

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 13th July, 1999

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

Annual Report and Accounts of the Kenya Agricultural Research Institute for the year ended 30th June, 1997, and the certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of the Kenya Forestry Research Institute for the year ended 30th June, 1997, and the certificate thereon by the Auditor-General (Corporations)

*(By the Minister for Rural Development, on behalf
of the Minister for Research and Technology)*

Annual Report and Accounts of the Kenya Posts and Telecommunications Corporation for the year ended 30th June, 1997, and the certificate thereon by the Auditor-General (Corporations)

*(By the Minister for Rural Development, on behalf
of the Minister for Transport and Communications)*

Annual Report and Accounts of the Lake Basin Development Authority for the year ended 30th June, 1995, and the certificate thereon by the Auditor-General (Corporations)

(By the Minister for Rural Development)

Annual Report and Accounts of the Registration of Certified Public Secretaries Board for the year ended 30th June, 1997, and the certificate thereon by the Auditor-General (Corporations)

*(By the Minister for Rural Development, on behalf
of the Minister for Finance)*

Annual Report and Accounts of the Export Processing Zone Authority for the year ended 30th June, 1997, and the certificate thereon by the Auditor-General (Corporations)

*(By the Minister for Rural Development, on behalf
of the Minister for Trade)*

ORAL ANSWERS TO QUESTIONS

Question No. 199

UTILISATION OF CESS MONEY IN NYANDO

Mr. Speaker: Is Mr. Otita not here? We will leave his Question until the end. Let us move on to the

next Question!

Mr. Kathangu, was your Question not answered?

Mr. Kathangu: Mr. Speaker, Sir, the Question was not fully answered! It was deferred to today!

Mr. Speaker: Very well! Go ahead!

Question No.209

BENEFICIARIES OF UNIVERSITY BURSARY SCHEME

Mr. Kathangu asked the Minister for Education and Human Resource Development:-

(a) how many university students have benefited from the students' bursary scheme in the last two years; and,

(b) whether he could table the list of beneficiaries of the bursary scheme and the amounts extended to each student during the same period.

The Assistant Minister for Education and Human Resource Development (Mr. Awori): Mr. Speaker, Sir, I was informed that the Question was satisfactorily answered. Even the information which was asked for was laid on the Table. I was away on a safari and when I saw it this morning, I was told that it was answered, and the information required laid on the Table.

Mr. Kathangu: Mr. Speaker, Sir, the Question was answered, but the Minister laid on the Table two voluminous documents. The Speaker did allow me to go through them before I could ask supplementary questions.

Mr. Speaker: Very well! I think the best thing is for me to look at the HANSARD. If what you are saying is true, you will continue next week. Therefore, I will defer this Question! Is that alright with you, Mr. Kathangu?

Mr. Kathangu: Thank you, Mr. Speaker, Sir.

(Question deferred)

Question No.188

COMPLETION OF MIDA-MATSANGONI WATER PROJECT

Mr. Kombe, on behalf of **Mr. Badawy**, asked the Minister for Water Resources:-

(a) when the Mida-Matsangoni Water Project, that was started and abandoned half-way two years ago, will be re-started and completed; and,

(b) how much money is the total project estimated to cost.

The Assistant Minister for Water Resources (Mr. Chanzu): Mr. Speaker, Sir, I beg to reply.

(a) Construction work on the Mida-Matsangoni Water Project will be revived soon. However, it is not possible to give definite time as to when it will be finalised because this will depend on the pace at which the funds will be made available.

(b) The estimated total cost of the project is Kshs20 million.

Mr. Kombe: Mr. Speaker, Sir, why were enough funds not set aside to avoid the unnecessary losses through digging trenches, which have been left open for the last two years?

Mr. Chanzu: Mr. Speaker, Sir, I think it was due to lack of funds. There was not enough money set aside for the project when it was started.

Mr. Kombe: Mr. Speaker, Sir, why was the project started in the first place?

Mr. Chanzu: Mr. Speaker, Sir, it was started because of the needs of the local people. It was expected that enough funds would be availed in the course of implementation, but this did not happen. However, the National Water Conservation and Pipeline Corporation is looking into ways of implementing the project once the money is made available.

Mr. Kombe: Mr. Speaker, Sir---

Mr. Speaker: Order, Mr. Kombe! Who tells you that you can participate in the way you want? Let us have Mr. Shaaban!

Mr. Shaaban: Mr. Speaker, Sir, the project is half-way completed. According to the Questioner, 60 per cent of the project has been completed. Could the Assistant Minister tell us when his Ministry will avail the

amount of money required to complete the project?

Mr. Chanzu: Mr. Speaker, Sir, funds will be availed in the course of this financial year.

Mr. Speaker: Very well. Next Question, Mr. Mwiraria.

Question No.237

SALE OF ILLEGAL FUEL IN MERU

Is Mr. Mwiraria not here? Let us move on to the next Question.

Question No.301

ELECTRICITY SUPPLY TO SUBA DISTRICT

Mr. Kombe, on behalf of **Mr. Kajwang**, asked the Minister for Energy:-

(a) if he is aware that there is no electricity in the entire Suba District;

(b) if he is also aware that the district hospital at Sindo has no electricity and cannot, therefore, carry out routine tests, including X-Rays, and cannot run a mortuary; and,

(c) when the Ministry will supply electricity to Mbita Constituency and Suba District in general.

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

(a) Yes, I am aware.

(b) I am also aware that the district hospital at Sindo has no electricity. However, I am not aware that the routine tests, including X-Rays and running a mortuary, cannot be carried out.

(c) Mbita Constituency and Suba District in general will be supplied with electricity according to the DDC priorities as funds become available. The first priority is to supply electricity to the district headquarters at Mbita and also at Sindo. Preliminary estimates at present put the cost at Kshs65 million.

Mr. Shidie: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! Where is the hon. Member who asked this Question on behalf of Mr.

[**Mr. Speaker**]

Kajwang? Mr. Kombe, are you really sure you had instructions to ask this Question?

Mr. Kombe: Yes, Mr. Speaker, Sir, I have the instructions.

Mr. Speaker: So, will you have the first shot on the supplementary?

Mr. Kombe: Mr. Speaker, Sir, could you give it to Mr. Shidie?

Mr. Shidie: Mr. Speaker, Sir, more often, Ministers come with the answer that "when funds become available." We are tired of such statements. We vote money in this House. Could the Minister tell us when these funds will be available? We are not aware of when these funds will be available. Is it when the world comes to an end?

Mr. Okemo: Mr. Speaker, Sir, at the moment, we have the Rural Electrification Fund which was set up last year in August. The average monthly collection is about Kshs50 to Kshs60 million. However, before the fund was set up, there were a number of projects that were on-going, which amount to about Kshs800 million. But todate, the collection has been about Kshs508 million, and all the money has been used towards those projects which were on-going before the fund was set up.

Mr. Obwocha: Mr. Speaker, Sir, could the Minister be specific to this Question? He has said that the estimates that have been done by the Ministry of Energy put the cost at Kshs65 million. How much money is available from that fund to start off that project? Of that Kshs65 million, how much is the Ministry able to raise? The Minister should not tell us "when funds become available".

Mr. Okemo: Mr. Speaker, Sir, I think, if hon. Obwocha was listening to me, he would have heard what I said. I said the amount of money which is available in this financial year, 1999/2000 is Kshs15.8 million. So, out of the Kshs65 million that needs to be spent, Kshs15.8 million will be available in the current financial year.

Mr. Kihara: Mr. Speaker, Sir, could the Minister confirm or deny that rural electrification funds are now being disbursed from the Office of the President to ensure that they go only to the politically-correct areas?

Mr. Okemo: Mr. Speaker, Sir, I would like to deny that categorically! All the funds that are collected under the Rural Electrification Levy Fund are controlled by the Rural Electrification Fund, which is under the Ministry of Energy.

Mr. Shill: On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to deny by saying "not all"? Does it mean that "some" of that money is being controlled by the Office of the President?

Mr. Speaker: Supposing that is true, what is disorderly about it?

(Laughter)

Dr. Ochuodho: Mr. Speaker, Sir, I would like to assure the House that Mbita Constituency is one of the politically-correct places. However, Mbita District Hospital is one of the very few district hospitals that do not have electricity. Patients from Mbita crowd at Homa Bay District Hospital because there is no electricity at Mbita District Hospital. I understand that last year, about five electric poles were taken to Mbita and later withdrawn. Could the Minister confirm or deny that there was that effort; that poles were taken to Mbita and later withdrawn? Why were they taken away later?

Mr. Okemo: Mr. Speaker, Sir, I do not know whether that is correct or false. If there were poles, I do not know whether they were electric poles or poles for fencing or for firewood.

Dr. Ochuodho: On a point of order, Mr. Speaker, Sir. The poles I am talking about were brought by the KPLC staff. I do not know if they would ever bring poles for firewood or for anything else other than for electricity.

Mr. Okemo: Mr. Speaker, Sir, I am not aware of any poles having been taken to Sindo and later withdrawn. What I know is that in the 1999/2000 financial year, there is a provision to spend Kshs15.8 million on electrification in Suba District.

Mr. Speaker: Very well. Next Question, Mr. Kombe.

Question No.184

PRIVATE SECTOR PARTICIPATION
IN BOT FRAMEWORK

Mr. Kombe asked the Minister for Public Works and Housing how far the Ministry has gone in studying the possibility of inviting the private sector to invest in road construction under the Build Operate Transfer (BOT) Framework.

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

The Ministry has studied BOT projects in both developing and developed countries. The findings indicate that for a road to qualify to be constructed or improved under BOT arrangement, it must have potential to attract a high number of vehicles, for example, more than 10,000 vehicles per day.

Most Kenyan roads do not have this high level of traffic and cannot, therefore, justify construction under the BOT arrangement.

Mr. Kombe: Mr. Speaker, Sir, the second part of the Assistant Minister's answer says: "Most Kenyan roads do not have this high level of traffic and cannot, therefore, justify construction under the BOT arrangement."

There must be a few which qualify. Which are these "few" and could the Assistant Minister consider them for construction under this arrangement?

Eng. Rotich: Mr. Speaker, Sir, there is no road which qualifies. At the moment, the highest traffic roads have 6,000 vehicles per day; for example, the Nakuru-Nairobi Road. The Mombasa-Nairobi Road has about 4,000 vehicles per day.

Mr. Ndicho: Mr. Speaker, Sir, does the Ministry have any plan, both present and in future, to privatise roads? For example, a certain individual could be given the responsibility of taking care of the road from Nairobi to Murang'a so that he charges some levy on the road users in order to re-carpet and maintain that road, because the Ministry has completely failed to maintain roads in this country.

Mr. Speaker: Mr. Ndicho, what does BOT mean?

Mr. Ndicho: Mr. Speaker, Sir, it is on the road construction. The Ministry has failed to maintain roads in this country. So, does the Ministry have any plans to privatise the roads so that those individuals will charge levies upon road users and maintain these roads?

Eng. Rotich: Mr. Speaker, Sir, the Ministry is undertaking a study to see how much it can privatise the maintenance of the roads that we have at the moment, but not taking care of them. The distance that will be repaired will be at least 200 kilometres per stretch. We will be able to pay for that but not to build a separate highway because this will be too expensive.

Mr. Shidie: Mr. Speaker, Sir, I think the hon. Questioner's motive has been triggered by the fact that infrastructure in this country has collapsed. This is a well known fact! Could the Assistant Minister subsidise the private contractors who repair our roads? The Government should give a certain subsidy to these contractors and privatise our roads so that we can have smooth roads. We have been together with you in Singapore and Malaysia, and you have seen what is going on in the world. The whole world is going private when it comes to repairing roads. Could the Assistant Minister ensure that our roads will be the best in this region?

Eng. Rotich: Mr. Speaker, Sir, I think Mr. Shidie is saying the same thing. We intend to give a maintenance contract for a specific period to a contractor to maintain that road. This will enable him to recover the money he uses to maintain that section of the road. The minimum will be about 200 kilometres of road stretch.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. Would I be in order to ask the Assistant Minister to be specific and tell us, exactly, you the date he will start that because that is what we have been waiting for?

Mr. Speaker: Mr. Ndicho, that is not a point of order, but Eng. Rotich, you might be generous to answer him. Would you like to be generous and answer him? If you are not, you had better say so.

An hon. Member: He is a generous man!

Eng. Rotich: Mr. Speaker, Sir, the study is going on, and, hopefully, before the end of this financial year, it will be out.

Dr. Ochuodho: On a point of order, Mr. Speaker, Sir. An allegation of immense interest to this country has been made by the Assistant Minister, that this process has already started. Where has it started?

Mr. Speaker: Eng. Rotich, did you say that?

Hon. Members: Yes, he said that!

Eng. Rotich: Mr. Speaker, Sir, I said the "study" and not the "contracting" of the work on the road. Maybe, the hon. Member did not get me right.

Question No.262

REPAIR OF MBIUNI-NDUNDUNI-NGONDA-
KANGUNDO ROAD

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

(a) whether he is aware that Road E 487, Mbiuni-Ndunduni-Ngonda-Kangundo is impassable; and,

(b) what immediate plans he has to repair the road.

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

(a) I am aware that road E487, between Mbiuni, Ndunduni and Ngonda, is in bad shape following a landslide that formed a gully on it sometime in 1991.

(b) There are no immediate plans to repair the road because it has not been prioritised by the District Development Committee (DDC).

Mr. Katuku: Thank you, Mr. Speaker, Sir. This Question was raised in this House on 6th July, 1999, and the same Assistant Minister had the same answer. However, he said that he was not satisfied with that answer, but now he is giving me the same answer. In fact, the gully formed on the road in 1991, and although this is a tarmac road, it has not been used since that time. The Assistant Minister is not serious! Could he tell this House the action he will take to repair this road? This is because I know that the DDC has recommended the repair of this road. In fact, a tarmac road cannot be left for 10 years without being used. This road has not been used from 1991, even though part of it is tarmacked.

Eng. Rotich: Mr. Speaker, Sir, the whole road is not tarmacked. I did not want to answer this Question last time because I was surprised by the year 1991. However, I have confirmed that the landslide occurred in 1991.

Mr. Speaker: Order! Order, Eng. Rotich! Mr. Assistant Minister, do you really need a DDC report to repair a road which has collapsed?

Eng. Rotich: Mr. Speaker, Sir, in reality, "yes" and "no"!

(Laughter)

Mr. Ndilinge: On a point of order, Mr. Speaker, Sir. Arising from what the Assistant Minister has already told this House, if the Nairobi/Mombasa Road is destroyed by the *El Nino*- induced rains and the DDC members fail to recommend for its repair to his Ministry, is he trying to say that, that road will remain unrepaired

because the DDC prioritised it?

Eng. Rotich: Mr. Speaker, Sir, I think the hon. Member is right. In fact, we do not need the DDC to tell us to repair Nairobi/Mombasa Road. This is why I am saying that my answer is "yes" and "no". According to the DDC's report, which I have here, that road was not prioritised. On the same note, we do not really require the DDC's recommendation to repair that road because it is ours. I wish to undertake now that we will look at the road and repair it in this financial year.

Mr. Ndilinge: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to take this House for a ride by saying that they will set aside funds for the repair of that road? Could he tell us whether he has set aside any single cent in any financial year for the repair of that road?

Mr. Speaker: Mr. Ndilinge, that is a supplementary question and not a point of order. Proceed, Mr. Katuku.

Mr. Katuku: Mr. Speaker, Sir, the Assistant Minister has said that he will ensure that this road is repaired in this financial year. The answer he has given us says that repair will not be done until the DDC recommends. I am just appealing to the Assistant Minister to ensure that the road is repaired because it is very important. This is so because it links Nairobi and Mwala through Kangundo. It is tarmacked up to that section which has a gully. Could the Assistant Minister, as a matter of priority, undertake to visit the road, assess it and have it repaired immediately, instead of waiting until next year?

Eng. Rotich: Mr. Speaker, Sir, that is what I said. I said that the damaged section is 200 metres long.

An. hon. Member: You have not gone there!

Eng. Rotich: Mr. Speaker, Sir, in fact, I went there and saw that the damaged section is 200 metres long. We undertake to carry out the repairs this financial year.

Mr. Speaker: Question by Mr. Otita, for the second time.

Dr. Ochuodho: Mr. Speaker, Sir, I apologise for coming late.

Question No.199

UTILISATION OF CESS MONEY IN NYANDO

Dr. Ochuodho, on behalf of **Mr. Otita**, asked the Minister for Agriculture:-

(a) who receives the cess money for the development of Nyando Constituency and how much was received in 1993, 1970, 1980, 1990 and 1997; and,

(b) how the above cess money has been utilised.

The Assistant Minister for Agriculture (Dr. Wamukoya): Mr. Speaker, Sir, this Question came up on 16th June, 1999, and the Chair directed that the Question be answered on Tuesday, 22nd, June, 1999, by the Ministry of Local Authorities. The Chair also directed that I and hon. Otita sit down and re-do the Question.

Mr. Speaker, Sir, I would like to inform the House that we sat down and divided the Question into three parts. On the same day, that is 16th, June, 1999, I and Mr. Otita agreed that the Question should be re-directed to the Ministry of Local Authorities and copied to the Clerk to the National Assembly.

Mr. Speaker: I will defer that Question and direct that it be directed to the relevant Ministry.

(Question deferred)

Question by Mr. Mwiraria for the second time?

Question No.237

SALE OF ILLEGAL FUEL IN MERU

Mr. Speaker: Is Mr. Mwiraria still not here? His Question is dropped.

(Question dropped)

QUESTIONS BY PRIVATE NOTICE

UNLAWFUL FUNDS COLLECTION BY MALIKU CHIEF

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

(a) Is he aware that the chief of Maliku Location has been collecting up to Kshs200 from any person who fails to attend the chief's baraza and has severally been harassing people for unspecified crimes?

(b) Under what law or authority is the chief collecting this money?

(c) Has the money collected to date been remitted to the Exchequer for accounting purposes?

Mr. Speaker: Is Mrs. Ngilu not here? This Question is dropped.

(Question dropped)

TRANSFER OF NYANDUMA LOCATION

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

(a) Could the Minister confirm or deny that plans are underway to transfer Nyanduma Location of Lari Division to Githunguri Division with a view to forming a new division to be known as Komothai Division?

(b) Could the Minister inform the House if the people concerned have been consulted, and if so, have they given their consent?

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, I beg to reply.

I am not aware of any plans to transfer or create a new division in Kiambu District. Therefore, part (b) of the Question does not arise.

Mr. Gitonga: Mr. Speaker, Sir, since this whole question is a matter under discussion in the area by the Provincial Administration, I would like the Minister to tell the House how this discussion has come about?

Maj. Madoka: Mr. Speaker, Sir, all I know is that these things originate from the sub-district to the district, and then to the province before they get to the Ministry. So, if it has started at that level, maybe, they are making the initial move.

CONTRACT AWARD TO M/S EXECUTIVE
SUPPORT CONSULTANTS

(Mr. Ojode) to ask the Minister for Finance:-

(a) Why was M/S Dyntech International Limited in venture with M/S Executive Support Consultants Limited awarded a contract worth Kshs168,385,830 by the Ministerial Tender Board and approved by the Central Tender Board on 20th March, 1995, without competitive bidding?

(b) What occasioned the variation of this tender twice, thereby pushing upward the tender sum of another US\$12,868,473 in September, 1997?

Mr. Speaker: Is Mr. Ojode not there? The Question is dropped.

(Question dropped)

Hon. Members: Defer!

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. The Chair is making a ruling and some Members are interjecting. When the Chair says the Question is dropped, some hon. Members are telling the Chair to defer it. Who is in control here?

Mr. Speaker: Order! Order! I am in full control. What I say is law. Question dropped. Next Question, Mr. Imanyara?

ALIENATION OF LAND FROM OLE
OLTEERET'S FAMILY

(Mr. Imanyara) to ask the Minister for Lands and Settlement:-

(a) Is the Minister aware that a 40-hectare piece of land in Athi River, having reference No. Kajiado/Oloolokitoshi/Kitengela/5388, was fraudulently alienated from the family of the late

Saitoti Ole Kims Olteret with the connivance and/or collusion of the District Commissioner of the area?

(b) What action is the Minister taking to ensure that the said family recovers its rightful inheritance?

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

(Question dropped)

CRISIS IN MUGAMA CO-OPERATIVE UNION

(Mr. Murathe) to ask the Minister for Co-operative Development:-

(a) Is the Minister aware of the serious legal, financial and management crisis between Mugama Co-operative Union and Murata Sacco Limited?

(b) Is he further aware that this crisis has almost brought to a halt all the services provided by the Mugama Union?

(c) What urgent remedial measures is the Minister taking to resolve the crisis?

Mr. Speaker: Is Mr. Murathe not there? The Question is dropped.

(Question dropped)

Mr. Speaker: Next Order!

POINT OF ORDER

MINISTERIAL STATEMENT SOUGHT: GOVERNMENT STAND ON PUBLIC RALLIES

Mr. Kathangu: Mr. Speaker, Sir, I rise to seek a Ministerial Statement from the Minister of State, Office of the President, in charge of internal security. Over the weekend, on a tour of Meru Central, Meru South and Embu districts, hon. Members Kiraitu Murungi, Maina Njakwe, James Orenge and myself were followed by the police, beaten up and crowds violently dispersed. So, we would like to hear from the Minister, the Government's stand on the status of public rallies and meet-the-people tours. What is the law governing this, according to the Minister?

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, I will issue a Ministerial Statement on Thursday.

COMMITTEE OF SUPPLY

(Order for Committee read being Sixth Allotted Day)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 9 - Ministry of East African and Regional
Co-operation

*(The Minister for East African and Regional
Co-operation on 8.7.99)*

(Resumption of Debate interrupted on 8.7.99)

Mr. Speaker: Who was on the Floor? Mr. Munyes? His speech is deemed to have been concluded. Mr. Obwocha?

Mr. Obwocha: Thank you, Mr. Speaker, Sir, for giving me this opportunity after our very successful trip

to the United Kingdom. Five Members of Parliament visited the House of Commons to hear what the British Government has to say about this Parliament.

Mr. Speaker, Sir, the importance of the East African Co-operation cannot be over-emphasized.

Mr. Speaker: Order! Did I hear you say that you went there to hear what the British Government has to say about this Parliament? Is that what you said?

Mr. Obwocha: Yes, Mr. Speaker, Sir; what is their view. We went there to hear what they have to say on their part, and also for us to tell them what we are doing here in Kenya. That is a statement in passing. But I can assure you that they are not talking well of us, particularly on the stalled talks on the Constitutional Review Process. They are very unhappy with the kind of direction Kenya is taking, because they have a lot of investment in this country.

The Assistant Minister for Finance (Mr. Arap-Kirui): On a point of order, Mr. Speaker, Sir.

Mr. Obwocha: I have only ten minutes.

The Assistant Minister for Finance (Mr. Arap-Kirui): Mr. Speaker, Sir, I want to seek your guidance. I thought we were a sovereign nation. Are we answerable to the British Government or anybody?

An hon. Member: Yes, we are answerable.

Mr. Speaker: Order! Order! The reason why I had to ask Mr. Obwocha a question is because the Chair, as you heard--- Even two weeks ago, I said this Parliament will not take directions from any authority. So, Mr. Obwocha, you may be surprised that we may not also take directions from the British Parliament.

Mr. Obwocha: Mr. Speaker, Sir, that is very true. I agree with the Chair that we cannot take any directions from the British Government. But they are our development partners and we have got to hear what they are saying about us. They are saying that a country like Uganda, our sister state, is now far ahead in terms of good governance, and we have not done our part.

(Applause)

Mr. Muchiri: On a point of order, Mr. Speaker, Sir. We need your direction here. The hon. Member is talking about a discussion that was held in the absence of Members of this House. Can the Chair make a ruling on hearsay statements?

Mr. Speaker: Order! Mr. Obwocha, now, be relevant to the Vote on the Ministry of East African and Regional Co-operation.

Mr. Obwocha: Mr. Speaker, Sir, let me go to the topic under discussion. I was making those comments only in passing.

Mr. Speaker, Sir, the importance of the East African co-operation cannot be over-emphasized. Recently, four Members from this House attended a seminar in Uganda, where Parliamentarians agreed that East African Parliaments should make a move towards forming committees that will handle corruption, for example. When we were going through Transparency International list, at the top of the list of the most corrupt countries was Nigeria; second was Pakistan, and you will be shocked to hear that the third most corrupt country in the world is Kenya.

Hon. Members: Shame!

Mr. Obwocha: So, the only point this Parliament has scored in that respect is that we have been able to form an Anti-Corruption Committee which that group had recommended, to enable MPs assist in eliminating corruption.

Mr. Speaker, Sir, we cannot talk about good governance and co-operating with our sister countries, if we have not started with ourselves. The President was in Kisii yesterday. People who are suffering from malaria were removed from Kisii District General Hospital, so that the President could see that there was only one person per bed. It is so hurting to the Kisii Community that people in Government are misleading the President in this manner. Those are human beings, and we need to start with ourselves. First of all, I would like to congratulate those Kisii MPs who never attended that very fake meeting.

It has nothing to do with the President!

Mr. Speaker: Order! What has that got to do with the Ministry of East African and Regional Co-operation?

Mr. Obwocha: Mr. Speaker, Sir, I am saying that if we are going to co-operate, or if we are going to talk about national issues, we have to start from home. When the President says, for example, that the former Finance Minister has not repaired Kisii-Chemosit Road, whose construction started in 1968, he is not being factual. Was hon. Nyachae the Minister for Finance at that time? Hon. Nyachae was a Minister for only one year. How would

he have done that?

Mr. Speaker: Mr. Obwocha, we are not debating Mr. Nyachae.

Mr. Obwocha: If the Government is saying that the development projects which the Government has brought to Kisii are in the form of Ministers and Assistant Ministers, and if Prof. Ongeru is one of the development projects, then he is a useless project.

Mr. Speaker: Order! Mr. Obwocha, may I now bring to your attention, officially, that you are actually engaging in irrelevancies. If you do not become relevant now, I will act in accordance with Standing Orders and terminate your speech. So, be relevant to the matter at hand.

Mr. Obwocha: Mr. Speaker, Sir, we are elected to come and say the truth about what we see in our country. There is no point of us cheating ourselves in this House if we are not going to be honest to ourselves and tell ourselves how this country can develop. We need one another. We do not want to do things that will destroy this country. We want to build it for our future generations. If we are talking about the East African and Regional Co-operation, then this country must start with practising good governance before we go to Uganda or Tanzania. All I am saying is that the Ministers that the President has appointed are useless, and some of them are misleading him.

Mr. Speaker: Mr. Obwocha, I think that is an insulting language. Could you now contribute to the Motion?

Mr. Obwocha: Yes, I have made my point. Let me now come to the last point. If I may talk about this co-operation, this country would not like to see what happened in 1977, when the people of goodwill of East Africa came together to form a common market so that we could get places where to sell our goods, but certain people destroyed that market. We need that market very badly. Therefore, if we are going to have this East African and Regional Co-operation, the first thing that should be done is to bring that Treaty to this House. This House should debate on that Treaty and ratify it before we sign it. We do not want something to be created and then destroyed by the same people who are starting it.

We want to commend, for example, COMESA on what they are doing because this is an expanded market which this country and other countries in this region need. Therefore, we do not want those power brokers who are going to destroy what East Africans want. The sooner the passport for use within the East African region and elimination of the agreed tariff come, the better for this region.

With those few remarks, I wish to support.

The Assistant Minister for Labour (Mr. Ethuro): Thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute to this Motion.

I think the East African and Regional Co-operation, as a concept, is one of the most important issues that we will be tackling during our time. As a country, we need to be able to develop good relationships with our neighbours. We need to use the market that is available across the borders. I am contributing to this Motion as a Member of Parliament from Turkana District, which shares all our regional boundaries. This is an issue that is very real to our people. There are three important issues that I would like to contribute to on this Motion. There is the element of insecurity. There is the issue of pastoralism. There is the aspect of infrastructure development across the borders in order to enhance trade, commerce and social integration.

Pastoralism is one of the key sectors in all the three East African countries in that we have nomadic people in all these countries. In Kenya we know where the pastoralists live. In Uganda, we have the Karamojong, who are across the border; the Pokot and the Isabinu. On the Tanzanian side, we have the Maasai. Some of these borders are extremely artificial to us. They do not mean much to our people. It is in the interests of this country and our people that this Ministry should be able to forge intergration among the pastoral tribes. A lot of discussion has been held at the Ministerial and the Government levels. Our people have been willing and ready to talk. It is time that East African and Regional Co-operation was made real. Before I came to this Parliament, I happened to attend a meeting organised for all the East African communities. One key contribution - and it is something that our people are happy about - was a desire by the three Governments to make the East African Co-operation real once more.

As a Parliament, we should be able to state that any other personal vested interests that will destroy that co-operation should be condemned. As pastoralists, all we are looking for is water and pastures. We really do not care about the borders because they are not very real to us. Once we get our passports, we can move freely. The Karamojong area on the Uganda side is usually a better grazing place than our area, Turkana District, and during the drought season, our people can be able to move across the borders so that they can enjoy their lifestyle. That brings another crucial element on the security aspect in the region. The Ministry has encouraged a lot of security

meetings between Kenya and Tanzania, but when it comes to the Kenya-Uganda border, the issue becomes such a hot a potato that nobody wants to touch. I would like to make it clear to the Minister that the Kenya-Uganda border requires more security than any other border because of the movement of the pastoralist communities.

Our people desire to have peace. As Members of Parliament, we have taken the initiative to organise cross-border meetings. I must admit that the Government has been extremely reluctant to support peace initiatives across the border. That has led to the enslavement of our people, and that is why they engage in cattle rustling. That means that we cannot trade with our neighbours. Although we actually speak the same language, we happen to be in different countries because of colonialism. Do we want a new Government to continue dividing our people?

Mr. Speaker, Sir, my appeal to this Parliament is that, we should be looking at the socio-economic aspect of the people; not necessarily the bilateral integration that is of no meaning to our people. We need to have patrols across the border so that regional co-operation can be real, and our people can benefit from East African Co-operation. The Government should speed up this process because we are looking forward to gaining from this co-operation.

Mr. Speaker, Sir, as concerns enhancing our co-operation, Kenya has always had a better and thriving economy, compared to that of our neighbours combined. But we hear about a lot of progress being made in places like in Uganda, where mobile phones are actually owned by kiosk owners. It is very embarrassing for those of us who are just across the border, where there is no accessibility in terms of infrastructural facilities. As I speak now, the Pokot people from Uganda have moved to a place called Lorengiti, with their neighbours from Kenya. We have a place known as Lokiriama with a lot of gold and other minerals, which cannot be prospected because of insecurity and poor infrastructure. If we are really serious about the development of East African Co-operation, we should start developing the basic infrastructure in our own country. We are talking about a district that is underdeveloped. For us to accelerate development in this country, it is time the country woke up to its own potential, which abounds in some of our border areas. We need to exploit the mineral potential in these areas.

Mr. Speaker, Sir, we need to create an environment that is conducive for our people. Given the state of insecurity, even within our own North Rift, for instance, it becomes extremely difficult to combine forces with our friends in Uganda. Our people are tired of killing each other, whether it is within the country or across the borders. We need a bit of intervention to create a facilitative environment. There should be an enabling environment so that our people can move freely across the borders. We would also like to see some of the borders having border points where movement of people can be checked. One of the terrible things about cross-border movements is the transmission of diseases, especially in livestock farming societies where animals move freely and they are not vaccinated. This has led to the wiping out of the pastoral communities' means of livelihood.

In view of all these important considerations, when we vote money for this Ministry, the Minister in charge should take stock of the fact that, the issue is not just in Arusha alone, nor at the Namanga border. We are talking about our relationship with all the East African countries and beyond. It is important that we give our people an opportunity to develop so that our country can remain the economic giant in the region. We have been dominating the East African region by sheer hard work, and by providing incentives to our people. We would like those incentives not to be exploited only by the people from big cities, but also by the communities living right across the borders, because the East African Co-operation is very real to them. The goodwill that has been created by the three East African Governments is something that our people appreciate. I would like to vouch on their behalf that, the new East African Co-operation will be meaningful to our people in the three aspects I have mentioned. This is where we can tackle insecurity, improve our livelihood in terms of pastoralism, and basic infrastructure in order for our people and livestock to move freely across the borders. As a nation, we should be able to protect ourselves from any external aggression. Because our borders are forested, there has been a lot of infiltration of guns into this country, thus causing instability right up to Nairobi. It is not just a matter of the Rift Valley alone.

Mr. Speaker, Sir, I support the Motion.

Mr. Anyona: Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to contribute to this important Motion. To be able to put matters in a proper perspective, it is important for this Parliament and for us, as leaders, to ask ourselves what we are just about to do. We are talking about the East African and Regional Co-operation. In what context are we doing this?

Mr. Speaker, Sir, I would like to go back a little and trace the history of regional co-operation in the East African region. We started off with the East African common services in 1948. In 1967, we had a treaty of co-operation, the so-called, "Kampala Treaty". In 1977, that co-operation collapsed. We need to ask ourselves whether we are serious about the East African Co-operation this time round.

I had the good opportunity of: (a) having been a student at Makerere University when the treaty was being signed; and, (b) having joined the Office of the President here in the secretariat that was co-ordinating the community affairs on behalf of the Kenya Government. Later on, I became a Member of this Parliament. When I last made a statement about the usefulness of the East African Co-operation, I remember some hon. Members telling me that I would be given a one-way ticket to the land of Ujamaa. Soon after that, I was actually given a one-way ticket to the "Siberia" of this country, which is Manyani Detention Camp.

Mr. Speaker, Sir, when the East African Community (EAC) collapsed in 1977, there were people in this country, many of whom are still in the Government, who said that they drank champagne because of the collapse of the EAC. This time round, why are we telling Kenyans, the East Africans and the world that, after we drank champagne over the collapse of the EAC, we again want to indulge Kenyans in another mirage of this kind?

Mr. Speaker, Sir, one of the reasons why the EAC collapsed in those days, having been involved in some of the on-goings of the community, was because there was no political goodwill. It was not just in Kenya, but in the three East African countries. So, one of the questions that we must ask ourselves this time round is: Is there enough and genuine political goodwill to sustain the community, or is it another exercise in political semantics?

The other reason was that, there was a certain amount of disparity in economic development and provision of services between the three countries. The community was meant to harmonize those inequalities, but unfortunately, we were not able to do so. This time round, are we, therefore, going to start by addressing those inequitable factors of development and services to be able to create a harmonious process of regional integration?

The other issue was the problem of ideological divide. At that time in the world, there were the two sides of the Iron Curtain, and we got caught up in it. We did not need to get caught up in those problems of ideological divides. There was the politics of one party state on the one side; politics of ujamaa on the other side, and we believed in a mixed economy here. Because of that problem, the EAC was made to break up. We need to ask ourselves whether we still have any ideological hang-ups, which will make it difficult for this region to come together the way we would like to do.

Mr. Speaker, Sir, there were also personal jealousies among leaders and within the three East African countries. What are we going to do about those jealousies and suspicions? Could the leadership, both at Government and Parliament levels, assure Kenyans and East Africans that we are above those jealousies and suspicions? There was also the breaking point; the external influence. Because the external forces did not want to see a strong and economically viable region in East Africa, they encouraged us to wrangle. The coup in Uganda, which brought Idi Amin to power, was the breaking point of the Community.

Mr. Speaker, Sir, can we this time round, keep external influence out of our own internal affairs? Europe has gone into a union, and yet we do not want to unite. So, I would like to appeal that, as we go into this new exercise, we jealously guard against external influence which can make this exercise fail. Recently, there was talk about a new Africa; a new Africa where a President of a powerful nation comes just to the border and says: "I can only come this far, I cannot go to the other side". That is a new Africa. We really must be weary of those kind of forces. We have a common destiny here, whether we are Kenyans, Ugandans or Tanzanians, and we need to work together.

Mr. Speaker, Sir, therefore, the new East African Community has this problem of "once beaten, twice shy." People are not sure that we are serious and that we are going to succeed this time round. I am not a pessimist. If I was, I would have given up politics long time ago. But I believe that our people need to be assured. The Minister in charge of this Ministry has one positive factor in his favour, which is that, in the whole of the East African Community, he was a personal assistant to the powerful Bruce Mackenzie. So, he knows how the whole community was working. The only thing he has to guard against is - although it is not fair to talk about people who are not here - to ascertain if it is true that it is people like the late Mackenzie who broke the East African Community. So, the Minister, having worked closely to the hon. Mackenzie, I would like him to resist any of those factors which militated against the East African Community. I would like, for that reason, because he has that experience, to steer this new process, so that we have a genuine community for the benefit of our people.

It is, therefore, necessary that the new Treaty does not suffer the fate of the old one. One of the problems of the old treaty was that it was never ratified by this Parliament. I think, if we are going to commit the people of this nation and the people of this region to this process, it is only fair that the treaty is brought here and ratified, so that it is only this Parliament that can undo it.

Mr. Speaker, Sir, for the East African Co-operation to succeed, we need a new spirit of co-operation based on genuine economic development, which is balanced within the countries and across the borders. Recently, in Arusha, we were told that there was some money which was coming to provide infrastructure, to be able to deal with the *El Nino* disaster. I cannot see any new project going on in that direction. We would like the Minister to

explain to us what happened to the money that they told us in Arusha was coming to help us as part of the effort of resuscitating the new community.

As I said, we will need political goodwill, not simply of the political Heads of Government, but political goodwill of the Parliaments of this region, hon. Members of Parliament as individuals, and of our people to this process. For this to succeed, we shall need a democratic process where things are done democratically; where people do not drink champagne because their conspiracy to wreck a noble process has succeeded, but a democratic process that would decide that in spite of all the problems, we are determined to go ahead.

Mr. Speaker, Sir, to be able to sustain this process, we will need national unity. We cannot succeed if we are wrangling in this Parliament and across the country. How can we sustain regional integration? Therefore, as we commit ourselves to this process of regional co-operation, starting with East Africa, let us internally create harmony, democracy and unity. Regional integration is the ultimate goal. We will never achieve that goal until we have achieved these goals that lead to this regional integration.

Mr. Speaker, Sir, I would like to commend the idea of regional integration, as I said. In those days, I was given a one-way ticket to "Siberia". This time round, we are here and we would like anybody else who stands in the way of regional co-operation, which is in the interest of our people, to be given a one-way ticket to "Siberia" on the moon.

I beg to support.

Mr. Ndicho: Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute to this Motion.

The issue of the East African Co-operation is very important in this region. As hon. Anyona has just said, we know that the East African Community, which was in place after Kenya, Uganda and Tanzania got their Independence, was destroyed by the forces of Eastern and Western blocs during the Cold War. This is because they had an interest in East Africa and Africa as a whole. This time round, we have come of age. The East African countries have not just attained their Independence so that they have to rely on the Western or Eastern blocs to develop. We would like to request the Western and Eastern blocs to leave us alone and let us chart out our own destiny, and determine our own issues, be they political, economic or otherwise.

Mr. Speaker, Sir, as the world becomes a global village, it is important that African States also need to come together for common objectives. We need to expand the jurisdiction of the East African Co-operation. Presently, it only involves the three East African countries, namely, Kenya, Uganda and Tanzania. We need to embrace Somalia, and include Ethiopia, Sudan, Burundi and Rwanda. Without them, the aims and objectives that we are trying to achieve might be affected, especially when there is war and political instability in our region.

Mr. Speaker, Sir, even if we become a united East African Community, the political instability in Somalia, as it is today, will affect our achievements. I would like to see a new East African Co-operation that strives to have a new common currency in place, the way the European countries did. We should also have common security interest in the region if we have to develop economically. If there is insecurity in the East African region, rest assured that the economic growth of this nation will be affected adversely. We also need to have a common market. There should be market for our Kenyan goods in Uganda and Tanzania, and *vice-versa*. This should also include Ethiopia and Somalia. There are various commodities across the borders that cannot be allowed into Kenya, because of boundary restrictions.

Mr. Speaker, Sir, for the East African region to be stable, we need to have a common political direction. In the 1970s, the politics of Uganda adversely affected Uganda as well as Kenya. We need to be serious on the politics of these nations. For us to achieve all this, we also need to promote a common language in the East African region. Fortunately, we have the Kiswahili Language which is spoken in the region quite fluently and which unites the people of this region quite effectively. But we need to involve technocrats and politicians in the new initiative of creating the East African Co-operation. We have heard from the Members, who were in this Parliament in the early 1970s, during the East African Community, that the Parliaments of the East African countries were not involved. We want Parliament to be involved, and a committee of Members of Parliament from Kenya, Tanzania and Uganda, with technocrats in that field, to restructure a sound co-operation.

Mr. Speaker, Sir, on the issue of security, I personally commend the *Daily Nation* for exposing that about 5,000 illegal arms were illegally being handled by civilians. We can rest assured that, if we had strong checks at the boundaries of the East African states, these illegal arms could not have found their way into this country. Today, the lives of Kenyans are at advanced risks than was the case in the early 1970s or 1980s. As I stand here, I am still mourning the brutal murder of a councillor in my constituency by people who were well-armed. It is very serious because, if those people were not accessible to those guns which find their way into Kenya very easily, our people could not have been killed. We have heard that the bomb which devastated this country last August passed through a border point with a sister country into this country. If we had strong border controls, these illegal

gadgets could not find their way into our country. It is high time that the East African Co-operation was not only politically-centred, but should be broad-based on economics, politics and so on. But if it is going to cater only for the political goodwill of a few individuals, then we are not serious. We hope that the East African Co-operation is not drafted in a way that will allow criminals who commit crimes here to take refuge in Uganda or Tanzania. It should be co-operation that will benefit the people of these three countries.

Mr. Speaker, Sir, other than focusing on the three East African countries, as I have said before, it is important to expand and include other countries like Somalia. There is no point of enjoying bread and butter in the capitals of Kenya, Uganda and Tanzania, when Somalis in the neighbourhood are busy killing each other. When they finish killing one another there, they are going to come and find us enjoying our wine, bread and butter and kill us. So, I am urging the Governments of the three East African countries to be more concerned even with the welfare of Somalia, which has no Government at the moment. Today, Somalia is in problems because of bad governance. Right now, as one of my colleagues said, if we do not have stability within ourselves, there is no way we are going to convince Uganda and Tanzania that we can be united. I would like to call for sober minds and because we are more advanced than the others, we should lead the way. As politicians, we should be the ones leading Tanzanians and Ugandans. But if we are bickering the way we are doing at the moment; if we cannot see eye to eye with each other, how then can we convince the other people across the borders that we can also sit down together?

Mr. Speaker, Sir, I would like to appeal to the powers that be in this nation to change our approach the issues. For us to have a stable nation, we need a Government of national unity. Every Kenyan should be included in the Government that is determining their fate and direction. Today, the Government holds the Opposition here as if we are Ugandans or Tanzanians. It is as if the Opposition does not belong to this nation. I commend the wisdom of the former South African President, Mr. Nelson Mandela. If he never accepted a Government of national unity, we can rest assured that there could have been no nation called South Africa. Before we go for the East African Co-operation, let us sit down as a nation and work together and end the hostility towards each other.

With those few words, I beg to support.

The Minister for Transport and Communications (Mr. Ntimama): Thank you very much, Mr. Speaker, Sir. I stand up to support this Vote of the East African Co-operation, and co-operation in general, which encompasses areas like the Common Market for Eastern and Southern African (COMESA) and even SADCC.

Mr. Speaker, Sir, first of all, I want to thank His Excellency the President for the commitment he has taken to unite the three East African countries. I happen to be among the people who accompanied His Excellency the President, both to Kampala and Arusha. During those two occasions, we met the other two Heads of State and the Ministers who were concerned with the East African Co-operation and certain departments which relate to trade, telecommunications and even maritime affairs. I was very impressed in the way the President took up the issue personally, of trying to bring together not only the Heads of State, but also the Governments of the three countries, and even the people themselves.

Mr. Speaker, Sir, it is true, as some hon. Members have said, that it was a pity that after 22 years, we broke the East African Community through jealousy and other issues that did not help us at all. But, as I have said, when I attended those meetings, the leaders of the East African countries, including His Excellency the President, tried several times to remove all the suspicions and mistrust and other bottlenecks. In fact, they were lowering the hurdles in certain areas so that we could easily meet with the people of the three East African territories.

I think we must definitely thank the President for doing that, because the meetings I attended myself were such that the real co-operation had started.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, I think I need, for sure, to thank the Minister for East African and Regional Co-operation, Mr. Nicholas Biwott, who initiated some of those meetings between us and Tanzania and Uganda, to facilitate the possibilities of reaching at certain agreements in certain areas, so that we could develop, indeed.

Mr. Temporary Deputy Speaker, Sir, if you take one of my portfolios in the Ministry of Transport and Communications, for example, the telecommunication system, it was so important that we should talk with the

Ugandans and Tanzanians and try to form a system where our telecommunications would become one system. This would enable us to talk to one another without any difficulty. Before, it was very difficult to talk to one another. We had a lot of problems in certain areas of telecommunications, but now, we have streamlined the telecommunications system so that we can talk with all the countries around us. We even went ahead and removed the problems that existed between us and Francophone countries. Before that was done, it was very difficult for a Kenyan to talk to a man, for example, in Ivory Coast. You had to go through Paris to be able to get those people. We are trying to make this problem solved. We are removing all these bottlenecks, so that we, in Africa, can talk and communicate without any problem, indeed. These are the benefits of the East African Co-operation, COMESA and even SADCC which, I hope, we will also embrace when it comes to the time of doing some of these things.

Mr. Temporary Deputy Speaker, Sir, trade is another area. We must start trading with one another, not only in East Africa, but in COMESA and even SADCC because by trading together, we can definitely grow and be able to improve our internal trade, which is more beneficial to the trade between Europe, America and ourselves. I am saying that this is very important, and if we had made a mistake 22 years ago, we must be sure that we do not repeat that mistake again. We must strengthen the unity of the East African, COMESA and even SADCC communities. This is because the boundaries that were put up by the colonialists were for their benefit. They were made, so that they could divide us. That was done, so that they might rule us, because they definitely are artificial and arbitrary boundaries. That is so because if you look at East Africa, we are the same people, but we have been divided and sub-divided by the colonialists. For example, look at the Sabaots, and you will find that a big group of the Sabaots are in Uganda. The same applies to the Teso and even the Turkanas, whose brothers are in Uganda. For example, if you look at areas like Tanzania, you will find that there are more Maasais in Tanzania than in Kenya and surprisingly, they are doing very well. They are in the Government, the army and everywhere. In a small way, the Luos are there too. They have got their own districts and so forth. The same applies to the Kuria and all these other people. I think these boundaries were artificial, arbitrary and colonial.

Mr. Temporary Deputy Speaker, Sir, finally, if we are really serious, we have to break these boundaries and unite as one East African bloc, and in that case, I personally think I support the breakup of these boundaries and to transform the East African Co-operation into a federation. This is because some of us, like the Maasai, will no longer be a minority in Kenya and Tanzania. We will be something to reckon with, and it is a fact. So, I think the best thing is to try to move until we have created an East African Federation. That will include political federation. I know it is difficult, but we can attain these goals. The next generation will probably be able to attain the political federation. Why not? Already, this regionalism is taking place in Europe in a big way, and in many other areas like the World Trade Organisation (WTO). So, I support this co-operation; that is, in trade, telecommunications and in agriculture. This is because, we should be able to move our products across the borders easily, so that if some other people are hungry in one corner of the world, some people can probably assist. This would also enable us to talk to one another closely, because the colonialists wanted us divided. They still want us not to talk as one community.

Mr. Temporary Deputy Speaker, Sir, I wish to state that the East African Co-operation is very, very beneficial, indeed. We have seen the COMESA Trade Exhibition that was hosted by this country just the other day. It taught us very many lessons. Many people came here, and we know now that our goods can be sold across the borders in East Africa and even in the COMESA region, if we do support them. I am sure the East African Co-operation and trade will be able to support our farmers, traders and other entrepreneurs, even the sector of telecommunications. We have now set apart postal services and telecommunications, and we hope that those people who will get into the telecommunications sector will be able to expand their business across the borders, including the internet. This will enable us to talk to our brothers across the borders without any difficulty.

With those few words, I beg to support.

Ms. Karua: Thank you, Mr. Temporary Deputy Speaker, Sir. I arise in support of the Vote and I would like to take off from where my friend, hon. ole Ntimama left.

Mr. Temporary Deputy Speaker, Sir, I support the East African Co-operation and the eventual political federation of the three countries. My only worry is that the Ministry of East African and Regional Co-operation is not doing enough to make Kenyans, and especially leaders, understand the importance of the community. The average Kenyan does not know what are the benefits of having the three East African nations coming together. The Ministry should spend some money, and I notice there is a bit of money allocated to seminars, but I think this is not enough. It should spend a little money in taking the treaty to the people, so that this particular initiative becomes people-owned and people-driven.

Mr. Temporary Deputy Speaker, Sir, as it is today, the signing of the treaty is at the end of this month

and this House is geared to debate the Treaty and the truth is that, at the time the Government will be signing it, this House will have no time to make any significant input. This House will be expected to rubber-stamp what the Government has already decided. The reason why we are asking that money be spent on creating awareness on the draft treaty, is because the leaders, and especially Parliamentarians, will be in a position to influence the contents of the treaty. Now, that it is going to be ratified without serious input from Parliamentarians, we would ask that as the various protocols are being drawn, let there be public debate on the treaty, the benefits and liabilities, if any, of the co-operation of the three East African countries, and let suggestions by leaders be taken seriously.

Mr. Temporary Deputy Speaker, Sir, I do not know whether the people drafting the treaty, or those who have been involved in Government, realise all the implications of the federation. It is expected that, the three countries will harmonise their laws. We are aware that both Uganda and Tanzania are well ahead in getting a new constitution. Uganda has already managed to get a new constitution. Tanzania is well ahead in overhauling their constitution, but Kenya is stuck.

Mr. Temporary Deputy Speaker, Sir, how does the Government expect to join the East African Co-operation if it is stuck in defining the future of this country's political system? These are questions we expect the Minister to answer. It is in the interest of regional co-operation that Kenyans get the constitutional review under way. Kenya is the only country in East Africa which is not decided whether to have an open system or a dictatorship. Kenya is also the only country in East Africa where the Government uses violence to break up political rallies organised by the Opposition. This does not happen in Uganda or Tanzania. Are we, therefore, sure that we want to join the other two East African Co-operation member states, which are maintaining an open system? Had we not better look for dictators to join?

(Laughter)

Mr. Temporary Deputy Speaker, Sir, there are very serious issues which have to be thrashed out before we sign the East African Community Treaty on 31st, July, 1999, and this should, really, be a headache for the Government of Kenya. When Uganda and Tanzania were reviewing their constitutions - the process is still going on in Tanzania - the exercise was people-driven. Those two countries did not take the exercise to the exclusive confines of Parliament. Does this country's Government know this? Are we going into regional co-operation blindly, or are we checking what is happening across the country's borders? If we are not doing so blindly, it is incumbent upon the Ministry of East African and Regional Co-operation to push the Government to have the constitutional review process begin as per the Act of Parliament that was passed by this august House last year. The exercise must remain people-driven. The exercise cannot be tailored to suit the whims of one individual, however powerful he may be; it has to be owned by all of us as Kenyans. That is the way Kenyans want to go as they join the East African Co-operation.

There are fears that have been expressed about the East African Co-operation, mainly by Tanzania, which fears that Kenya may have a larger share of the market, and that there will be influx of labour into that country. Kenya has also expressed the fear that South Africa may dominate Kenyan markets through Tanzania, which is a member of Southern African Development Co-ordinating Conference (SADCC). Unless the Ministry is ready to spend some money on creating awareness and generating public debate, these issues will not be sufficiently discussed. The fear that opening the door may take away the jobs Kenyans have, or that the economy will be dominated by the neighbours, are not well founded. After all, who dominates our economy today? It is foreigners, who are not even Africans or East Africans. So, what would it matter if a Tanzanian owns a factory in Kenya as opposed to a European?

Mr. Temporary Deputy Speaker, Sir, we are encouraging investments, but these are things which have to be discussed, so that Kenyans will be aware that, really, there is no threat. There will be more benefits if we join the East African Co-operation, than if we draw back. In this era of globalisation, we cannot command any influence in the global market unless we form regional blocs, and this is the most important factor in having regional co-operation. These are things which Kenyans are yet to grapple with; the Government has not taken the draft treaty to Kenyans.

Mr. Temporary Deputy Speaker, Sir, the draft treaty is right now only available to Parliamentarians, because it was tabled in this House, and to a few people in the industry. Seminars have been held by the Ministry of East African and Regional Co-operation. I lament that Parliamentarians were not invited to the seminars where discussions were held on the draft East African Co-operation Treaty. I remember having asked the Minister why we were not being invited. It would have been necessary for Parliamentarians to be invited to a seminar to discuss the draft treaty. Although the exercise has already been done, I would like to suggest that this be done when the protocols are being drawn up, so that we can know whatever was of use but was left out of the draft treaty.

Apart from the constitutional review process, which has stalled, laws such as labour and environmental laws have to be harmonised. We want to know that when investors from across the border come, we will be using uniform standards in preservation of our environment and labour. These are concerns that are yet to be addressed. What about the gender issue? Have we checked what is happening across the border with gender? Women are respected in Tanzania and Uganda; they do not get insulted by Government Ministers. These are issues which we need to look into. We must harmonise gender relations as we go into the East African Co-operation. The Governments of Tanzania and Uganda respect all their citizens irrespective of gender. Is that true of the Government of Kenya?

An hon. Member: No!

Ms. Karua: Mr. Temporary Deputy Speaker, Sir, this is again a headache for the Ministry of East African and Regional Co-operation; the Ministry should look into this matter. Let the Government not blow hot and cold on gender issues by supporting women on one day, and demonising them on the next day. We have to show consistency in our policies. So, let us not just be happy that the East African Co-operation Draft Treaty is being signed in a few weeks' time when we have not actually sorted out whether we really want to go into this federation, or whether we are going into it with some reservations. Unless we harmonise all these issues, we will find ourselves unable to move forward, and the much touted East African Co-operation will break up like the former East African Community. If this happens, we will suffer. So, we have to look into these issues if we have to make sense out of the co-operation.

Mr. Temporary Deputy Speaker, Sir, the other issue we have to watch out is that the exercise should not be donor-driven. The speed at which we shall go into this exercise should not be the speed the donors want us to go into it at. If we are not yet ready to sign the draft treaty, let us not sign it. If we are not ready to take a step towards that end, let us take our time. Let us not allow the donors to dangle their money at us to make us move faster and later on, stumble before reaching our destination. We want to know that the programme is Kenyan-driven.

Mr. Temporary Deputy Speaker, Sir, in conclusion, are we doing the little things that matter? Have we removed the bureaucracy at the borders? Are we still harassing our traders at Namanga and Busia border points when they buy a kilo of sugar or some loaves of bread across the border? If we cannot start with these little things, I do not know where we are heading to.

With those few words, I beg to support.

The Assistant Minister for Finance (Mr. Keah): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to support the Motion on the Vote of the Ministry of East African and Regional Co-operation.

Mr. Temporary Deputy Speaker, Sir, I wholeheartedly support that the Ministry be given the funds it has asked for, because the Ministry has very important roles to play in fostering economic co-operation and integration within our region. Everybody knows today that the answer to many of our woes, particularly in international trade, rests in the region's countries coming together to create a trading bloc. We have seen various trading blocs, such as the (NAFTA), the European Union (EU), the Maghreb Countries, and many others. For our survival, particularly when our share of the world trade is a mere 4 per cent in so far as the total African trade is concerned, it is important that we join hands together to ensure that we expand our market.

Mr. Temporary Deputy Speaker, Sir, I support that the Ministry of East African and Regional Co-operation be given the funds that they are looking for. In fact, I wish there was more in the kitty to give them because there is a lot that they need to do in the process of fostering regional co-operation and integration.

I want to echo the sentiments of my colleagues who preceded me particularly about some kind of a federation. I would like to urge that we trend cautiously on the ideas of a federation because, sentimentally, it is right. I heard the hon. ole Ntimama talking about the Maasais. I can also give an example of the Digos at the Coast and say that we will no longer be marginalised as the small tribes. But that is really being sentimental. We need to be absolutely careful in approaching issues of federalism and others.

However, the issue of the market is what I want to hammer home. Once we expand these markets; and I would urge the Minister to make sure that when we have agreed that the tariffs are to be harmonised and that we will follow a particular path, then it is imperative that all countries that are signatories to that agreement, follow that agreement. In certain instances we have found that Kenya has signed treaties, gone ahead and implemented them, but the others have not implemented them despite having signed those agreements. It is important, therefore, that whatever agreements we sign are thoroughly thrashed out so that there is no misgivings, suspicion and we implement them.

I would like, at this juncture, to address myself to our industrialists. I would like to urge them that when

producing and manufacturing goods, they should ensure that these goods are of high quality. We do not want to sell in the PTA area or the area where we have economic integration low quality goods. Otherwise, our neighbours will always want to source for these goods and services from Europe and elsewhere rather than sourcing them from here. There is need also to do a major campaign for what is available here, not just in terms of goods and commodities, but also in terms of professional services. I am looking forward to the day when professional firms like accountants, engineers, lawyers and others will set up branches in other countries within East Africa.

We have a major problem in so far as market integration is concerned with the imports. We have to be extremely careful that we police the origin of goods because sometimes goods may be described as originating from an East African country or a regional country when, in fact, those goods are only on transit through those countries from overseas. There is a danger of giving preferential rates for these imports whose origin are countries other than those within our trading bloc. Therefore, it is important that we police this aspect to make sure that the rates we apply, customs, duty rates and the others, to imports from within the region, are on imports originating from those countries and not goods from elsewhere which are on transit through our common market.

Mr. Temporary Deputy Speaker, Sir, we have already a problem of this nature which we answered here in Parliament the other day which is typical of the kind of danger that we could face. We should also make sure that these countries do not subsidise for the importation of the goods from their countries so that when we harmonise, we truly harmonise and when we standardise, we truly standardise. This will create an even playing ground so that the goods can be competitive. We have a typical example of goods coming from South Africa and some of these goods are overly subsidised. As a result, they are not being competitive in the Kenyan market. It is important that we make sure we have our own scouts. Those people we employ, for example, the SGS and others to do pre-shipment exercises, should carry out this exercise in order to let us know whether these goods are overly subsidised in their home countries before they are exported or imported by us. Otherwise, we are not being fair to our industrialists and manufacturers and they will go out of production because their goods will not be competitive.

There are a number of laws and regulations in this aspect which must be harmonised and brought to a common standard. This is very important. It is important that within this treaty, when we have the standardisation and harmonisation, we should have clauses therein which will introduce some kind of penalty measures should a member country break the regulations that we have set. The rules and regulations on standards and harmony, must be standardised and harmonised to say the least. Their implementation must be clear and the recourse must also be absolutely clear where a country violates those standards and the established harmony.

On the issue of treaties and agreements, it is imperative that this Parliament should be involved. We have several Committees of the House and these treaties and agreements should be passed to these Parliamentary Committees so that we know that our Parliament has been thoroughly involved.

With those few remarks, I beg to support.

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion. I know that the main subject before us is the East African Treaty. We all want it to be a fact, but we should debate it in this Parliament before it is signed. Before the end of the month, we have time and I am sure that time can be set aside, even if it is three days, for us to debate the actual treaty so that we are able to put forward very specific amendments and proposals. It is important, otherwise, the treaty will have been signed and we shall be presumed to be supporting it in principle, but then we shall find that the details are not exactly what we would have wanted. So, I hope that time will be found for us to do so.

Mr. Temporary Deputy Speaker, Sir, secondly, speeches which were made recently by the three East African Heads of States in Arusha, referred to the free movement of people. We know that, that is the best way of building a proper integration of the whole region, even before thinking of having a common market, the East African Federation, or other things. The free movement of people within the three States will facilitate their citizens to know each other and have good relations. We were promised the East African Passport that would allow free movement of traders and other people within the East African region. I hope that when the Minister replies, he will tell us what is holding back the movement of people within the three countries. I do not see what we are waiting for. Our people should be able to move freely. If you can still be stopped for one hour at the border points of the three countries, so that you are checked, and yet we are saying that we are building a good relationship between the three countries, it is a joke. We must actually begin with the issue of the free movement of people, and that can be possible with the availability of the East African Passport. Such a passport will allow traders and other people police officers day and night. Police officers demand bribes from them. People who occasionally move to say "hallo" to their sisters and brothers across the border point are also harassed. The Kenya Government needs to take action against these police officers, so that these people are not harassed. You

will find that some lady traders who cross over to the other side of the Kenya border point have to share the bananas they bring along with them with the police officers.

(Laughter)

It is quite ridiculous! We are trying to promote understanding but there are obstacles. As hon. ole Ntimama said, the Maasais found at Namanga are the same ones who are at the other side of the border point. When they graze their animals in the rural areas, they do not know exactly where the border point ends. It is only at the main roads where the border points are conspicuous. That kind of harassment should be stopped.

Fourthly, Kenyans, Tanzanians and Ugandans should be able to move their capital and invest in projects inside each others' economies, but there are still some rules which act as obstacles. Today, if you want to move tea across the borders of the three countries, you would need to come from Mombasa, where the auction is held, and go to the Office of the President in Nairobi, in order to get a little piece of paper that would allow you to sell that tea. Tea selling across the borders is supposed to be a simple thing. Why should such administrative measures be there? They are expensive and obstructing inter-trade among these countries. Why can they not be removed? Now that there are no exchange controls, what are these restrictions for? Since there is freedom in the trade sector, where anybody can market commodities in Europe and open a foreign account there, why can it not happen in Tanzania, Uganda and Kenya? Why can we not be free to do that? These rules are still there and they have been ignored.

Secondly, you cannot even market your tea, or even send samples of your tea by air to the East African countries. The trading of tea is supposed to happen by boat. It is a very primitive regulation; it goes back to the middle ages. Really, that restriction should be removed at once. The Minister for Agriculture should help to remove it. Even to move a sample of tea by air to somebody in a neighbouring country, who needs to look at the quality of your tea, so that he or she buys it, is not allowed until you come to the Office of the President, in Nairobi, and get permission. These are little things that are blocking trade, and they are very many. I am just giving you a few examples. That is why we want to clean the board, and that is when we shall look very serious and we shall be taken seriously by others.

Mr. Temporary Deputy Speaker, Sir, tourists want to come to East Africa, but as it is today, trade restrictions should be removed by the three Ministers in charge of the East African Co-operation (EAC). In that way, they will show that they are serious. But they are not now serious, because if they were, one meeting would have sorted out the whole issue, so that a tourist who wants to come to East Africa can fly to Uganda and see the Murchison Falls; come to Kenya and visit any of its parts, and go to Ngorongoro in Tanzania, without being restricted. Above all, a system for sharing whatever dividends are gotten can then be worked out. All of us who operate in Kenya, Uganda and Tanzania, want to share the dividends. In fact, if the traders were left alone, they would work out that kind of arrangement very quickly, but they are not being allowed to do so by the Governments of the three States. So, when the Government talks about these issues, it does not take them seriously. If you want to be taken seriously, that is the first thing that you should do.

Finally, if we cannot link up the roads between the three States, so that if you are travelling to Tanzania, you can travel on a good road then nothing will progress. Why can we not realise that? We know that there are many international organisations willing to help in the development of the roads which inter-link the three States. Why do we not make it more real and practicable? If we do that, we will be assisted. That could help us in our inter-trade area.

The East African Community broke down because of politics; that was after former Ugandan President, Mr. Idi Amin, had taken power in Uganda, and some Presidents said that they would never talk to him. There were other reasons behind the break down. So, the sections in the EAC Treaty which deal with economic integration must be genuinely removed from the daily overseeing by the politicians. Let them become strong institutions which can stand on their own.

We are talking about the common market of Europe. The fact that there was the European Economic Commission (EEC) which existed separate from governments of each of those States made the common market successful even when two States quarrelled. That is one thing that we must do in East Africa, because we must learn from history, otherwise, we would not have learnt anything. We must allow the Economic Commission, which will be set up, to be effective as an institution of the EAC and which can operate regardless of the political relationships. If we are serious about the integration of economies of the three countries, why do we not start with Lake Victoria? Lake Victoria links all of us and it is a perfect place for the development of tourism, fishing - as a joint venture - and of people making a circuit by touring the whole place. But right now, because of a simple thing

like the water *hyacinth*, which is choking Lake Victoria, we seem unable to make a joint decision. Yet we want to be taken serious. Who will take us seriously? Why can the Kenyan Head of State not meet over that one subject and appoint a contractor who can do the job? Now, the Government has left the job to a group of people who are quarrelling over who is to share the commission which is to be paid by whoever is appointed as the contractor. That is what is holding back the whole process of removing the water *hyacinth*.

How serious are we? We are not serious! If we are genuinely serious, Lake Victoria, which unites all of us, would not have been choked by that weed. Why do we not clear it and utilise it and stop people from using poison to fish so that we do not poison each other inadvertently? Those actions are really the basis of what we are going to build as a genuine thing, and not something which is imposed from above by politicians. So, I am appealing that these issues be implemented altogether, and then we shall be making movements towards the objectives of the EAC.

Finally, I hope the Minister for East African and Regional Co-operation will bring the EAC Treaty to the House so that we can discuss it and propose certain specific amendments to it, the way they have done in Tanzania and Uganda. Why can Kenya not respect its own Parliament?

The Minister of State, Office of the President (Dr. Anangwe): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the Vote of the Ministry of East African and Regional Co-operation. They are asking for K£5.6 million. In relative terms and compared with other Votes, this is a small amount and we should not really have any difficulties in allowing the Ministry to get their share.

Mr. Temporary Deputy Speaker, Sir, looking at the structure of this particular Vote, 85 per cent of the resources are going towards contribution to regional bodies, for instance COMESA, East African Co-operation or IGAD, for that matter. A small percentage is going towards administrative expenses. That is a good investment which we all need to support.

Mr. Temporary Deputy Speaker, Sir, may I also take this opportunity to congratulate the Minister in charge of East African and Regional Co-operation for the effort he has made in mainstreaming regional co-operation in our development agenda. A new Ministry of this kind can be a daunting task when it comes to integrating its activities within the Government system. I think he has been able to do it ably and for that matter he really needs to be congratulated.

Mr. Temporary Deputy Speaker, Sir, regional co-operation is an issue that we should all focus on in Kenya. Kenyans should be at the forefront in supporting regional co-operation for many reasons. I know that arguments have been put across in this House about the rationale of regional co-operation. One such rationale is about globalisation. But in my view, the rationale is not so much about globalisation but about the need for collective self-reliance. When one examines critically the issue of globalisation, by and large, this part of the world and more particularly Africa may not be getting integrated in the world economy. Increasingly, the evidence does seem to suggest that we are getting marginalised and peripheralised. When one looks at the trade, share of investment, flow of capital and labour, one does not really come across credible evidence that does suggest that Africa or East Africa for that matter is totally integrated into the world economy. Globalisation simply means mobility of capital and labour freely across regions of the world. Whereas that may be happening elsewhere and more particularly between Europe and America, that seems not to be the trend here. Therefore, let us not hinge our regional co-operation on globalisation. Let us hinge our regional co-operation on the need for collective self-reliance, meaning that we should look for a way of allocating the resources, the labour and capital we have in this part of Africa efficiently. We should also look for ways of investing it in a manner that we can be able to overcome poverty in this part of the world, that is both Africa and East Africa. If that regional co-operation will have to look up to the outside world to help us to overcome underdevelopment in this part of the region, it may not really be forthcoming.

Mr. Temporary Deputy Speaker, Sir, there are many benefits of regional co-operation. Of course, many have been mentioned here, but one of them is the broadening of the market which may improve on the efficiency of our industries and other factors of production. Regional co-operation means we are going to engage in trade, movement of capital and labour between regions and between countries without border restrictions and other trade barriers and Custom duties. That may be beneficial to our industries and other units engaged in production. If we have an industry producing shoes, of course, our small market and small population may not be able to maximise on capacity. Whereas we may be counting bodies, for instance, if we have got about 30 million Kenyans in this country, those with ability to buy shoes, clothing or other consumables may be very few. But when we broaden it to include Tanzania and Uganda we will create a market that could sustain an industry for that matter.

Secondly, the other benefit of regional co-operation is, of course, the fact that resources will be channelled to areas where they can be used efficiently. That would entail specialisation and I know that one of the

consequences of regional co-operation and particularly if integration is achieved within East Africa or COMESA for that matter, is the need for restructuring both the industry and the agricultural sector. There will arise a need where there will be clustering of industries, for example, Uganda may be specialising in agriculture while Tanzania may be specialising in livestock production. That is inherent and it is not a bad thing because resources are moving to areas where they can be used efficiently. I know that sometimes without that kind of scenario, nationalist tendencies tend to create a bottle-neck and of course, resistance to that kind of trend. Bearing in mind the kind of experience we had in the East African Community, it may have been one of the issues that caused hiccups in the East African Co-operation because Kenya was accused of benefiting from industries.

The third benefit of regional co-operation and regional integration is to enhance opportunities for investment. It is a lot easier to convince foreign investors to come to a region with a market of about 400 million people than when you have a population in a single country of 30 million people. Even when you go to bargain for trade or donor assistance, it is a lot easier to convince people because your bargaining power is enhanced and backed by the resources available and the size of the population which can convince many people to come and invest.

Mr. Temporary Deputy Speaker, Sir, I would ask and urge Kenyans to be really at the forefront of regional integration because in this region, given our GDP base and other comparative advantages, we stand to benefit from the East African Co-operation and COMESA. Let the short-term opportunity cost not really dissuade us from going full-blast for regional co-operation. I know that some sentiments have been expressed here to the extent that certain sectors of our industries and agriculture may be affected. I have in mind sugar where one hon. Member did mention that the zero-rating of sugar in this particular region may be against the interest of sugar-cane farmers. But this is what I would like to say in reaction to that particular comment. The sugar industry came into being in this country when protectionist measures were in place. Given that we are now undergoing liberalisation, it is bound to face problems. We have got only two choices to make. We either sustain it with protectionist measures or we encourage it to liberalise and face the consequences and one of the consequences is that it may not be viable under a liberalised environment. When we look at the various aspects in relation to the Mumias Sugar Company and compare them with other areas in Australia, in every aspect of production, whether one is talking about the cost of cane production per tonne or raw cane per tonne or the period that cane takes to mature under sucrose content, we are highly disadvantaged and that really seems to be suggesting that if we are going to sustain the sugar industry, we may not really have much of an option but to sustain it under measures that may protect it. But if we have to opt for liberalisation given the commitments we may have made under regional agreements then we risk running this particular industry down and farmers may be obliged to seek alternative measures of earning their living, such as diverting their energies to horticulture and others. But if we have got to liberalise the sugar industry in this country, it calls for many sacrifices which many people may not be prepared to undertake.

With those remarks, I beg to support.

Prof. Anyang'-Nyong'o: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Vote of the Ministry of East African and Regional Co-operation, which I think is one of the most important Ministries in the Government. It is important because at this point in our history, regional integration and co-operation is at the centre of future development of our nation.

Having said this, I would like to reiterate what hon. Kibaki said. That, let us begin from what we have and use it effectively. For example, when the water hyacinth menace started in Lake Victoria, I wrote extensively in the newspapers---

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order! I would like to advise hon. Keah and other Members to consult in low tones!

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Speaker, Sir, I wrote extensively in the newspapers to say that we should deal with the water hyacinth in a way that will help our country. I said that we should do it in a way that will give jobs to our boys, and contracts to our friends. Also, the water hyacinth was not a devil altogether. There were ways that the weed could have been used for industrial purposes. Actually, it could have been husbanded and harvested in a manner that it became a useful input for industrialisation. Those warnings were not heeded. We have now landed in a situation where people are haggling over who is to share what, and who is to get what commission! This is what I feared! I hope that both the World Bank and the Ministry of Environmental Conservation will go back to that communication, and try to take heed of what I said.

Secondly, there is a major weakness in the draft Treaty. It does not take into consideration, serious representation of the people in the legislative organs in the Treaty. The Treaty still envisages the problem of representation as something that is going to be dealt with by the Parliaments of the three countries. As we focus on future Federation of East Africa, the legislative organs of the community should be elected by the people. In actual fact, we should have people who are elected from the Eastern African Constituency as a whole. In doing this, we could borrow a leaf from Dr. Milton Obote's Document Number Five of 1969, which set up a scheme whereby the Ugandan Parliamentarian was to be elected to the National Assembly from three constituencies. In the same manner, election to the East African Legislative Assembly should be done by individuals being elected from the three East African Territories, so that they can become true representatives of East Africa. I, therefore, propose that when the Treaty is brought to the National Assembly for discussion, the Minister for East African and Regional Co-operation will take into account the importance of fashioning a legislative system which is truly representative. Further, I do hope that once the three Parliaments have discussed the Treaty, we can have a joint Committee of the East African Parliament to review the Treaty, before it is signed by the three Heads of States. This is to ensure that the amendments suggested in Tanzania, Uganda and Kenya are harmonised and the Legislatures of the three countries become the first representative institutions for laying the foundation for the East African Legislative Assembly, that is envisaged in the future.

The third point that I want to make is in the area of education. When we had the East African University, it provided a very good arena for integrating East Africa. Indeed, it is precisely because Makerere had been one university serving the whole of East Africa, that a lot of people who were involved in the East African Community shared a common culture and experience. Hence, the Community was a very successful enterprise. I do hope that we can continue to harmonise our education system. We can go back to a common education system in East Africa with excellent institutions for higher education. It is very humiliating trying to send your child for higher education in England, Australia and America today. You are thoroughly humiliated! The kind of information that Embassies and High Commissions want from you, to prove that you can support your child in Britain, Australia and America, is thoroughly humiliating. I do remember that in the 1960s, no East African wanted their child to go for under-graduate courses abroad. Makerere University, University of Nairobi and Dar-es-Salaam University were there. These were universities of international reputation. In fact, students came all the way from Nigeria, Australia and New-Zealand to learn here. Why have we destroyed our institutions of higher learning, so that we can be humiliated by foreigners in our own country? When you go to get a visa for your daughter or son, somebody asks you: How many houses do you own? What is your salary in Parliament? There is a long list of about 21 articles doing personal inspection on you, just because we no longer have institutions of high standards and reputation in our country. One of the things that we should aim at, in establishing the East African Community, is to establish institutions of higher learning of African and international reputation. As Africans, we must be proud of our countries and institutions to stop being humiliated by foreigners. We are doing so because we were our own enemies. We had good institutions which we destroyed. We must pay our professors, researchers and lecturers proper salaries so that they can render good services to our students, to stop the humiliation.

Fourthly, I do not think we should continue wagging this spectre of South Africa coming here and invading us with goods and services. If we are thinking of having a community here in East Africa, we must be prepared to industrialise by having proper policies of industrialisation. If you have three different sets of Value Added Tax (VAT) being paid by a trader, so that in order to buy eggs laid by hens in Nairobi, you have to pay three different VATs, of course, the eggs laid by hens in Nairobi are going to be more expensive than eggs laid by hens in South Africa! This is because we are charging too much taxation on the product. The first thing we must learn is that, if we are going to induce industrialisation in our own country, we should make sure that we have proper taxation regimes for our businessmen and industrialists, so that the cost of production internally could be lower than the cost of production elsewhere. One of the reasons why people do not invest in our country is because the cost of production is too high. The moment you begin hauling some goods from Mombasa to Nairobi, when you get to Nairobi, the shock-absorbers, pistons and tyres are gone! The cost of bringing those goods from Mombasa to Nairobi is too high. If we can invest in our roads, telephones, water and everything else to reduce the cost of production, we shall have people investing here, and the cost of production will be lower. We will not need to fear goods from elsewhere coming here and competing with our goods. We are our own enemies. We must realise that industrialisation goes hand in hand with integration. Peasants do not need any treaty to integrate! Indeed, if we have laws across the border, they will follow "panya" routes and integrate without you! But people producing manufactured goods need rules and laws of integration. If you want to integrate, one of the things you must do is to ensure that you have proper policies of industrialisation that will encourage both domestic

and foreign investors to invest in our three different countries, so that the economies will be dealing with each other in an integrative fashion.

Mr. Temporary Deputy Speaker, Sir, it is not just a question of population. You can have 400 million people, but each one of them only worth a dollar. Nobody will bother about investing among the 400 million people who are only worth a dollar! But if you have four million people, with each person worth 10,000 dollars, you will get people investing in that economy.

That is why, as we talk about integration, we must talk about programmes of development that will increase income in our own countries. Once you have income generation processes on industrialisation, then, indeed, integrating the economies of the three East African countries becomes sensible. I think that is why hon. Kibaki said that, let us begin by doing the small things correctly. Let us begin by making sure that the Communications Act in our country works smoothly and properly, in order to make sure that people invest in the communications sector of our economy. Let us make sure that our roads and telephones work, in order to have good social services. Let us make our nation a centre for services where people can come and invest in hotels and so on. Then, indeed, they will find that there are attractions in investing in Kenya; they can then move on to invest in Uganda and Tanzania where common laws apply.

Finally, Mr. Temporary Deputy Speaker, Sir, as hon. Kibaki said, it is important that this Treaty be brought to the House and be discussed thoroughly. It is important that we realise that when we come to setting up the secretariat we should appoint individuals with quality and merit to run it. It is people with good ideas that will make the community work, not just to create it on paper. Let us look forward to making good use of the East African Community for integration.

Mr. Temporary Deputy Speaker, Sir, I beg to support.

Mr. Shidie: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Vote on the Ministry of East African and Regional Co-operation. This Ministry, as it is today, will help us to co-operate in this region. You will realise that people who are brothers and sisters within this region were balkanised and divided by the colonialists into three East African states. In this region, we produce almost the same things and have similar indications. In the past, we even tried to form the East African Co-operation. However, this co-operation collapsed within a short time, precisely because the Heads of States, at that particular time, were not on good terms. As a result of that, the institution of East African Community collapsed.

The East African Community treaty was one of the best in this region. For instance, the European Union (EU), which is now a class model in the world, borrowed a leaf from the East African Community. The EU treaty was based on the East African Community. That is an indication that the original East African Co-operation was indeed, one of the best co-operations in the world.

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

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

Mr. Temporary Deputy Speaker, Sir, for us to have a Ministry of East African and Regional Co-operation is one thing and to have good integration is also another thing because there must be goodwill in several aspects. For instance, we cannot integrate when we have different education systems in the three countries. We cannot integrate when we have different forms of governance. For example, Kenya is a multiparty democracy, while we do not know what kind of political system is in Uganda because we only know they have political movements. In Tanzania, they have their own political set up. Our education system is also different from that of the other two countries. Kenya has embraced the 8.4.4 system of education, whereas Uganda and Tanzania have the 7.4.2.3 system. Those are the key things, that make integration work.

You will realise that what we refer to as "magendo" in the East African region is referred to as "common market" in the EU. So, we must visualise where we are going to. We must have a treaty whereby institutions will be the key things, so that integration can work. If you do not have institutions and you base your integration on individuals, then you will reach a dead end very soon. This will lead to a *cul-de-sac*. This is precisely what the current East African Co-operation should avoid. That is why I said that having a Ministry is a different thing from the integration itself. We are putting all our energies into Uganda and Tanzania, thinking that these two will be the salvation of Kenya, whereas we have a population of 60 million in Ethiopia and 10 million in Eritrea and Djibouti. Those countries are not industrialised. What is making Kenyans not to sell their products to

Ethiopia? It is simply because we do not have the infrastructure. We cannot drive from the port of Mombasa all the way to Moyale because of bad roads. It is a shame that there is a tarmac road from Ethiopia to Moyale. So, when you talk about East African Co-operation and selling your goods, ideas and services, you must have good infrastructure. If you do not have proper infrastructure, you forget about integration.

The other day, we were asking ourselves: After 35 years of Independence, what have we added to the East African Railways? We were told that they were talking about the number of lives they have lost and not what they have gained. They would have gained, if the East African Railways was managed properly. So, after 35 years of Independence, we are talking of what we have lost and not what we have gained.

Mr. Temporary Deputy Speaker, Sir, we must address ourselves to what we can achieve with the available resources. The dream to be industrialised by the year 2020 is far fetched. What this country requires is a reality.

Why can we not concentrate, for instance, on the service industries like tourism, free port and free communications systems? Those are the things that will propel and develop this country. So, whereas we think that the East African Co-operation will create wealth for this region, we should address the key things that touch us.

When we talk about the East African Co-operation, we should look at our tax systems; do we have the same tax systems in this region? Our tax system is so prohibitive that you cannot do good business, and that is why our people engage in corruption. If you import goods worth Kshs10 million, you will pay duty of Kshs20 million. So, you can only do good business if you transfer that cost to consumers. People have to look for ways to survive. They have to find a way of cheating the tax man. Our tax must be reduced. The tariffs should be the same in the East African region, if you want to do business. For example, in Uganda, if you import one motor vehicle, the tax charged on it is very low. It is cheaper to acquire a vehicle in Uganda than here in Kenya where we have a port because of high taxation levels. If you import a vehicle, the duty charged on it here in Kenya is three times higher than in Uganda. So, in such circumstances, how will you do business? We have liberalised and thrown our door ajar. We bring all sorts of goods into this country and yet, we want to be industrialised by the year 2020. That is a pipe dream. We will never be industrialised because goods from outside are dumped here. It is a shame that Kenya has become a retailer or an outlet for other countries' products. For example, subsidized sugar from Brazil find its way into Kenya. They are producing millions of tonnes of sugar because the production cost is very low.

If you want to develop and you open up your door ajar so that everybody brings in all sorts of goods, then you will never develop or be industrialised by the year 2020. What has become of the light industries we wanted to start? Today, we are not industrialise at all. We are going backwards. We must make sure that our industries are subsidized for them to survive. It is a pity that Bata factory has closed down. How many Kenyans have lost their jobs? Time has come for us to take stock of our own goods and reflect on what we are good for. If Kenyans are unable to get jobs and we do not create wealth, how are we going to eradicate poverty in this country?

For instance, Tanzania wants to have a close link with Uganda and South Africa precisely because they are being promised industries and cheaper goods by South Africa. They are told to forget about Kenya because they have good and cheaper goods than ours. If we are really serious about the East African Co-operation, we must build our institutions. Is our education system the same in the whole region? If it is not, then we cannot integrate. Are our governance systems the same? If they are not, integration will reach a *cul-de-sac*.

Therefore, Kenyans must find ways and means of surviving. There is a big market out there, and yet, we are only 25 million. We can sell our products to our neighbouring countries and earn foreign exchange. Kenya has the best education system in this region. We have more educated people in this country compared to our neighbouring countries. Why does the Government not think of exporting our manpower to our neighbouring countries? Today, if a Kenyan wants to study abroad, or get a job in Saudi Arabia, United States of America (USA), Europe and other countries, and applies for a passport at Nyayo House, he or she will wait for one year before he or she can get it! Is that the East African Co-operation spirit, exporting Kenyan manpower or a way of alleviating poverty? Something must be done in this country if we have to promote Kenya in other countries.

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

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

Mr. Temporary Deputy Speaker, Sir, I would like to inform this House that Kenyan sportsmen and

academicians have done good to this country. I would like to say that a country like Egypt sends about five to 10 million of its people abroad. That manpower will bring some dollars to their country.

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

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, it is now time for the Minister to reply.

The Minister for East African and Regional Co-operation (Mr. Biwott): Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to reply to the remarks made by hon. Members in their useful and constructive contributions, during the debate on my Ministry's Vote.

I will endeavour to answer them in a topical manner, in order to be focused on areas of concern to hon. Members, in so far as the treaty making and integration process is concerned. Hon. Members who have so far contributed to the debate, namely Mr. Kihara, Mr. Raila, Dr. Kituyi, Mr. Ngure, Mr. Mwakalu, Mr. Kajwang', Mr. Obwocha, Mr. Anyona, Mr. Ntimama, Mr. Ndicho, Mr. Ethuro, Ms. Karua, Mr. Keah, Mr. Kibaki, Dr. Anangwe, Prof. Anyang'-Nyong'o and Mr. Shidiye, have all concentrated on matters that are very relevant and important. However, let me hasten to first of all, respond to the extraneous matters that came into the debate, namely the constitutional review process.

Mr. Temporary Deputy Speaker, Sir, the current Act is an Act of Parliament and the process is people-driven. The people are driving it but the process is stuck. The process has got stuck, even though it is being driven by 30 million Kenyans in this country. The process will require a miracle to remove it from where it is at the moment. This will be possible if Parliamentarians and leaders take the initiative to put it on track. It is thought that the best place to start and get the process moving, so that the masses in this country can have an opportunity to deliberate effectively on their own matters, is in this House.

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister started by apologising because he was going to deal with extraneous matters to this particular Vote. So, is that not another way of saying that he is being irrelevant, and should he not be asked to concentrate on the Vote of his Ministry, which we all support?

The Temporary Deputy Speaker (Mr. Poghisio): We should give the Minister a chance to air his views.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Speaker, Sir, I had no desire whatsoever to deviate from the Vote of my Ministry. However, this matter came up during the debate on the Vote of my Ministry, and I had to respond to it accordingly. I was saying that, it is incumbent upon hon. Members of Parliament and the leaders in this country, to ensure that, that process is brought back on track. This will enable wananchi, as a whole, to have a say in the type of Constitution they want. There is no better place to deal with this matter other than in this House.

Mr. Temporary Deputy Speaker, Sir, the other matter that was mentioned during the debate was the gender issue. I happen to have been in Dar-es-Salaam last week. I attended their trade fare, and the women who were there thought that Kenyan women are very advanced in business and they too would like to be advanced. I have also had an occasion to listen to the women present their case in the East African Co-operation meetings, and they too were highly impressed by Kenyan women. So, I think this question of women outside this country being better off than our women, is more like a person who says that his neighbour is better off than him, without really knowing the problems of the neighbour.

Mr. Temporary Deputy Speaker, Sir, now, I would like to come to what is contained in my Vote. In order to be fair to hon. Members, I would like to request that I be allowed to read out a few aspects of it so that I exactly put on record the situation as it is. This will help hon. Members in deliberating effectively when the matter comes before this House.

Mr. Temporary Deputy Speaker, Sir, the main issues that were raised, especially on the treaty, related to the need to learn from the lessons which led to the collapse of the defunct East African Community (EAC). It was also said that there is also the need to ensure that Parliament discusses the draft treaty before it is signed on 30th July, 1999. Further, there is need to learn whether or not, the East African Heads of State are committed to the East African and Regional Co-operation. It was said that the final goal of establishing the EAC should be political federation. I was asked when the Minister intends to table a Bill in Parliament, in order to be enacted to an Act of Parliament, similar to the 1967 East African Community Act, which will make the representatives of the Kenyan tax-payers to consciously code some of the authority of Parliament to another entity to tax Kenyans. Finally, it was said that the Minister should define the path to political federation.

I would like to say that the reasons for the collapse of the EAC are well known. Mr. Kibaki mentioned one of them as being political. I would also like to point out that, in addition to the political problem, there was

also the economic problem. This is in the sense that at that particular time, there were commitments which had to be honoured in respect of the loans that had been borrowed for the EAC. It so happened that at that particular time, Kenyans were bearing the brunt of that responsibility, and services could not be sustained beyond a certain limit. This finally broke up the East African Community. I would like to assure the House that in drafting the current treaty, due regard is being paid to the causes of the failure of the last community. We will continue to receive any useful information prior to the signing of that treaty. I am, indeed, very grateful to Prof. Anyang'-Nyong'o, because he has bothered to read the treaty and comment in newspapers. Others have been Mr. Ndoria, who also went further to write everything that he thought needs to be incorporated into the treaty. Of course, I hope that the relevant Committee of this House will present its report at a later stage. That will provide the basis for us to debate the East African Treaty and what goes on along with it, so that we can have something which we can say Kenyans have been truly involved in.

Mr. Temporary Deputy Speaker, Sir, I would also like to add that the Speakers of the National Assemblies of the region met in May, 1998 and deliberated on the draft treaty and made very useful comments and amendment proposals which have been incorporated in the draft. I have appeared twice before the Committee of Defence and Foreign Relations, which as you know, has been entrusted with the responsibility of looking into the operations of Ministries such as the Ministry of East African and Regional Co-operation.

I would like to assure the House, therefore, that the Heads of States of East Africa are more committed to the integration of East Africa than ever before, as the current world is moving towards becoming a global village. The Heads of States are determined, through the East African Co-operation, to strengthen their social, economic, cultural, political and other ties, for fast, balanced and sustainable development. Once the treaty is signed, I intend to introduce a Bill in this House to ratify it before it becomes operational. But before I do that, I hope that the Committee that has been deliberating on this matter will Table their report and we will use that opportunity to discuss everything that pertains to the treaty process mechanisms, including the treaty itself, before signing. But the current arrangements are that, that treaty will be deliberated on after the signing, bearing in mind the fact that from the time of the draft, that document had been circulated everywhere. It had been circulated to all the stakeholders and had also been made available throughout the districts, so that the Government officers there can use it for any other fora. Therefore, it is not quite true to say that Kenyans have not been involved. Judging from the debate now, I can see that hon. Members are fully in touch with it.

Prof. Anyang'-Nyong'o: On a point of order, Mr. Temporary Deputy Speaker, Sir. Would it be in order for the Kenyan Government to consent to a treaty before it is approved by this House?

The Minister for East African and Regional Co-operation (Mr. Biwott): Well, the procedure at the moment is that it will be drafted, but it will not become effective unless it is ratified. But before that is done, I have assured this House, that the treaty itself plus all the aspects that go into it, will be deliberated fully here after the relevant Committee reports to the House on that matter. It was necessary to come via the Committee Report instead of me deliberating on it.

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

The Temporary Deputy Speaker (Mr. Poghio): The Minister is just responding to a point of order.

Mr. Parpai: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister to use this House as a rubber stamp on something---

The Temporary Deputy Speaker (Mr. Poghio): Order! Order, Mr. Parpai! I did not hear the Minister say that. He said this House is going to ratify the treaty and that is the business of the House.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Speaker, Sir, I do not know where the rubber will come from or where the stamp will be. I have said that the Committee, because we all operate through committees in this House, will table a Report which will be discussed fully before that signing. After the signing, that signed document will also be brought back to the House for ratification. So, we have a double chance of scrutinising it.

Mr. Temporary Deputy Speaker, Sir, hon. Members Paul Kihara, Mukhisa Kituyi and Odeny Ngunjiri raised the following issues on trade and investment. They raised the question of the implementation of zero tariffs in East Africa and also the need to have a common standardisation of goods if the trade within the region is to benefit the people. They also talked about the East African Treaty which I have spoken on at length and the creation of cross-border investments, including abolition of double taxation. They also mentioned the need to explore ways and means of trading in stocks and shares for publicly quoted companies.

My response is that the free trade area in the region was envisaged to come into force in July, 1999. But it was found out that further work is required to be done in the areas of harmonisation on common external tariffs

and regimes and harmonisation of duty structures, and also determination of the products to be eligible for maximum 10 per cent surcharge. This process is going on at the moment. The implementation of the zero tariff is also one of the matters that are being deliberated on at this particular moment and it is a very important aspect of the treaty. The wave of standardisation is in progress and I am pleased to report that 42 standards have been harmonised. On the issue of South African goods accessing to East African market through Tanzania, I would like to say that, that is taken care of by the concept of common external tariffs and also the certificate of origin. Once we have an East African Community, we will then be able to safeguard the interests of the Community as a whole.

Let me hasten to say that it is not only Kenya that is complaining about the South African dumping of goods. It is also happening in Tanzania, Uganda, Zambia and other places. So, that matter should not be looked at as if it is only Kenyans who are demonising the South African goods as alluded by hon. Raila when he spoke. It is the question of reciprocity that matters. For example, when it comes to COMESA, there is the application of the principle of reciprocity. Whoever gives you favourable terms, you give the same. If a country imposes high tariffs on your goods and services, you do likewise. But the East African Community is a particular area because of the type of people who live in it, the historical backgrounds and the common heritage. On the question of the movement of people across the borders, the same Members, Paul Kihara, Raila Odinga, John Munyes and Wanyiri Kihoro were more concerned about this issue. They argued that if the East African Co-operation is facilitating the free movement of goods and services and the people, there is no need to have the East African passport. They said that the East African people should be allowed to use their national identity cards while crossing the border.

The East African passports are being issued in place of travel documents to enable people to move freely within the region in such areas like Moroto and Kabongo in Turkana. We are also determined to do away with work permits to enable our people to seek employment within the region with ease or without having to apply for a work permit. There are unnecessary police road blocks especially along the Mombasa-Nairobi-Malava Road.

My response is as follows: There have been considerable achievements on easy movements across borders under the current co-operation arrangement. Plans are under way for the Government to issue East African passports. There are also passes which are issued from time to time to facilitate movement of people across the border. I do agree with hon. Members that ultimately when we have a community there will be no need to have passports or passes. It will be a free community for all and you will be able to use whatever form of identification document you normally use to travel within your own country. I would like to agree with the hon. Members wholeheartedly. On the question of road blocks, I would like to say that these are temporary road blocks which are erected along the road from time to time by police officers especially when there are cases of crime and the police want to ensure that no criminal escapes untouched.

On the question of infrastructure, I do agree 100 per cent that there is need to improve on the roads. There is also need to improve on all other forms of communication like the railways, telephones, the regional roads and so on and to also facilitate other aspects of integration such as education which I think Prof. Anyang'-Nyong'o has spoken on at length. I do agree with him entirely. It is, in fact, the policy of the East African Co-operation community to ensure that the people are empowered in the same way and are given the same education so that they have the same knowledge, technique and everything which will give them a basis for standardising their common aspirations. Hon. Ntimama has also elaborated more on the telecommunications and other infrastructure facilities and I do not want to go over that again.

On the question of energy, it was also mentioned that there is need to have a regional grid. I think that is being done at the moment. On the question of tourism, I do agree 100 per cent that we need to have a regional tourism. Right now there is a study which is going on to see how tourism can be integrated in this region and, indeed, even in the COMESA area. On the question of the East African Railways, I would like to say that the East African Co-operation has not underrated the role of the railway to enhance the economic development in the region. It is currently sourcing funds for study on this aspect. The port of Mombasa is a facility that requires a lot of attention. On the Lake Region, I am happy to say that the hyacinth problem is being tackled. Of late, the Scandinavian countries have also shown a great interest because they would like to make Lake Victoria a facility that enables the three countries to interact more freely, to create more transport links, communication and free movement of people across the lake just like what happened in the Baltic Sea.

I am happy to say that the East African Co-operation sent delegations which included members of staff to the Scandinavian countries. At the moment they are pursuing a report on it. Cross border security will be handled very effectively and I hope that as a result of it, peace and stability will increase. On the question of peace and security, I think hon. Members will agree that nobody is more concerned than our own President in promoting peace in this region. It is a number one priority for the East African Co-operation as well as for the COMESA region. It is also a very important factor of the IGAD. On the question of Somalia, I think Kenya is much more

keen on seeing Somalia stabilize to a state where it can have a government so that it can have a viable authority which can handle the affairs of Somalia as well as the development programmes in the area.

All in all, I would like to assure this hon. House that the work of the East African Co-operation, which I believe is being done very well, has started on the correct footing. It is our hope that every aspect of life, be it cultural, economic, social, political or fiscal is being harmonised through sectors so as to ensure that the language is one wherever you are within the East African Co-operation region. Ultimately, when we have a political union, we will have achieved a situation where Kenyans and East Africans as a whole will have agreed on every aspect of it. There was the question of members of the East African Legislative Assembly being elected on a regional basis. Indeed, this is an aspect which is being discussed and is still open for discussion. The general feeling at the moment is that each Parliament should elect 15 members from each state so that the total number of legislators in the region will be 45. When we come to deliberate on this issue, I would like to hear what the hon. Members would wish to be done in the region.

All the security forces in the region are co-ordinated and they are liaising on a day to day basis in order to ensure that there is security in this region. Likewise, our courts and the legislative assemblies through the Speakers are also meeting and co-ordinating. The Attorney-Generals are also having meetings to harmonise the legal practices in the three countries. Apart from the need to move faster to achieve integration as quickly as possible, I would say that everything is in place. Every worry that has been raised and every issue that touches on concern or fear has already been taken care of. It appears to me that we need to publicise more the achievements that we have made so far so that Members of Parliament can be brought into line with what has been done. I would like to emphasise that we have done everything possible. We have publicised this in every newspaper, circulated all the documents and given every hon. Member a copy of the Treaty. I do not think that we have left anything that we ought to have given to all those concerned.

With those few remarks, I beg to move.

(Question put and agreed to)

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

IN THE COMMITTEE

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

Vote 09 - Ministry of East African
and Regional Co-operation

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, a sum not exceeding K£5,596,235-00-00 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2000 in respect of:-

Vote 09 - Ministry of East African
and regional Co-operation.

(Question proposed)

VOTE R09 - RECURRENT EXPENDITURE

SUB-VOTE 090 - GENERAL ADMINISTRATION AND PLANNING

Head 567 - Headquarters Administration Services

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, in Head 567, Item 131 - Expenses of

Boards, Committees and Conferences, we see that in 1998/99, we had approved over K£2 million and this year we are only approving K£10,000-00-00. I can understand that the year which has just been completed, maybe, took into account the COMESA Conference and that is why the sum was so huge. But I do not understand, notwithstanding that, how the Minister is going to manage with K£10,000-00-00 in the year 1999/2000, unless of course, the expenditures of the Ministry are going to be covered by Head 559. But I will come to that subsequently.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, when we had a huge sum of money in 1998/99, we had in mind the advertising of the treaty and all matters that actually needed to be advertised, including seminars; one of which we held at the Kenya School of Monetary Studies. But this year, we are more or less coming to the end of that advertising process, hoping that by 30th June, we would have reached a point where we can start the process of ratifying the treaty. So, this small figure was supposed to cater for the remaining publicity and conferences that were needed. The hon. Member is quite right by saying that, in view of what is going on, we may have to reallocate some funds if there will be any saving.

Prof. Anyang-Nyong'o: Mr. Temporary Chairman, Sir, I am sorry to come back again but could the Minister give this House an assurance that, in the process of advertising for recruitment and other things in the Community, we are not going to run into the same problem the Kenya Government faced when it took a special advertisement in the *Time Magazine* last year around October-November. It was envisaged that a sum of Kshs2 million would be sufficient to do that advertisement but the final bill was Kshs10 million? It has still not been explained how Kshs8 million was used for an advertisement which should have cost Kshs2 million.

The Minister for East African and Regional Co-operation (Mr. Biwott): Thank you, Mr. Temporary Deputy Chairman, Sir. I think the hon. Member can rest assured that we are dealing with people of high integrity and who are conscious of the need to spend mwananchi's money wisely. In fact, this is the reason why we are trying to scale down the cost as far as possible. Let me assure the hon. Member that we will never do such a thing. If we must do it, we must have proper reasons that we can actually explain to this House and carry the day.

(Head 567 agreed to)

(Sub-vote 090 agreed to)

SUB-VOTE 091 - EAST AFRICAN REGIONAL CO-OPERATION

Head 559 - Personal Emoluments

Mr. Munyasia: Mr. Temporary Deputy Speaker, Sir, under Item 000 - Personal Emoluments: I was looking at the details given on page 364, for the Deputy Chief Economist, Job Group "P". There are two persons to be employed but looking at what we paid for these two persons last year, I do not see any annual increment for them this year. What is the Minister's explanation for that? It is either they overspent last year and paid them much higher salaries than were authorized or they are going to underpay them this year.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, the hon. Member is quite right. We are not increasing it because we are not engaging any economist at the moment. As this House knows, we have been talking about austerity measures and this is part of such measures. At the moment, we are using the economists from the Ministry of Planning and National Development or sometimes from the Treasury.

Mr. Munyasia: Mr. Temporary Deputy Chairman, Sir, for those under Job Group "M", I have worked out and the annual increment is K£366-00-00 for each. But for the officers on Job Group, "P", the annual increment is worked out as K£75-00-00. How can the officers on Job Group "M" be paid a higher annual increment than the ones on Job Group "P"?

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, we have very few officers in job group "P", but we have many of them in job group "M".

Mr. Munyasia: Mr. Temporary Deputy Chairman, Sir, it seems the Minister is not understanding the argument that I am advancing. I am saying that, for job group "P", there are only two persons to be employed. These are Deputy Chief Economists. Last year, they were paid K£24,642, this year, the two have only a small increase of about K£150. If this amount is shared out equally among them, it means each one will get about K£75 as annual increment, whereas other officers in the other job groups are getting much more. For example, an officer

on job group "Q" is going to get an increment of K£539 and, the one on job group "N" will get K£838 as annual increment. Why is an officer at job group "P" going to get K£75? The explanation can be that last year, they over-paid the two Economists that they had employed.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, I am informed that this annual increment is the one relevant to those particular job groups. So, I think we have to look at it in view of the fact that the recipients are not complaining.

Mr. Munyasia: Mr. Temporary Deputy Chairman, Sir, that is not a satisfactory answer. If you look at page 363, you will notice that an officer on job group "P" is supposed to get a salary of K£11,919. So, if they had two last year, they should have paid a total of K£23,838, but they paid them K£24,000. Could the Minister agree that they over-paid those two last year, and that, they are recovering the money? Consequently, this year, they are not giving them a large amount as annual increment.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, the increment is K£80. I do not understand why the hon. Member is saying that there was overpayment. The figure in the 1998/99 Financial Year is higher than the figure in the 1999/200 Financial Year. So, K£80 is the annual increment applicable this Financial Year.

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, I would like to seek clarification on Head 559, Item 375 - Contribution to East African Community Secretariat. I notice that the Minister is asking for K£3,500,000, which is perhaps the largest Vote we are giving to the Ministry, to go to the Secretariat. That is understandable, but could the Minister tell us the proportionality of contribution to the Secretariat among the three East African States? What is Kenya's contribution? Are we going again, down the road to be crying three or four years from today, that we have contributed so much money to the Community, we have not got so much money back, so we have to pull out, like we did last time? In other words, what formula are you using to apportion contribution to the Secretariat among the three States?

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, the formula is that, each partner State pays equally. The contribution given to us by the Treasury is what is reflected here. As you can see our own contribution is Kshs3.5 million for this year. This was the balance. We had already paid some amount of money in advance from the Office of the President.

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, this is a very sensitive issue, because contribution to regional organizations in Africa is problematic. For example, the OAU member States owe contributions to the organization for eight years. So, the Secretariat cannot be effective. The same is true for the African Institute for Economic Planning and Development in Dakar, where our own State is in arrears of several years. So, we want to know whether this contribution is going to complete our financial contribution for the 1999/2000 Financial Year, since our financial years are the same in all the three East African States; or is this just part of our contribution and there is still going to be an arrears? We want to be sure that we are approving something that is going to put us in a good stead in the Community. Of course, we know that in regional organizations, when you are in good stead, you then have a strong political voice to say which direction the enterprise is taking.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, I am reliably informed by my staff that this amount is not enough. We are to pay another K£20 million. This is the amount that was provided to us this Financial Year.

(Head 559 agreed to)

(Sub-Vote 091 agreed to)

(Vote R09 agreed to)

(Question put and agreed to)

*(Resolution to be reported
without amendment)*

(The House resumed)

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

REPORT

Vote 09 - Ministry of East African and Regional Co-operation

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered that a sum not exceeding K£5,596,235 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2000 in respect of Vote 09 - Ministry of East African and Regional Co-operation, and has approved the same without amendment.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Agriculture (Mr. Mudavadi) seconded.

(Question proposed)

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, I have only one point to make following the Minister's response to our questions. I think it is important, after our experience with the old East African Community, which model was borrowed by the Europeans to establish their own Community, that, in this second coming of the Community, we really progress beyond our experience in the previous Community. One of the litmus tests for that improvement, is that a system of representation must be based on the people. The Minister's insistence that when the Treaty comes to the House, he will still propose that each Parliament from Kenya, Uganda and Tanzania elects 15 representatives, takes us back to the old days, and definitely proves to us that we are more backward than the Europeans who borrowed the model from us. I hope that the representation in the Community will be based on a direct representation of the representatives to the Legislature of the East African Community, and that some of those representatives will be elected from an East African-wide constituency.

I beg to support.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Temporary Deputy Chairman, Sir, the hon. Member has mentioned a pertinent issue which ought to be discussed fully. I would like to urge him to revisit that proposal when the House debates the Committee's report, which I hope, will be tabled soon in this House, prior to the signing of the Treaty.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Chairman (Mr. Poghisio): Hon. Members, that concludes our business for the day. The House, is therefore, adjourned until tomorrow, 14th July, at 9.00 a.m.

The House rose at 5.55 p.m.