of the hon. Members of the House walk into this House and sit down. If they have had a nice lunch, you will hear some of them snoring on the Floor of the House.

**Mr. Katuku:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Have you heard what hon. Omingo has said, that there are hon. Members in this House who, after eating *ugali*, start snoring in this House? Is that not imputing improper motives against hon. Members of this House? I would call upon the hon. Member to withdraw those remarks or request him to name whoever does that.

**The Temporary Deputy Speaker** (Dr. Anangwe): Hon. Omingo, a ruling has already been made that hon. Members do not snore, but they have some relaxation.

**Mr. Omingo:** Mr. Temporary Deputy Speaker, Sir, they actually do not. What I am saying is obvious and common knowledge, and we have seen some snapshots on television. It goes without saying, and I will not name anybody. Some of us, perhaps including myself, doze on the Floor of the House. I am saying that if we were exposed, I am sure we would be more cautious. We will participate in debates. Your constituents will actually take a roll call of your presence in the House and they would have sent you here for a purpose and not to make technical appearances or to just come in for your pay and then go out of this House. It happens that some hon. Members of Parliament do that. It is as true as night follows daylight that some of us have never made maiden speeches in Parliament in spite of the fact that we were elected, and then we say that,

perhaps, we have not been covered because KBC is biased. However, truly, you have not made a debut in the contributions of this House.

Mr. Temporary Deputy Speaker, Sir, these live broadcasts will elicit commitment in terms of participation and exposure from the hon. Members, in which case, then, the people out there will know the quality of leaders who are supposed to be in this House.

Mr. Temporary Deputy Speaker, Sir, it is very unfortunate that radio coverage of Parliament is only done on KBC. I commend them for the wonderful job done, but sometimes there are some very sensitive issues that are of national importance. If they are not reflecting positively on the system--- Naturally, as a KBC employee who is supposed to subscribe to the oath of secrecy and allegiance, I may not cover that particular section in the Press. That will also help Kenyans understand and know what is supposed to be known by Kenyans. There are some Motions in this House which have been deliberated upon but what we see in the Press is a small caption, in which case, we are denying Kenyans the right to knowledge of what is happening on the Floor of the House.

Mr. Temporary Deputy Speaker, Sir, as most speakers have said, when we liberalise this kind of coverage in Parliament, there should be a sign of responsibility. We do not want the Press to trivialise matters in Parliament; to expose and project negatively of what they want to make into news. I also believe the Press is professional enough and we are moving to that area of transparency and accountability, and that we shall be able to filter those quality publications. That will help Kenyans to understand the august House as it is supposed to be.

Mr. Temporary Deputy Speaker, Sir, once, the Minister who is now the Vice-Chairman of KANU, hon. Mudavadi, answered a Question on the Floor of the House that his Ministry had given a license to Nation TV to broadcast. He further said that Nation TV had no funds to broadcast nationally or, at least, to invest in what they can. I had an opportunity of recording a programme which is "*Up, Close and Candid*", I believe, on Nation TV, and I saw two gigantic machines. One was meant for Nakuru and the other one for Mombasa. These machines cannot be installed. I do not know now who was taking the other for a ride. Was the Minister telling us that the licences are there, but they do not have the funds? If the funds are there and the equipment is in place, is it true that they have not been given the licences? Some of these issues are really sensitive.

Mr. Temporary Deputy Speaker, Sir, when it comes to the liberalisation of the airwaves both inside and outside this House, that is going to benefit the Kenyans. Why am I saying this? During my by-election, I realised how selective dissemination of information can be so dangerous even to cost human life or a career opportunity. On the eve of the day I was elected, KBC announced in public, both in the local vernacular language and Kiswahili, that hon. Omingo had stepped down for my opponent. There was no way to correct that scenario. I almost lost. I imagine I could have won with a wider margin if there was no such remark. I almost took KBC to court, but of course, if I lost the election. Since I won, I opted out of it. I am saying that distortion of information can cause us to lose a fortune in this Republic both in the public and private sectors.

Mr. Temporary Deputy Speaker, Sir, I am saying that screening Parliament live will make the nation to take seriously the debates on the floor of this House. I believe the cost involved is manageable because less than Kshs100 million can be able to give Kenyans service. It is important even as we go into liberalisation to realise that most of the hon. Members sitting on the other side of the House are using KBC or whatever state machinery there is for their own benefit. They should also know that at one time they will also be sitting on this side of the House and will only be judged to be fair and balanced by their actions. We shall also give them the chance to be heard when we get a chance to govern because we believe that the coming elections are going to put KANU and the new or old plus NDP in the Opposition.

With those few remarks, I beg to move.

**The Assistant Minister for Transport and Communications** (Mr. Keah): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. I support this Motion because live broadcasting of Parliamentary proceedings will certainly be most useful to the entire Kenyan population. In this regard, I want to commend the Select Committee that produced this report. I want to observe that the Committee did a commendable job by giving us details of what they saw particularly when they visited the various countries. They also gave us an insight of what goes on there.

Mr. Temporary Deputy Speaker, Sir, apart from supporting and commending this report, I am only concerned that it has come too late. Some of the information here obviously has got to be reorganised like the commencement date which is long gone because we have to fix some other date. However, when the Minister comes to respond, we would want him to give us a time frame which will ensure that this report and what we are going to recommend or pass here will be implemented. We want a time frame so that it does not just go *ad infinitum* without it being implemented. Indeed, the budgeting exercise is going on right now.

Mr. Temporary Deputy Speaker, this is the time that the Budget is being prepared and I hope those who are doing it, before it is read in June, will take into account the recommendations that have been made here so that by the

beginning of the new financial year - 1st July - we do not find ourselves without funds. I am emphasizing this point so that the Minister for Finance and his team, while preparing the Budget for 2002/2003, may incorporate funds to enable this Motion to be implemented, at least, in the coming year.

I support this Motion because I believe live coverage of the proceedings will help my people in Kaloleni to know how effective I am when I am contributing in the House. Live broadcasting can be done, but it may be difficult to do it through television because not every part of Kaloleni and other constituencies have television sets. I totally support the recommendations that have been made in this Report. Indeed, not only will debate be lively, but also, the reporting will be taking place at that particular time. In my view, it will be more accurate, and even Members themselves will try to be more factual and careful in their contributions in the House and will avoid recklessness and insults that are sometimes hurled across this Table. I am sure, in the long run, Kenyans stand to benefit through the implementation of live coverage of debates.

Mr. Temporary Deputy Speaker, Sir, I want to turn to this particular Report, particularly on page 6, Item 1.4, which contains the summary of recommendations. It says:-

"The Committee made the following major recommendation:

That Parliament starts television and broadcasting of its proceedings with effect from 1st July, 2001."

Obviously, 1st July, 2001, is gone. That is what I meant by saying we need to set a new commencement date. But what is important is the issue of availing funds from 1st July, 2002, in the 2002/2003 Budget.

There is another point there. Should the frequency be owned by different media houses or Parliament? In my view, Parliament should own the equipment and transmit the proceedings through the Kenya Broadcasting Corporation to the rest of the media houses. We must be in control here because we would like to see equitable coverage of our proceedings. Just as is the case in South Africa, Parliament ought to own the frequency.

To me, the other recommendations are very logical and long overdue. The Media Complaints Council ought to be there. Many times we have complained of being misrepresented or misquoted and nothing happens. I believe that when we have a Media Complaints Council in place, we will get a better hearing than is the situation at the moment.

On the issue of harmonisation of all the various statutes that govern broadcasting and televising, there is need to harmonise them. Obviously, there is a lot of work that needs to be done. I would recommend that the Ministry of Tourism and Information, Ministry of Transport and Communications and the Parliamentary Select Committee in charge of broadcasting and televising, as well as the various media houses, come together and thrash out the nitty-gritty before all these recommendations are implemented. I think that will be the best way forward and, therefore, we should not be in a desperate hurry to see this implemented by 1st July, 2002. We ought to get various interested parties together and make them understand that we support this Report. I do not believe there is any Member who would oppose it. But there is more work to fine-tune this Report and the recommendations so that in the end, everybody is represented, like the private sector. There may be cases out there which we have not considered. We would like to get the input of the private sector.

Mr. Temporary Deputy Speaker, Sir, I am delighted to be part and parcel of those Members in this House who support this Report wholeheartedly. It may be difficult to raise funds. If we do not have the money, how do we go about it because the Treasury may not have adequate funds? This is the point where the private sector can come in handy to assist us. We could get help in form of programmes, schemes or grants. I am sure the Commonwealth Parliamentary Association (CPA) could also chip in and assist in this particular regard because this is a major breakthrough or development. If the Treasury does not have adequate funds, I am sure there are ways and means out there that could be tapped in order to ensure that we make this a reality.

Mr. Temporary Deputy Speaker, Sir, other than what I have said, I do not see anything else to comment on in this Report. In conclusion, since we are talking about televising and broadcasting this House's proceedings, perhaps I should reiterate that the Press is our development partner. Unfortunately, in their reporting, some media houses are so biased that you find it offensive to read some of the things they publish.

I would also like to take this opportunity to urge the Minister to look into ways of containing the gutter Press. The gutter Press is very hurtful. So, we should find a way of clamping down on it; it should not be allowed to continue publishing damaging stories about people. We should not allow the gutter Press to besmirch and abuse individuals, and then get away with it. So, I would like to appeal to the Minister to look for ways and means of putting the gutter Press in its rightful place; it should be proscribed.

With those remarks, I support.

**Mr. P.K. Mwangi:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute briefly to this very important Motion.

I would, first of all, like to congratulate the Committee for going round the country to collect views on how to

televise and broadcast the proceedings of this House. I believe that if our proceedings are televised, Kenyans will understand the kind of business that goes on here. As it is now, unless one happens to come to Nairobi and decides to come here to listen to our proceedings, there is no way one can understand our business here. So, televising this House's proceedings will really benefit the public. Members of the public can be able to follow and appreciate the issues that are raised through the Questions that are brought here.

Televising our proceedings will make hon. Members attend to proceedings everyday. Currently, people out there regard this House as "lack of quorum" and not Parliament. Since this Session was opened, hon. Members have not been serious. We are hit by lack of quorum every now and then. So, I believe that if we televise the proceedings of this House, hon. Members will take their duties more seriously. Frequent premature adjournment of this House due to lack of quorum is tantamount to stealing from the public. If we are being paid to be in this House, why should we at any one time fail to have 30 hon. Members sitting here? The public will judge us according to the way we behave. When they say that we are not performing, they are right. It is only fair that we stay here when the House is in session. After all, we only come here for three days in a week. So, why should we waste public funds and time?

**Mr. Munyasia:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Mr. P.K. Mwangi has said that Members of Parliament are wasting time. Really, hon. Members do not waste time. So, could he be asked to withdraw that unkind remark about his colleagues?

**The Temporary Deputy Speaker** (Dr. Anangwe): Mr. P.K. Mwangi, it is not in order for you to say that hon. Members are wasting time. So, withdraw that remark.

**Mr. P.K. Mwangi:** Mr. Temporary Deputy Speaker, Sir, I withdraw the words "waste public funds and time" and urge that we be serious. Right now, we are not serious.

Mr. Temporary Deputy Speaker, Sir, I would like to recommend that since we have seen the discrimination that has been perpetrated---

**Mr. Kamolleh:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Although Mr. P.K. Mwangi withdrew his earlier remark, he went ahead and said that we are not serious. If he is not serious himself, should he mislead the House by saying that all of us are not serious? The whole lot of hon. Members in this House are very serious people. Could he withdraw that remark?

**Mr. P.K. Mwangi:** Mr. Temporary Deputy Speaker, Sir, I will not withdraw that remark. As a matter of fact, the other day, this House rose at 5.15 p.m. due to lack of quorum.

**The Temporary Deputy Speaker** (Dr. Anangwe): Mr. P.K. Mwangi, concentrate on the Report. Mr. Kamolleh only expressed his opinion.

**Mr. P.K. Mwangi:** Mr. Temporary Deputy Speaker, Sir, thank you for protecting me.

Mr. Temporary Deputy Speaker, Sir, since we have witnessed the discrimination perpetuated by the Kenya Broadcasting Corporation (KBC) in covering political parties, I would like all media houses to be allowed to televise and broadcast the proceedings of this House. If we allow the KBC alone to televise and broadcast our proceedings, they will let us down. We have witnessed the way KBC discriminates against the Opposition out there when it allocates its airtime. The KBC will never broadcast or televise anything good about the Opposition. Whenever the corporation broadcasts something about us, it must be on our negative side.

So, every media house should be allowed to broadcast our proceedings throughout the country, and not just within Nairobi and parts of Central Province. The *Nation* and *KTN* television stations should be allowed to televise our proceedings to the whole country, so that we may see justice being done. Coverage of our proceedings will enable even the police to understand what we deliberate upon here. If they had, for example, watched hon. Members debating the Inter-Parties Parliamentary Group legal changes that were effected in 1997, they would have understood that Members of Parliament no longer require permits to hold public rallies, and that we should only notify them of our intent to hold public rallies. Today, I differed with the police in Maragwa Town when they asked whether I had a permit to hold a meeting. They do not understand the laws. It is high time police officers were taken back to college for further training, so that they can understand the laws of this country. We no longer apply for permits to hold public meetings. We are only supposed to notify them that we intend to hold such meetings. So, they should be educated on such changes.

Mr. Temporary Deputy Speaker, Sir, this House is known to adopt reports without having them implemented. So, I hope that after we adopt this Report, we will ensure that it is implemented. It is very easy for us to adopt such reports, but implementing them is very difficult.

With those few remarks, I support the Motion.

**Mr. Kariuki:** Mr. Temporary Deputy Speaker, Sir, I thank you very much for giving me the opportunity to contribute to this Motion. I happen to be a Member of the Committee that came up with this Report. So, first of all, I would like to thank this House for appointing me to sit in the Committee. I also wish to thank fellow Members of the Committee for their contributions towards the preparation of this Report.

Mr. Temporary Deputy Speaker, Sir, this Report is a result of the fact that Kenyans value information,

because information is money and power. We have to empower our voters out there so that they know a lot of what we are doing in this House. They would like to be informed of what contributions their representatives in this august House make; those who are contributing and those who are not. I believe that this will also be a very good eye-opener to the electorate. That will also expose them to the various Government policies and programmes so that they can keep alert on the Government's activities. It is important to note that this high-tech generation wants to be kept abreast with the latest state-of-the-art information and development, both in the nation and internationally. This House does not only deliberate on local issues, but also does a lot of research on important global matters. We have reached where we are because of the Government wanting to rule a people by pilfering and withholding information.

Mr. Temporary Deputy Speaker, Sir, I was surprised to hear Mr. Raila talking about the non-essential aspect of this Committee and the fact that it wasted money to go out to other countries and explore what is happening in BBC and South African Broadcasting Corporation (SABC). It is serious that a Minister of the Government can challenge this very competent Committee. After all, other Committees are equally exposed. We do not have to boast ourselves when we know very well that we need not rely totally on our own local resources without exposing ourselves to other countries and people who have the expertise and knowledge in this area. It is important to note that the Committee did not go for a tour. I personally went to the BBC and saw the installations in the UK, which was an eye-opener. After having toured all the media houses in this country and seeing which areas are in need, we borrowed a leaf from those other countries. In Germany, we did the same; we learnt a lot. I would like to say that this House will benefit from the exposure that hon. Members went through, and we were able to come up with this Report that has been laid on the Table.

It is also important to note that this Committee came up with the recommendation for the House to have live coverage because of the kind of reporting that we get from the mass media. But they do try. It is sometimes scanty and lacking. There is over-editing of materials that come out of this House. In fact, you will find that a 30-minute contribution by an hon. Member is summarised in one line. I think it is offensive. It does not respect the reality of things happening in this House. Sometimes they black out hon. Members completely, such that some of them are accused by their electors out there of not contributing in this House, while seriously, they do make very tangible and serious contributions. We would like to expose those hon. Members to the public so that they can also be seen to be contributing in this House. I, therefore, hope that the media houses will be able to air as much information as would come out of this House to the public.

Mr. Temporary Deputy Speaker, Sir, as you have heard, we are behind our neighbouring countries, Tanzania and Uganda, who have already gone live as far as the deliberations in the House is concerned. We believe Kenya should catch up with Tanzania and Uganda. Previously, we used to be pacemakers for them. But in that field, we are following suit blindly and closely, which is not fair. Kenya should be seen in this region to be in the forefront of information technology and dissemination of information. Therefore, it is important for us to support this Motion because this will keep Kenya in pace with the other African countries. Certainly, there is an element of responsibility that is going to be expected of the operators of this new broadcasting service. An element of censorship will be in use in the service, such that whatever is released will be monitored so that the information does not ridicule either individual hon. Members or the autonomy and respect of this House. This is important. We cannot just fully liberalise without putting certain controls.

On the other hand, again, it is vital to note that the proprietary or ownership of this service should go to the National Assembly. We should not leave this service totally to outsiders. The National Assembly should be responsible for the materials and equipment that will air this service. It is vital because if you do not do so, and you leave KBC or any other private mass media, we may not be sure that they will release the right information as it should be. So, I think that, that aspect of ownership should be left with this august House.

On the same token, it is important to note in the Report we have taken care of certain very important aspects; the disabled persons of this country, both inside and outside the House. It is important that this generation will take care of our marginalised groups. The disabled, particularly those who are deaf, do not get enough from the TV because the television networks do not cater for them. We are demanding that there should be sign language within the system so that not only will there be visual and audio aspects, but there should also be sign language, so that the disabled members of this society can also benefit from this service. We ought to take care of them, including also those who are sick. The disabled hon. Members of this august House should not be treated as strangers in this House. We know that some hon. Members have either been disabled for one reason or another; but they do not get assistance, and they do suffer a great deal. So, this Committee has taken account of their needs and, therefore, we are demanding that the Standing Orders are amended accordingly, so that we can accommodate those brothers and sisters in that category.

Certainly, this service is going to be of major importance to hon. Members of the House. They will be required to do more research in their presentations in this House. Hitherto, I think hon. Members could just stand up

and talk without knowing what material they are contributing on in the House. A lot more responsibility is required of hon. Members when they are contributing because they know that whatever they talk in the House will be aired out there, and they must be seen to be intellectually alert so that they do come up with the very best. That is important because this House is treated very importantly by members of the public out there. Of course, the type of scuffles that have been reported about this House will be a thing of the past when this service is introduced. Certainly, some hon. Members of the House have belittled the image of this House by their behaviour or misbehaviour. This is going to be contained by the introduction of this very vital service.

It is important too that the problem that we have had of lack of quorum and non-attendance by hon. Members again will be curtailed by the fact that hon. Members will be checked, by way of monitoring on the camera, as to who is there during a session. This is vital because we want to see hon. Members of the House attending the House, because we are paid to talk. That is the service we are paid for by Kenyans. Those Kenyans will appreciate what we are doing if only we are in this august House contributing and debating and attending to our various parliamentary duties required of us as hon. Members. This is vital, and I think it will help the House to be a more serious place that hon. Members belong to.

It is important to note that there are about 11 statutes that relate to various aspects of information. This is certainly a very exhaustive and very relenting piece of legislation that ought to be harmonised properly, so that we come up with a legislation that will be encompassing and cover all aspects of the new service, rather than relying on the current legislation. It will, certainly, be very elaborate. After strenuous consultations with different parties, the Committee found it important that this House harmonises it into one. We did not have enough time to draft statutes, but I think suggestions have been made. There is a comprehensive report of the Committee as to how a drafted piece of legislation will be tabled in this House once this Report is adopted.

Mr. Temporary Deputy Speaker, Sir, more importantly, I would like to discuss two issues during the next sitting, because the House is about to be adjourned for today.

Thank you very much.

#### ADJOURNMENT

**The Temporary Deputy Speaker** (Dr. Anangwe): Order! Hon. Members, it is now time for the interruption of business. The House, therefore, stands adjourned until Tuesday, 2nd April, 2002, at 2.30 p.m.

The House rose at 6.30 p.m.