

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 3rd August, 2005

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

QUESTIONS BY PRIVATE NOTICE

WATER SHORTAGE IN TIGONI SUB-DISTRICT HOSPITAL

Mr. Kanyingi: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Is the Minister aware that Tigoni Sub-district Hospital is facing an acute water shortage, posing a serious health risk to both workers and patients?

(b) What immediate steps is the Minister taking to ensure that water supply is restored before an outbreak of water-borne and other hygiene-related diseases?

The Assistant Minister for Health (Dr. Kuti): Mr. Deputy Speaker, Sir, the office sent me the wrong answer. Therefore, I request the Chair to defer this Question.

Mr. Deputy Speaker: I hope the Leader of Government Business is here and listening. The Assistant Minister has said that his office brought him the wrong answer and, therefore, he cannot respond to this Question. He has requested the Chair to defer the Question. Mr. Kanyingi, what do you say?

Mr. Kanyingi: Mr. Deputy Speaker, Sir, I think it is unfair because I have got the answer. This is the third time this Question is being deferred.

Mr. Deputy Speaker: That shows we are not serious in dealing with these matters. It is incumbent upon the Assistant Minister to take action against his officers who are not taking this House seriously. I do not think we have any other alternative but to defer this Question until tomorrow afternoon. Is that okay, Mr. Assistant Minister?

The Assistant Minister for Health (Dr. Kuti): That is okay, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Very well. We hope that you will take action against those officers.

(Question deferred)

Next Question!

OIL COMPANIES' INABILITY TO SATISFY NEW MARKETING REGULATIONS

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

(a) Is the Minister aware that oil companies are unable to satisfy the new regulations

that require oil marketers to pay for applicable duties and taxes in advance?

(b) Will the Minister withdraw those regulations before the 1st of August, 2005 deadline to avert a possible fuel shortage?

Mr. Deputy Speaker: Is Mr. Kipchumba not here? The Question suffers an obvious fate. It is dropped!

(Question dropped)

Next Question by Mr. Ngoyoni!

DEATH OF MR. ABDI AHMED ALI

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

(a) Under what circumstances did businessman Abdi Ahmed Ali die in Merille Market, Laisamis Division, Marsabit District in February, 2005?

(b) What steps has the Minister taken to apprehend the police officers who were involved in the killing of the businessman?

The Assistant Minister, Office of the President (Mr. M. Kariuki): Mr. Deputy Speaker, Sir, I wish to seek the indulgence of the House to give an answer tomorrow. I have not obtained all the details relating to the Question. There are some missing details that I need to put together in the course of the day.

Mr. Ngoyoni: That is okay, Mr. Deputy Speaker, Sir. I also need a written reply because I do not have one now.

Mr. Deputy Speaker: Very well! That is a better reason. So, I defer this Question until tomorrow afternoon.

(Question deferred)

Next Question by Dr. Kibunguchy!

NEW GENERATOR FOR ST. ANNE'S NZOIA SECONDARY SCHOOL

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Education, Science and Technology the following Question by Private Notice.

(a) Is the Minister aware that the generator which was serving St. Anne's Nzoia Girls' Secondary School in Lugari Constituency has broken down and is unserviceable?

(b) Is he further aware that the above incident has greatly inconvenienced the students who are preparing for the end of the term examinations?

(c) When will the Ministry buy a new generator for that school?

The Assistant Minister for Education, Science and Technology (Mrs. Mugo): Mr. Deputy Speaker, Sir, I request your indulgence to answer this Question tomorrow. I have another Question that I would like to answer.

Mr. Deputy Speaker: Dr. Kibunguchy, what do you have to say?

The Assistant Minister for Education, Science and Technology (Mrs. Mugo): Mr. Deputy Speaker, Sir, we are waiting for the information on the ground.

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I think it is all right because I do not even have a

written answer.

Mr. Deputy Speaker: Well! Again, we defer this Question until tomorrow afternoon.

(Question deferred)

Next Question by Mr. Omondi!

NCC'S UNSPECIFIED LICENCES DEMAND
ON KARIOBANGI NORTH STALL OWNERS

(Mr. Omondi) to ask the Minister for Local Government:-

(a) Is the Minister aware that stall owners in the City Council Market at Kariobangi North have been given notice by Kariobangi North Ward Manager and the Licensing Officer to pay for unspecified licences or risk arrest and prosecution?

(b) Could he specify how much money is now required to be paid for every market stall and for what licences?

(c) Why is the payment mentioned above necessary when stall owners have been paying between Kshs200 to Kshs250 every month, in addition to paying an annual rate of between Kshs250 and Kshs3,000?

Mr. Deputy Speaker: Is Mr. Omondi not here? That is the fifth Question that has gone unanswered. This one is dropped.

(Question dropped)

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. I am asking for the indulgence of the House. Given that five Questions have not been answered, could I, on behalf of hon. Members, request that all the other Questions be deferred?

Mr. Deputy Speaker: I am very surprised by that point of order from Mr. Ethuro. Suppose you were on this Chair, would you do that? I do not think so! That is not allowed! Let us move on to Ordinary Questions.

Mr. Oparanya!

ORAL ANSWERS TO QUESTIONS

Question No.081

MEASURES TO CURB INSECURITY
IN BUTERE DIVISION

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

(a) whether he is aware that assailants robbed Mr. Christopher Obulemire of a bicycle on 25th October, 2004 near Butere Railway Station and, in the process, police handcuffs dropped at the scene of crime;

(b) whether he is further aware that Mr. Joseph Okwaya was killed and two other people injured on 3rd November, 2004 at Bumamu Sub-location in Butere Division in another robbery incident; and,

(c) what action Butere Police Station is taking to curb the rising insecurity in Butere Division.

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

(a) I am aware that Mr. Christopher Obulemire was robbed of a bicycle on 20th October, 2004, after he was attacked by four men who were armed with *pangas* and other crude weapons. The police who visited the scene of the incident recovered a pair of handcuffs whose origin is under investigation vide case file number CR924/444/2004.

(b) Yes, I am aware that Mr. Joseph Okwaya was killed by robbers after he responded to a distress call raised by a neighbour, one Fanuel Eshikimu Eshiembe, who was being robbed. No arrests have been made and case file number CR924/482/2004 was opened and the matter is still pending under investigation.

(c) Patrols have been intensified besides intensely involving members of the public and the local administration in helping security officers to identify criminals in their midst.

Mr. Oparanya: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for that answer although it is unsatisfactory. Christopher Obulemire was attacked by four policemen whom he identified. When he rushed to the police station, which was about 200 metres away, he was arrested and locked up overnight. In fact, handcuffs of the policemen were recovered at the scene. Could the Assistant Minister tell me who is investigating this case if the same policemen who robbed Mr. Obulemire, are still there in the same police station?

Mr. M. Kariuki: Mr. Deputy Speaker, Sir, the fact that a pair of handcuffs were found at the scene is not sufficient indication that the persons involved in this robbery were police officers. Quite often, even robbers have handcuffs which they have stolen. That lead, by itself, cannot lead to the conclusion that they must have been police officers. The investigation is being conducted by a senior police officer from this station and if there is any lead that the hon. Member thinks the police should follow, we are quite prepared to look at it.

Mr. Waitthaka: Mr. Deputy Speaker, Sir, since this is not the first time we have heard complaints about policemen being involved in robberies, could the Assistant Minister inform the House whether it has been established that the handcuffs were given to a policeman on duty? Secondly, if it is established that these handcuffs were given to a police officer on duty, could the Assistant Minister ensure that he or she should not investigate this case?

Mr. M. Kariuki: Mr. Deputy Speaker, Sir, I wish to confirm that we have had incidents where police officers have been involved in crime. They have been arraigned in court and others have been dismissed. The reason why we are advocating for community policing is to empower the members of the public to be able to give information not only about other suspects but even suspects within the police force who they think are involved in crime. As far as these handcuffs are concerned, we have not been able to know their origin. That is why I said that the matter is still under investigation. If we establish any link between a police officer and the handcuffs, appropriate action will be taken.

Mr. Serut: Mr. Deputy Speaker, Sir, you have heard the hon. Member who asked this Question raise the issue of Mr. Obulemire having been arrested by policemen when he went to report this case. It is common knowledge that whenever police officers are involved in a crime, they would want to divert attention. What action is the Assistant Minister going to take against the policemen who arrested Mr. Obulemire when he went to report the robbery? They locked him up and I presume this is recorded in the Occurrence Book (OB).

Mr. M. Kariuki: Mr. Deputy Speaker, Sir, with tremendous respect, I do not have that information that this particular person was actually arrested upon making the report to the police. However, I wish to emphasise that the policemen are not above the law. In the course of executing their duties, they are supposed to observe the law to the letter. Any policeman who commits a breach of the law will be handled appropriately in accordance with the laid down procedures.

Mr. Ndile: Bw. Naibu Spika, katika sheria za polisi, wanapewa uwezo wa kutumia bunduki. Watu ambao wanawaibia watu katika barabara hii kuu ya Nairobi kwenda Mombasa ni polisi ambao wanajifanya raia. Ni nini Waziri Msaidizi amefanya katika Wizara yake hata kama ni kuleta sheria hapa ya kuwaua polisi ambao wamefanya makosa kuliko kuwapeleka kortini?

(Laughter)

Mr. M. Kariuki: Mr. Deputy Speaker, Sir, we do not have such a law in this country; where you arrest a policeman and kill him. The process of the law has to be followed. We are not sparing police officers. I think that anybody who has been following the work of the police will note that police officers have been arrested in incidents of robbery and bribery. I would like to assure the hon. Member that, if he has any information about police officers on the Nairobi-Mombasa Highway involved in robbery, we shall appreciate to receive that information and we shall act appropriately.

Mr. Oparanya: Mr. Deputy Speaker, Sir, this is a case of frustration because Christopher Obulemire has concrete evidence that the police were involved. In part "b" of my Question, arrests were made although the Assistant Minister denies that fact. Could the Assistant Minister order independent police officers from another police station to investigate these two cases? Secondly, as the investigation goes on, could the Question be deferred because this is a serious matter?

Mr. Deputy Speaker: Order! Could the Assistant Minister answer the first question?

Mr. M. Kariuki: Mr. Deputy Speaker, Sir, I will be quite happy to receive the complainant, Mr. Christopher Obulemire, to give me information relating to the conduct of police officers. I think I am the most independent person in this particular case. Let the hon. Member come with the complainant and we will be able to take appropriate action.

Mr. Deputy Speaker: Next Question by Mr. Sasura!

Question No.279

POVERTY ALLEVIATION PROGRAMMES
FOR MARSABIT DISTRICT

Mr. Deputy Speaker: Mr. Sasura is indisposed in hospital. The Question is deferred until he recovers.

(Question deferred)

Next Question by Mr. Karaba!

Question No.456

ENFORCEMENT OF STUDENTS'
NIGHT TRAVEL BAN

Mr. Karaba asked the Minister for Education, Science and Technology:-

- (a) whether he is aware that the students night travel ban issued by the Ministry in the early 1990s is no longer in force; and,
- (b) what precautionary measures the Ministry is putting in place to ensure safety of students travelling at night.

The Assistant Minister for Education, Science and Technology (Mrs. Mugo): Mr. Deputy

Speaker, Sir, I beg to reply.

(a) I am not aware that the ban issued by the Ministry of Education, Science and Technology on night travel is not in force.

(b) The following safety measures are in place to ensure safety of students: The directive banning night travel has not been revoked. The Ministry has ensured that all activities that involve students end at 4.00 p.m., if students have to travel back to their homes or institutions. In cases where programmes continue up to 6.00 p.m., the Ministry puts the students in boarding schools or villages near the function and provides transport and accommodation to all the students and teachers at the venue. Students on trips are accompanied by their teachers and their particulars communicated to the respective District Education Officers (DEOs) and Provincial Directors of Education (PDEs) at the Ministry headquarters.

Mr. Karaba: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for that answer. However, I doubt whether she is aware that it is not true. We have the national music festival which starts today and we will be witnessing very many students travelling at night to get to Nairobi so that they can participate in it. So, could the Assistant Minister tell us whether the Ministry can afford to spend money and time to accommodate all the students who are supposed to travel to Nairobi or leave Nairobi for distant places like Kakamega and so forth?

Mrs. Mugo: Mr. Deputy Speaker, Sir, if the hon. Member has any specific case, he can bring it to our attention. We will definitely follow it up.

Mr. Ethuro: Mr. Deputy Speaker, Sir, right now, the national music festival is going on at Kenyatta International Conference Centre (KICC). There are three schools from Turkana District that travelled last night to be able to participate in the festival today. These schools are supposed to be closing today. At the same time, they are supposed to start the national music festival. Why can the music festival not be commenced one week after the schools have closed?

Mr. Deputy Speaker: Now, Mr. Ethuro, is the question about music festival or travelling at night?

Mr. Ethuro: Mr. Deputy Speaker, Sir, it is about both. I am giving a specific case in which night travel was involved in order for the schools to come for the national music festival that is taking place today in Nairobi.

Mrs. Mugo: Mr. Deputy Speaker, Sir, I do not know of any such case. If there is, my Ministry will follow it up with the management of the schools. As for the time for holding the music festival, I think this is the most convenient time for schools to do so. The hon. Member has to take into account that students also have examinations and other curriculum to cover.

Capt. Nakitare: Mr. Deputy Speaker, Sir, night travels by school buses is prevalent in this country. Accidents have occurred and many students have lost their lives. Could the Assistant Minister tell us if the school buses together with the children are insured? If so, has the Ministry been following up cases of deaths after the road accidents? How much has been paid as compensation to those children who have died as a result of road accidents?

Mrs. Mugo: Mr. Deputy Speaker, Sir, that is a different Question. The hon. Member can raise it later if he wants. I will definitely come up with an answer.

Mr. Deputy Speaker: Madam Assistant Minister, maybe you can respond to the simple question of insurance. Are the vehicles insured? I think that is the problem.

Mrs. Mugo: Yes, Mr. Deputy Speaker, Sir. All the school buses are insured. In addition, when drivers are being employed, the Ministry gets involved; to make sure they are qualified and experienced.

Mr. M. Maitha: Mr. Deputy Speaker, Sir, it is evident that sports such as football and athletics in most cases end late at night. What are the principals supposed to do when it becomes late and dark before the games end?

Mrs. Mugo: Mr. Deputy Speaker, Sir, if the hon. Member listened carefully to my answer, I said that, in cases where programmes continue up to 6.00 p.m., principals may put their students in nearby boarding schools and provide transport for them. That is the only way to make sure that students and teachers are safe.

Mr. Karaba: Mr. Deputy Speaker, Sir, part "b" of the Question is asking about the safety of students. This is where I thought the Assistant Minister would have brought in the issue of insurance. It is true that the students are not insured. What the Government insures are the school vehicles. There some schools without even the school buses and yet, they are not supposed to travel on lorries. So, one wonders about this mix-up of policies. Are the students insured?

Mrs. Mugo: Mr. Deputy Speaker, Sir, I have to check the issue of whether students are insured or not. But I know that the vehicles are insured and it is here in my answer.

Mr. Deputy Speaker: Next Question by the Member of Parliament for Mandera East Constituency!

Question No.148

MEASURES TO CONTROL THROAT
CANCER IN NEP

Mr. Deputy Speaker: Is Mr. Shaaban not here? The Question is dropped!

(Question dropped)

Next Question by the Member of Parliament for Amagoro Constituency!

Question No.595

MEASURES TO RECOVER MONEY
OWED BY MALABA COUNCILLORS

Mr. Ojaamong asked the Minister Local Government:-

- (a) whether he is aware that previous and current sitting councillors at Malaba Town Council owe the council huge sums of money;
- (b) if the answer to "a" above is in the affirmative, whether he could table the names of the councillors who owe the council money and the amounts involved; and,
- (c) what measures he has put in place to recover the money.

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

(a) I am aware the previous and current councillors at Malaba Town Council owe the council huge sums of money.

(b) Eighteen councillors owe Malaba Town Council Kshs1,900,845.

(c) The Ministry has directed the Clerk to the Council to recover the amount from a sitting councillor and ex-councillors.

Mr. Ojaamong: Mr. Deputy Speaker, Sir, these councillors owe the local authority over Kshs1 million. Could the Assistant Minister now authorise the Clerk to the council to ensure that when this money is recovered it goes into the rehabilitation of Malaba Primary School, because the parents are the main contributors of the revenue in the town?

Mr. Kamanda: Mr. Deputy Speaker, Sir, first of all, I want to thank the hon. Member

because, for some times now, he has been raising very important Questions which have enabled the Ministry, at least, to know what is going on in the three councils in that constituency. We have already directed the clerk to recover this money. Once it is recovered, it will be put to the right use in the council.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, the Ministry of Local Government, since the NARC Government came into power, has not taken any serious action against those councillors who misappropriate funds. The good friend of mine, Mr. Kamanda, did visit my council. He was warned and almost beaten up by the councillors. Those councillors misappropriate funds, but he has not taken any action against them. What is happening in the Ministry?

Mr. Kamanda: First of all, there is no bad blood between me and the councillors in Matuu Town Council. But the fact of the matter is that I visited that council. We have already surcharged those councillors. If they do not pay that money, and investigations reveal that they took it, they may even lose their seats.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, the Assistant Minister will agree with me that these councillors misappropriate councils' money because they are not properly remunerated. Could he, therefore, consider paying them from the Consolidated Fund?

Mr. Kamanda: Mr. Deputy Speaker, Sir, it is not possible to pay the councillors from the Consolidated Fund because they are very many. They are about 3,500 in number. We have advised them, if they are unable to collect revenue, to come up with their proposals on how they want to be paid, and we will approve their budgets.

Mr. Waithaka: Mr. Deputy Speaker, Sir, my worry is over the councillors who have left the council. The clerk may not recover money from them. It means taking prolonged legal action against them. Could the Assistant Minister explain in what circumstances a councillor's term ended without him paying what he owed council? I think the persons to surcharge would be the clerk and the treasurer who allowed those councillors to end their terms with council money!

Mr. Kamanda: Mr. Deputy Speaker, Sir, this case in Malaba is very strange. However, the former councillors had deposited title deeds with the council. I do not know how the council was turned into a financial institution. We will recover the money and take legal action because we have their documents. I can assure this House that we will recover the money.

Mr. Ojaamong: Mr. Deputy Speaker, Sir, one of the councillors took an amount of money equivalent to what he was supposed to earn in five years. That is very irregular. What action will the Assistant Minister take to ensure that councillors across the country do not earn salaries upfront before they have even worked or had a sitting?

Mr. Deputy Speaker: Are you saying they should not be paid?

Mr. Ojaamong: Mr. Deputy Speaker, Sir, I am saying that one councillor has already been paid his salary of five years upfront. This is happening almost countrywide. What action will the Minister take to avert the incidents of councillors paying themselves upfront from occurring countrywide?

Mr. Kamanda: Mr. Deputy Speaker, Sir, it is true that this is happening in some councils, but not all of them. This has happened in Nairobi where they paid councillors' salaries two or three months in advance. That has stopped. In this case of Malaba Town Council, we will recover the money. We have already instructed the Clerk and she has assured the Ministry that she will recover this money from this councillor.

Question No. 056

REFUND OF MONEY TO MUKENIA
FARMERS SACCO MEMBERS

Mr. Wamwere asked the Minister for Co-operative Development and Marketing:-

(a) when Mukenia Farmers Co-operative Society will refund Kshs100,000 and Kshs30,000 belonging to Mr. Kimani Kamau and Mr. Maina Kimani respectively which was meant for buying them land; and,

(b) if he could inform the House whether there are other people owed by the said society and, if so, what action he is taking to ensure that the affected persons are refunded their money with immediate effect.

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Deputy Speaker, Sir, I beg to seek the indulgence of the House because I was not satisfied with the answer I was given, and I am doing further investigations so that I can give the hon. Member a sensible answer.

Mr. Deputy Speaker: Mr. Ndwiga, is it possible to answer the Question tomorrow?

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Mr. Wamwere, is that okay with you?

Mr. Wamwere: That is absolutely, okay, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: The Question is deferred to tomorrow afternoon.

(Question deferred)

POINT OF ORDER

FREQUENT POWER BLACKOUTS IN LODWAR TOWN

Mr. Ethuro: Mr. Deputy Speaker, Sir, I wish to seek a Ministerial Statement from the Minister for Energy on the matter of frequent electricity surges and blackouts in Lodwar Town.

Mr. Deputy Speaker: Is the Minister for Energy here? May I ask any of the Ministers to take brief for the Minister for Energy on the Ministerial Statement being sought.

Mr. Ethuro: Mr. Deputy Speaker, Sir, Lodwar Town is the district headquarters of the expansive Turkana District. The Kenya Power and Lighting Company has been kind enough to give us power generated through generators. In the last three months, there have been frequent power blackouts and outages that are affecting operations at key institutions like the district mortuary and the hospital, thus destroying equipment like fridges. In such a sun-scorched area you need a very cold soda.

Mr. Deputy Speaker, Sir, I expect the Minister's response to consider replacing these generators because they were brought there since the inception of the KPLC generated power in 1976. Could the Minister also consider long-term measures including extending to the area, power generated by the Turkwel Gorge Hydro Power Station?

COMMUNICATION FROM THE CHAIR

ADJOURNMENT MOTION TO BE MOVED AT THE RISE OF THE HOUSE

Mr. Deputy Speaker: I just wish to remind hon. Members that under Standing Order No.18, I granted permission to Mr. Omingo to raise a Motion of Adjournment, to discuss the matter of a Question, which according to him was not satisfactorily answered. He will move that Motion at 12.30 p.m. when we will be adjourning.

**NOTICE OF MOTION FOR
THE ADJOURNMENT
UNDER STANDING ORDER NO.18**

UNSATISFACTORY REPLY TO QUESTION
ON GOVERNMENT PLANS TO PURCHASE
COSTLY SECURITY EQUIPMENT

Mr. Deputy Speaker: Hon. Members, I have also received Notice of a Motion for Adjournment of the House under Standing Order No.18(2) from the Member for Mathioya, Mr. Kamotho, concerning an unsatisfactory reply to a Question by Private Notice, answered by the Minister for Justice and Constitutional Affairs on July 28th, 2005, concerning purchase of security equipment.

I have considered the matter and, therefore, accede to the request. I will therefore, call upon the hon. Member to move the Motion next Wednesday the 10th of August, 2005, in the morning sitting. That is, 12.30 p.m., in the afternoon, next Wednesday.

Next Order!

MOTIONS

ESTABLISHMENT OF
PASTORAL DEVELOPMENT AUTHORITY

Mr. Wario: Thank you, Mr. Deputy Speaker, Sir. May I take this opportunity to thank God for giving me the opportunity to speak for the forgotten people and to remind this House the forgotten agenda in this country; pastoralism.

The Minister for Trade and Industry (Dr. Kituyi): Jambo la nidhamu, Bw. Naibu Spika. Angalau ni haki ya mshemiwa yeyote kutumia mbinu zote kuanzisha Hoja ambayo anataka kuwasilisha kwenye Bunge, lakini ni desturi ya Bunge kwamba, ni lazima atusomee Hoja anayotaka kuwasilisha kwanza.

Mr. Deputy Speaker: Huo ni ukweli kabisa!

Mr. Wario: Mr. Deputy Speaker, Sir, I would like to apologise to the House for that mistake. Mr. Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, while appreciating the Government's commitment to developing the North Eastern Province and other marginalised districts; aware of the high levels of poverty, illiteracy, unemployment and insecurity in the districts within the Arid and Semi-Arid Lands (ASALs); concerned about the lack of market for livestock, poor infrastructure and the effects of drought within these marginalised areas; this House urges the Government to establish a Pastoral Development Authority to address problems affecting pastoralists within the ASAL areas.

Mr. Deputy Speaker, Sir, as I earlier said, I would like to take this opportunity to remind Kenyans and the House of the forgotten people, who are the pastoralists. I would like to remind this House the forgotten agenda which is pastoralism. I am forced to remember the words of Sir Charles Elliot who said in the Legco that he does not see the justification as to why he has to convince Her Majesty's Government to invest in ASAL areas due to lack of, or poor economic returns.

The ASAL area in Kenya which is predominantly occupied by pastoralists and agro-pastoralist communities covers a total area of 466,000 square kilometres, which is 88 per cent of our total land

mass. It is inhabited by a population of 5.8 million Kenyans. I am sad to bring to the attention of this House the unfavourable policies that are in place. The policies of our Government are dumb, deaf and blind towards pastoralism. They do not see or speak. Neither do they hear the suffering of the pastoralists.

Mr. Deputy Speaker, Sir, I would like to bring to the attention of the House the policy on education. The current policy on education is meant for people with permanent settlement. Due to our way of life, pastoralists have to move alternately between existing ecological zones for survival. In the process, the children are forced to move with their parents. If the children are not given mobile schools, or provided with boarding facilities, how do we expect them to compete with children who are permanently settled and concentrating on their education?

That is why the Ominde Report of 1973 highlighted a decline in the enrolment rate in pastoral areas. About 30 years later, the Koech Report highlighted the same thing. Unfortunately, there was no policy to address this problem. Only recently, when the United Nations Development Programme (UNDP) declared the enrolment rate in pastoral areas as the lowest in the world, the Government decided to consider the pastoralists, when it was already too late. The Ominde Commission also highlighted this problem in 1973 and recommended that the Government should put in place a mechanism to enable children from pastoral communities get quality education.

Mr. Deputy Speaker, Sir, another policy that is unfavourable to our way of life, as pastoralists, which I would like to bring to the attention of this House, is the policy on land ownership. Proper land use in some parts of this country reduces poverty. As I earlier mentioned in my background information, 88 per cent of our land is under pastoralism. Unfortunately, today in this country, we only have two land use systems; farming and residential. Despite 88 per cent of our land being under pastoralism, unfortunately, pastoralism is not recognised as a land use system in our country. How can we then use land to address the poverty issues affecting the pastoral fraternity in this country? Why do we have insecurity and massacres? Why do we always have resource-sharing related clashes? It is simply because the Government has not understood our way of life. Until and unless rangeland is recognised and treated as farmland, the clashes and conflicts in pastoral areas will not end. In order for the Government to end these clashes, rangelands must be recognised as farmland.

Mr. Deputy Speaker, Sir, the only solution that the Government has, at this time of clashes and conflict, is a disarmament programme. I would like to ask the Government a simple question: Who makes guns? Pastoralists do not have the capacity to make G3 and AK47 rifles. So, by collecting firearms from the pastoralists, are you telling us that they will not buy other guns tomorrow? Why can the Government not deal with the issue of the market? Who brings the guns into this country and how do pastoralists get access to these weapons? Let us deal with the market issue instead of dealing with disarmament.

Mr. Deputy Speaker, Sir, another policy which is very unfavourable to the pastoral fraternity relates to livestock marketing. Our life, as pastoralists, entirely depends on livestock. About 80 per cent of livestock in this country comes from the ASAL areas. For us to improve our economic status, we have to get access to the livestock market. As it is today, you can only bring livestock from ASAL areas to our terminal markets to terminate the lives of these animals. You are not allowed to bring your livestock to holding grounds in order to fatten them so that they can fetch better prices. Livestock from Uganda, Ethiopia and Somalia stand a better chance of competing with our livestock on our own market.

Mr. Deputy Speaker, Sir, another issue I would like to talk about is the CBP test. If you want to export an animal, it must undergo a 100-day CBP test. With the advancement of technology, why can we not look into this aspect? If somebody gives you an order to deliver livestock in two months' time, and your livestock are supposed to undergo a CBP test for three months, you will, definitely, lose that order.

The ban on night movement of livestock is another problem for pastoralists. Where I come from, the climate is very hot. The best time to move our livestock is at night. This ban forces us to move our livestock during the day, which will cause stress to the animals.

Failure by the Government to develop the infrastructure in ASAL areas has undermined the delivery of essential services in those areas. For instance, when the recent Marsabit massacre was taking place, the police could not respond in time due to bad roads. In order for us to move forward, as a society, the infrastructure in pastoral areas should be improved.

There is a report of a survey which was done recently, which gave the poverty index in various parts of the country. Unfortunately, in most pastoral areas, which have been affected so much by poverty, there are no records showing clearly the levels of poverty. That is why we need a commission which will go round to gather information and use it to solicit for funds with which to address the problems affecting pastoralists in this country. Mr. Deputy Speaker, Sir, there are resources in pastoral areas. If we form a commission, those resources will be exploited for the betterment of the communities living in ASAL areas. This is because, 90 per cent of this country's wildlife is found in the ASAL districts. Despite this, people living in ASAL areas are the most affected by food insecurity. Why can the Government not form a commission to look at the eco-tourism sector, mining and marketing of livestock, with a view to improving our culture? If we get the proposed commission, most of the problems affecting pastoral communities will come to an end.

With those few remarks, I beg to move and call upon Mr. Ethuro to second the Motion.

Mr. Deputy Speaker: Order! Order! Mr. Wario, before Mr. Ethuro seconds the Motion, you had informed the Chair that you wished to have the word "Authority" substituted thereof with the word "Commission".

Mr. Wario: Yes, Sir.

Mr. Deputy Speaker: You did not mention it while moving the Motion!

Mr. Wario: I did mention it, Sir.

Mr. Deputy Speaker: Without us having to go through the process of amending a Motion, hon. Members are asked to note that the word "Authority" in Mr. Wario's Motion, has been substituted with the word "Commission". So, the Motion is urging the Government to establish a "Pastoral Development Commission".

Mr. Wario: Thank you, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Very well! Mr. Ethuro, you may now proceed.

Mr. Ethuro: Mr. Deputy Speaker, Sir, I wish to second this very important Motion.

The question of pastoralism has been a vexing historical question. Countries like Oman have specific commissions and expertise to deal with livestock. As a young researcher, who is concerned about how to improve the welfare of Kenyans in general, and particularly the pastoralists, this has been a question that has troubled my mind for a very long time.

Mr. Deputy Speaker, Sir, most parliaments in the region have established committees to specifically look into pastoralism issues. The Parliament of Ethiopia has the Standing Committee on Pastoral Affairs, while our own Parliament does not have such a committee. We have made petitions to

the Speaker that it is high time that we, as Parliament, gave pastoralism issues the recognition they deserve.

I want to thank Mr. Wario for bringing this Motion. This is the time for this Government to walk the talk. This country was excited when, in the inaugural opening of this Parliament, His Excellency the President - the one who occupies the highest position in this land - talked about the commitment of the Government to the development of Arid and Semi-Arid Lands (ASALs). The timing cannot be better. The needs cannot be articulated more than what Mr. Wario has said. Today, I am not here to complain about our problems. I am here to celebrate the potential and opportunities in

pastoralist areas. That is the land that has more than 50 per cent of the livestock in this nation. Those are areas where hides and skins, which were at one time earning the highest amount of foreign exchange, can be exploited.

Mr. Deputy Speaker, Sir, pastoralists have been treated like second-hand citizens for too long. One needs extra specifications to get an identity card, if you come from North Eastern Province. North Eastern Province has one million people and only six kilometres of tarmac. That does not speak well of this country. It can only demonstrate the sickness of the planners. I also wish this House and the country could appreciate that North Eastern Province alone does not define pastoralist areas. We have the upper districts of Eastern Province like Moyale and Marsabit. We have the North Rift districts like Turkana, Pokot, Marakwet and Baringo West. There are the southern rangelands of the Maasai and coastal areas like Kilifi and Kwale. What are the defining features in those areas? High infant mortality rate, massive poverty and massive land masses. Turkana District has an area of 77,000 square kilometres, followed by Marsabit District, then Wajir with 56,000 square kilometres. A district like Wajir has sandy soils. But it has been established that under those sandy soils, we have water reservoirs which need to be tapped.

Mr. Deputy Speaker, Sir, an authority or a commission will go a long way in ensuring that there is focus on those areas. You will appreciate that we have the Ewaso Nyiro Development Authority and Kerio Valley Development Authority. But look at the appointments to positions in those organisations. They hardly appoint people from those areas. Who is the Managing Director of Tana and Athi Rivers Development Authority? It is Mr. Alex Mureithi. With due respect, to what extent will he capture the problems of the Pokomo people in Tana River? To what extent will they capture the imaginations and problems of the Pokot people when they are at the Kerio Valley Development Authority?

Mr. Deputy Speaker, Sir, we are looking for an authority because we want to focus our attention on those areas. I was very surprised when His Excellency the President visited North Eastern Province the other day. This country was hoodwinked to believe that there was a new strategic plan for ASALs. There was nothing! When we go to the extent of lying to ourselves that we have launched a massive development plan for the area when we are just poaching a few pieces here and there--- This Government can only boast of one thing in our areas; the Arid Lands Resources Management Project. That is the only specific activity. It was not even started by this Government. It was started by President Moi's Government. I want the NARC Government to demonstrate to the people of Kenya that, for once, we should be committed to the development of pastoral areas in more ways than one. I started by saying that we should walk the talk. We should not just talk the talk.

Mr. Deputy Speaker, Sir, it is important to recognise the economic potential of the so-called high-potential areas--- I do not agree with that terminology. They just occupy different agro-ecological zones. In mid-1980s, the agricultural potential reached its peak. The only area left for this country to increase its food production is to utilise the so-called marginal and fragile environments. We need an authority in order to deal with the issue of desertification. We are committed keeping deserts out of our borders but, unless we have an authority to continue with the good work that the Integrated Project on Arid Lands (IPAL) has been doing with support from UNESCO since 1970, we run the danger of making our people victims of famine and drought every five to ten years. Then we create a Ministry of Special Programmes just to give out food relief!

Mr. Deputy Speaker, Sir, we are not interested in food relief. We want tangible investments. In fact, I would go further and say this: The amount that is set aside for famine relief for two years can be put in a small kitty to establish that authority. We are not looking for extra money. We will be using the same resources that have been misused in this country. The same resources are spent year in, year out, to buy relief food, to patronise our people, to carry out social engineering and make them vote for the Government of the day because they are not in a position to make up their own minds. We make them deliberately poor for the sake of our political aspirations. I urge hon. Members to support this Motion. This Parliament should say "no" once and for all. It should say "no" to the poor infrastructure

in pastoralist areas. We should say "no" to lack of water in those areas. We should say "no" to district hospitals without surgeons and medical doctors. As Mr. Rotino said yesterday, the Government posted a dentist to West Pokot. We do not need those dentists there. If you look at the teeth of the pastoralist women, they are some of the most immaculate white teeth you can ever [Mr. Ethuro] see. I even wonder why they are not put on the television commercials advertising colgate!

(Applause)

Mr. Deputy Speaker, Sir, our people have personal hygiene. We are not asking for any mercy from anybody. We are demanding our rightful share of State resources. Pastoralism is the only area where we have not invested. We have invested in coffee. There is Coffee Research Foundation and Coffee Board of Kenya. We have invested in the dairy industry. There is the Dairy Board of Kenya. We have also invested in the beef industry. We have many research stations dealing with such disciplines. We have authorities and parastatals dealing with the same. That includes a small crop known as pyrethrum. How about an area that covers 80 per cent of a country's land mass? Which country, government and people cannot get its priorities right, except Kenya?

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

(Question proposed)

The Minister for Roads and Public Works (Mr. Raila): Mr. Deputy Speaker, Sir, I rise to support the Motion as amended. I would have had a problem if we had stuck to "Authority", because it would be duplicating the work of other regional authorities which have been created in specific areas of our country.

Mr. Deputy Speaker, Sir, the problems of Arid and Semi-Arid Lands (ASALs) of our country do not need to be over-emphasised. It is true that these areas suffer from extreme underdevelopment. Most of it is historical. I say this because I know that, when we were in school during the colonial days, we used to draw a straight line from Turkana all the way to Lamu, and that region was known as the Northern Frontier District. We were not taught about the towns or anything that existed in those areas. In as far as the colonialists were concerned, that area was not part of Kenya.

Mr. Deputy Speaker, Sir, we also know what has happened since Independence up to now. That is why, a few months ago, His Excellency the President launched a special programme to fast-track development in northern Kenya region. This is not political gimmickry. There is a definite determination and commitment to implement the programme that was initiated by the President when he went to northern Kenya.

Mr. Deputy Speaker, Sir, I know, from experience, that you can initiate development in these areas, and they do not need to depend on relief food. During the campaigns, when we went to parts of Ukambani, we were told by the people that they did not want relief food, they wanted water. With proper infrastructure, the development of these areas can be fast-tracked.

Mr. Deputy Speaker, Sir, I have spent a lot of time in Botswana. Most the land mass in that country is arid and semi-arid. Even before diamond was discovered in Botswana, it was already running one of the most efficiently-managed economies in Africa. That economy was just based on nothing else but livestock. But they were able to export a lot of beef to South Africa and Europe and earn sufficient foreign exchange to develop their country. There is no reason why we cannot do the same here in Kenya.

Mr. Deputy Speaker, Sir, I have also had the opportunity to go to Somaliland, whose capital is Hargeisa. When you are in Hargeisa, you would think you are in Wajir or Lokichoggio. Somaliland, despite the fact that it has not been recognised by many countries of the world, is running a very stable economy based on nothing else but livestock. That is why I am saying that we can facilitate proper

management of this industry by the creation of a Livestock Development Commission.

Mr. Deputy Speaker, Sir, we have a plan to develop infrastructure in pastoralist areas, particularly roads. I can say this without the fear of contradiction in as far as roads development is concerned. We are determined to open these areas. I will shortly be moving the Vote of my Ministry here and you will see that we are going to develop Isiolo-Merille-Marsabit-Moyale Road. We shall also begin the tarmacking of Garissa-Modogashe Road, which is going to be eventually extended to Wajir and Mandera. We are also planning to tarmack Kibwezi-Kitui-Mwingi-Maua Road to link up with Isiolo. I can also say that there are plans to connect these areas with electricity. Southern Kenya, including Kajiado and Narok are also part of it.

Mr. Deputy Speaker, Sir, an area like Marsabit has a great potential for energy in terms of wind. I know this because when I was in charge of the Ministry of Energy, we developed the national wind atlas of the country. We realised that, in Marsabit Town, we can generate as much as 300 megawatts based on wind alone. You can generate between 50 to 100 megawatts in Turkana area. So, there is great potential for energy generation in those areas which needs to be tapped. The same goes for water resources, because livestock needs pasture and water. I know that there is a very comprehensive plan to provide water in these areas.

Mr. Deputy Speaker, Sir, there is no point in denying the facts. Within the two-and-half years that we have been in power, we have made a difference. You cannot compare the two-and-half years to the 40 years of KANU rule. That is why it is not fair for KANU Members to begin---

Dr. Galgalo: *Si tulikuwa na wewe?*

(Laughter)

The Minister for Roads and Public Works (Mr. Raila): I was in KANU for only four months!

Mr. Deputy Speaker, Sir, for the over 40 years of KANU mis-rule, these areas have remained completely marginalised. I am saying this because I know that there is only one kilometre of tarmac road in North Eastern Province. I now have a plan of tarmacking 150 kilometres within two-and-half years. This needs to be appreciated instead of being criticised. No one can stand on his feet in this House and begin talking about development in the KANU era without committing "perjury". The NARC Government is committed--

Mr. Billow: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to say that KANU did nothing in its 40 years when all the development it did was concentrated in his area and other highlands of this country rather than our rangelands?

The Minister for Roads and Public Works (Mr. Raila): Mr. Deputy Speaker, Sir, my area is Lang'ata in Nairobi, and I want to tell the hon. Member that Kibera, which is in Lang'ata, is the biggest slum in Africa, South of the Sahara, thanks to KANU's misrule.

Mr. Deputy Speaker, Sir, the ASAL areas have remained under-developed from the colonial days through the successive Independent regimes. It is this Government of NARC that is now turning things round; beginning to do what KANU was not able to do over the last 40 years.

Mr. Deputy Speaker, Sir, education is something that is needed in these areas. We also need to attack some very backward cultural practices that have ensured that these areas remain under-developed. A good example is the lack of education to the girlchild. There is a practice of taking young girls out of school at a very early age in order to marry them off. As leaders, hon. Members should be in the forefront in campaigning to ensure that girls' education is promoted in these areas.

With those remarks, I beg to support.

Mr. Poghiso: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this very important Motion, which has been brought by my good friend, hon. Wario and seconded by hon. Ethuro.

Anything on the ASAL is basically of no significance to the rest of Kenyans. From the

attendance in the House, particularly in the Front Bench, you can see that this is not anything important for the Government at all. What chance do we have when you can see that people who come from the high potential areas of this country; people who are at the centre of the Government who can do something about this, are not here and we are just talking to ourselves? That is what pastoralism is for all of you. We do not know whether the Government supports the Motion. Just because Mr. Raila has said "yes", does not mean that the Government supports the Motion.

Mr. Deputy Speaker, Sir, just while Mr. Raila is here, I would like to say that the marginalisation of the pastoral areas is basically perpetrated by the Ministry of Roads and Public Works. Mr. Raila has complained about this issue. He is not the one who has marginalised the pastoral areas. I know that he has a good heart, but the people who really handle the purse do not allow him to do anything out of his good heart. So, we are going to be lamenting for ever.

The Minister for Roads and Public Works (Mr. Raila): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to mislead the House that I complained about the purse? In fact, what he is talking about was an in-house discussion where I was reprimanding some errant officers and this should not have actually gone to the Press.

Mr. Poghisi: Mr. Deputy Speaker, Sir, the in-house discussion was about the purse. This confirms the same thing.

The road from Lodwar to Kitale, through Kacheliba Constituency, is the shortest route between Lodwar and Kitale. When the Minister talks about developing the road network, he is basically talking about ancient works; projects which were planned a long time ago. There is nothing new that has come from this Government. The only thing that this Government can do is to allow outsiders; friends of the pastoralists from outside, to develop those ASAL areas. One of the biggest problems is that governments have been roadblocks to even external help that would have come to the pastoralists; they have blocked it. We are saying that the Government is not committed to helping the pastoralists. It should allow other people to help the pastoralists.

Mr. Deputy Speaker, Sir, if you go to Turkana District now, you will find a lot of work which was done by NORAD, an external organisation, but because they were doing something for the pastoralists, they were ejected very fast and kept far away from the pastoralists. This is the kind of hatred that exists which is perpetrated by the Government.

I want to talk about the peace dividends. When something happens in the ASAL, the first thing that the Government does is to rush there with the military. The military probably goes there to do more harm than good. We have not educated our military, the Kenya Police and the Kenya Army to respect the pastoralists. So, they go there with a lot of force as if they are fighting an external enemy. Those are our own people! This is the backbone of our economy. We should educate our people; that pastoralists are our own people. They are not external aggressors or enemies. This attitude seems to be passed on from one District Commissioner (DC) to another, as they go to the ASAL districts. The peace dividends should allow us, therefore, to build bridges between the pastoralists and the Government in order to educate the armed forces and the Kenya Police, so that the officers do not go there with a view to fighting, but with a view to making friends and developing the areas.

Mr. Deputy Speaker, Sir, the biggest killer in the pastoral areas is whatever causes their livestock to die; the livestock diseases. That is what trickles down to the economy and to the health of the people. If you look at the Budget provisions that are given to these areas to take care of their livestock, it tells you that the Government does not understand the value of the lifestyle of a pastoralist and an economy called pastoralism. The proposed Authority would then educate the world about an economic system called pastoralism. We must accept that pastoralism is here to stay. There is no amount of bashing that is going to kill pastoralism. It is a way of life and people are born into it everyday. The proposed Authority would educate Kenyans, so that they can then begin to adjust their attitudes towards the pastoralists.

Malaria is killing many pastoralists, but does anybody care? In pastoral areas, dispensaries are the equivalent of hospitals in other areas. In fact, doctors should be posted to dispensaries in the

pastoral areas. You should not wait for a theatre, a laboratory or an X-ray machine, but you should just post doctors there because people are dying because of lack of basic things. The Ministry of Health is a victim! It posts one person to man a whole health facility and expect him or her to treat people! This is just about the attitude towards the pastoralists. We need more health facilities and nurses. We do not want any more intrusions into the system.

I take exception to the remarks of a Minister here that there are some backward cultures. There is no backward culture. Culture is a way of life and people live in those cultures. It is never backward. There is nothing like a backward culture. These are people's cultures. The whole of Africa was considered primitive a long time ago, but are we really primitive? Let us not use those words whether we are trying to change anything or not. Let us not begin by calling anything backward culture.

Mr. Deputy Speaker, Sir, I want to talk about water. All the money for water in this country is going to areas where there is more water. It is very interesting the way we do things in this country. More is going to places where there is more. I think the backwardness that we are talking about is in the Government and not in the cultures. How do you take water where there is more water? How do you construct roads where there are more roads? The Authority will survive if it is manned by the pastoralists themselves. We want to have an Authority which is going to take the inputs of the pastoralists, understanding and mapping them wherever they are, knowing their problems and moving with them. I would like to end with the area of education. Everybody who is not a pastoralist fears that if we educate the pastoralists, they will catch up with them and maybe, overtake them. Why can we not invest in education in the pastoral areas?

Mr. Wamwere: On a point of order, Mr. Deputy Speaker, Sir. I am just wondering whether it is in order for hon. Poghisio to claim that everybody who is not a pastoralist fears that if pastoralists are educated, they will catch up with them. Is he in order to make such an allegation?

Mr. Poghisio: Mr. Deputy Speaker, Sir, the guilty are afraid! If we focus on education in the pastoral areas---

Mr. Wamwere: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order, Mr. Wamwere! That is a point of argument!

Mr. Wamwere: Mr. Deputy Speaker, Sir, I am not talking about myself. I am talking about everybody. Is such an allegation in order?

Mr. Deputy Speaker: Yes, he has the freedom to make his argument. Mr. Wamwere, you may argue the way you want, but that is his argument.

*[Several hon. Members stood
up in their place]*

Mr. Deputy Speaker: Order, hon. Members!

Mr. Phogisio: Mr. Deputy Speaker, Sir, I think my time is being taken up and I am not being protected!

With those few remarks, I beg to support this Motion and call upon other hon. Members to support it.

The Assistant Minister for Trade and Industry (Mr. Syongo): Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to support this Motion. Before I say anything in its support, I want to correct one point that has been raised here. There is huge market for livestock and livestock products. There is no shortage of markets. There is an enormous market for milk and milk products in this country. There is also a huge market, for animals and animal products such as hides and skins, that supports the leather sector. There is also a market for meat and meat products. So, I want to make those points to reinforce my support for this Motion.

Mr. Deputy Speaker, Sir, the real issue here is lack of a comprehensive and an integrated policy, and an institutional framework for development of pastoralist activities in the country. There

should be policies to develop economic activities and pastoralist lifestyles, which are easily convertible to commercial values. If you consider the entire pastoralists' lifestyle and the environment that supports their activities, you will acknowledge that, in addition to the conventional livestock sector, there is also bee-keeping, which naturally goes with it. Production of plant material, such as acacia, supports production of Gum Arabica and commercialisation of the production of charcoal. By its very geographical nature, this environment is conducive to production of solar and wind energy. If you look at this Motion, in a broad sense, you will see that there are opportunities which can be exploited and turned into economic advantage. There are enormous opportunities which can be exploited by setting up the authority, or commission, as has been proposed.

The real predicament that we are facing is that we have not taken into account key impediments to the development of pastoralist lifestyle from a commercial point of view.

First, there is the issue of water shortage. Any one of us who has had the opportunity of visiting a country like Australia, which has huge desert land, will realise that by sinking boreholes and using natural resources, such as wind and solar, we can, indeed, turn all these semi-arid areas like Kitui and North Eastern Province into productive areas. What is lacking is purely the will to do so. There is no cheaper way of producing and reticulating water than by using solar and wind mills. Australia and New Zealand are living examples of what we can do to improve pastoralist lifestyles. Argentina is the other example. The problem of water shortage is not an issue at all. It is purely a problem because we have not addressed it.

Secondly, I wish to comment on transport. A point has been made that we have not taken those areas seriously when it comes to construction of roads. I want us to broaden our thoughts on this issue. When I was young, there were railway lines leading to Kajiado and other pastoralist areas. We also had a Livestock Marketing Division, that was very active and had proper systems to ensure that livestock from all parts of arid and semi-arid areas would be transported to Athi River, where it was slaughtered. This strategy that worked for us in the past was actually replicated in Botswana with great success. It is exactly the same model that was working for the pastoralists in the 1960s, and was set up by the colonial government. But as soon as we attained our Independence, we abandoned it and subjected our communities, that live in arid and semi-arid areas, to unnecessary suffering and economic backwardness. This is because we have not taken development of these areas seriously.

The other issue, which we hope this proposed Commission will address, is the question of disease control. If there is any impediment to our access to markets for livestock and its products is the issue of animal diseases, many of which are preventable. There should be integrated programmes for vaccination and treatment of diseases as they occur. My prayer is that this proposed Commission will address the issues of water, transportation, disease control as well as look at other activities which support livestock keeping within pastoralist areas. This includes tourism. The chance that this Motion will lead to exploitation of the livestock sector for the benefit of this country, particularly the citizens who live in arid and semi-arid areas, is enormous.

I beg to support this Motion entirely and thank its Mover.

Dr. Galgalo: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this very important Motion concerning pastoralist communities. I would want to reiterate what my colleagues have earlier said. Hon. Ethuro has urged the Government to walk its talk rather than just talk. I am saying this because this Government has created a Ministry of Livestock and Fisheries Development, meaning that it has serious intentions of developing the livestock sector. But it is said that action speaks louder than words. We do not see much action on the part of the Government. It should come up with strategies that will help marginalised areas to catch up with the rest of the country. Pastoralist areas have been marginalised from time immemorial. Successive Governments have moved our communities to the periphery, in terms of development, without caring. Poverty levels are high in pastoralist areas. There are no studies or surveys being done to support the figures issued by the Government. For instance, in my own district, the poverty level is quoted to be about 60 per cent, but I know it is much higher than that. Surveys do not encompass our areas. Our

areas are not included when surveys are done. So, somebody just sits in Nairobi and cooks up a figure, giving ridiculous levels of poverty in those areas. This is not a realistic way of doing things.

There is need for the Government to seriously look at these areas. It is not enough for His Excellency the President to say, in this House and elsewhere, like when he visited North Eastern Province supposedly to launch a new programme, that the Government is committed to helping arid and semi-arid areas. The programme he launched was aimed at helping North Eastern Province, and other areas, especially the upper part of Eastern Province, to catch up with other areas in development.

That was a hoax and fraud because that document was worked on over a weekend. It was a tiny document of about 20 pages to 30 pages which was worked on over the weekend before the President travelled to North Eastern Province. Those who worked on it pulled out details from the Printed Estimates of the various Ministries' forward budgets for the coming three years, and then compiled the information into a small booklet which was the masterplan for enhanced development of the marginalised areas. That was a fraud against the people of North Eastern Province. We do not need that kind of thing to happen. We need action, which shows that there is commitment on the part of the Government.

Illiteracy levels in north eastern Kenya are the highest in the country because we have very few schools, which do not have equipment or even stationery. There is also insecurity in the region. Right now, some schools in my constituency are closed owing to insecurity. We have few teachers and most of the schools are understaffed. As a result of a combination of all these factors, our students perform poorly in national examinations. Illiteracy level in our region is the highest in the country. Poor performance in national examinations leads to imbalances when job opportunities arise. The rate of unemployment is also high among our people.

There are many causes of insecurity but, unfortunately, the Government does not take it seriously. Cattle rustling is considered to be a normal thing. When one community raids the other and steals all the cattle, the Government considers it a way of life. Whether it happens in Moyale, Lodwar or Turkana, it is considered to be a normal thing, but if someone stole a cow in Limuru, it would be termed as robbery with violence. When someone steals 2,000 head of cattle from pastoralists, it is termed as "normal cattle-rustling" and the Government continues to take the issue for granted. The Government considers it a way of life. It is not a way of life! It is wrong and the Government has to provide leadership in stopping cattle-rustling. Insecurity again, occurs as people clash over diminished resources.

[Mr. Deputy Speaker left the Chair]

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

People clash over watering points, especially when some showers of rain occur in a certain corner of another district. All the pastoralists, from whichever district, go to the corner where there is water. That causes clashes because the water at that point cannot be enough for everybody.

There is an influx of illegal guns into the north eastern region because our borders are very porous. We have very unstable governments around us and there are many illegal firearms in those areas. Illegal firearms, in the hands of a few criminals, can wreck havoc in an entire community. Again, it is the responsibility of the Government to check on that. There is poor communication in terms of poor roads, radio communication and telephony. These are all contributing factors to insecurity. It is the responsibility of the Government to bring some of these issues to the fore-front of its campaigns to revitalise the economies of our region.

Before we talk about the issue of livestock products marketing, we first have to talk about the production of livestock. Livestock production requires disease control and introduction of modern technics of production. It also requires adequate technical personnel to advise farmers and carry out

research work to investigate how animals can produce cross-breeds which improve the existing stock. There are no research centres in any of the marginalised pastoral areas. Provision of water is an important factor in livestock production. When we have few water resources and drought strikes, then communities lose their entire stock. This is repeated in cycles every two to three years, after farmers have toiled very hard to increase their stock.

Marketing of livestock at national level has been hindered by poor transportation in terms of poor roads. Everyday, there are vehicles which transport cattle and goats to Nairobi from Moyale. However, by the time the animals arrive in Nairobi, they have lost weight and others die on the way. This has hampered the access to the national livestock market for people from that area. I know we have a high potential of servicing the international market. But farmers are not supported to access the international market so as to sell their products. We urge the Government to start a commission that will look into all these factors, make appropriate recommendations, institute appropriate policies and oversee the implementation of those policies so as to help poor communities to catch up with the rest of the country.

With those few remarks, I beg to support.

Ms. Mwau: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this important Motion. The formation of a commission to look into the needs of the pastoral people is a holistic integrated approach. Pastoralists have been getting a raw deal in the implementation of all the policies in this country.

When you look at the 8-4-4 system of education, it does not consider the situation of the pastoral people. It holds the same policies for pastoral people and agriculturalists, and you wonder how marginalised people are supposed to benefit from it. Health facilities in pastoral areas are very minimal. I happened to work in Turkana, Marsabit, Moyale and in Samburu, and in all those areas, 65 per cent of the health facilities had been set up by missionaries and particularly, the Catholic Church. The missionaries have become the Government of the pastoral people.

The road from Kitale to Lodwar is in an unbelievable state. One can take a whole day and night to travel from Kitale to Lodwar. The infrastructure there is something that the Government needs to consider improving, so that pastoralists can access other parts of the country.

Water for livestock and domestic use is something rare in those areas. Women from the Gabra community spend many hours, on a daily basis, looking for water. I think it is important that as we come up with Government policies, we also consider providing water to those communities.

Mr. Temporary Deputy Speaker, Sir, I want to talk about education. If you go to the Kakuma Refugee Camp, the refugees enjoy better educational facilities than the Turkana children. The Turkanas are denied access to health facilities and water in the Kakuma Camp, yet it is in Turkana. The Turkanas have become beggars in their own country. It is important that this commission is set up to address the problems facing pastoralists and assist them to enjoy State resources like other Kenyans.

I also want to talk about insecurity among the pastoralists. Incidences of cattle rustling are rampant in these areas and several people lose their lives just like it happened the other day in Marsabit District. Women are also raped and the health facilities are not able to deal with the situation. The proposed commission should enable the pastoralists to access state resources like other citizens in this country.

With those few remarks, I beg to support.

Mr. Maore: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. I come from a marginalised constituency, as well, in the sense that 60 per cent of the border between Isiolo and Meru North is part of my constituency. When marauding Samburu warriors are looking for cattle, most of the time they stray into my constituency.

The issue of a commission would justify the argument by the Government that they are interested in the whole country. On very many occasions I have stood on this Floor, I have always explained the hypocrisy of Members of this Government where they scream from the roof tops about

one agenda when they mean the opposite. If you ask them to set up a commission like this one, they will try to justify why we do not need it. In most cases, the money that is allocated to line Ministries to eradicate poverty and inadequacies in these areas is never released. The contracts are usually very shady and money ends up being paid and the work is never done. If you remember the history of Mifugo House; the proposed headquarters of the Ministry which was supposed to have been constructed in 1987, to date, it is incomplete. When the Minister will be responding to this Motion, he will not tell this House what happened to Mifugo House.

Mr. Temporary Deputy Speaker, Sir, on the issue of insecurity and cattle rustling, I was surprised that when a Motion was brought by the abrasive hon. Member for Ikolomani, to make cattle rustling a capital offence, I remember that almost 100 per cent of the hon. Members from the pastoralist communities opposed it. They explained that it was a way of life at that time. However, today, they are saying the opposite. We, therefore, need to address the issue of insecurity, including cattle rustling. It is a matter of transferring poverty from one village to another, or from one family to another. It is wrong for any Government to sit back and watch citizens appropriating other people's wealth or property when there is written law that says it should not happen.

On the issue of water, I come from Meru North, but if you remember last year's Budget, 2003/2004 Financial Year, Meru North District was allocated Kshs4 million for water. However, Meru Central, where all the tributaries from Mt. Kenya pass through, got Kshs420 million to establish water projects. If you also look at the Budget of the Ministry of Roads and Public Works in the issue published on 28th April, 2005, by the Minister who was talking here, one constituency in Meru Central was allocated Kshs500 million from the road levy money. However, Meru North District was allocated only Kshs12 million. When we talk about allocations and the discrepancies, it is something that you cannot explain. Therefore, when we talk of water in pastoral areas, we need the Government to come out with comprehensive programmes and not just boreholes of Kshs1 million when an hon. Member raises the issue or wants the Minister to visit the area. We want a deliberate programme where you can divert rivers to pass through those areas, where it is feasible. We want proper programmes to harvest rain water because there are a lot of seasonal rivers that pass through these areas and if we were able to harvest, say, about 70 per cent or even 20 per cent of the volume of water, this would sustain livestock and human life for very many months thereafter. We need a programme that is not done by bureaucrats sitting in Nairobi who want to get money through kickbacks from those programmes even when the Government and other donor agencies come with those proposals.

Mr. Temporary Deputy Speaker, Sir, if you look at the other issue of communications, for example, telephony, whether it is land lines or the cell phones, nobody remembers that these areas need it. Yet it is a vast area that needs communication more than any other for purposes of security, development and other commercial interests. We need special programmes that can take care of all these institutions, including health care. If you talk of infrastructure, health care, roads, hospitals or communications, you need a commission that can co-ordinate these things; to make sure that they end up there. It should not be a situation of just churning out statistics without caring about the end use for those statistics.

I would propose some special programmes to be done at the national level, like they do in the USA in the states of West Virginia, or Eastern Kentucky, or the northern-south Dakota. If you are graduating from a medical school, the health department of the USA Government waives school fees on the fourth year if you volunteer to go and do your internship in those hardship areas. What we call hardship areas in the USA have no similarities with the prevailing conditions in North Eastern [Province]. These are areas with tarmacked dual-carriageways passing through them. They have telephones and other facilities. We need some deliberate programmes for tax incentives for those public servants who want to work in the North Eastern or the Northern Frontier Districts (NFD). Through that, I would also like to state that I am one of those people who are really sceptical about these stories we hear about feasibility studies. When you bring a proposal, you do a feasibility study. It

is true we have a feasibility study on almost every sector about the NFDs that can be available. When you bring in investors and donors, they end up being frustrated by bureaucrats who are very insensitive about the life on the ground because they either want to be partners with those investors or want to get bribes from them. Therefore, we need the Government to come up with a co-ordinated policy about the NFDs.

Mr. Temporary Deputy Speaker, Sir, it was not a coincidence that most pastoralists did not vote for NARC in the last general elections because there was fear of the personalities involved at the national level when they were campaigning, because they looked like strangers to them and their interests. We do not want this Government to confirm those fears; that, the people who are in NARC have nothing whatsoever, to do with pastoralists. The only way do it is not by shouting from every rooftop but by putting in proposals and programmes that actually show that the Government is interested in pastoral areas.

Mr. Temporary Deputy Speaker, Sir, we happen to have been to one of the most loyal pastoralist constituencies of the Democratic Party (DP), that is Kajiado South Constituency, on several occasions with the late hon. Member for the area at that time. You cannot imagine that the leader of DP, who happens to have won the race for the presidency, has not actually instituted some special programmes for that area. We are now halfway into the NARC tenure in office; the mid-term ended in June, 2005. So, we are now going down to the countdown to the General Elections of 2007, and they are now obsessed with a second term. Kenyans are going to look at you and tell you to go to hell with your story of a second term, if you do not deliver on the promises you made to them!

With those few remarks, I beg to support.

Prof. Mango: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. This is a very important Motion which is talking about an area of the country which seems to have been forgotten. All that this area needs from the water we have in Kenya, is to lay down a national water pipeline from Lake Victoria to go to this area, and it will make a lot of difference. By doing this, animals will have water to drink and we can also have pasture throughout the year through irrigation. We can also irrigate the land and produce all the food that is needed there.

Mr. Temporary Deputy Speaker, Sir, I have had the opportunity to visit Israel. When I first visited Israel in 1981, I could not go to the Negeb Desert because it was a desert; but when I visited the country in 1985, Negeb Desert was nothing but full of greenhouses producing every crop available on earth, including avocados and mangoes whose seed was imported from Kenya! It is high time we stopped this idea of crying around as a Government; we need to take charge of our nation and start planning accordingly. There is over-dependence on experts who do not live in this country and who just come to float ideas and disappear! After they have floated those ideas, we do not seem to implement them because they just lie on the book shelves. Every time you propose an idea, you are told that there should be a feasibility study. How many feasibility studies do we need? I am sure there are enough feasibility studies for pastoralist areas lying on the shelves and all we need is implementation, which seems to be our weakest point in this country. We do not seem to follow up what we have studied and put it into practice.

Mr. Temporary Deputy Speaker, Sir, we need to change the way we operate in this country because we discuss all these ideas here and there is no follow-up.

(Applause)

So long as there is no follow-up on implementation, nothing will happen. We talk year in, year out, and nothing happens. So, it is high time the Ninth Parliament came up to stop such a circus, whereby every time we come up with an idea, it is never followed up. A lot can be achieved with the establishment of the national water pipeline.

Pastoralist areas are not poor areas as they have resources in terms of livestock. Once people

have resources, they are not poor at all, and all we need to do is see how we can develop the resources, get them to multiply and utilize them to solve the problems of the people. Instead of doing this, we regard the areas as being poor; no, agricultural areas are richer than some of those areas! All we need to do is to make sure that the animals have water and pasture, and then we should control the animal diseases. Once animals are healthy, we can maximize on livestock. Botswana is one of the richest countries and one of its natural resources is livestock. If we can pick a leaf from Botswana, then pastoralist areas would become some of the most endowed areas compared to the agricultural areas of Western Kenya and the like. These areas have camels, which are highly priced; they have cows, sheep and goats. Therefore, we just need to inject a little into those areas and everybody will be happy.

We also need to zone our country and have those areas concentrate on producing meat for the nation and for export. Once we do that, we will give those areas resources to take care of their livestock, and this country will go places. But, instead, we like to look at pastoralist areas as being poor, and once we do that, we would create a mental block and we want the plans for the areas to move on. I urge the Government to go ahead and plan positively for pastoralist areas instead of looking upon the areas as poor. All they need is infrastructure, for example, roads and telephone lines. The banks there do not exist and someone has to take a week looking for a banking facility. How do we develop if money transfer is also a problem? Once we develop all those infrastructures, the area can move on.

Mr. Temporary Deputy Speaker, Sir, this country should get out of the mentality of marginalizing certain areas. Once areas are marginalized, people there feel forgotten as if they are not part of the nation; they feel that they do not belong. No Kenyan should be feeling as if he or she is being marginalized 40 years after Independence. This should now be a matter of the past and we should be planning for the whole nation with everybody on board. Therefore, the Pastoral Development Authority will go a long way in addressing the problems of the pastoralist areas, because it will take care of the details and the people themselves will factor in their home-grown ideas and hence, take care of the problems in their areas. We should take care of these pastoralists because those areas are not as bad as we think they are. They are capable of supporting even crops and livestock. Therefore, I urge the NARC Government to do something by establishing this authority to take care of those areas.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Poghisio): I will give five minutes to hon. Mbarire.

Ms. Mbarire: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute in support of this very important Motion. It has brought to the fore the tribulations of the people living in Arid and Semi-Arid Lands (ASALs) and other marginalised districts in this country.

From the outset, I would like to support the previous speaker, hon. Mango, who said that the biggest problem we have in this country is that of ignoring certain areas and imagining that there is nothing good that can come out of those areas. I think that there is a lot of potential---

(Loud consultations)

Mr. Temporary Deputy Speaker, Sir, allow me to move elsewhere because I am being distracted here!

The Temporary Deputy Speaker (Mr. Poghisio): Proceed!

Ms. Mbarire: Mr. Temporary Deputy Speaker, Sir, there is a lot of potential in these areas that have been ignored. If only the potential is identified, tapped, harnessed and nurtured, we will no longer talk of marginalised districts in this country. I think the problem lies squarely with the way we distribute our resources. Our budgetary system, since Independence, has contributed a lot to inequitable development in this country. Hon. Maore gave a case in point, where one constituency was

allocated Kshs450 million for the provision of water, while another more needy constituency was allocated only Kshs12 million. To me, that is a case of complete abuse of power and utter disregard of the plight of the people and their rights.

Mr. Temporary Deputy Speaker, Sir, I would like to refer to the Draft Constitution which contains a Bill of Rights. I am proud that I participated in the drafting of that chapter on rights. One of the things that have been identified in the Draft Constitution is that basic needs are actually human rights issues. For example, when you talk about provision of education and development services, you are actually dealing with human rights issues and you are not, in any way, doing people a favour. What has happened over time is that the Government has made people, by giving them money, feel that they are being given favours while it is the duty of the Government to accord people their human rights.

The issue of a Budget Office in Parliament will go a long way towards dealing with this inequitable resource distribution that we have had over the years. I think we need to fast-track this matter, so that in the next financial year, we have the Parliamentary Budget Office deeply involved in the Budget allocations, especially Development Expenditure. That is the only way in which we can deal with this problem.

With regard to pastoralism, I and my colleagues, with whom I formed the National Alliance of Kenya (NAK) and even prepared an economic blueprint which later became the NAK manifesto, were very clear about what we wanted to do in the pastoralist areas. We pledged to provide water to the pastoralist areas, so that the pastoralists could have enough water and pasture for their cattle. We also pledged to build abattoirs in all the pastoralist districts, so that people do not travel long distances with their cattle looking for markets, and by the time they get there the animals have lost a lot of weight.

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

The Temporary Deputy Speaker (Mr. Poghio): I will now call upon the Official Government Responder to make his contribution.

The Assistant Minister for Livestock and Fisheries Development (Dr. Wekesa): Thank you, Mr. Temporary Deputy Speaker, Sir. I want to, first of all, thank the hon. Member for Bura Constituency, Mr. Wario, who has consistently raised issues about pastoralists. Indeed, he has consistently addressed issues of farmers in the ASAL areas. He has also been working closely with my Ministry. However, before I make more remarks, I want to donate exactly five minutes to hon. Wetangula.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Temporary Deputy Speaker, Sir. I again join---

The Temporary Deputy Speaker (Mr. Poghio): Order, Mr. Wetangula! I just want to inform Dr. Wekesa that the first thing one does before talking about his Ministry is to donate time!

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Temporary Deputy Speaker, Sir. Within these five minutes, allow me to say a few things.

I want to congratulate hon. Wario for his consistency in fighting for pastoralists. In fact, in this House, he always comes across as one of the most consistent and articulate Members of Parliament with regard to pastoralist issues. Equally, being the Shadow Minister for Livestock and Fisheries Development, I think this is a Motion that is really relevant to his docket. However, I would want to exercise some caution in the approach to pastoralist issues.

Mr. Temporary Deputy Speaker, Sir, I agree with the Mover of the Motion that pastoralist communities in this country are marginalised; the infrastructure in these areas is very poor and neglected. There must be efforts to fight drought in the pastoralist areas. If you look at the pastoralist areas in this country, you will see that insecurity is a big problem. This includes regular cattle rustling. There are frequent water shortages and very poor, if not non-existent, infrastructure in these areas.

Pastoralist communities need protection against the reckless subdivision and fencing of land because they must graze their livestock on expansive areas.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order, Members seated at the back!

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Mr. Temporary Deputy Speaker, Sir, you only need to go to Kajiado to see the damage that modernity has visited on the lives of pastoralists. Every group ranch has been subdivided, and you know very well that the fragile ecosystem cannot hold many animals in one place. This has, indeed, affected their lives.

I believe that the creation of an authority - I am told that the Motion has been amended to suggest a commission - may not be a solution to the problems in the pastoralist areas. We need a comprehensive policy framework, or an action plan, driven by affirmative action to assist pastoralists to come to the same level, and enjoy the same access to national resources and facilities, as people in areas of high potential. I say this because, if you look at the commissions and authorities that we have created in this country, you will see that each one of them adds to a litany of historical frauds. They are total failures! Look at the Lake Basin Development Authority. It has failed! The Tana Athi Rivers Development Authority (TARDA) has nothing to show about itself, and so is the Kerio Valley Development Authority (KVDA) and many others. I do not believe that, well-intentioned as my colleague is, creating a commission will solve the problems experienced where he comes from.

Mr. Temporary Deputy Speaker, Sir, I thank the hon. Member for spiritedly rising against the construction of a sugar factory in his area recently. I supported that idea because I believed that, that factory would undermine the lives of the pastoralists in the area. Being a Shadow Minister and a Member of the Official Opposition, I urge the hon. Member to approach the Government policy differently. This is because the Government will create a commission and allocate it money---

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Wetangula, you need to watch your time because the Clerks-at-the Table will not time you! You have five minutes!

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Temporary Deputy Speaker, Sir. The Government will set up a commission and allocate it money. The Chair also comes from a pastoralist area. You can tell us what Kerio Valley Development Authority (KVDA) has done in your area. It has done nothing. Let us not create structures which will spend public money and not help the people we intend to help.

I believe that the Ministry of Livestock and Fisheries Development and the Government can do a lot better by bringing a policy which gives affirmative action and deliberate development programmes which will help the ASAL areas. We can build big dams to harvest storm waters and hold it up to the next rainy season.

Mr. Temporary Deputy Speaker, Sir, Ewaso Nyiro South Development Authority and Ewaso Nyiro North Development Authority are among the most useless authorities. They have done absolutely nothing. I propose that we approach things differently. I urge the House to reject this Motion and advise my colleague who is here to do something better to help his people.

Mr. Temporary Deputy Speaker, Sir, I beg to oppose this Motion.

The Assistant Minister for Livestock and Fisheries Development (Dr. Wekesa): Mr. Temporary Deputy Speaker, Sir, once again, I want to thank the hon. Members who have contributed to this Motion. I also want to join them in recognising the importance of livestock in ASAL areas. Indeed, it is a known fact that the livelihood of many Kenyans in ASAL areas depend entirely on livestock. I would like to make it very clear that this Government recognises the fact that the livestock, the fisheries and other sub-sectors bring a lot of money to this country.

Mr. Temporary Deputy Speaker, Sir, one of the most important things affecting my Ministry is finance. Hon. Members have said that the Government has supported maize farmers at the expense of livestock farmers. However, in January, 2003, His Excellency the President recognised the fact that the lives of many Kenyans depend on livestock, and created the Ministry of Livestock and Fisheries Development to address livestock issues. I want to take this opportunity to state that over the period, my background has been spent in this sub-sector. We must be serious with the policy that we put in place to address livestock issues.

One of the crucial areas I want to talk about is the need to establish a budget office to enable hon. Members, particularly, from the ASAL areas, assist my Ministry. We want a situation whereby the Ministry of Livestock and Fisheries Development is allocated as much money as the Ministry of Agriculture. If that is done, we will address most of the problems affecting livestock farmers.

Secondly, other factors which are a drawback on the development of the private sector is insecurity and communication. These issues have been presented ably by hon. Members. My Ministry will not solve all those problems individually. The whole Government has to address communication because it impeaches on the development of livestock sector. We have to address the issue of lack of water. I agree with the hon. Members who have said that if water is provided in the ASAL areas, many problems will be solved. Cattle rustling which has caused insecurity in the ASAL areas has been addressed. It is important for hon. Members to spend their time in addressing insecurity because the Government cannot do it alone. Some of the statements hon. Members make cause insecurity.

Hon. Members: Poverty is the problem!

The Assistant Minister for Livestock and Fisheries Development (Dr. Wekesa): Mr. Temporary Deputy Speaker, Sir, I have said that poverty is another problem. All these factors must be addressed by the Government.

I have talked about budgeting. The Shadow Minister for Finance, who is seated here, is very much aware of this problem. I would like him to support my Ministry to get more money in the next Budget.

(Dr. Wekesa adjusted his glasses)

Mr. Temporary Deputy Speaker, Sir, I want to come to the gist of the problem if my spectacles could hold on.

The role of the livestock sector in the social economic development of the pastoral communities who live in the ASAL areas must be over-emphasized. Indeed, apart from very limited economic activities like trade and agriculture, livestock keeping still remains the only viable economic activity that supports the communities who live in the ASAL areas. It is against this background that I wholly support the Government's commitment to develop North Eastern Province and other marginalised districts, particularly the livestock sector. There is no doubt that the Government has a crucial role to play in the development of the ASAL areas. Indeed, the Government, through a broad consultative process, identified a number of issues which are key to addressing the problem of marginalisation, poverty---

(Dr. Wekesa adjusted his spectacles again)

Mr. Temporary Deputy Speaker, Sir, I have got problems with my spectacles.

Mr. Khamasi: Could you borrow mine?

The Assistant Minister for Livestock and Fisheries Development (Dr. Wekesa): Yes, please! Mr. Temporary Deputy Speaker, Sir, I have to borrow spectacles!

Mr. Khamasi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for me to lend my spectacles to the Assistant Minister?

The Assistant Minister for Livestock and Fisheries Development (Dr. Wekesa): It is okay, Mr. Temporary Deputy Speaker, Sir.

(Mr. Wetangula passed on Mr. Karaba's spectacles to Dr. Wekesa)

Thank you, Mr. Karaba. Mr. Karaba is my younger brother. As you can see his age is almost close to mine.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Dr. Wekesa, can you use Mr. Karaba's spectacles?

The Assistant Minister for Livestock and Fisheries Development (Dr. Wekesa): Yes, Mr. Temporary Deputy Speaker, Sir.

It is the Government's position that if these issues are adequately addressed then significant development for the pastoral communities will be achieved.

I also would like to say that the Government is doing a lot. Recently, the Government launched the Water Harvesting Project funded by the African Development Bank (ADB). In this project, a sum of Kshs200 million has been set aside for the ASAL areas. So, this shows that we are actually serious about addressing issues of the ASAL communities. These key issues we are addressing include the development of water harvesting techniques and exploitation---

*(Mr. N. Nyagah entered the Chamber
without bowing to the Chair)*

Mr. Ndolo: On a point of order, Mr. Temporary Deputy Speaker, Sir. When the Chief Whip walked into the Chamber, I did not see him bow to the Chair.

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, I actually bowed!

Mr. Moi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Chief Whip to respond from the Front Bench on the Opposition side? Should he not talk from the Government side? Maybe he has defected to this side and I welcome him!

Hon. Members: That is frivolous!

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! Let us proceed!

The Assistant Minister for Livestock and Fisheries Development (Dr. Wekesa): Mr. Temporary Deputy Speaker, Sir, I hope you will give me a few more minutes because this is a very important Motion. I believe hon. Members would like to know what my Ministry stands for.

Mr. Temporary Deputy Speaker, Sir, it stands for the institutionalisation of effective drought management measures, including the early warning system, contingency planning and mitigation reports and recovery in order to minimise livestock losses and increased food security. There are other issues like the enhancement of community-based irrigation and rain fed agriculture, concentrating on drought-resistant high-yielding crops including commercial crops such as cotton, horticultural and root crops and the diversification of sustainable livelihood systems.

Mr. Temporary Deputy Speaker, Sir, last but not least, we have issues like encouraging community-based conflict management mechanisms and peace building initiatives across the borders to curb insecurity, strengthening of preventive community-based conflict management mechanisms, improvement of infrastructure such as roads, health facilities, telecommunications, strengthening of preventive community-based mobile health services and strengthening of local institutions including user groups to manage community-based resources such as rural water supplies systems and other natural resources---

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

The Assistant Minister for Livestock and Fisheries Development (Dr. Wekesa): Mr. Temporary Deputy Speaker, Sir, I am about to conclude.

I would like to impress on the House that we have enough institutions to address this issue, therefore, we do not support this Motion.

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

Mr. Wario: Mr. Temporary Deputy Speaker, Sir, before I respond to this Motion, could I donate two minutes of my time to Mr. Abdirahman, two minutes to Mr. ole Metito and two minutes to Mr. Angwenyi?

The Temporary Deputy Speaker (Mr. Poghisio): Messrs Abdirahman, ole Metito and

Angwenyi, please, time yourselves!

Mr. Abdirahman: Mr. Temporary Deputy Speaker, Sir, I do not want to concentrate on what has transpired during the debate on this Motion. However, just listening to the Official Government Responder, one can tell the missing link between the needs of the pastoralists *vis-a-vis* the development programmes by the Government. He concentrated a lot on his Government's core functions.

Let me concentrate on the reasons why we thought the proposed Pastoral Development Authority (PDA) would be very important. We very well know that commissions have failed in the past. We have decided to move to authorities with the hope that they will be able to monitor budgetary provisions and look at the pastoralists' unique needs. This is what we were after. Looking at what the Government had put in the past for the pastoralist development programmes, there is a clear demonstration of the Government's failure to re-visit the needs of the pastoralist areas.

The livestock line, which the Assistant Minister represents, was created right after the Budget in 2003, if you very well remember. Just yesterday, during Question Time, the Assistant Minister said that livestock officers will only be employed in the coming Budget. It was very clear that the Government is just trying to give us some political gimmicks and lip service, both in budgets and in almost all policies and legislations that this House has passed in the past.

Mr. Temporary Deputy Speaker, Sir, that is all I intended to add.

Mr. ole Metito: Mr. Temporary Deputy Speaker, Sir, I also would like to add my voice in support of this Motion. The livestock industry contributes about 12 per cent of our GDP and serves about 6 million Kenyans, who occupy slightly about 80 per cent of our land mass. I am sure the Chair has heard from the Assistant Minister that this is one of least funded Government Ministries. That clearly shows lack of Government commitment in this sector of the economy.

What we are asking, that this authority will do, is that pastoralist communities should also be able to access credit facilities just like those in other sectors. Currently, they do not. We would also wish to see an authority that will create room for re-stocking of our products after drought. Currently, there is no such programme. That authority should also encourage or look for more external markets for livestock and livestock products. The livestock industry is the second foreign exchange earner in Botswana. In our neighbouring country, Uganda, there is a Minister of State to look into Karamajong affairs. That Minister looks at purely pastoralists' issues. Pastoralists occupy just about 12 per cent of Uganda's land mass. If you take the Kenyan scenario, Turkana alone, a purely pastoralist district, is 15 per cent of our land mass.

I would like to urge the Government to change its stand and support this Motion.

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

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I thank the Mover for giving me a minute to add my voice in support of this Motion.

This country has neglected the needs of pastoralists. More attention is given to the agricultural sector. There are many institutions such as the Agricultural Development Corporation (ADC), Kenya Tea Development Authority (KTDA), Kenya Sugar Authority (KSA) and so on that are formed to look into farmers' issues. I am really shocked that the Assistant Minister can oppose this Motion, when he actually says that the pastoralists need to be assisted and facilitated. We would like to establish an authority and give it the functions of supporting and developing our pastoralists, so that this country can be at the level of Botswana, Argentina and Australia in livestock development and marketing.

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

Mr. Wario: Mr. Temporary Deputy Speaker, Sir, may I take this opportunity to thank all hon. Members who supported this Motion, except the Assistant Minister, whom I will respond to.

First of all, I am sad because the Assistant Minister opposed this Motion without giving us any reasons for opposing it. An hon. Member, when contributing to this Motion said that the market of livestock and livestock products is not a problem. I would like to inform him that the market is a big problem. In fact, there are challenges we face, for example, lack of infrastructure development, lack of

accurate and timely market information, over restrictive veterinary regulations, high cost of transportation and over taxation by the Government. Due to those problems, it is a big challenge for pastoralists to access the market. The Assistant Minister said that there are institutions that are already existing. The only pastoral institution that is existing in this country is Kenya Meat Commission (KMC). As I said earlier in this House, the revival of KMC is a fraud. The intention is to revive the Kenya National Bank and not KMC.

Mr. Temporary Deputy Speaker, Sir, we have two breeds; the Gala and the Borana goats. Just like the Kenya Railways Corporations, there has not been any effort from the Government to develop those breeds for the betterment of the pastoral fraternity in the last 40 years.

Mr. Temporary Deputy Speaker, Sir, finally, in 2004, the Tanzanian Government introduced a Pastoral Development Levy. What we want in the pastoral community is affirmative action. That is why we want a commission to highlight our problems and come up with solutions. It will be mandated to seek funding, so that it can address the problems affecting the pastoral fraternity in this country.

With those few remarks, I beg to move and ask the House to support this Motion.

(Question put and agreed to)

INTRODUCTION OF INFORMAL SECTOR BILL

Mr. Wamwere: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:- THAT, noting with concern the growth and proliferation of uncontrolled small scale enterprises and hawking in our streets and road reserves, and appreciating that this informal sector is the source of livelihood of the overwhelming majority of our urban population who cannot procure jobs or who have been retrenched or retired; and aware that this sector of our population needs to be economically empowered and given legal protection and recognition; this House do grant leave for introduction of a Bill for an Act of Parliament entitled The Informal Sector (Small Enterprises and Hawking) Bill to establish a regulatory and oversight authority and to provide for micro-finance to small business enterprises and to the hawking fraternity.

Mr. Temporary Deputy Speaker, Sir, I would like to state from the word go that this is a very important Motion. It is seeking the leave of this House to introduce a Bill that will regulate the lives and economies of 14 million Kenyans who happen to operate in the informal sector. It will also seek to assist small enterprises registered in the formal sector. That means that this Bill will be dealing with lives of majority of our people or, at least, with a section of our economy that is more important than the formal sector which only happens to accommodate 1.7 million Kenyans.

Mr. Temporary Deputy Speaker, Sir, the truth about our economy is that majority of people are in the informal sector and not in the formal sector. One can say with confidence that the informal sector, on account of the number of people that it deals with, can almost be called the second backbone of our economy, if the argument is to be made that the first backbone of our economy is agriculture. To the extent that it is the second backbone of our economy, it is actually embarrassing and a shame that it has gone without a Bill that could regulate its functions. However, of course, one understands that those who manage our Government are people who are in the formal sector and, therefore, do not see the need to deal more formally and legally with the informal sector, although it is actually the most important sector of our economy.

Mr. Temporary Deputy Speaker, Sir, the authority that will be established by the Bill, if is passed by the House, will be one that will operate not just in the urban areas or major towns of our country but also in the rural trading centres. In these two areas, the authority will be dealing with the *Jua Kali* artisans by giving them assistance, regulating their operations and making sure they get the finances that will help them to operate. Apart from the *Jua Kali* artisans in all our major towns like

Nairobi, Mombasa, Nakuru, Kisumu and so on, it will also try to help in the establishment of *Jua Kali* trade in the rural areas where it is badly needed on the account of the grave unemployment that actually exists there.

As I was saying, apart from *Jua Kali* artisans, this authority will also be dealing with hawkers. It is only a while ago that there was a big problem of finding space for hawkers in this City and that problem was not just here in Nairobi. It is a problem that is also in Nakuru, Mombasa, Kisumu, Garissa and everywhere. These are thousands of people who have found themselves employment where the Government has not been able to give them jobs. The Government should actually appreciate them and give them all the assistance that it can afford because it is much better to have hawkers than criminals.

Mr. Temporary Deputy Speaker, Sir, it will also be dealing with market women whom we find very useful during campaign times when we need their votes. They are very important when we need them to campaign for us but we forget them as soon as we get elected although their problems persist well after elections. These market women live from hand to mouth. They will need support. Apart from the market women, we have street vegetable vendors whom we see a lot in Nairobi, Mombasa and other major towns. There are also the *boda boda* operators whom we find in many towns as well. Bicycle makers who are quite a number in the rural areas will also be assisted. There are also young men who cannot get jobs and yet some of them are fairly well educated. These young men end up buying themselves bicycles with which they are able to sell maize, beans, vegetables or even firewood. To the extent that these people have found themselves self-employment, they deserve to be supported.

The other groups that will be handled by this authority are the newspaper vendors, shoe shiners and all kinds of self-employed groups. They will benefit from the existence of this authority when it is finally established.

At this point, I want to actually give credit to Mr. M. Kariuki for conceiving this Motion. I do not know what position the Government will take. I came into the picture to actually save it from death because it would have died had nobody taken it up after Mr. M. Kariuki's inclusion in Government. I hope that the Government will actually see why it should support this particular Motion.

Mr. Temporary Deputy Speaker, Sir, the Motion seeks to accommodate unemployed people in this country; the many people in our country who have gone to schools and those who may not have gone to school. But all of them, need to survive. They need a livelihood. When they cannot get employment in the formal sector, they must employ themselves. These are the people that the Pastoral Development Authority (PDA) will give accommodation to. There are also people who get retrenched, sometimes when they are very young. Recently, I was talking to a friend of mine who was a teacher and then he got retrenched at the age of 45. Somebody at the age of 45 is a very productive person. In fact, we can almost say that some of these people are retrenched at the prime age of their lives. When the so-called "Golden Handshake" is not something that can last them long, they are left to fend for themselves. Fending for themselves means self-employment. These are people, although they are retrenched, the Government can greatly benefit from their skills by assisting them in their self-employment, rather than encourage them to just die early because they have nothing to do. This is what happens. When one is retrenched at the age of 45 and all what he can do is sleep from morning till evening, he will definitely die before he attains the age of 60. But if these people are helped with finances and other assistance, they will even forget that they are retrenchees. They will make their lives productive and be of use to the country, themselves and their families. The money that these people are given at the point of retrenchment is hardly enough to make them live comfortable lives. Sometimes, they are not even able to buy medicine. So, this is an important group that is being targeted by this Motion once it is passed.

Mr. Temporary Deputy Speaker, Sir, again, in this country, people are retiring at the age of 55 years. In Europe, people retire at the age of 70 for men and 68 for women. This shows clearly that there are quite a number of years in which one can be very productive; that is between 55 and 70.

Although we have the law that demands that people retire at 55 years, the fact that somebody has retired does not mean that he is no longer productive. The only way to continue benefitting from the productivity of these individuals is to assist them in self-employment, where they can actually continue using their skills, time, mind and everything else that they have, to help develop the country.

Mr. Temporary Deputy, Speaker, Sir, there is another group of people in this country that the Government hardly thinks about. If it does, it is from a peripheral point of view. This is the group of the disabled. In other countries, you will never see the disabled persons begging in the streets. When you find disabled people begging in the streets, this gives the Government a very bad reputation. The reason why in some countries you will not find disabled people begging in the streets, is because they realised that the disabled deserve more assistance than anybody else. As a result, disabled children are given transport to schools while the able ones are expected to walk or travel by bus to school. When the disabled complete their education, they are employed almost automatically. That ensures that they do not have to go to the streets to beg in order to buy food or clothes.

The case is different in this country, where disabled people rarely get employment. One month or so, I brought a Question here regarding blind people who have completed their education, gone to teacher training colleges and qualified, yet they could not get employed. The only reason they could not get employed was because they were blind. Up to now, I do not know whether those people have ever found employment. Those are some of the people who will be accommodated once this authority is created.

Mr. Temporary Deputy Speaker, Sir, disabled people in our country are also human beings. They are citizens of this country and, as such, they deserve more assistance, precisely because they are disabled. Unless you give them employment in the formal sector, then the only way to assist them is to create an authority like this that will be charged with the responsibility of looking after them. If they are not looked after, they will not be able to do as well as other people.

The services that this body will be expected to deliver include helping the disadvantaged and the marginalised to get employment. When this Government came to power, we promised that we would be creating 500,000 jobs every year. The truth of the matter is that we have not been able to create as many jobs. If the Government cannot create the jobs that it promised to create, the only way out is to create an authority that can assist people to be self-employed. If people are self-employed, they are as good as employed by the Government. The Government cannot fail to find jobs for our unemployed young people and at the same time not give them the opportunity for self-employment.

Mr. Temporary Deputy Speaker, Sir, the other service that this authority will deliver is to create space for the disadvantaged in our towns and trading centres. Earlier on, I alluded to a problem that we had when hawkers in Nairobi City demonstrated because the Ministry of Local Government wanted them out of the City centre. We still remember the mayhem that was caused at that time. It is my submission that if there was an authority dealing with the problems of hawkers, this particular problem would not have occurred.

Although the problem was somewhat solved, I do not think the solution found was permanent. We need to find a permanent solution, because it is my belief that hawkers will be with us for quite a while. Before this economy becomes fully developed, as the economies of the developed countries, we will continue to deal with the issue of hawkers.

Mr. Temporary Deputy Speaker, Sir, when you go to developed countries, you will still find hawkers. Hawkers will always be there. They have a right to be among us and we must find space for them to operate their businesses, because this country belongs to all of us. The authority to find space for these hawkers is the one that will be sought by the Bill that will come to this House after the passage of this Motion.

Mr. Temporary Deputy Speaker, Sir, the other service that is envisaged by the passage of this Motion is protection of the people operating in the informal sector. When I talk about protection, I mean protection from the police and City Council *askaris* who are very good at harassing people who are involved in the informal sector. We have seen horrible pictures of police and City Council *askaris*

battering hawkers.

In other towns, you find council *askaris* invading hawkers, market women and street vegetable vendors. They accost anybody they find on the streets selling their ware, demanding bribes from them. Unless the victims of council *askaris* part with bribes, their wares are confiscated and they are themselves arrested as if they are criminals.

The question that hawkers and vegetable vendors ask is: What crime do we commit by hawking and selling vegetables? If these people cannot hawk their wares, sell vegetables or shine our shoes, they will become criminals, robbers and muggers. The only way to deal with even the problem of lack of insecurity, is to accommodate these people.

Mr. Temporary Deputy Speaker, Sir, Europe has a lower rate of crime precisely because that region does not have so many unemployed people. If people are in self-employment, it is the duty of the Government to ensure that the police and local authority *askaris* do not harass them. In fact, the police should be there to give them protection. The City Council *askaris* should be on the streets to protect hawkers, and not to harass them. To make sure that this happens, we must create the necessary structures that will provide the service.

It is also envisaged that once this authority is created, it will try to look for capital to assist the players in the small enterprise sector and individual hawkers. Even self-employment needs initial capital. Some of these people, given that they come from poor homes and are unemployed, they need to be provided with the initial capital. I submit that it is the responsibility of the Government, through the Ministry of Local Government, to find these people the capital with which they can start businesses in the informal sector.

Mr. Temporary Deputy Speaker, Sir, in the 1970s, I remember going to the county council to look for a small loan with which I could begin my business life. Today, that service is no longer there. Although the loans ranged between Kshs6,000 and Kshs10,000 at that time, it is the sort of money that allowed unemployed persons to survive outside crime. The authority will also give people in the informal sector a voice in Government. When these people have their problems - because there is no authority to speak for them - they can only demonstrate in the streets. We do not want life to be disrupted by their demonstrations. So, the alternative is to create an authority that will give them a voice in the Government.

Finally, the best way of handling the problem of poverty is making sure that the poor are accommodated.

With those remarks, I beg to move and request Mr. Oparanya to second the Motion.

Mr. Oparanya: Thank you, Mr. Temporary Deputy Speaker, Sir. First of all, I want to thank Mr. Wamwere for bringing this very important Motion. It is an important Motion because it touches majority of *wananchi*. The Mover of the Motion said that, that sector has 14 million people. That is not a small number of people. According to the 2003 Survey, small enterprises employ over five million people. That sector is growing very fast. Further more, that sector is rural-based. Therefore, it involves most women. If this country wishes to meet its millennium development goals by reducing poverty by half by the year 2015, that is the sector to support. Why am I saying that? The Government must come up with a proper legal and regulatory environment to ensure that, that sector thrives.

Mr. Temporary Deputy Speaker, Sir, local authorities must have proper planning to ensure that small enterprises and hawkers do their business without interference. Local authorities in this country, instead of facilitating the success of that sector, harass small business people. They, sometimes, take punitive measures to punish the people who are trying to survive. There should be proper offices in every local authority for small scale business people to register their businesses without any problems.

Mr. Temporary Deputy Speaker, Sir, we have a Ministry in this country called the Ministry of Co-operative Development and Marketing. I do not know what marketing they do. When they come here, they talk more about co-operative societies than marketing. We need to help those people to market their produce.

With regard to the *Jua Kali* sector, I know most hon. Members have travelled outside the country. Products that are produced through that sector can be marketed in any country. In China and Japan, you find many products from other African countries. Kenyan products have not been marketed properly. Even if you look at the markets in the rural areas, they are not well planned. There are no sheds where traders can sell their produce.

Mr. Temporary Deputy Speaker, Sir, it is my humble request that the Ministry of Local Government should come up with a proper policy paper before the Bill. We should discuss the policy paper and encompass everything that the people need. We can help small scale business people by training them. In the rural areas, we can use village polytechnics to train them. Village polytechnics were meant to provide necessary skills and technologies for small enterprise people. But you find that most of these polytechnics have collapsed and the Government has no proper policy to revive them.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Local Government should ensure that anybody who wants to develop an estate must provide a section for small enterprises people to put up their shades. In most cases, such facilities are not provided and the small business people put up their kiosks where they want, and in the process, they are pulled down by the local authority without giving them alternative places. In the City here, most kiosk owners were taken to Pangani where there are no toilets or feeder roads. How do you expect them to operate?

Mr. Temporary Deputy Speaker, Sir, the Government should provide proper budgeting for these people, the same way we provide for farmers through the Agricultural Finance Corporation (AFC). We should have special loans targeted at these people through organisations like the Industrial Development Bank (IDB), which could channel the funds through small micro-finance institutions in the rural areas. These people should also be trained to know how to organise themselves to get credit without having to provide collaterals.

Mr. Temporary Deputy Speaker, Sir, as you know, the commercial banks are moving out of the rural areas because they are motivated by making profits. If we were to use these big banks, they always ask for collaterals which the small enterprise people do not have. The Government must come up with a policy to develop micro-finance institutions to help our people.

Mr. Temporary Deputy Speaker, Sir, if we want to develop the rural areas, we need to develop appropriate infrastructure. The ladies that sell vegetables need to move from wholesale to retail markets. Yet you find that in rural areas, the roads are impassable. They waste a lot of time travelling from one market to the other. It is important that the Government invests enough money in our road networks, so that the cost of transportation is lowered. Facilities like electricity and water are not there. These are important ingredients for the development of the rural sector.

Mr. Temporary Deputy Speaker, Sir, tax in this country is punitive. You find that someone has opened a kiosk, and even before he progresses, a tax collector is there, asking for one form of tax or the other.

Mr. Temporary Deputy Speaker, Sir, the Government should explain properly to the hawkers that tax has to be paid and the process of doing it, instead of harassing them all the time. We should facilitate the operations of the hawkers instead of harassing them.

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

(Question proposed)

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, I stand to support this Motion. The Motion calls for affirmative action to regulate and empower this sector, which is very important to our economy. The fact that the sector is important to our economy is clear from the information that has been provided; up to 80 per cent of our population relies on the informal sector for their source of livelihood.

We also know that up to 80 per cent of the employed population in this country is employed in the small and micro-enterprises. It is also the fastest growing sector in our economy in terms of its

contribution to the Gross Domestic Product (GDP). The simple fact that the informal sector was included in the calculation of the GDP was responsible largely for the growth of 4.3 per cent that was registered last year and reported by the Government. We also know that 80 per cent of our population lives in the rural areas and this is what they survive on. These are people who deal in artisan, *Jua Kali* and people who are providing individual informal employment. However, this sector has not been defined in our economy. It is not defined because the Government only defines the modern sector because it looks at the number of employees, the amount of capital invested and the type of activity involved. However, sectors such as this one which are not regulated, are not defined by the Government.

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

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

Mr. Temporary Deputy Speaker, Sir, also in terms of collecting statistics from this sector, there are no statistics which are collected. The figures which have been used in the GDP are estimates which are derived from the surveys which are conducted every 10 years or so, for example, the household survey. We also know that over 56 per cent of our people live below the poverty line. This is a figure that most people now claim is rising. Consequently, this is a country of the rich. It is a country where the Government even shuns the poor. This is clear from the fact that the poor people in this country do not get support from the Government in many ways. For instance, there is no specific allocation of funds to this sector at all, in spite of the fact that the Government promised in the Economic Recovery Strategy that it would set up the Social Action Fund, of Kshs12 billion, to provide capital to small micro-enterprises for their development. Two years down the road, that fund is yet to be established. Even within the Budget, we called for specific funds to be set aside for people in this sector.

Another project which was set aside and is not being utilised the way it should be is the Poverty Eradication Commission that was set up to give money to small and micro-enterprises, so that they can generate income. This Commission has not been funded properly. The Commissioners receive Kshs30 million for their upkeep, but not more than Kshs3 million for the purpose of lending out. Consequently, you will find the whole Kshs3 million being given to one district, and this is not helpful. The Poverty Eradication Commission, as we speak today, is merely a name, but does not have funds. Even in specific Ministries like that of Agriculture, it has set up the *Njaa Marufuku* projects. This was in the Budget. Out of the Kshs80 million which was provided for in that fund, about 70 per cent of it will be left in the Commission's headquarters, and only a small portion of about Kshs17 million will be distributed to the districts. Clearly, the commitment by the Government to assist the poor is lacking. The previous Government did not have it and this Government does not have it too.

This country has resources. We will debate and pass, in the next three months, a Budget in excess of Kshs500 billion, yet you will not find Kshs3 billion set aside to assist this sector in capacity-building or empowering it to engage in meaningful activities. This is despite the fact that it is the fastest growing sector and one which can benefit us most.

A few months ago, we passed a Sessional Paper on Development of Small and Micro-Enterprises in this House. In the Sessional Paper, we demanded that the Government provides support, shades and markets people working in this sector to have an environment in which they can do business. We said that the Government would provide infrastructure like electricity and road network in areas where people in this sector do their activities.

In terms of procurement, it is provided for in the Sessional Paper, that the Government will make sure that 25 per cent of all its procurement is sourced from micro-enterprises. When the Budget

was read, none of these provisions in the Sessional Paper were factored in the Budget. The micro-finance institutions has been a subject of discussion in this House for many years. The Minister for Finance has pledged, for the last three years, to bring a Bill in this House which can regulate that sector. Up to today, this has to still see the light of the day. Consequently, the small and micro-enterprises have to rely on shylocks who are out there to exploit them. In other countries, in terms of finance, and this can be replicated in this country, Government guarantees banks to lend money at concessional rates to micro-finance enterprises. The Government can also guarantee losses which arise from defaulters in that kind of a situation. Consequently, banks give money to the small and micro-enterprises. Today, a small enterprise cannot borrow money from a bank.

On the issue of providing market, especially for hawkers, the local authorities, for all practical reasons, are not there to help people generate income. They are only concerned about generating revenue for themselves. If one does not fulfil their requirements in terms of making sure that they pay taxes, then they will be in problem. We have seen what the City Council does to people in Nairobi. Local authorities license kiosk owners and a few months later, they demolish their premises. There is nowhere else in the world where evictions and demolitions take place more than in Kenya. In spite of the fact that this Government is a signatory to the various United Nations conventions that there will be no forceful evictions and demolitions, time and again, the poor always suffer.

Mr. Temporary Deputy Speaker, Sir, the current market places in this city were put up by the colonial Government, like Wakulima, Kariokor and Ngara markets. To date, the Nairobi City Council (NCC), which has a Budget in excess of Kshs6 billion annually, cannot even put up a decent market with roads, water, toilets and electricity where people can go and shop. If you go to Dubai and many other countries in the Middle East, you will find that they build specific market sheds which are properly lighted with security, roads, electricity, water and all the infrastructure that is required to attract people to go and shop in those places. When are we going to have that in this country? Consequently, our people are suffering. Those who want to go into *Jua Kali* business, the artisans, need equipment for doing carpentry work, welding and smelting. However, they do not know where they can get money to finance those things. The Poverty Eradication Commission does not have money. There is no institution today in this country where you can borrow money except from shylocks.

It is important to also note that there are no incentives by the Government to this sector as compared to the modern sector. Those who are in the manufacturing sector receive huge amounts of incentives. If you are in the manufacturing sector today, you can import certain types of raw materials duty-free. You can also import your plant, machinery and equipment without paying Valued Added Tax (VAT) and Excise Duty. You can also get compensation. If you go to some areas like the Export Processing Zones (EPZs), you can operate there for 10 years on a tax holiday yet there is no incentive that is provided for these kind of enterprises. In terms of tax, they pay the same taxes just like the manufacturers. The taxation regime should also be changed.

With those few remarks, I wish to strongly support the Motion.

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this very important Motion. I thank the Mover of this Motion. He has brought many Motions in this Parliament, but this is the most important one.

About 30 per cent of the national population live in urban centres and markets. They derive their livelihood from the informal sector. I hope that the Minister for Local Government will eventually support this Motion and implement it. In fact, I hope that the Minister will bring the Bill instead of the hon. Member bringing a Private Member's Bill. This is one of the few countries in the world where the Government has neglected those people who are involved in the informal sector in urban centres. If you go to a country like Korea, Botswana or Uganda, the governments vote substantial resources for addressing the needs and interests of the informal sector. The Government has developed regulatory machinery for the informal sector. Last year, the Ministry of Local Government dished out more than Kshs4 billion to local authorities from the Local Authorities Transfer Fund (LATF) in the form of the

Local Authorities Service Delivery Action Plan (LASDP). If the Ministry devoted Kshs3 billion from that amount to develop the shopping malls, for example, at Kenyatta, Gikomba, Umoja and Nairobi West markets, they would provide facilities for the informal sector to conduct business. We should maintain high standards of hygiene.

Mr. Temporary Deputy Speaker, Sir, if the Minister for Local Government addressed this sector as proposed in this Motion, he would, probably, be the most popular Minister in this country, because he would be addressing the needs of the poorest of the poor.

Mr. Wamwere: You are right!

Mr. Angwenyi: Just imagine that old lady who goes to Wakulima Market, buys a basket of tomatoes and brings it to the streets of Nairobi. As she starts selling them, the Nairobi City Council *askaris* pounce on her and destroy her stock, sending her away and, maybe, break her leg or arm in the process. Those traders' issues should be addressed or regulated, so that such a lady knows when she buys a basketful of tomatoes, she can sell without being harassed, hence she can get her returns with which to feed her family.

Mr. Temporary Deputy Speaker, Sir, the Minister should provide a method of financing the informal sector or helping them access credit the way we have financed the *dukawallas*; Asians and Europeans of this country; the ones who are abusing us now, the rich people and the grabbers. Supposing we were to finance these people who compose the mainstay of this country, how far will this country develop? If you went to Kisii Town and financed those women and men who trade at Daraja Mbili Market; and that is probably one of the biggest markets in this country which attracts in excess of 30,000 or sometimes 40,000 people in a day, if you provide them with clean stalls and give them credit, that would be an incubator for entrepreneurs in this country.

Mr. Temporary Deputy Speaker, Sir, look at the way Ford Company developed; it started as a stall in the informal sector, and it is now one of the biggest companies in the world. Even the inventor of penicillin was one person who used his stall to invent the drug which has supported people in saving lives throughout the world. This country must look at the poor people, farmers and traders and provide them with necessary mechanism for them to do their business in an environment that is conducive to further development and to creating wealth. We are mainly concerned with those people who can make noise; the people who have gone to school and who have held high positions. But those poor people whose voice cannot get anywhere must channel their voice through this Parliament and through this type of Motion, so that we can address their needs.

(Applause)

As we address their needs, we will be addressing the needs of Kenyans; we will be seen to be a country that is concerned with the welfare of vulnerable and marginalized groups. Although those groups are the majority voters for us, because the people who voted for me are the ones who do their business in those dirty streets of Kisii Town and in those poor streets of Marani, Kegogi or Mosocho markets. I am **[Mr. Angwenyi]**

sure those people who voted for President Kibaki are the ones who do business in the streets of Nairobi; the people who are chased around by Nairobi City Council *askaris* all the time!

Mr. Wamwere: You are right! We should think about the past!

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, we waste resources through the Local Authority Transfer Fund (LATF). Can you identify any project funded by LATF in Nairobi? Is there any such project where you live? I do not know any of those projects that have been financed to completion by LATF, yet we devote so much of our resources to it. If you compare the Kshs4.2 billion that was dished out to the Constituency Development Fund (CDF) last year, you can see the projects which have been built and developed out of those funds. You cannot identify a single major project in this town which has been developed through the Local Authorities Transfer Fund (LATF), and yet the Fund gets much more than the Constituency Development Fund (CDF). This type of

Motion shows Kenyans that Members of Parliament are really working. This Motion is similar to that one brought before this House by hon. Eng. Muriuki some four years ago. Although that Motion did not go through during the last Parliament, it went through during the life of this current Parliament. However, Kenyans, and particularly the media, do not appreciate what has been done by this Parliament.

Mr. Temporary Deputy Speaker, Sir, through a Motion on CDF by a Private Member, Eng. Muriuki, there is now a revolution in the constituencies in this country. I am sure that if we pass this Motion, and in the end its Mover brings a Bill to this House and we pass it, the Ninth Parliament will be recognised as the most effective Parliament in addressing the needs of the poor in this country.

Mr. Temporary Deputy Speaker, Sir, I am sometimes surprised, in fact, shocked when Ministers stand up to oppose good Motions. I hope that the Minister for Local Government will not stand up to oppose this particular Motion. The Minister who replied to the Motion that was being discussed before this particular one only said that all that needs to be done is to address the issues affecting pastoralists. At the end of it all, the situation was similar to that relating to judges during the KANU regime. They used to hear cases and give judgments, for example, that a person is found not guilty and, therefore, should be released. But at the end of the day, the judge would receive a phone call from, perhaps, State House or some other big office, that he should convict that person. So, the judge ends up changing a judgement to imprison for 10 years a person who was to be released. Those are the types of reactions and contradictions we get from our Ministers. We really must improve on this.

Mr. Temporary Deputy Speaker, Sir, when a good Motion is brought before this Parliament, whether it is by the Government or the Opposition, for as long as the Motion addresses the needs of Kenyans, this Government must support it. It should also implement good Motions once they are passed in this House.

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

Mr. Mwenje: Mr. Temporary Deputy Speaker, Sir, this is a very important Motion, particularly for Members of Parliament who represent constituencies that are in urban areas. I wish to state that it is only this week that many kiosks in this city were demolished by the Nairobi City Council administration and the Ministry of Local Government. This should not happen. If we have in place a law that governs hawking and small-scale enterprises, as is intended in this Motion, the demolition of kiosks will not occur. It is for this reason that I want to thank hon. Wamwere for bringing this important Motion before this House. We should now think of bringing a Bill that will govern and regulate hawking and small-scale enterprises.

Mr. Temporary Deputy Speaker, Sir, 70 per cent of our people are very poor, and they survive on hawking and doing small businesses. It is unfortunate that there is nobody to finance or regulate them.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Mwenje! You will continue next time.

Hon. Members, you will remember that the Speaker had earlier on made a ruling that at the end of normal business of the House, there would be a Motion of Adjournment. That shall be allowed now. I, therefore, call upon a Minister to move the Motion of Adjournment.

Mr. Wamwere: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am just wondering about the fate of the proceeding Motion.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Wamwere! I thought you have been here long enough! Did you expect your Motion to be concluded today? It will resume next Wednesday.

Mr. Wamwere: Mr. Temporary Deputy Speaker, Sir, that is what I wanted you to say.

**MOTION FOR THE ADJOURNMENT
UNDER STANDING ORDER NO.18**

UNSATISFACTORY REPLY TO QUESTION
ON CANCELLATION OF CBK
CURRENCY PRINTING TENDER

The Temporary Deputy Speaker (Mr. Ethuro): Will a Minister, please, move that the House do now adjourn.

The Assistant Minister, Office of the President (Mr. M. Kariuki): Mr. Temporary Deputy Speaker, Sir, in my capacity as the acting Leader of Government Business, I beg to move that the House do now adjourn.

(Applause)

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, I hereby rise to second the Motion.

You will remember that last week I asked the Minister for Finance a Question by Private Notice about the procurement of the Central Bank of Kenya (CBK) Legal Tender. It was unsatisfactorily answered. This has led to this Motion of Adjournment. This matter is critical because it touches on the integrity of the CBK, the leaders of this nation and the authority upon which the CBK and the Minister for Finance acted the way they did. Mr. Temporary Deputy Speaker, Sir, I want to take this House through a few details which are critical in order to understand what we are debating. When the NARC Government came into power, it smelt a rat at the CBK. On 14th March, 2003, the Minister for Finance cancelled a tender awarded to De La Rue Currency and Security Print (K) Ltd. on three grounds. One of those grounds is that the contract was awarded through single sourcing. Two, the company was given a contract of ten years as opposed to five years. The most important item is that, that company was awarded a contract at the time when NARC was in power without consultation. That made it a fishy deal.

A year later, there was no open tendering for the contract---

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! For your guidance, Mr. Omingo will contribute for 10 minutes and everybody else will contribute for five minutes to give room to more participation. We will be through with this Motion by 1.00 p.m.

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, I intend to spend less time on this Motion so that I can give hon. Members a chance to contribute to it.

The third reason why this contract was suspended is that it appeared fishy. A year later, the contract was floated. It was tampered with and never processed.

Later on, fresh tenders were supposed to be floated. Those tenders were supposed to be opened on 18th July, 2005. To the amazement of many Kenyans, that company which was fishy as at the beginning of 2003 became a mammal and was awarded the contract on the same terms which were fishy, single sourced and irregularly reallocated.

(Applause)

Mr. Temporary Deputy Speaker, Sir, I want to be very brief. The prayer for this House and Kenyans in general is that this contract which cost Kshs2 billion of taxpayers' money should be cancelled with immediate effect. This is yet another Anglo Leasing scam. We are adding to the tariff of irresponsible behaviour by this Government. The CBK is almost rotting to the height of heaven. There are many inside dealings. The Governor of the CBK may want to work independently but there are powers that have made him yield to pressures from other quarters. The Governor of the CBK should either take action or resign to pave way for independent people to work for Kenyans.

Mr. Temporary Deputy Speaker, Sir, tenders were supposed to have been floated, but they were not. In fact, open tendering was supposed to be done, but it was not done. That contract was

awarded to De La Rue Currency & Security Print (K) Limited under the same terms as those that applied during the previous regime. This was quite fishy. It is critical that these issues are known. This Government is actually on scrutiny. Kenyans are really worried about where this Government is heading to two-and-half years down the line. This Government was voted on a platform of zero-tolerance to corruption. I believe, even if this Government does not act, they have heard about it. They need to know that Kenyans are really watching them.

I want to plead with the Minister for Finance to ensure that the laid down procedures of procurement are followed to the letter. Tenders should be floated, the current tender cancelled and the lowest bidder given a contract to print new generation notes in the interest of this nation. A sum of Kshs2 billion for this contract is a rip-off. They know why it was cancelled. There were a series of cuts and middle-men in this process. Some people got up to Kshs50 million. If we did the tendering process in a transparent manner, this contract may end up costing less than Kshs1 billion. I would like to request the Ministry of Finance to move quickly and actually act.

Mr. Temporary Deputy Speaker, Sir, there was a memorandum that was written to the Director of the Kenya Anti-Corruption Authority (KACA). Unfortunately, he has not acted on it. I have a copy of the same with me here. Even if he was to blind his eyes on every allegation in this document, there is only one that I invite him to look at. That is on the dealings of the African Centre for Economic Growth (ACEG) company, that is actually transacting with the Central Bank of Kenya (CBK). What more corruption!

There is a letter here inviting somebody to come on board and be advised on where Anglo Leasing Finance Company is, because they wanted to continue transacting business with the CBK. Now, one wonders, if somebody can write a letter about the Anglo Leasing Finance Company, why do we still pretend today that we do not know that company, unless we want to continue perpetrating graft through the CBK? We must be able to---

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Speaker, Sir. Mr. Omingo is referring to letters, which he is still holding. He has also referred to the power-that-be. Could he mention who this is? Could he table these letters, so that he is able to substantiate his claim?

The Temporary Deputy Speaker (Mr. Ethuro): Mr. Mwenje, the Chair was actually contemplating that. I did not want to interrupt the hon. Member, but he has to table all the letters and documents he has made reference to.

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, I will table them latter. What I am saying is, I would like this House to accept the recommendations that De La Rue Currency and Security Print (K) Limited be subjected to open tender, their contract be cancelled and that Kenyans know the input of that tender because "fishiness" is still on and corruption is still rampant at the CBK. The CBK, as it is, is rotten with graft. Unless we have a total overhaul, there will be a major scandal again beyond the Anglo Leasing saga.

Mr. Temporary Deputy Speaker, Sir, since I do not want to take much time, I will table these documents and request that this House compels the Minister for Finance to actually cancel that contract. In fact, they should go for open tendering, unless they want to continue perpetrating vast corruption. They could be partakers of the same unless they prove otherwise!

With those remarks, I beg to move.

(Applause)

(Question proposed)

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, I would like to support my colleagues---

The Temporary Deputy Speaker (Mr. Ethuro): Mr. Omingo, where are the documents?

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, I will lay them on the Table shortly.

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

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, I would like to support my colleague on this matter and go beyond that. This is an issue of single-sourcing. It is an illegality even under the Anti-Corruption and Economic Crimes Act. It is an illegality that should have been punished and the provision and penalties are all provided for in that Act. The Minister----

The Assistant Minister for Finance (Mr. Katuku): On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to interrupt my colleague, but is it in order for him to mislead this House that single sourcing is illegal, while it is provided for in the law? If you want to do single sourcing, there is a procedure laid down in the law?

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, I want to continue. If you breach the requirement---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Billow! Is single sourcing an illegality or not? That is the issue.

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, we are not discussing the subject of single sourcing. We are discussing a contract that was given through single sourcing, instead of competitive bidding. This is a letter from the Minister for Finance - his boss.

The Assistant Minister for Finance (Mr. Katuku): On a point of order, Mr. Temporary Deputy Speaker, Sir.

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, my time is only five minutes! He just wants to waste my time.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Billow! But you are inviting the interruptions! What is it, Mr. Assistant Minister?

The Assistant Minister for Finance (Mr. Katuku): Mr. Temporary Deputy Speaker, Sir. I just want the hon. Member to set his records right. He has said that single sourcing is illegal and yet, according to the Kenyan laws, it is not illegal. Could he withdraw that remark?

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, the contract given to De la Rue Currency and Security Print (K) Limited by the Minister is illegal in the sense that it was not done competitively as required by the Minister himself. I want to read a letter signed by the Minister---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Billow! You are now the one dealing with semantics. The Chair is very clear. You made an assertion that single sourcing is illegal. The Assistant Minister has challenged you that if---

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, I want to correct that. Single sourcing is not illegal as a concept. What is wrong is the contract that was given to De la Rue by the Central Bank of Kenya (CBK) through single sourcing. It is illegal because it was not done competitively.

The Assistant Minister for Finance (Mr. Katuku): On a point of order, Mr. Temporary Deputy Speaker, Sir.

Mr. Billow: My time is running out and this---

The Temporary Deputy Speaker (Mr. Ethuro): Order! The Assistant Minister has the Floor.

The Assistant Minister for Finance (Mr. Katuku): Mr. Temporary Deputy Speaker, Sir, if the hon. Member does not want to be interrupted, he should be very right with his facts. For the Member to say that, that contract was illegal, he must lay evidence on the Table to show that it was illegal

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Assistant Minister! You are now out of order. I supported you thinking that you had a point. The hon. Member is talking about the entire procedure and he is very right.

Proceed, Mr. Billow!

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, the letter I have is signed by the Minister. He says that he cancelled the contract of December, 2002 because:-

"The contract was single-sourced instead of being open for competitive bidding as transparency would require."

That was the basis that was used by the Minister. I can table the letter here signed by Mr. Mwiraria on 14th March. There is no doubt in the minds of many of us that the decision to give De la Rue that contract unilaterally while there was a tender process in place was merely to save the face of the Minister, so that he does not end up like his friend Dr. Murungaru, with regard to the British visas. It was an exercise to please the British Government. That is why decisions were made despite the tendering procedures being in place. In the remaining few minutes, I want to talk about---

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

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, my time was taken. Give me just one minute!

The Temporary Deputy Speaker (Mr. Ethuro): There is no minute left!

Mr. Wamwere!

Mr. Wamwere: Bw. Naibu Spika wa Muda, nakushukuru kwa kunipa nafasi hii nchangie Hoja hii. Ningependa kusema kwamba utoaji wa zabuni bila ya ushindani, ingawa ni halali, ukweli ni kwamba unasaidia sana kueneza ufisadi. Ndiyo sababu tunasema njia hiyo isitumiwe na Serikali, ili kuhepa ufisadi. Hivi majuzi, Waziri Murungaru alinyang'anywa visa ya usafiri kwa sababu - ingawa haikusemekana vizuri ya ufisadi. Waliompokonya visa hiyo ni Waingereza. Walisema kwamba Waziri huyo ni mfisadi. Sasa, ningependa kuona wakichukulia kampuni yao hatua kwa sababu ilishiriki katika ufisadi katika nchi hii. Ikiwa tutapigana na ufisadi unaofanywa na Mawaziri katika Serikali ya Kenya, ni lazima tupigane na ufisadi unaofanywa na makampuni ya Uingereza, Ufaransa na nchi zingine za Ulaya. Ufisadi ni ufisadi. Ikiwa Uingereza haitachukulia kampuni hiyo hatua, basi wamrudishie Bw. Murungaru visa yake ya usafiri! Hakuna wafisadi wazuri na wabaya. Mfisadi ni mfisadi.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Wamwere! Can you be relevant to the Motion before you!

Mr. Wamwere: Bw. Naibu Spika wa Muda, tumeona ufisadi wa aina nyingi katika nchi hii. Tumeona ufisadi wa Goldenberg na Anglo Leasing na sasa tumeona ufisadi mwingine mkubwa wa De La Rue. Ningetaka kusema kwamba Serikali hii "itazame" kama itahakikisha kwamba ufisadi huu unaisha kwa sababu huwezi kuhusika na ufisadi kisha ukasema kwamba wananchi watakuchagua tena.

Bw Naibu Spika wa Muda, kama kuna chanzo cha umaskini katika nchi hii, basi ni ufisadi. Serikali imesema iko tayari kupigana na ufisadi lakini tunavyoona kwa namna hatukupambana na tandabui cha ufisadi Serikalini, ufisadi huo unaendelea kama ulivyofanyika katika enzi za KANU.

(Applause)

Bw. Naibu Spika wa Muda, huwezi kusema kwamba uko tayari kupambana na ufisadi na hali umezungukwa na wafisadi. Wakati inasemekana kwamba ufisadi huu ulianzia Ikulu, Mhe. Rais hawezi kufanya kama kwamba hasikii. Ni lazima achunguze chanzo chake. Ana wajibu wa kuchunguza ni nani anahusika na ufisadi huo. Achunguze kama ni Rais mwenyewe, ni wale makatibu ambao wanamzunguka ama ni watu wa familia yake. Lazima Mhe. Rais achunguze chanzo cha ufisadi huu. Ikulu iseme ni nani aliyehusika. Lazima nchi ijue kama ufisadi unafanyika kule au haufanyiki kwa sababu hakuna maana tuongee hapa kwamba tutamaliza ufisadi na unafanywa na wale ambao wana uwezo zaidi. Ufisadi wa aina ile haupingiki kwa sababu unafanywa na wale ambao huwezi kushtaki.

Kwa hivyo, ninachouliza ni kwamba: Zile shtaka zimefanyika kuhusu ufisadi ambao umefanywa Ikulu, ni muhimu Rais wa nchi hii aseme kama huo ni ukweli au si ukweli, na kama kuna watu ambao wamefanya huo ufisadi, ningesema kwamba hata kama wana cheo gani, wang'olewe mara moja. Tuwaone katika barabara wakitafta kazi kwa sababu huwezi kusema ufisadi unaofaa kumalizwa ni ufisadi wa akina Wamwere, Angwenyi, yaani watu wadogo na kuwe na wengine ambao

wako juu ya sheria wanaoweza kufanya ufisadi ambao huongewa katika Bunge na hakuna hatua ambayo itachukuliwa. Kwa hivyo, la kusema leo ni kwamba shtaka limetolewa na lijibiwe. Limeelekezwa---

The Temporary Deputy Speaker (Mr. Ethuro): Mr. Wamwere your time is up!

Mr. Midiwo: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to contribute and support this Motion. I want to stand here and condemn people with criminal minds in this country who are trying to perpetrate corruption in the manner that Goldenberg was crafted.

Mr. Temporary Deputy Speaker, Sir, before KANU left power, it extended the contract of De La Rue by 10 years but this Government moved in and cancelled that tender saying it was fishy. They said that they wanted to change the regime of our notes and they opened an international tendering process. The Departmental Committee on Finance, Planning and Trade summoned the Governor of Central Bank. When we saw the amount of money the Government was intending to spend, we smelt a rat. We asked the Governor of the Central Bank of Kenya to be open and go for the qualified companies. At that point, we even supported De la Rue Currency and Security Print (K) Limited saying it was a local company which was employing Kenyans. We did not want foreign companies being given that kind of money. But we said this should be done only through fair and open tendering. That has not happened in this case. We are talking about 380 million notes and the Government wants to spend Kshs2 billion. If that is not corruption, I do not know what will qualify for corruption in this country.

Mr. Temporary Deputy Speaker, Sir, a Government which keeps on saying everyday that it has the will and the heart to fight corruption, cannot sit back and watch. I want to say this to the President. Yesterday, he looked like he was asserting some authority. Right now, the heads must roll, even if it is in the State House. If the allegations against his family are true, Kenyans need to know. We would like to know, who in his administration, is the architect or the new Pattni---

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

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

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to support this Motion. I challenge the Ministry of Finance and the Central Bank of Kenya (CBK) to come out clean and tell us why they are undertaking this business with De La Rue Currency and Security Print (K) Limited under the table.

(Applause)

Mr. Temporary Deputy Speaker, Sir, it is time that we made the office of the Governor of CBK a constitutional office. Only then, can it act independently. Right now, it is under the management of the Ministry of Finance. The Minister for Finance fears Britain because she give us money and she can take away the visas of our Ministers. That is why they have given out this business worth Kshs2 billion to them. We still live in a colonial era.

The Minister for Finance (Mr. Mwiraria): On a point of order, Mr. Temporary Deputy Speaker, Sir. Could my honourable good friend demonstrate how I fear Britain?

(Laughter)

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, we do know that recently the British High Commissioner to Kenya did abuse our Government. If truly we were independent we should have sent him away. We should have declared him *persona non grata*! When they cancelled Dr. Murungaru's visa without informing the Government of Kenya, they did so, as if we do not have an independent Government. We should have recalled our Ambassador to Britain because she has no business being there. But because we fear them so much, we are even prepared to do things under

hand to please them.

The British Government has got a great sway and influence in our Government. It was doing the same in the previous Government. That is why we had the Goldenberg scandal and we did not challenge it. Now, they want to move in through Anglo Leasing, the CBK and De La Rue Currency and Security Print. Next time we will hear about ships and weapons. On this one, I challenge the Minister to come out clean because he knows he is a clean man.

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

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

The Temporary Deputy Speaker (Mr. Ethuro): Proceed now, Mr. Minister!

The Minister for Finance (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, let me clear the air by saying first and foremost, that the NARC Government cancelled the ten-year contract which was signed by the KANU Government to run from 1st January, 2003, for 10 years. We did this because we thought there had been no open tendering and that there was no transparency.

Mr. Temporary Deputy Speaker, Sir, the fact of the matter is that since Independence, Kenya's currency was printed through single sourcing by De La Rue which had the monopoly throughout the period. We took it upon ourselves to advertise the tendering because we wanted to get value for our money. We did this early this year, but unfortunately, the team which processed the tender for the first time bungled up the whole exercise.

They had asked for two envelopes; one giving the type of note each company would print and the second one was to give the price. Instead of opening the prototype first and deciding whether companies were good enough to be awarded the contract and then opening the prices for the prototypes which qualified, they opened the prices first. The results of the pricing were as follows: M/s De La Rue had tendered for US\$139,535,341---

Mr. Billow: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister says they cancelled it because the envelope containing the pricing was the first to be opened. In the Press release - a copy of which I will table here - by the Governor of the Central Bank of Kenya, the reason for the cancellation of the tenders is very clear. The Government decided to cancel the tender because of the number of clarifications which were sought. I would like to table the Press release. Is it in order for the Minister to mislead the House?

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

The Minister for Finance (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, if the hon. Member would have waited for me to finish my explanation, he would have understood that I am talking about a different cancellation. The present cancellation was not made for that reason.

The second Company, Francois-Charles Oberthur Fiduciare of France had quoted US\$98.5 million, a German company, Giesecke and Devrient SZE, had quoted US\$148.6 million and Orell Fussli Security Printing of Switzerland had quoted US\$104.2 million.

Then the people who were processing the tenders looked at the envelopes. The envelopes were not supposed to be marked in such a way that they could be recognisable. One of them was partly opened and, therefore, they asked that it be properly sealed. The only thing available then, were tapes which were lent to the company to help seal the envelop. The other envelop had the crest of its own company on it. The two lowest bidders were disqualified.

An hon. Member: What happened?

The Minister for Finance (Mr. Mwiraria): The two lowest bidders, who quoted US\$98.5 million and US\$4.2 million respectively were disqualified because their tender documents could be recognised.

Mr. Temporary Deputy Speaker, Sir, I would like to explain because it is important that

Kenyans know the truth. When we got this information, I thought it would be completely unacceptable to Kenyans, who we are giving value for money, if we were to accept a tender which was over US\$40 million higher than the lowest bid. So, we cancelled that first tendering process and ordered the Governor to tender afresh.

It was at that stage that the Governor came and told us that, because the process of tendering was going to take a long period before any bank notes could be produced, he needed some bridging money for, at least, a year. He brought facts and figures and I am prepared to table this information, although I do not have it today, because I came here straight from a meeting. He gave [us information to prove that he needed currency desperately. So, we, in fairness, approved one year's extension.

Mr. Temporary Deputy Speaker, Sir, we have done what we did in the interest of this nation.

Hon. Members: No!

The Minister for Finance (Mr. Mwiraria): We have done---

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

The Temporary Deputy Speaker (Mr. Ethuro): Order! Order! Hon. Members, let the Minister tell the House how they did it.

Proceed, Minister!

The Minister for Finance (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, as far as I am concerned, the only way we can get over our present problems of printing currency notes is by open tendering so that we can get the best and cheapest service. If we cancel the tender and run short of currency, what will happen? We have a duty, as a Government---

Mr. Billow: On a point of order, Mr. Temporary Deputy Speaker, Sir. We are discussing a serious matter. The arguments revolve around the fact that the Minister actually ordered the cancellation of all the previous tenders and ordered the Governor to give an extension to De La Rue Currency and Security Print (K) Limited. We are saying, that the whole business of a Minister, in charge of the Treasury ordering the Central Bank of Kenya (CBK) to do these things, irrespective of the fact that there was a process of procurement going on, is completely irregular and we want him to address the issue of why he cannot cancel this contract. He should cancel it!

The Minister for Finance (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, this country operates under laws, rules and regulations. The laws of Kenya for tendering are very clear. I did not cancel the tender as a person. The only tender I cancelled was the one we found on-going. The last one which was, in fact, bungled up, was cancelled by the procurement people, who said that they could not change the system at all, once the documents were found to be faulty. But, I want to say that I was not satisfied that the documents were faulty. I was also not satisfied that it was fair for this country---

An hon. Member: Cancel the tender!

The Minister for Finance (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, we have already cancelled the tender I am being asked to cancel.

Let me complete my response by saying that this business of people saying that we are scared of the Britons, who may withdraw our visas to the United Kingdom, is not proper. I am Kenyan and proud to be Kenyan.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Minister! Address yourself to what is relevant to this matter.

Hon. Members, you had 30 minutes to deliberate on this issue. We have spent 35 minutes on it because we felt that the House was desirous to hear the Minister. I think we have heard him and he has heard you. Minister, we agree with you. Do what is good for Kenya first and foremost and, demonstrate that goodness to the House.

An hon. Member: What is the resolution of the House?

The Temporary Deputy Speaker (Mr. Ethuro): Order! Order, hon. Members! In this kind of Motions, we do not pass any resolutions. So, we leave it to the conscience of the Minister. He has seen the mood of the House and I want to trust that he will do what is right.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ethuro): Hon. Members, it is now time to interrupt the business of the House. The House is, therefore, adjourned until this afternoon, at 2.30 p.m.

The House rose at 1.05 p.m.