

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

**Tuesday, 10th May, 2005**

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

## PRAYERS

*(A mobile phone rang)*

**Mr. Speaker:** Could somebody tell whoever is having a mobile phone either in the galleries or the Chamber to switch it off?

## POINT OF ORDER

### THREATS TO DISRUPT HOUSE PROCEEDINGS

**Mr. Mwenje:** On a point of order, Mr. Speaker, Sir. Just before we go to Questions, I am afraid that this House has been threatened to be besieged or attacked any time. There are people who have threatened to come to this House, disrupt the proceedings and make sure that hon. Members are not safe.

**Mr. Speaker:** Who are those?

**Mr. Mwenje:** Mr. Speaker, Sir, they have stated it in the Press, inside and outside this House. I wanted to know from you how safe this House is and what action you will take to make sure that hon. Members are safe in this House. We may be attacked any time!

**Mr. Speaker:** Order, Mr. Mwenje! This Parliament is a symbol of the sovereignty of the nationhood of Kenya. Any attack on this House is an attack on the very nationhood of Kenya.

I cannot imagine, in my wildest imagination, that any sane person would attempt to do that.

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

**Mr. Speaker:** Sit down now! You must relax!

**Mr. Mwenje:** Mr. Speaker, Sir, I want an assurance.

**Mr. Speaker:** Order! If you are inflicted with a lot of fear, all you need to do is to set your eyes on me and you will get reassurance that you are absolutely safe.

## QUESTIONS BY PRIVATE NOTICE

### MEASURES TO AVERT TEACHERS' STRIKE

**Mr. Karaba:** Mr. 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 teachers countrywide are due to strike over the contentious implementation of the scheme of service for non-graduate teachers?

(b) If the answer to Part "a" above is in the affirmative, what action is he taking to avert the imminent strike scheduled for mid-May, 2005?

**The Assistant Minister for Education, Science and Technology** (Mrs. Mugo): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that teachers countrywide are due to go on strike over the contentious implementation of the scheme of service for non-graduate teachers, since the Ministry has not been served with a formal notice regarding the matter.

(b) There is no imminent strike scheduled for mid-May, 2005, because the Ministry has put in place the following measures regarding the scheme of service for non-graduate teachers:

1. Revised the scheme of service for non-graduate teachers to accommodate policy changes in the Ministry since 1996.

2. Reinstated the second teachers' promotion course to begin in August, 2005.

3. We will issue immediately, an implementation circular on the scheme.

The TSC Secretary and KNUT Secretary-General signed a communique recently in April, confirming this and withdrawing any notice for a strike.

**Mr. Karaba:** Mr. Speaker, Sir, the communique has already been sent to withdraw the strike. So, it was imminent that the strike would have taken place. Must we always wait to get to that stage, where teachers complain, for the TSC to schedule meetings with the KNUT? Is there no scheme in force so that we do not get into unnecessary meetings in order to address teachers' grievances?

**Mrs. Mugo:** Mr. Speaker, Sir, as I said, those were the notices which were issued through the Press. The Ministry does not wait for notices. Since we came to Government, the current Ministry of Education, Science and Technology has taken a lot of measures in correcting any problems which were there before, including raising salaries for all teachers, including trained and non-trained teachers. We have communication going on all the time.

**Mr. M. Maitha:** Mr. Speaker, Sir, why was the original agreement not honoured?

**Mrs. Mugo:** Mr. Speaker, Sir, I did not understand that question.

**Mr. M. Maitha:** Mr. Speaker, Sir, the Kenya National Union of Teachers signed an agreement with the Government. Why did it have to be revised?

**Mrs. Mugo:** Mr. Speaker, Sir, agreements are revised all the time. I do not think that is unusual. We are in agreement with KNUT.

#### PROHIBITION OF VEHICLES WITH TINTED WINDOWS

**Mr. Wambora:** Mr. Speaker, Sir, I wish to ask the Minister for Transport the following Question by Private Notice.

(a) Could the Minister inform the House which law prohibits driving a motor vehicle which has tinted windows?

(b) If no such law exists, could he immediately stop police from harassing motorists and impounding their vehicles?

**The Assistant Minister for Transport** (Mr. Ligale): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware of any law which prohibits driving of motor vehicles with tinted windows.

(b) No motorist will be harassed or their vehicles impounded for driving vehicles with properly tinted windows. However, the police will continue to enforce Paragraph 30(1) and (2) of the Traffic Act, Cap.403, Subsidiary Legislation, revised in 1993, which requires the windscreen and windows of a motor vehicle to be kept free from any material which has or is capable of having reflective properties.

**Mr. Wambora:** Mr. Speaker, Sir, I am happy with the very comprehensive answer by the Assistant Minister.

Mr. Speaker, Sir, however, could he liaise with the Office of the President under which the Police Department falls, because they do not seem to understand the law; they seem to consider reflective properties to mean tinted windscreen or windows? They should stop harassing wananchi.

**Mr. Ligale:** Mr. Speaker, Sir, we are in touch with the police and we have given instructions that they only look out for reflective material but not tinted glasses.

**Mr. Bifwoli:** Mr. Speaker, Sir, you heard the Assistant Minister say that there is no law prohibiting tinted windows, yet the police have been arresting people for the same. Could he order the police to release all the people who have been arrested because of driving vehicles with tinted glasses and compensate them?

**Mr. Ligale:** Mr. Speaker, Sir, I cannot issue any order because I am not certain that the people arrested may not have been driving vehicles with reflective material. If it can be proved that anybody is in custody for merely driving a vehicle with properly tinted glass, the police are under orders to release them.

**Mr. Mwenje:** Mr. Speaker, Sir, now that the Assistant Minister has admitted that there is no law to that effect, could he apologise to those members of the public who have been harassed for driving vehicles with tinted glasses and make sure that those laws made in police stations do not apply until they are passed by this House?

**Mr. Ligale:** Mr. Speaker, Sir, I have no apologies to make.

#### WILDLIFE MENACE IN TAITA-TAVETA DISTRICT

**Mr. Mwandawiro:** Bw. Spika, naomba kumuuliza Waziri wa Utalii na Wanyama Pori Swali Maalum lifuatalo.

(a) Je, Waziri anafahamu kwamba wanyama pori, hasa ndovu, wanaendelea kuvamia mashamba ya watu huko Kishushe, Paranga, Mwakitau na nyanda za chini za Wundanyi na Wilaya ya Taita-Taveta na kusababisha hasara kubwa mno ikiwa ni pamoja na njaa ya mara kwa mara, majeruhi na hata vifo?

(b) Waziri anakumbuka pia kwamba nimeuliza na kuzungumzia swala hili mara nyingi hapa Bungeni lakini hakuna hatua yoyote madhubuti na endelezi imechukuliwa na Serikali hadi sasa kutatua tatizo hili?

(c) Ni lini Serikali itatilia maanani shida hii inayokumba wananchi wa Taita-Taveta kila mara?

**The Assistant Minister for Tourism and Wildlife (Mr. Khaniri):** Mr. Speaker, Sir, I beg to reply.

(a) I am aware that elephants are destroying people's crops in Mwakitau and Kishushe. Hunger in this area is mainly caused by prolonged drought and partly by elephants destroying crops. It is unfortunate that people have been killed or injured by the wildlife.

(b) This problem is seasonal due to the fact that elephants move from the park into the adjacent areas looking for water and food. These areas are traditional wildlife dispersal areas but have now been settled by people who have now planted crops. The Kenya Wildlife Service (KWS) has Problem Animal Control (PAC) rangers based at Voi, Bura and Mwakitau to deal with the problem. A mobile team of rangers from KWS headquarters has also been dispatched to the area to assist on the ground.

(c) The cause of human-wildlife conflict is mainly due to lack of land-use policy for the country. As a long-term plan, the Government has put in place a committee in which KWS is a member, to come up with a land-use policy for this country.

**Mr. Mwandawiro:** Bw. Spika, kwanza ninamshukuru Waziri Msaidizi kwa kujaribu kulijibu

hilo swali kikamilifu, hasa kwa kutambua kwamba tatizo lililoko ni la kweli kabisa, na kwamba ndovu na wanyama wengine wa pori wanasababisha dhiki na njaa kubwa katika Wilaya ya Taita-Taveta kwa ujumla. Kile ambacho ningetaka kujua hasa ni, baada ya kutambua hilo tatizo, je ni hatua gani, hasa ya kupatia fidia watu ambao wameharibiwa mimea yao na wanyama, anayochukua saa hii?

**Mr. Khaniri:** Mr. Speaker, Sir, in part (b) of my answer, I stated clearly the steps that we are taking to solve this problem. But in addition to that, I want to give the hon. Member and the House an assurance that the KWS is in the process of completing the fencing of the park. We are requesting for some resources in the forthcoming Budget so that we can complete the fencing. With regard to compensation, I have said here before that the law is very clear; we only compensate for loss of life and injury to human beings and not property.

**Maj. Madoka:** Mr. Speaker, Sir, the hon. Assistant Minister admits that there are many elephants in that area. In fact, in Mwakitau, Msorongu and Kwamnengwa area, there are about 300 elephants roaming the area. They have literally put the people in that area under curfew for 24 hours. Could he tell us what concrete measures he is taking to curb this menace? We understand that in other national parks, they are able to keep track of lions, leopards and cheetahs so that they can direct tourists to where they are. We are sure if the Ministry took concrete steps, the KWS would keep track of elephants and ensure that they do not go to those specific areas. Could the Assistant Minister tell us the concrete steps, or similar steps, he will take to ensure that this destruction does not continue?

**Mr. Khaniri:** Mr. Speaker, Sir, indeed, the KWS is planning an aerial reconnaissance of the area to determine elephant distribution and numbers for a possible drive-out and relocation. We are considering that.

**Mr. ole Metito:** Mr. Speaker, Sir, the KWS knows that over 80 per cent of wildlife live outside protected areas and they are causing a lot of damage to both communal and privately-owned land. When is the Government going to bring a comprehensive law to this House that will mitigate the human-wildlife conflict?

**Mr. Khaniri:** Mr. Speaker, Sir, I stated in part (c) of my reply that it is the lack of land-use policy that is partly causing this conflict. I also said that the Government has put in place a committee, in which KWS has a representative, to come up with a proper and comprehensive land-use policy.

**Mr. Mwandawiro:** Bw. Spika, pamoja na shida hii ambayo inasababishwa na ndovu, ambayo hata ni pamoja na kuwazuia wanafunzi kusoma sehemu za Paranga, Kishushe na nyanda za chini za Taita-Taveta, bado Serikali inafanya mipango ya kuongeza ndovu katika Wilaya ya Taita-Taveta. Kuhamisha ndovu mmoja inagharimu Serikali kama Kshs4 milioni wakati hata watu hawana maji. Je, Serikali inaweza kukatiza huo mpango wa kuongeza ndovu katika Wilaya ya Taita-Taveta kwa sababu ni kutuongozea dhiki zaidi?

**Mr. Khaniri:** Mr. Speaker, Sir, I am not aware of any plans to translocate elephants to Taita-Taveta. However, I am aware that there will be a translocation of elephants to the northern area, which is very far away from Taita-Taveta. We will be translocating elephants from Kwale to that particular area. We have done a feasibility study and it has revealed that the area has the capacity to accommodate the number of elephants we plan to translocate.

**Mr. O.K. Mwangi:** Mr. Speaker, Sir, before I ask my Question, I must complain to the Chair that I have not received the written answer.

#### FINANCIAL MISMANAGEMENT IN MURATA SACCO

**Mr. O.K. Mwangi:** Mr. Speaker, Sir, I beg to ask the Minister for Co-operative Development and Marketing the following Question by Private Notice.

(a) Did the directive by the Minister that all co-operative societies hold elections by 30th April, 2005, cover societies under investigation?

(b) If the answer to "a", above, is in the affirmative, could he state whether he has instituted an inquiry into the legality and financial mismanagement of Murata Sacco in Murang'a District?

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Speaker, Sir, I beg to reply.

**Mr. Kembi-Gitura:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Yes, what is it, Mr. Kembi-Gitura?

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, this Question has to do with coffee and a very important sacco in Murang'a, called Murata Sacco. In the absence of a written answer, I think it is only fair to request the Minister, who knows how emotive we are about this issue, to defer the Question until such time when he will be able to give us a written answer. That way, we will know how to frame our supplementary questions.

**Mr. Speaker:** Mr. Kembi-Gitura, are you emotive?

*(Laughter)*

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, yes, I am emotive because the livelihood of our people in Murang'a District is based on coffee. If we get an answer that we cannot substantiate, it will be of no use to our people. Since the Question is now the property of the House, I think it is important that we have it deferred until another time.

**Mr. Speaker:** Let me tell you the following, hon. Members of this House! It is below the dignity of hon. Members to be emotional, and by the very fact of being an honourable Member, you are incapable of being emotional. Hon. Members, you must be reasonable; you must be able to reason without emotion.

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, I think you did not understand my English. I did not use the word "emotional", rather I used the word "emotive". The two words do not mean the same thing.

**Mr. Speaker:** Well, the difference is the same.

*(Laughter)*

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, that might not be the case.

**Mr. Speaker:** Anyhow, if I were you, I would have said, "of great concern." Since the matter appears to be of great concern to hon. Members from that area, I can defer it until tomorrow afternoon.

Do you have something to say, Mr. Minister? Are you also from the same area?

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Speaker, Sir, I also come from an area that is near there. The hon. Members have been given the written answer. They can confirm to this House that they have received the written answer.

Mr. Speaker, Sir, with regard to Questions by Private Notice, clearly, when this Questions are brought to the Ministry---

**Mr. Speaker:** Order, Mr. Minister! Who was answering this Question?

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Speaker, Sir, perhaps they do not want an answer.

**Mr. O.K. Mwangi:** On a point of order, Mr. Speaker, Sir. This written answer has been

handed to me over the Bench just after I complained that I did not have one. In fact, I have not even referred to it.

**Mr. Speaker:** Order, Mr. O.K. Mwangi! Do you now have a written answer? Can we now proceed?

**Mr. O.K. Mwangi:** Mr. Speaker, Sir, yes, I have a written answer, but I have not even looked at it. I do not even know whether it is the answer that I want.

*(Loud consultations)*

**Mr. Speaker:** Order, Members! Order, Mr. O.K. Mwangi! I really do not want to put you under undue pressure. If you have not got the answer in good time, could I assist you by deferring the Question until tomorrow in the afternoon?

**Mr. O.K. Mwangi:** Mr. Speaker, Sir, that is fine with me.

**Mr. Speaker:** Very well, but next time let us have the written answers being given out to hon. Members in good time.

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): On a point of order, Mr. Speaker, Sir. May I request that this Question be deferred until Thursday instead of tomorrow?

**Mr. Speaker:** Mr. O.K. Mwangi, have you got the request from the Minister that the Question be deferred until Thursday and not tomorrow?

**Mr. O.K. Mwangi:** That is okay with me, Mr. Speaker, Sir.

**Mr. Speaker:** Very well.

*(Question deferred)*

## ORAL ANSWERS TO QUESTIONS

**Mr. Speaker:** Hon. Members, the Question by hon. Kimeto is deferred until Thursday.

*Question No.042*

### LACK OF MOBILE TELEPHONE SERVICES IN SOTIK CONSTITUENCY

*(Question deferred)*

*Question No.118*

### LACK OF MOBILE TELEPHONE SERVICES IN SIGOR CONSTITUENCY

**Mr. Rotino** asked the Minister for Information and Communications:-

(a) if he is aware that only Kapenguria township and its environs in West Pokot District are covered by mobile phone services; and,

(b) when he will compel mobile phone companies to expand their network to the remote parts of Sigor Constituency.

**The Assistant Minister for Information and Communications** (Mr. Gumo): Mr. Speaker,

Sir, I beg to reply.

(a) Yes, I am aware that only Kapenguria Township and its environs in West Pokot District are covered by mobile phone services.

(b) There are plans to extend mobile phone services to cover part of Sigor Constituency by July, 2005. At the moment, Telkom Kenya has 300 telephone exchange lines in Kapenguria with only 175 subscribers.

Sigor Constituency is also served with a fourth wireless line system operated by Telkom Kenya. The facility has only two subscribers connected to it. However, currently, the system is out of order and it is undergoing repair.

**Mr. Rotino:** Mr. Speaker, Sir, I think the Assistant Minister does not understand the area because he is answering the Question with a lot of ignorance. I cannot speak to anybody in my constituency and yet the Assistant Minister has said that there are working telephone lines in Sigor Constituency. The lines---

**Mr. Speaker:** Order, Mr. Rotino! Order, Members! I have said, in the past, and particularly in the whole of last week, that being insulting does not make you a good Member of Parliament. It actually brings you down. You must use civilised language on your colleagues. You do not have to insult them.

Mr. Speaker, Sir, secondly, you must listen keenly. The Assistant Minister did not say that the lines in Sigor are working. He said that they are out of order and repairs are being done.

**Mr. Rotino:** Mr. Speaker, Sir, you did not even wait to listen to me.

*(Loud consultations)*

**Mr. Speaker:** Order, Mr. Rotino! It is as if it is not enough for you to be rude to the Assistant Minister. You are now attempting to be rude to the Chair. You even can imagine that you can be rude to the Chair!

**Hon. Members:** Out! Out!

**Mr. Speaker:** I think the very thought of being rude to the Chair should get out of your head. Please, ask your question now.

**Mr. Rotino:** Mr. Speaker, Sir, for the last two years, the telephone lines the Assistant Minister has referred to have not been working. I asked a similar Question this year and I was promised that the lines would be repaired within two months. Up to now, the lines have not been repaired. When will the Assistant Minister repair the lines so that I can talk to my own people?

**Mr. Gumo:** Mr. Speaker, Sir, the lines will be repaired as soon as possible. However, the hon. Member must also note that it is even very uneconomical to drive to that place to repair those telephone lines because the area has only two subscribers. He needs to ask more people to apply for telephone services before coming here to ask Questions.

*(Laughter)*

**Mr. Speaker:** Order, Members! Order! Hon. Members must understand that they will be told what has to be told to them in this House whether they like to hear it or not. If you ask a Question, you will be replied to and you must have the courtesy to listen to the reply.

**Mr. Rotino:** On a point of order, Mr. Speaker, Sir. The Assistant Minister has just said that there are only two lines in Sigor Constituency. That is not right because there are people who have applied for these services. Indeed, there are more than 20 lines in the area.

**Mr. Gumo:** Mr. Speaker, Sir, I said that there are only two subscribers and one of them is the hon. Member.

*(Laughter)*

**Mr. Poghiso:** Mr. Speaker, Sir, I do not understand how we have ended up talking about land lines. The Question is on mobile phones. The Assistant Minister has said that by July this year, Sigor will be covered by the mobile phone service providers. How does he intend to do that? Could he also make sure that Kacheliba Constituency, which neighbours Sigor, is also covered?

**Mr. Speaker:** Mr. Gumo, by the way, where did the issue of land lines come from?

**Mr. Gumo:** Mr. Speaker, Sir, if there are no mobile phones, then people can use the land lines. However, plans are there to make sure that Sigor Constituency is covered by the mobile phone service providers and I hope that there will be more subscribers. The necessary equipment is very expensive to instal and we cannot install it in areas where there are no customers.

*(Loud consultations)*

**Mr. Speaker:** That is a very good reply, Mr. Gumo, but you did not reply to the question about Kacheliba Constituency and how you are going to make sure that the area is covered by the mobile phone service providers.

**Mr. Gumo:** Mr. Speaker, Sir, Kacheliba Constituency is not very far from Sigor Constituency. We will do our best to make sure that even Kacheliba Constituency is covered by the mobile phone service providers. However, are there enough subscribers?

*(Laughter)*

**Mr. Ngoyoni:** Mr. Speaker, Sir, both the Assistant Minister and the Questioner appear to be insisting that there is some authority that can compel a mobile phone service provider to cover a certain area. In part (b) of the Question, the hon. Member has asked when the Assistant Minister will compel mobile phone service providers to expand their networks to the remote areas of Sigor Constituency. I wonder whether the Assistant Minister has power to compel a mobile telephone provider to cover a certain area? If he can do that, could he compel mobile phone service providers to cover Laisamis Constituency? We are not covered at all.

**Mr. Gumo:** Mr. Speaker, Sir, before an area is covered by the mobile phone service providers, a feasibility study is always carried out to ensure there are enough subscribers. In some of the areas the hon. Members are talking about, it is very difficult to even find homes.

**Mr. Wario:** Jambo la Nidhamu, Bw. Spika. Je, ni sawa kwa mhe. Gumo kukashifu baadhi ya jamii kutopata huduma wanayostahili kupata kama Wakenya wengine kwa sababu ya umaskini?

**Mr. Speaker:** I cautioned the hon. Member not to be too harsh to the Assistant Minister. However, I think the Assistant Minister is worse. He is being insulting to an entire community. That is wrong. Mr. Gumo, do you think these people live in bushes?

**Mr. Gumo:** Mr. Speaker, Sir, I did not say that they are poor. I said that they move from place to place. This is the reality. That is their way of life.

**Mr. Speaker:** Order! Mr. Gumo, that has no basis in logic. The Question has not asked about land lines, but for mobile phones. Mobile phones also move!

**Mr. Gumo:** Mr. Speaker, Sir, I have said that Sigor Constituency will be covered by the mobile phone providers by July this year.

**Mr. Ethuro:** On a point of order, Mr. Speaker, Sir. This is an important Question and it is not only of interest to the Opposition, but also to the Back-benchers on the Government side. Could you,



please, give this side a chance to also ask questions? My constituency neighbours Sigor Constituency.

**Mr. Speaker:** Order, Mr. Ethuro! Thou shall respect the eye of the Chair at all times! The Chair will not be commandeered by anybody!

Proceed!

**Mr. Rotino:** Mr. Speaker, Sir, July is only two months away. Could the Assistant Minister assure the House that, at least, by July this year, mobile phone services will be available in Sigor Constituency?

**Mr. Gumo:** Mr. Speaker, Sir, we are working on that. If Sigor Constituency will not be covered by the mobile phone service providers by July, then the area will be covered before September this year. This cannot be done in a day.

*Question No.116*

APPOINTMENT OF STATE  
HOUSE COMPTROLLERS

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

(a) whether he could inform the House how State House Comptrollers are appointed;

and,

(b) what the duties of a State House Comptroller are.

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

(a) The appointment of the Private Secretary/Comptroller of State House, who is in the rank of a Permanent Secretary, is done in accordance with the powers conferred to the President by the provision of Section 22, Paragraphs 1, 4 and 5 of the Constitution of Kenya.

(b) The duties of the Private Secretary entail the management of the Presidential diary and the facilitation of appointments, which includes clearances and confirmations. He also manages all State Houses and Lodges by ensuring that they are always in habitable conditions. He also ensures that the lawns and the gardens are well maintained. The Private Secretary/Comptroller of State House hosts all Cabinet meetings, State functions and banquets. He also co-ordinates the preparation of all Presidential functions, speeches, tours and visits.

Finally, the Comptroller of State House is also the Accounting Officer and the authorising officer of all Presidential expenditures.

**Mr. Wanjala:** On a point of order, Mr. Speaker, Sir. I need your guidance because no one is supposed to ask a Question whose answer he already knows. The person who has asked this Question was once a State House Comptroller and he is asking what he knows. Could I get some guidance from the Chair?

*(Applause)*

**Mr. Speaker:** Order! Order, Members! You must always be attentive. The same issue was raised last week and I guided this House. Mr. Bett could have been a Comptroller of State House, but, maybe, he did the job without knowing what his duties were!

*(Laughter)*

Proceed, Mr. Bett!

**Mr. Bett:** Thank you, Mr. Speaker, Sir, for that protection. I want to thank the Assistant

Minister for giving a comprehensive answer to my Question. Indeed, as he has said, I am a former Comptroller of State House and I get concerned once in a while, when I hear that the President had no keys to enter State House. It is indicated that he is the one who is supposed to maintain the diary of the President. He cannot, therefore, miss to know that the President is going to State House, Nakuru. If he is maintaining the Presidents' diary, he has got to have the keys. So, my question is---

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): On a point of order, Mr. Speaker, Sir. When hon. Bett says: "He hears that the President had no keys to enter State House", from where is he hearing this? We do not entertain rumours in this House.

**Mr. Speaker:** We certainly do not! Is that a fact or a rumour, Mr. Bett?

**Hon. Members:** It is a fact!

**Mr. Speaker:** Order!

**Mr. Bett:** It was in the public domain, Mr. Speaker, Sir. So, I was going to ask whether he is aware---

**Mr. Speaker:** Order! Order! I would like to bring to the attention of hon. Members the fact that you cannot ask a hypothetical question. You either know it as a fact and you put it to the Assistant Minister, or you forget about it altogether! Now, put factual questions to the Assistant Minister, not hypothetical ones!

**Mr. Bett:** It was in the public domain.

**Mr. Wanjala:** What domain?

**Hon. Members:** Mr. Wanjala, you are not the Speaker!

*(Loud consultations)*

**Mr. Speaker:** Order! Order! What did he say?

**Mr. Shitanda:** Mr. Speaker, Sir, the allegation being made by the hon. Member came to this House about two weeks ago in the form of a Question from hon. Ndolo, and it was answered by hon. Michuki to the effect that there was no such thing as State House keys missing at any one time. So, I do not know what the hon. Member is talking about.

*(Several Members stood up  
in their places)*

**Mr. Speaker:** Order, all of you! Order! I do not want perpetuation of rumours!

*(Applause)*

I have ruled almost 20 times that rumour shall not find its way into this House, either through that front door, the back door or through the windows. So, no rumours, please!

Mr. Bett, have you got any factual questions?

**Mr. Bett:** Mr. Speaker, Sir, it was in the media and nobody denied it.

**Hon. Members:** No!

**Mr. Speaker:** Order! Order! Order! It does appear to the Chair that the hon. Member has put this Question in order to go on a fishing journey without direction and, therefore, I order that he has no further interest in the Question.

*(Applause)*

*Question No. 182*

DEPLOYMENT OF POLICE OFFICERS  
ALONG PRESIDENTIAL ROUTES

**Mr. Speaker:** Very well! Dr. Ali's Question has been deferred to Tuesday, next week.

*(Question deferred)*

*(Loud consultations)*

**Mr. Speaker:** Order! Order, hon. Members! I cannot even hear the hon. Member!

**Mr. Marende:** On a point of order, Mr. Speaker, Sir. Unfortunately, hon. Members are consulting a bit loudly, but before you moved away from Question No.116, I had stood up to ask a supplementary question but, unfortunately, I did not catch your eye. But since the Question belongs to the House, can I be allowed to ask my supplementary question?

**Mr. Speaker:** Order! Order! You cannot blame me; blame my eye!

*(Laughter)*

Next Question, Mr. Oparanya!

*Question No. 010*

ADJUSTMENT OF MR. MAKALES SALARY

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

- (a) whether he is aware that Mr. Makale Aggrey, TSC No.128286, who is due to retire soon, was promoted to ATS III with effect from 1st January, 1994, and that to date, his salary has not been adjusted; and,
- (b) when his salary will be adjusted.

**The Assistant Minister for Education, Science and Technology** (Mrs. Mugo): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Mr. Makale Aggrey, TSC No.128286, who is due to retire soon, was promoted to S1 from P1, which is currently ATS III, with effect from 1st January, 1994, among others. I am also aware that Mr. Makale was born on 15th May, 1956, and as such, he still has time in the service. I am also aware that his salary has not been adjusted from the time he was promoted.

(b) The teachers involved in the promotion, like the one of Mr. Makale, are many, and the Ministry is preparing a budget that will cover all of them.

**Mr. Speaker:** Have you finished? Very well, proceed, Mr. Oparanya!

**Mr. Oparanya:** The promotion of teachers is done by the Ministry of Education, Science and Technology. Budget provisions are also done by the same Ministry before they are taken to the Ministry of Finance for consultation and brought here for approval. It has taken 12 years and this teacher has not been paid his salary, and the Assistant Minister is saying that she is still preparing the budget. When will she bring the estimates to this House so that this particular teacher can be paid his arrears? He has been waiting for 12 years!

**Mrs. Mugo:** Mr. Speaker, Sir, the promotion of teachers in the mid-1990s on merit caused some complications and some non-genuine cases were involved. A vetting exercise was initiated and it

involved about 10,000 cases in total, and it turned out that there were three categories of these teachers; 3,501 teachers were genuinely promoted, and their salaries were adjusted.

Some of the teachers numbering 492 turned out to be in that category and they were genuinely promoted, and that is the money that is being put together in the Budget. Because of this complication, it turned out that 507 teachers were wrongly promoted and the money had to be recovered from them. These are some of the problems we inherited; we have been trying to sort them out and now that we have done so, these teachers will be paid.

*(Several Members stood up  
in their places)*

**Mr. Speaker:** Order! I am trying to reach out to as many Members that I have not reached out to before.

Proceed, Mr. Manoti!

**Mr. Manoti:** Mr. Speaker, Sir, teachers are doing a very good job for this nation but when they retire, it takes them three years before they are paid their final benefits. What is the Ministry going to do, to make sure that teachers are paid their final benefits within six months of retirement?

**Mrs. Mugo:** Mr. Speaker, Sir, as I said, these are some of the reforms we have put in place. We are doing our best to expedite the process and this will be a thing of the past.

**Mr. Oparanya:** Mr. Speaker, Sir, the Assistant Minister has said that some of the teachers were promoted wrongly. Where does Mr. Makale fall? Was he promoted wrongly or not? If he was promoted wrongly, why can he not be advised by the Ministry to stop wasting time following up those arrears?

**Mrs. Mugo:** Mr. Speaker, Sir, Mr. Makale was not promoted wrongly and he will be paid in the 2005/2006 Budget. His money is in the Budget which will be passed in this House. He will then be informed to that effect by the Teachers Service Commission (TSC).

**Mr. Speaker:** Very well! Next Question, Mr. Wario!

*(Loud consultations)*

Order, hon. Members! We are not communicating! Please, give your colleagues an opportunity to be heard when they are asking Questions.

Proceed, Mr. Wario!

**Mr. Wario:** Mr. Speaker, Sir, I do not have a written answer.

*Question No.125*

NUMBER OF DISABLED CHILDREN IN  
COAST SECONDARY SCHOOLS

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

- (a) what the number of disabled children enrolled in Government Secondary Schools in Coast Province is;
- (b) with the implementation of free and compulsory primary education, what plans the Ministry has for these children; and,
- (c) whether he could consider paying secondary school fees for disabled children.

**The Assistant Minister for Education, Science and Technology** (Dr. Mwiria): Mr.

Speaker, Sir, I apologise that the hon. Member does not have a written answer. However, we will ensure that we give him a copy.

Mr. Speaker, Sir, I beg to reply.

(a) The total number of disabled children enrolled in Government secondary schools in the Coast Province is 139 students.

(b) At the primary school level, all children benefit from free primary education. However, at the secondary school level, we only have the Constituency Bursary Fund (CBF) to support children who are needy but who are enrolled in secondary institutions.

(c) The Ministry has channelled all these bursary funds to the constituency where such cases, including the ones of disabled children, should be taken account of.

**Mr. Wario:** Mr. Speaker, Sir, the current bursary system in place does not support disabled children. What affirmative action or plans does the Ministry have for disabled children?

**Dr. Mwiria:** Mr. Speaker, Sir, as a matter of fact, if you look at the objectives of the bursary fund, disabled children are some of those children who are entitled to benefit along with the girl-child and others. Therefore, disabled children should be considered along. I agree that we need to do a little bit more in terms of having a certain percentage for disabled children like we have done for the girl-child. However, as of now, it is quite clear that disabled children should also not be discriminated against.

**Prof. Oniang'o:** Mr. Speaker, Sir, some of the children have very serious disabilities and they require additional care.

Could the Assistant Minister tell us whether they have any special fund to support schools which have children with serious disabilities?

**Dr. Mwiria:** Mr. Speaker, Sir, I agree that in some of these schools, some of the children have more special needs than other children. It is also true, in response to the hon. Member's question, that for the seven special schools, last year, the Ministry gave a total of Kshs102 million to support programmes in those institutions. We have also encouraged disabled children to enrol in normal secondary schools. We are trying to provide physical facilities for them to ensure that they also benefit from education.

**Mr. J.M. Mutiso:** Mr. Speaker, Sir, the Constituency Bursary Fund is based on very specific criteria. When assessing the grading of the students who are to benefit from the bursaries, we assess the financial status of the parents and the performance of the students with disabilities. The disability criteria is only one mark more over the other students.

Could the Ministry consider giving the disability criteria more than one mark over the other students?

**Dr. Mwiria:** Mr. Speaker, Sir, this criteria was discussed with hon. Members. I think that is a valid point. One way of encouraging affirmative action is to give a higher mark to disabled students. That will be considered.

**Mr. Wario:** Mr. Speaker, Sir, I brought this Question to draw the attention of this House to the plight of disabled children. Could the Assistant Minister tell this House what budgetary intervention measures he has for disabled children?

**Dr. Mwiria:** Mr Speaker, Sir, I appreciate the hon. Member's concerns. I said that apart from the bursary resources, we allocate a substantial sum of money to the seven special institutions.

In addition, in all primary schools where there are disabled children, they also benefit from some special grants. So, already something is being done. However, I agree that we need to do more.

*Question No.360*

LABORATORY SERVICES FOR

## IGEMBE HEALTH FACILITIES

**Mr. Muriungi** asked the Minister for Health:-

(a) whether he was aware that laboratory services in all the Government health facilities in Igembe Constituency have not been operational from the second half of 2004; and,

(b) what urgent plans the Ministry has to reinstate this vital service.

**The Assistant Minister for Health (Dr. Kuti):** Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Nyambene District Hospital in Igembe Constituency has been providing laboratory services. However, a few health facilities stopped offering laboratory services due to shortage of staff.

(b) My Ministry has recruited laboratory personnel and priority will be given to most deserving areas like Nyambene District.

**Mr. Muriungi:** Mr. Speaker, Sir, laboratory services in health centres and dispensaries in Igembe Constituency and many other constituencies were stopped when the Ministry withdrew the cost-sharing services without providing an alternative source of income for those centres.

It is, therefore, not true that it was the shortage of staff that led to this stoppage but the lack of money to pay. Could the Assistant Minister consider giving grants to these facilities so that they can pay personnel? The staff were there but they lacked money for payment.

**Dr. Kuti:** Mr. Speaker, Sir, I agree that cost-sharing funds were reduced in rural health facilities. However, the Ministry will receive more budgetary allocation during the next financial year. That will be increased in rural health facilities funding so that they can provide laboratory services.

**Dr. Galgalo:** Mr. Speaker, Sir, although the Assistant Minister says that laboratory services in our facilities have stalled because of lack of staffing, that is only the tip of the iceberg. The real reason why medical services in this country are grounding to a halt is because of lack of equipment. What plans does the Ministry have to provide laboratory services and other equipment over the next few years to all health facilities in the country?

**Dr. Kuti:** Mr. Speaker, Sir, I agree with hon. Members' comments. This is in keeping with the current Ministry's plans where facilities and equipment will be improved. Staff recruitment is also going on. I quite agree with the hon. Member that rural health facilities in most parts of the country require upgrading.

**Mr. Muriithi:** Mr. Speaker, Sir, this is a very serious Question bearing in mind that our hospital; the Nyeri Provincial Referral Hospital, does not have any single laboratory equipment. We have neither technician nor a blood bank. Could the Assistant Minister tell us what he is going to do to provide these services as soon as possible? We are losing and Kenyans are dying!

**Dr. Kuti:** Mr. Speaker, Sir, I have already said that we are looking into the matter. I also agreed that there is need to improve equipment, facilities and staffing levels in our public health institutions.

**Mr. Muriungi:** Mr. Speaker, Sir, the Assistant Minister says that the Ministry will recruit personnel for the most deserving areas. I think every area in this country is deserving. Therefore, the case of most deserving should not arise.

Mr. Speaker, Sir, could he tell us the terms of service for these personnel? Will they retain them? This is because the Ministry could recruit them, but they leave for greener pastures.

**Dr. Kuti:** Mr. Speaker, Sir, I do not agree that staff are quitting because of poor terms of service. We still get a lot of applications. It is the funds to pay salaries and other emoluments for these staff that is making us not to employ more. As I said, we are in the process of employing 20 laboratory technicians and 10 laboratory technologists who will be posted this July.

Should more funds be available, more staff will be employed.

**Mr. Speaker:** Next Question by the hon. Member for Kilome!

*Question No.113*

ILLEGAL OCCUPATION OF SURVEY  
LINE IN KILOME DIVISION

**Mr. J.M. Mutiso** asked the Minister for Lands and Housing:-

- (a) if he is aware that the survey line between Kitaingo Section 4 (Kiongwani area) and Konza South Block in Kilome Division, Makueni District has been illegally occupied inconveniencing the residents accessing their plots; and,
- (b) if he could take action to restore the original survey line to avoid communal conflict by the residents of the area.

**The Assistant Minister for Lands and Housing** (Mrs. Tett): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the cut line between Kiongwani adjudication section and Konza South Block have been occupied by residents bordering either side of the line. The cut line was a visual description of the boundaries and to serve as a fire breaker between any given properties. The lines do not serve as access roads.

(b) In view of the above, the Ministry cannot restore the cut line since the small holders have decided to utilize these farms without having to retain the cut line. The real use of the cut line has lost meaning due to fragmentation.

**Mr. J.M. Mutiso:** Mr. Speaker, Sir, I am grateful to the Assistant Minister because today my constituents have been given a blank cheque to occupy all cut lines. So, I will not ask her a further question because I have established that it is not illegal to occupy a cut line, but---

**Mr. Speaker:** What is a cut line?

**Mr. J.M. Mutiso:** Mr. Speaker, Sir, maybe the Assistant Minister can respond to your question.

**Mrs. Tett:** Mr. Speaker, Sir, these are lines separating two farms. In fact, they are sort of huge corridors or barriers. If there is fire between the two farms, the cut lines are used like barriers to stop it from spreading to other farm. If cows graze in the other farm, one knows they have crossed the cut lines.

**Mr. Speaker:** Very well! Thank you for that explanation.

Proceed, Mr. J.M. Mutiso!

**Mr. J.M. Mutiso:** Mr. Speaker, Sir, is it illegal to occupy a cut line? Is that what the Assistant Minister is saying?

**Mrs. Tett:** Mr. Speaker, Sir, these cut lines have already been allocated. There are no more cut lines. Therefore, it is not illegal.

**Mr. Serut:** Mr. Speaker, Sir, you have heard the Assistant Minister say that the cut lines have already been allocated. Could she tell this House whether there was any application for the change of user from a cut line to land which is now occupied and maybe converted into agricultural use?

**Mrs. Tett:** Mr. Speaker, Sir, there was no need of change of user. At the beginning, these were just visionary lines, which did not have any title deed.

**Mr. Speaker:** Very well!

Next Order!

**MOTIONS**

ADOPTION OF REPORT OF COMMITTEE  
ON FAST-TRACKING OF THE  
EAST AFRICAN FEDERATION

THAT, this House adopts the Report of the Committee on the Fast-Tracking of the East African Federation submitted to the Sixth Summit of Heads of State of the East African Community - Arusha, Tanzania on 26th November, 2004 laid on the Table of the House on Wednesday, 6th April, 2005.

*(The Minister for East African and  
Regional Co-operation on 3.5.2005)*

*(Resumption of Debate  
interrupted on 5.5.2005)*

**Mr. Speaker:** Mr. G.G. Kariuki, you were last on the Floor when the House adjourned. You have 15 minutes to finalise your contribution.

**Mr. G.G. Kariuki:** Mr. Speaker, Sir, last week when the House adjourned, I was talking about the Fast-Tracking of the East African Federation (EAF). As I said last week, it is important for us to realise that the Heads of State of these three countries have taken a big step in order to realise the formation of the EAF.

*(Loud consultations)*

Mr. Speaker, Sir, hon. Members are not listening to my contribution.

**Mr. Speaker:** Order, hon. Members! We are in business.

*(Mr. Moi stood up in his place)*

Order, Mr. Moi! Are you replying to the Chair?

**Mr. Moi:** No, Mr. Speaker, Sir.

**Mr. Speaker:** Freeze, Mr. Moi!

*(Laughter)*

Proceed, Mr. G.G. Kariuki!

**Mr. G.G. Kariuki:** Mr. Speaker, Sir, I was saying that this House needs to acknowledge the work that has been done by the three Heads of State. Time has come when they should realise that Africa needs to take up the new situation of political and economic environment in the world. They should take up the matter to make sure that the EAF is in place before long. We know, for sure, this will not be a very simple process. It will take us many years before we achieve it. We know very well that for a political and economic federation to succeed, it takes quite a lot of time. Therefore, we must take advantage of the current economic and political stability in the world.

Mr. Speaker, Sir, what we expect from the EAF in as far as the defence of our nations is concerned is that the rate of military expenditure will come down because of military co-operation between the three countries. Therefore, part of the money which is being used by the military for competition or buying modern equipment, will be used to help our people.



Mr. Speaker, Sir, another point that we must realise is that our people have been in some sort of a cage. The people of East Africa were divided into several sections by colonial boundaries. Therefore, this time we will free our people from this bondage of colonial boundaries. We all know very well that people in different states have been divided by different areas. For example, we have Bukusus in Uganda and others are in Kenya. As a result of political agitation, we find our people in the same region having political disagreements of some kind.

Mr. Speaker, Sir, if you look at the expenditure on defence by the East African States, some States are spending up to 3 per cent of their Gross Domestic Product (GDP). But with the new development, they will spend their money wisely and take care of what they think is better for their nations. Once we create the East African Federation, we shall have strong negotiating power with other countries. We have a population of about 90 million people, which is a very good market.

Mr. Speaker, Sir, all the three countries will have the same foreign policies. We are now divided and that is why we cannot be heard by our colleagues in the North. It is important to approach that matter regionally. Although the African Union (AU) is an organisation for Africa, there is need for the East Africa States to give a lead of some kind. It is only when we are together that we will be able to maintain our position in Africa. That is because countries in East Africa, Southern Africa and West Africa have already positioned themselves in most strategic positions economically and defence-wise.

Mr. Speaker, Sir, it is important that this initiative takes us very far. I believe that, if we create that federation, we will all be happy about it. This is because of gains that we have kept on explaining. Our people have already tabulated them before, and even today, we are only having some border posts and the people who go through them are very few. The Government has only put some people to take care of the boundaries.

As it is now, Kenya has about 8,000 square kilometres of border area. That is the border between Kenya and Uganda, Tanzania, Sudan, Ethiopia and Somalia. We cannot afford to police the entire area. We can only allow people to join their brothers and colleagues in the other countries and feel free in their independent countries.

*[Mr. Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, the East African Federation will help us to have a common defence policy. When we achieve that, we will manage our security better than we are doing now. For example, there is no point for anybody to advocate for disarmament of people along the borders. Unless people are disarmed from both sides, there is no point of disarming some people on one side and leaving others with arms.

Mr. Temporary Deputy Speaker, Sir, there will be co-operation between Kenya, Uganda and Tanzania on matters of defence. They must be co-operative in terms of internal security. In this country, there is a big problem of the influx of small arms. It is only when Kenya, Uganda, Tanzania and other neighbouring countries take a common position that the influx of small arms will be stopped.

Mr. Temporary Deputy Speaker, Sir, I want to report to this House that we have been working very well with the Minister for Foreign Affairs and the Minister for Regional Development Authorities. I am saying that because both Ministers have encouraged a Parliamentary Committee that I chair to bring together Members of Parliament from 11 countries to sit in one fora. We want to discuss the possibility of having a fora for Members of Parliament from the Great Lakes Region and Horn of Africa. That is an achievement. The problems you find in this part of the world, especially in Africa, are created and caused by misunderstandings between Members of Parliament.

If Members of Parliament from Uganda, Sudan, Somalia, Ethiopia and Kenya can sit together and stop any infiltration of warmongering youths, those wars would come to an end. Therefore, we would feel that we have achieved something very important by bringing those Members together. In such a case they would not apply the diplomacy that is used by Heads of State or Ministers for Foreign Affairs in their various countries. In such a meeting, a Member of Parliament would tell you exactly what he feels about your country. That is the experience we got when we went to Uganda, Tanzania and Democratic Republic of Congo. Kenya is still being misunderstood as a very proud nation. Unless the Ministry of Foreign Affairs and the Ministry of Regional Development Authorities take up the matter, we will continue to be misunderstood. You wonder why Kenyans believe they are better than others when, in fact, their economy is dwindling while the economies of our friends are catching up with international standards.

Mr. Temporary Deputy Speaker, Sir, there is another problem with the East African Legislative Assembly. It is a body that is supposed to handle all the political and economic matters in East Africa, yet you find that Members, are not utilising the positions that they have been given. We need to empower the East African Legislative Assembly to execute its mandate as provided for in the Charter. In fact, even the Charter itself is denying them power to exercise their duties. If we have given an organisation a mandate to deal with matters pertaining to the region, we should empower it to represent the three States. We should not give them power and then, at the same time, deny them money to execute their mandate.

Mr. Temporary Deputy Speaker, Sir, it is a high time we gave the East African Federation its mandate. Unless we do that, we will spend a lot of time talking about a co-operation that will never come. I believe the three Heads of State have the political will. We should take up the matter, support them and make sure that what they think is implemented.

Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity.

**Mr. Arungah:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I support the adoption of the report by the Committee working on the fast-tracking of the East African Federation. The East African Community is a viable institution, as far as I am concerned, for the promotion of trade and investment in this region. Generally, its objective should be to enhance the prosperity of the people in the region. We are told in some statistics that the population of the East African region is approximately 93 million. The region's Gross Domestic Product (GDP) is over US\$28,000 million, and has a combined growth rate of approximately 4.5 per cent and an inflation rate of 6.5 per cent. The forex reserves, we are told, are approximately US\$5,000 million, with an internal revenue of approximately US\$7,000 million. These statistics show that the region has the potential to develop into an economic powerhouse, as long as the right policies are put in place.

The statistics also show some weaknesses we experience in the region. These statistics imply that we have a fairly slow economic growth rate that is unlikely to remove us from this death trap. Our focus should be to develop programmes in the region that aim at harnessing the potential we have, so that the lives of our people are improved. We need to stimulate a widespread interest within the Members of the East African Community. We have stakeholders who must be sensitised on this issue so that the political will that exists becomes sustainable. This is particularly so, when we approach the crucial phase of consolidating the integration process. It is only the full participation of people in the region that will make this federation work. It is my humble submission, that hon. Members are sensitised so that the East African Community can focus on the following major issues: First, organisation of the community should include having an East African Community mission, vision, mandate, role and functions. There have been major achievements since the inception of the East African Community. We started the East African Customs Union, which has to be implemented. We also have the Lake Basin Programme on the waiting and other roles which the national parliaments have to play in realising the East African Federation.

There are achievements which I have referred to and would like to itemise some of them. There have been certain protocols which have been attained towards the achievement of the East African Federation. We have the protocol on decision-making by the council of Ministers. We have the protocol on drug trafficking, on standardisation, quality assurance, meteorology and testing, and the establishment of an inter-university council of East Africa. We also have the protocol on sustainable development of the Lake Basin and that of the establishment of the East African Customs Union. I also understand that there are other protocols which are in the offing, namely, the protocol on co-operation on defence and that of a common market, which will include free movement of goods. This, indeed, to me, is very important.

We have one aspect, the East African Customs Union protocol, which has already been implemented, but we know that there were hurdles which were experienced in the process of implementing it. I think that is a problem which has been occasioned by insufficient training of the Customs officials. As we improve on our training, we should have a smooth implementation of the East African Union, which will be important for the three East African States in terms of increasing the volume of trade. We have also had a situation where there has been wavering in the implementation of the protocol by some member states, for example, where we entered into agreement and there were rates of duty which were supposed to be charged. However, when it came to implementation, we realised that it came into conflict with other protocols we have with other countries. An example of this is the case that Kenya encountered with Pakistan. The challenge we have in the development of the East African Federation will be strengthening of organs and institutions so that these structures and systems can facilitate the smooth running of the Customs Union Protocol and Law.

The Customs Union should work in a way that it becomes a show case in the region and, indeed, a centrepiece in the East African integration process. It is, in this context, that hon. Members of the three Parliaments should provide leadership in this area. As representatives of people, they should start articulating ideas of the East African Federation, right from the grassroots levels. We should then move on to the constituency level and eventually, on the respective Floors of our Parliaments. It is by doing this, and mobilising people in the region, that we should get a federation that is sustainable.

There is one fundamental question that we should ask ourselves. The Question is: What can the national Parliament do to make the East African Federation an effective institution which can transform our region from being economically weak and poor to a prosperous community of nations characterised by dignity and wealth? This is a question we need to ask ourselves. We should be aware that freedom, respect, integrity and development cannot be taken for granted. These are ideals that we should struggle and sweat for because the world does not have room for the weak, small, and the poor. This region has the potential to take us from poverty to prosperity, from receiving aid to self-sufficiency and from dependency to self-reliance. All it takes is for us to speak with one voice and act in unison.

Mr. Temporary Deputy Speaker, Sir, there is the issue of institutional infrastructure. The sure way of achieving our integration is to strengthen our institutions which, in my view, will help propel the process of integration and make East Africans behave and feel like East Africans. Such institutions include the East African Legislative Assembly, the East African Development Bank, the Inter-University Council of East Africa, the soon to be launched Lake Victoria Basin Commission and the East African Community Secretariat as the executive arm of the Community.

Mr. Temporary Deputy Speaker Sir, in achieving this federation, we will have to do our best to include the private sector because when we had the first East African Community one problem it faced was that it was highly politicised. However, to make a difference this time, we must strengthen the participation of the private sector in whatever we are doing. I have in mind the East African Business Council which I am told is an associate member of the Community at this stage.

I am told that if we involve the private sector, it will not be concerned about politics. It is going to be concerned about its markets, the prices of goods, the cost of doing business *et cetera* and that is what is going to make a difference. I am told the leaders will make things happen but institutions are the ones that make them last. So, nothing can be self-sustaining without a well-structured, mandated, strengthened and respected institution. So, it is my humble submission that as we do our best to make sure that we involve the business community in keeping the East African Federation going, we must not repeat the mistakes we made in the past. Instead of haggling about where the various headquarters are supposed to be located, we should be worrying about what institutions or businesses are located where and what kind of income is being generated from the investments that we do attract.

Mr. Temporary Deputy Speaker, Sir, in all this, there is the role of the national Parliaments. National Parliaments have a critical role to play in promotion of the regional integration right from the grassroots level, as I have said earlier, to the constituency level and to the Floor of this House. So, the Parliaments have a role to play in whatever we are doing.

In fast-tracking of the East African Federation, we have to think out of the box. For example, we are in the process of coming up with a Constitution. Now, at the time we mooted the idea of the Constitution I do not know whether we envisaged the point that we are going to be part and parcel of a federation. I am hoping that as we look towards making our national Constitution, we put mechanisms in place that will make it easier for us to join the East African Federation. We are concerned about very trivial issues in our Constitution at the moment. It worries me that we are at the risk of digressing. As we discuss the issue of the Constitution, we are in danger of splitting our own country into pieces. We have to learn from that and make sure that whatever it is that we are going to include in our Constitution will facilitate our being part of the larger East African Community.

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

**The Attorney-General** (Mr. Wako): Mr. Temporary Deputy Speaker, Sir, thank you for giving me an opportunity to speak on this very important Motion. I was privileged to have been appointed a member of this committee. I was further privileged to have been elected chairman of this committee which worked from September to mid-December and presented this report to the three Heads of State in Arusha on 26th November, 2004.

Mr. Temporary Deputy Speaker, Sir, I would want us to pay tribute to the current Heads of State of Kenya, Uganda and Tanzania for having come up with a vision that we must now move in a very deliberate way towards the East African Federation. There are indeed true East Africans because they lived at a time when there was greater integration in East Africa. The three presidents never went to the universities in their own countries. Our own President and the President of Tanzania went to Makerere University in Uganda and President Yoweri Kaguta Museveni, a Ugandan, went to Dar-es-Salaam to study there. So, they came with a vision of having East Africa. This vision of having a united East Africa did not start with them; it began a long time ago.

Mr. Temporary Deputy Speaker, Sir, it may be recalled that during the colonial times, the colonial regime looked at East Africa as one unit and in 1948, the East African High Commission was constituted with the three governors sitting with the Governor of Kenya as the chair of the three governors. It may be recalled that at the time of Independence, and I want to go into this because one of the very first things we had to do as a committee was to find out why the first efforts failed and, therefore, address those issues as we move towards the federation---

It may be recalled that at Independence, we had the East African High Commission but when the countries became independent, President Nyerere stated that he was prepared to delay the independence of Tanganyika if by so doing the three countries became independent on the same day and formed an East African Federation on that day. In fact, following that declaration, Tanganyika became independent but the East African Federation Working Committee, which was composed of

the ministers and senior officials of government was formed. On the Kenyan side, we had people like the late Tom Mboya, the Minister for Economic Planning and National Development and our own President. On the Tanganyika side, we had people like Oscar Kambona and others. On the Uganda side, we also had a high-powered delegation and they worked. In fact, they declared and set the date of 8th December 1964 to be the date when the three countries will federate. That was declared, if you look into the archives. However, why was that not achieved? It was not achieved because of the leadership particularly in Uganda where President Obote said that there still existed in Uganda issues that must be settled before and not after the East African Federation.

Mr. Temporary Deputy Speaker, Sir, the aim was, therefore, to form an economic community which began by forming the East African Common Services Organisation that brought about services such as the railways, airways and other means of communications, to be managed at the East Africa level. This was then transmitted later on to the East African Community which proceeded up to 1977 and, again collapsed for various reasons. At the bottom end of it all, the East African Community failed because of the leadership which did not want it to proceed, because of their own selfish ends, and also because the international community was not happy with the very good example of an East African Community that was successful. The aim was maybe to make sure that Kenya was not polluted with the socialism of Tanzania or the ideology of the common man's charter of Uganda. So, this is how the leadership failed East Africa.

Mr. Temporary Deputy Speaker, Sir, therefore, that is one of the issues that we had to address in our Report. In as much as we applaud our three Presidents for having initiated this idea of forming a committee to make recommendations to fast-track the East African Federation, if the federation has to come about, it will not be because the three leaders of East Africa have so decided; it must come about through a people-driven process. It must come about because the people of East Africa want the federation. When the East African Community collapsed in 1977, although some leadership applauded it, there was no single voice that was raised in East Africa over its collapse, because the East Africans had not really been involved in its formation.

Mr. Temporary Deputy Speaker, Sir, we did travel extensively in East Africa; Kenya, Uganda and Tanzania. We did not only meet with all the Presidents and Ministers, but also met with the business community, civil societies, professional bodies, traditional rulers, fishermen, students at the universities, the academia and so on. I can tell the House, as of today, there is no single voice in East Africa that said: "We do not want the Federation" They all, with one voice, said that the East African federation should have been achieved sometimes ago. Therefore, the research that was done by the Steadman Group of researchers, which came up sometimes ago, actually reflected the true situation. That the people of East Africa are ahead of their leaders in their wish to have the federation today.

Mr. Temporary Deputy Speaker, Sir, in fact, their only fear - that is what they said - is that the leaders may fail them because of their own personal ambition in not having the federation as soon as possible. Consequently, as the way forward, in adopting this Report, we have to focus quite a bit on the need for a strong marketing strategy and civic education to be undertaken, to ensure---

*(Loud consultations)*

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Can you give the hon. Attorney-General peace to contribute to the Motion.

**The Attorney-General** (Mr. Wako): Thank you very much, Mr. Temporary Deputy Speaker, Sir. Consequently, we have made a strong appeal in this Report that this time round, the people of East Africa must be involved actively on the road towards the East African Federation (EAF). They must be consulted at each stage as we move towards the federation. Therefore, we have advocated for a very strong marketing strategy. We have also advocated for civic education to be undertaken as

a matter of urgency during the entire period.

Kenya, Uganda and Tanzania signed the Treaty to establish the EAC and in ratifying it, the three states committed themselves to the political federation. This is because the Treaty states that the economic and social integration will move step by step. That is through a Customs Union, which we now have; the common market; the monetary union and ultimately the EAF. Whereas the Treaty stated that the Customs Union must be entered into within four years after it comes into force, it did not provide the timeframe for the other stages, namely the common market and the monetary union.

So, one of our duties, as a Committee, was to see how the other stages can be realised as quickly as possible. We have laid out strategies in this Report on how the various stages can be realised as quickly as possible. These stages can be realised as quickly as possible because a foundation has already been laid. Mr. Temporary Deputy Speaker, Sir, the common market and the protocol on free movement of people are almost in place. We have the East African passport. I know there were valid criticisms on the way the passport operates. This was based on lack of communication. The various decisions which are arrived at in Arusha also face this problem.

I would like to point out that important decisions have been made in Arusha, but there has been lack of communication to the implementing authority at the grassroots level. An immigration officer at Namanga or Busia does not know that when a person has an East African Passport with only one stamp which lasts for six months, he or she is supposed to move freely across the border. The immigration officials at the border just treat you as if you are a holder of another passport. So, lack of communication was identified as a problem, which made us to examine the weaknesses of the Secretariat. Therefore, the first recommendation we made at the very beginning is to strengthen and restructure the entire East African Secretariat so that it can move with speed and efficiency and take extra note as we fast-track towards the EAF.

Already, a lot has been achieved in bringing various organisations together. For example, we already have the East African Business Council and the private sector is now the engine of economic growth. Already, the East African Business Council is way ahead of the relevant Ministries which deal with trade in the three member states. In fact, they told us that if they were given a chance to implement the Customs Union, they can provide the three governments with a solution which will be acceptable to the business community.

We have professional associations such doctors' association and the East African Law Society (EALS), which bring together all the lawyers of East Africa. Sometimes back, this House passed a legislation which empowered the Attorney-General to allow the advocates in Uganda and Tanzania to practise here in Kenya. At that time, I told the House that I will bring that into force after consulting with the Law Society of Kenya (LSK). I am pleased to inform this House that after consultations with the LSK, the Attorney-General has now signed into law that the advocates from Uganda and Tanzania will be allowed to practise in Kenya from 1st July, 2005.

*(Applause)*

We want to lead when it comes to matters of East African integration.

Mr. Temporary Deputy Speaker, Sir, it is now our hope, which I am sure will be realised, that very soon the authorities in Uganda and Tanzania will extend similar reciprocal arrangements to our advocates in Kenya. However, we felt that we must lead the way. If this is done, it will enable me when I retire to open up an office in Busia Town for private practice and my circuit will be Jinja, Nambale, Tororo and Kisumu, which are near my home. I will hear very little about Nairobi. This is what we want. I am happy that, we, the legal professionals are now providing the lead when it comes to matters of East African integration.

This Report touches on when we can have the protocol on common market, free movement of

people and the monetary union. The indicative dates which have been given were not just taken out of the heart. For example, on the protocol on free movement of people, we had brainstorming sessions with the Principal Immigration Officers, Permanent Secretaries and the Ministers in charge of Immigration Departments of the three countries. The dates which are given here were more or less agreed to. On the monetary union, we had brainstorming sessions with the Ministers and Permanent Secretaries for Finance, the Governors of Central Bank of the three states and academicians in this field. We discovered that the monetary union was one of the easiest things which can be achieved. What is given here are realistic indicative steps which we can recommend to the people of East Africa.

Mr. Temporary Deputy Speaker, Sir, we have recommended that a Constitutional Commission be established to look into the Constitution of the EAF. We have given an indication in this Report of the matters which can be dealt with at the federal level. Foreign affairs issues can be handled at that level, and I am glad that the Minister for Foreign Affairs is here. His portfolio will be handled by the federal level. Taxation and defence matters will also be handled at the federal level.

We have given this indication but it has to be done by a Constitutional Commission which will go round East Africa soliciting views as to what should be done.

What is important throughout this process, as I have indicated, is that the people of East Africa must be involved. The best way to involve these people is not just through civic education, but by involving hon. Members of Parliament. Therefore, there is a very strong recommendation that the three National Assemblies should begin interacting with each other. More hon. Members of Parliament should interact with each other and discuss the common problems which East Africa faces. We were privileged to meet with the security and foreign relations officers and the Parliamentary Committees of the three states and had very good sessions with them. All of them, supported the federation. However, the only thing Tanzania said was this *ugali* must be cooked until it is really ready to eat. On the whole, there is no other way, but to proceed along that path. So, we are calling for more interaction between Members of the National Assembly of the three member states. We are also calling for an increased role of the East African Legislative Assembly.

In the constitutional review process for the East African Federation, when the Commission finalises its work, and after it has gone through the organs of the Committee, and has been discussed at the East African Legislative and approved by the authority, there will be a constitutional conference for the Federation of East Africa, at which a substantial number of Members of Parliament from the National Assembly must be represented. It is only after that, that the Constitution will be finalised. It is important that, that Constitution be subjected to a referendum throughout East Africa. Ultimately, at the end of the day, when this whole process has gone through, it will be the people of East Africa who will determine whether or not, we have a federation through a referendum. But judging by what I heard, and the heartbeat of the people of East Africa, I am sure that if we do it right, our people will approve it. In fact, if we do not do it at all, we shall stand condemned by the people of East Africa.

Mr. Temporary Deputy Speaker, Sir, there were a number of views expressed like the cross-border tribes. There is no doubt, in my mind whatsoever, that the coming of the federation of East Africa with a market of over 100 million people will be of immense benefit to the people of East Africa. In fact, we have said in this report that, the real reason for this federation is to bring about faster economic development for East Africa as a whole, so that we can become a newly industrialised country as East Africa by the year 2020.

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

**Mr. Bett:** On a point of order, Mr. Temporary Deputy Speaker, Sir. This matter has been discussed exhaustively and we now appear to be repeating ourselves. Would I be in order to request that the Mover be now asked to reply?

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! You could be right, but judging

from the number of hon. Members who are standing---

**The Minister for Co-operative and Marketing** (Mr Ndwiga): Put the Question now!

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Mr. Ndwiga, you cannot direct the Chair on what to do!

Mr. Bett, I think I am obliged to give one or two Members a chance to make a few comments. Thereafter, I will request you to make that application before I put the Question.

The Member of Parliament for Matuga Constituency!

**The Minister for Foreign Affairs** (Mr. Mwakwere): Mr. Temporary Deputy Speaker, Sir, the report of the Fast-Tracking of the East African Federation gives us great hope for a better future. What is important here is to note that this is a Fast-Tracking Committee. That, in itself, implies that East Africans are already working towards attaining a federation. We are only trying to fast-track what they are doing.

Mr. Temporary Deputy Speaker, Sir, there are examples that can be cited on what East Africans have already done to ensure that we have a federation. Before I go to that, it is important to note that there are specific steps that must be taken before we form a federation. There is no way we can start with a federation unless we take care of the economic aspects; such factors as the establishment of a Free Trade Area, which has already been formed. The next stage after that is the establishment of a Customs Union. That, I am pleased to note, is already going on with the removal of tariff and non-tariff barriers or reductions. These facilitates trade and economic activities which would, indeed, give rise to the formation of a federation without much problems.

There is also the stage which requires the establishment of a monetary union. A monetary union will facilitate trade activities within East Africa and, indeed, with the international community as a block, the way the European Union (EU) has a monetary union. Having gone those three stages, that is when we can talk of a political federation. That is the easiest part because it all goes with the will and intention of the people. It does not need much input at the level of economic analysis and putting factors of activities in place.

But when we look at the political union we know that there are also specific inputs that must be considered; aspects that touch on governance. Already we have our East African Community Secretariat. That is an instrument of governance for the East African Community, albeit in its infancy. Still we have one that can give us guidance as to what will follow in the future. There is already a legislative body with limited powers; the East African Legislative Assembly. These are instruments of governance that can be promoted and expounded to ensure that we have a federation that is functional to the benefit of the people.

We all know that recently, Kenya, Uganda and Tanzania were reviewing their labour laws to ensure that they are harmonized. That is a positive contribution because we cannot have a meaningful federation unless there is free movement of people and labour. That is going to be possible because the labour laws have been synchronized. What remains is for a country like ours to put those laws forward to Parliament and ensure that they are accepted as part of our laws. The movement of people is important because it is at that stage that a lot of activities are simplified. As a result, trade and economic activities can go on without any hinderance.

Mr. Temporary Deputy Speaker, Sir, with the existence of socio-cultural activities that bind us, for example, the usage of Kiswahili as a language in East Africa; also the fact that there are some communities that are found astride countries in East Africa, for example, my community, the Digos, who live in Tanzania and Kenya, is a great development for us. This is because it brings us together and would defeat what the colonialists did by separating us from our brothers and sisters across in Tanzania. The same goes for the Maasais, Luhyas, Luos and many other communities. The development, therefore, of an East African Federation is most welcome. It will give us a bargaining strength as a group because with a population of close to 100 million, we can bargain internationally



with the donor countries and organizations. It will also give us a stronger voice as a group of communities living as one country.

I know we are constrained with time. The Minister for East African Community and Regional Co-operation had requested me to speak for only three minutes. I know he consulted you. So, without any reminder, I beg to support.

**Mr. J.M. Mutiso:** Mr. Temporary Deputy Speaker, Sir, I would like to support the Report of the Committee on the fast-tracking of the East African Federation under the able chairmanship of Mr. Wako. I would like to also pay my tribute to the three East African Heads of States for taking a bold move to bring the three sister States together under a federation. The genesis of the East African Community (EAC) can be traced way back to 1963, when the three sister States were still under colonial domination.

Mr. Temporary Deputy Speaker, Sir, notwithstanding the previous historical background of the EAC, we are now in the era of globalization and liberalisation of economies world wide. Trade has become an important component in developing economies and, therefore, the coming together of the three sister States - Kenya, Tanzania and Uganda - will create an enormous market in the region. That is going to provide the competitive edge that is required under the globalized arena. If you look at the population of Africa, which is about 800,000 million people, and you look at the global trade, Africa only accounts for 1 per cent, notwithstanding the enormous resources in the 53 countries. Therefore, we should embrace the concept of EAC.

I have attended several fora on East African integration and the clarion call has been that Parliamentarians in the three East African States should take the lead and publicise the concept for the people of East African to benefit.

Without dwelling so much on what has been said by previous speakers, I would like to bring to the attention of this House the benefits that have accrued from the coming into effect of the Customs Union. You remember that in January this year, through a customs protocol, the three East African States agreed to have a common Custom Union.

Rerecently, according to the statistics that have been provided by the Kenya Revenue Authority (KRA), our country has enormously benefited out of that new economic arrangement. Initially, there were some misgivings that when the three countries come together, some will have losses of revenue because of differences in tax regimes in different countries.

In the first quarter of the year, that is 1st January to 30th March, 2005, the KRA exceeded its target by 8.9 per cent! They managed to collect Kshs63.3 billion, with an excess of Kshs7 billion compared with the previous quarter. Therefore, the "prophets of doom" who predicated that we will lose out in the co-operation, stand to be defeated. The revenue also increased in other sectors.

Mr. Temporary Deputy Speaker, Sir, in the road transport sector, there was an increase of 29.4 per cent. We had an increase of internal revenue to the tune of 20.4 per cent. That is about 4.3 per cent over and above the first quarter in the previous year. Therefore, the concept of EAC has enormous benefits which we, as a Kenyans, should take positively.

Mr. Temporary Deputy Speaker, Sir, regarding the concept of political federation, as a Member of Parliament, I sometimes feel flattered because the implication is that there will be a convergence of political authority. There is, at a later stage, the relinquishing of sovereignty to a central authority. I say I feel flattered because in Kenya, politically, we are still in a fixation of a process that is very critical to the future of a political federation. If we, as Parliament, are not able to settle on a simple document - a constitutional order - are we really going to achieve that political federation? That is the greatest challenge that we, as parliamentarians, should think about. That is because the local politics have no room for a political federation of that magnitude. The concept of clans, tribes and narrow political interests have no place in such a set up. Therefore, my plea to my colleagues is that we should be much more visionary like our leaders who saw that if we come

together, we will make our people peaceful and prosperous. I would not like to dwell so much on what my colleagues have said. But I support the report on fast-tracking as drafted by Mr. Wako.

With those few remarks, I beg to support.

**Mr. Bett:** On a point of order, Mr. Temporary Deputy Speaker, Sir. As you have noticed, hon. Members have gracefully and nicely repeated what the other colleagues have said. I wish to repeat my request that the Mover be now called upon to reply.

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Since this is the second time the Chair is receiving the request that the Mover be now called upon to reply, I will put the question.

*(Question, that the Mover be now  
called upon to reply, put and  
agreed to)*

**The Minister for East African and Regional Co-operation** (Mr. J.K. Koech): Mr. Temporary Deputy Speaker, Sir, I have one request from the Chairman of the Committee on Finance, Planning and Trade, Mr. Kagwe, to donate to him only three minutes, before I continue.

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Normally, the Chair has allowed that. Is he the only one you are donating three minutes to or there are others? We want to be sure of what you are doing.

**The Minister for East African and Regional Co-operation** (Mr. J.K. Koech): Mr. Temporary Deputy Speaker, Sir, I see a lot of enthusiasm in support of this Motion. Three hon. Members have requested to talk for about five minutes. They are Mr. Kagwe, Mr. Syongo and Dr. Mwiria.

Since my colleague here wants to move the Kenya Farmers Association (KFA) Motion, I think in the spirit of the "Mover being called upon to reply", we should limit ourselves to those ones.

**Mr. Kagwe:** Mr. Temporary Deputy Speaker, Sir, I will be very brief. My intention is to basically give a brief of the visit that the Committee made to Tanzania. We sat down in the Chamber in Tanzania to discuss matters of the EAC. I can report to all and sundry that Tanzanians are extremely keen about the EAC. They have no reservations on this matter. But they have certain concerns which must be addressed when we discuss the issue of the EAC. The Committee on Finance, Planning and Trade is travelling to Uganda at the end of this month on the same subject.

Mr. Temporary Deputy Speaker, Sir, we have a programme that has been organised by the Ugandan Parliament. We would like to urge other Committees to consider inviting and visiting those countries. The closure of the East African Community is what the English called: "Penny-wise and Pound-foolish". They saw the pennies, but they never saw the pounds. In so doing, we have undergone many years of suffering which would not have been necessary. I do urge, given the experience that we have in Zanzibar and Dar-es-Salaam, that a programme be put together to market the East African Community. This should not just apply to the hon. Members of Parliament, but to the citizens of East Africa.

Mr. Temporary Deputy Speaker, Sir, it would make great sense to travel somewhere on Mombasa Road and see a billboard written: "We are proud to be East Africans". Until such a time that the average person on the streets will be talking about East Africa and where we are going to be, then we will be top-heavy. The generals will know what they are doing, but the soldiers will be far behind.

Mr. Temporary Deputy Speaker, Sir, I would like to urge the implementation of what we call "Windows on East Africa". I would like to bring to the attention of the House, that a few years ago, Research International carried out a programme that was called "Windows on East Africa". They had 1,000 samples of people in each country. The overwhelming concern for each and every person is written in that document. I would urge that hon. Members try and get a copy of it, and I can

assist in that process.

Mr. Temporary Deputy Speaker, Sir, 95 per cent of East Africans, at that time, urged that we move quickly towards the East African Federation. I would also like to urge that this process be taken further to schools, in selling the East African Community. It is time to immediately implement a programme or give scholarships to citizens of the other countries. The University of Nairobi should have, for example, 10 scholarships for Tanzanians and 10 for Ugandans. Tanzania should also do the same, so that as we integrate, we move personnel downwards. This will ensure that we integrate at all levels, and not just politically.

Finally, I would also urge that we look at the issue of the East African Legislative Parliamentarians. Those Honourable Members are suffering in Arusha. They are very poorly paid and overworked. It is time for us to consider those people as hon. Members of Parliament just like other MPs and pay them adequately, so that they can be able to process the things that the Secretariat is working on currently.

Mr. Temporary Deputy Speaker, Sir, I have a whole story to tell, but in respect of time, I beg to support.

**The Assistant Minister for Trade and Industry** (Mr. Syongoh): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to make a few comments regarding this Motion.

I am probably the truest East African here, because the borders of the three East African countries converge in my district and my constituency. So, I am very proud to be an East African. The federation will make this region one of the most attractive investment destinations on our continent. The federation will make East Africa a major market that can sustain any major investment within this region. I, therefore, thank the three governments for seeing it necessary for us to fast-track, and particularly the efforts of the Ministers responsible for this process, for moving quickly to bring us to the stage where we are now discussing this wonderful Report.

Mr. Temporary Deputy Speaker, Sir, there is power in numbers. Even though we are all moving towards globalisation, economic, trade and investment is taking precedence over politics. Nevertheless, having a bigger political and military say will still be an important consideration in terms of international diplomacy. It is, therefore, important that we take this into account and support this move, in order that we can have a truly strong voice within the region.

Mr. Temporary Deputy Speaker, Sir, I want to thank Kenyans for already paying the price. As you know, under the Customs Union, goods from Tanzania and Uganda are being imported to Kenya duty free, but goods from Kenya are actually being charged 5 percent when they are exported to Tanzania and Uganda. That is the price that this country is paying and I want to thank every single Kenyan for making it possible to pay this price, because we must show the way forward, since we were blamed for the demise of the last East African Community. I think it is a wonderful thing, that we are showing signs of goodwill in supporting the resuscitation of the East African Community and the move towards a federation.

I also want to thank the three defence forces of Uganda, Tanzania and Kenya. If there is any particular institution which is most prepared for a federation, it is our defence forces. I want to thank them for taking the instructions from the three commanders-in-chief seriously and making arrangements for joint exercises. I know that they have already agreed on a command structure in the event of a federation. I congratulate and thank them.

Mr. Temporary Deputy Speaker, Sir, the trend worldwide is that, bigger is better than smaller. We must, therefore, embrace this idea. Bringing this concept to our local situation, one of the advantages that we will enjoy from this federation, is that, not any single ethnic group will be too big enough to destabilise this country; the Federation of East Africa. Every single instance of instability in Africa has been brought about by negative ethnicity and tribalism. But with a federation, even those

that consider themselves a majority in any one of the three countries, will be a minority. I see security in minimalism. I also see security in numbers against external threats.

I would like to appeal to Kenyans to go the extra mile and allay the fears of Tanzania and Uganda, that we will probably take over their jobs and land. We can allay these fears by being diplomatic, showing signs of goodwill and being persuasive.

Mr. Temporary Deputy Speaker, I want to thank the three Heads of States for making it possible to bring us this far. I want to make a very special appeal to the President-elect of Tanzania, hon. Jakaya Kikwete, to reconsider this matter very seriously and give it a positive and serious consideration when he takes over as the President of the Republic of Tanzania.

With those words, I beg to support.

**The Assistant Minister for Education, Science and Technology (Dr. Mwiria):** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a few minutes to contribute.

I would like to agree with all the other speakers that this is a very great idea. As great as it is, I hope that, eventually we will have more countries as members of the federation outside the traditional East African countries.

Mr. Temporary Deputy Speaker, Sir, more than the intention, we must realise that there will be some sacrifices involved in terms of giving up a certain amount of personal pride and political power for those that are occupying positions of authority. There will also be sacrifices in terms of giving up a few advantages. In the case of the European Union, for example, the more advanced countries like Germany had to agree to give up its resources to develop other countries and to even give up the power of their respective currencies for the sake of accommodating others. Kenya being much more advanced than the other two countries, we should be expected to lead by example in terms of making certain sacrifices.

Mr. Temporary Deputy Speaker, Sir, there may be political will which has been spoken about, and giving up political power was one of the problems that made it impossible for the former federation to take root. I am reminded of the problems that we have with tribalism in this country and the other countries in the region. It would be hypocritical to talk about an East African Federation if we are not able to deal with our own problems of tribal divisions. In this respect, I would like to say that the real incentive for this process should come from the majority of the people. The only way the majority of the people can do that, is if they are sensitised enough through the media, schools and if we create opportunities for members of the region to have sport meetings, educational meetings and professional associations, for those who are not necessarily occupying positions of power to interact. Only then can they understand the crux of the process and be the ones with the greatest vested interest in pushing us politicians to ensure that we live up to that.

Mr. Temporary Deputy Speaker, Sir, in terms of efficiency, I hope this will lead to the need to have joint diplomatic missions in foreign countries to reduce on costs. I think it will be possible for East Africa to have diplomats representing the three countries, as opposed to every country deciding to have a diplomat because it is very expensive.

In this regard, I hope that we could have joint travel arrangements for tourism. In addition to having an East African Airways, which used to be the case, I think it should be possible also for travel agencies to do joint plans such that tourists from Europe could start their trips in Uganda, pass through Kenya and go through Tanzania, as part of making it possible for the region to be appreciated and also, for attracting tourists that would initially have gone to one country.

Mr. Temporary Deputy Speaker, Sir, I would not be worried about the potential for foreign interference in the process of federating. Foreign influence only comes in because politicians want it. I think if East Africans reduce foreign interference, like they have done elsewhere in other countries in Europe and so on, that would not be an issue. In terms of dealing with other regional bodies like Common Market for Eastern and Southern Africa (COMESA), Southern African Development

Corporation (SADC) or the New Partnership for African Development (NEPAD), I would just like to caution on the need to avoid duplication, especially given that we have very limited resources.

Mr. Temporary Deputy Speaker, Sir, as we decide on the roles for the Community and the Secretariat, we must be very careful that we do not duplicate resources; just employing people for the sake of it when indeed, there are many organisations doing more or less the same thing. That is why I am not sure that we should have a Minister for East African Affairs when we have a Minister for East African and Regional Affairs in Kenya, for example. I think those functions can be subsumed under a Minister who is already dealing with those issues, as opposed to creating positions for many more Ministers. In terms of the Committee that will be given the responsibility of ensuring implementation, I think we should go for professionals and people who believe in this idea, as opposed to giving people jobs for the sake of it.

Mr. Temporary Deputy Speaker, Sir, education is a major issue. Often, the comment is that we have to deal with the 8-4-4 system of education. I would like us to look at other aspects, including quality issues and so on, as well as professional associations. I am sorry, my time is up.

With those remarks, I beg to support.

**The Minister for East African and Regional Affairs** (Mr. J.K. Koech): Mr. Temporary Deputy Speaker, Sir, from the onset, I want to thank hon. Members for supporting this important Motion. The whole House was very supportive of political federation of East Africa. I think its time is already due, and I am happy that Members have been very supportive.

Mr. Temporary Deputy Speaker, Sir, I would also like to thank Members of the various Committees for the interest they took in supporting this Motion and other Parliamentary issues. I remember at one time meeting the Departmental Committee on Finance, Planning and Trade and I found out that they have a lot of enthusiasm in supporting issues of integration of East Africa.

Mr. Temporary Deputy Speaker, Sir, quite a good number of issues have been raised by hon. Members, including the problem of insufficient publicity of issues pertaining to the East African Community. I would like to appeal to the media to give more publicity to issues pertaining to the East African Community and also the East African Federation. Our media should not only highlight sectional issues, but issues like these which have profound effect on the people of East Africa should be highlighted to the common *mwananchi*. I remember the occasion when our Presidents met at the Windsor Golf and Country Club and they decided to appoint a committee on the Fast-Tracking of East African Federation, the media coverage was not very good. I am not blaming the media, but I want to appeal to them to come out with these issues so that our people can see the advantages of being integrated, how it will affect us economically and even socially. I think those are important issues and they deserve sufficient coverage for the good of our own people.

We, in the Ministry, as we adopt this Motion, are also going to put in motion the process of giving sufficient publicity for the people of Kenya, so that when the referendum comes, which will come at the end, they will be able to make informed decisions based on that publicity. So, may be from next week, we shall start the process of ensuring that there is sufficient publicity for the fast-tracking of political federation.

Mr. Temporary Deputy Speaker, Sir, the Customs Union, which I highlighted a lot when I moved this Motion, has already come into being. But it has only been in place since the 1st of January. We have already seen some of its benefits, although there have been a bit of complaints by some people that it is affecting the Kenyan agricultural system.

However, despite the fact that Tanzania and Uganda are exporting to us goods duty-free, while Kenya is still paying duty for exporting the same, it is in the spirit that Kenya is a big brother. So, as a form of negotiation, we allowed a transitional period of five years for the Customs Union when Kenyan goods will be charged duty on the line basis and thereafter, there will be no charge. This has not affected us negatively because Kenyan goods still enjoy favourable trade with our sister countries.

Overall, even the East African countries are also benefitting. So, in the final analysis, we shall all benefit. With the commencement of the Customs Union, a Director-General and two Directors of Trade and Customs have been appointed to oversee the co-ordination and collection of duty in the three countries.

Mr. Temporary Deputy Speaker, Sir, Members have talked so much about the free movement of people. Some of us who grew up in the 1960s and went to Uganda or Tanzania for education will remember that it was free to cross the border. We are getting to a situation where the three East African countries are negotiating to ensure that there is free movement of people. Already, there is a passport for East Africa and crossing the border is no longer as difficult as it used to be. In fact, what is remaining are mere administrative problems which we, as Ministers of the Community, are trying to speed up so that there is easier movement across the borders. We now have a committee set up by the three East African countries to fast-track the protocol on free movement of people. When this is signed by the three Heads of State, we shall have free movement of people as before, which will usher in a complete common market for the East African countries.

Mr. Temporary Deputy Speaker, Sir, we have also witnessed the enthusiasm of our neighbours, especially Rwanda and Burundi, to join the East African Community. They have already applied and their applications are being processed. Soon, they will be joining the East African Community. So, you can see the significance of integration. Some other countries are joining us because they know the economic and social benefits they will derive from joining the Community.

Mr. Temporary Deputy Speaker, Sir, some issues in connection with education have been raised. The Ministers for Education are meeting from time to time in Arusha, trying to find out how they can harmonise the curricula so that we have a system which is going to be suitable for the Community.

Mr. Temporary Deputy Speaker, Sir, we know that at the moment, the 8-4-4 System of education in our country and the A-Level System of education in our two sister countries seem to bring some complications. However, everything is being done to harmonise our education curricula. There is a committee which has already been appointed to look into that issue. All we are waiting for now are funds to enable the committee to commence its work and move along. We are moving fast, as far as the education system is concerned, to ensure that we have in place a curriculum which will be suitable for the three East African countries.

With regard to diplomatic representation, the three partner States have signed a memorandum of understanding on matters to do with foreign affairs. That will enable us to co-ordinate our foreign policy which later on will be promoted into a protocol. Already, the East African countries are exploring ways and means of having a joint foreign policy. So, some of these issues are getting a lot of attention from the three partner States. I think, very soon, things will move in the right direction with regard to having a common policy on diplomatic representation.

Mr. Temporary Deputy Speaker, Sir, so many hon. Members have said that because of the high cost of diplomatic service, having the political federation in place will reduce that cost. I think that is a welcome move since we shall be able to divert some of the funds that we use on diplomatic representation to economic development. For instance, we could use the money to provide water for our people, construct and repair roads or even channel it towards the education sector. I believe that will be very useful.

There are a few issues about the Customs Union that I had left out. There was the sensitive issue of *mitumba* and the problems facing the tea and rice agricultural sub-sectors. We had a problem with Pakistan, but we have agreed on how some of the custom regulations should be implemented. We also had a problem with pharmaceutical products. With the coming in of the Common External Tariff, the price of drugs went up. However we have allowed pharmaceutical products to enjoy zero-rating so that drugs such as ARVs and malaria drugs are accessed easily by the poor living in the

East Africa region.

When we meet in Arusha next week, we will bring up these issues so that the prices of drugs may continue to be zero-rated. We will also try to find a way of handling the *mitumba* issue. There was a lot of hue and cry when the duty on *mitumba* was increased. It was said that the poor would be affected negatively with the increase in price of *mitumba*. However, we need to have a long-term policy that will enable us develop our textile industry. If we keep on depending on *mitumba* in this country, then we shall not be able to develop our textile industry and, more so, cotton farming. It would be advisable for the three States to come up with a common policy on how to develop the textile industry. That way, we will not depend on *mitumba*. I know that people believe that they can get *mitumba* cheaply, but we must look at the long-term development of the textile industry.

Mr. Temporary Deputy Speaker, Sir, the problem we had with Pakistan had to do with the Common External Tariff. The Pakistan Government; and I need to thank them, told us that they were not going to retaliate by increasing the price of their rice. We reached a mutual agreement so that our tea industry is not affected adversely. This is a situation that calls for us to come up with a formula that will enable us safeguard rice-growing in East Africa and, at the same time, promote our tea exports to Pakistan.

Mr. Temporary Deputy Speaker, Sir, much has been said about the meeting of Ministers in charge of the East African Community. We meet twice in a year, but because of urgent needs, we can hold as many extraordinary meetings as we can, depending on the demands at hand. This Report recommended very strongly, the establishment of permanent residences in Arusha, for Ministers in charge of the East African Community. This move will help us sort out the problems facing the East African Community and also speed up its integration. It will also fast-track the formation of the political federation.

So much has been said about the East African Legislative Assembly. It is true that it is one of the organs that has shown that it is possible to have a political federation. Many hon. Members have raised questions about payments made to the Members of the East African Legislative Assembly. This is an issue that needs to be looked into because we cannot have an organ which is so important to the people of East Africa and yet fail to remunerate the hon. Members in a way that befits their status in the region. We are also handling this matter and we hope that hon. Members of the East African Legislative Assembly will be remunerated according to their status.

Mr. Temporary Deputy Speaker, Sir, some hon. Members raised the issue of the constitution when we form the political federation. Before the Federation of East Africa commences, there will be a commission on the formation of a constitution. The commission will be charged with the responsibility of harmonising our constitution so that we have a constitution that does not conflict with the constitutions of the individual States.

Issues about Lake Victoria were also raised here. Our fishermen have had a lot of problems with authorities in Tanzania and Uganda. They have been arrested severally for venturing into waters that are not ours. However, with the Federation of East Africa in place, we shall be able to harmonise this issue. Already there is a protocol on Lake Victoria and a commission has been set to oversee the use of Lake Victoria Basin. The commission will look into ways and means of managing Lake Victoria. When this is effected, the current problems of fishermen from the three sister countries being arrested for fishing in foreign waters will cease. There will be no issue of boundaries because we will explore all ways and means of using Lake Victoria equitably.

*(Loud consultations)*

Mr. Temporary Deputy Speaker, Sir, since this Motion has been supported by all hon. Members of Parliament, I do not need to---

**The Temporary Deputy Speaker** (Mr. Khamasi): Order, Members! There are too loud consultations going on. Could you, please, consult quietly?

**The Minister for East African and Regional Co-operation** (Mr. J.K. Koech): Mr. Temporary Deputy Speaker, Sir, I do not want to say much because this Motion has been strongly supported by this House. I, again, wish to thank hon. Members for supporting this Motion. A way has now been paved for us to meet next week in Arusha. We shall be presenting the Report there and we hope that it will be accepted by our sister countries so that we can hold the elections of the President of the East African Federation in 2013.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to move that this Report be adopted by this House so that we continue with Fast-Tracking of the East African Federation.

*(Question put and agreed to)*

ADOPTION OF SESSIONAL PAPER NO.8  
ON GOK BANK GUARANTEE TO KFA

THAT, this House adopts Sessional Paper No.8 of 2005 outlining Government Bank guarantee to the Kenya Farmers Association (KFA) laid on the Table of the House on Tuesday 5th April, 2005.

*(By the Minister for Co-operative  
Development and Marketing  
on 28.4.2005)*

*(Resumption of Debate interrupted  
on 28.4.2005)*

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Temporary Deputy Speaker, Sir, I had already started moving this Motion. I do not want to take a lot of time because I want to give the hon. Members time to ventilate on this Motion.

However, I need to emphasise that when the Kenya Farmers Association (KFA) was operational, it operated 55 branches countrywide. Therefore, that made it easy for the farmers to access farm inputs. Since the closure of the KFA, distribution of inputs and farm machinery has been extremely poor. This, therefore, led to the distribution of fake feeds and fertilizers. Therefore, it is absolutely necessary to revive the KFA, so that we can break this cartel.

Mr. Temporary Deputy Speaker, Sir, those of us who are farmers know that recently, we have had the problem of fake fertilizers and seeds. I, therefore, wish to request the House to support this Motion. This Sessional Paper has been discussed thoroughly by the Departmental Committee on Agriculture, Lands and Natural Resources, and we have made the necessary changes. Indeed, we have all agreed that the most effective vehicle to revitalise agriculture is the KFA. The Cabinet has given its approval for a guarantee of Kshs2 billion. I have brought this Sessional Paper before Parliament because it is the only authority that can approve this guarantee. The Government has written off Kshs842,307,547 from the books of the KFA as a balance sheet clean up for the institution. That information is contained in the document that we have distributed to the farmers.

Mr. Temporary Deputy Speaker, Sir, out of the Kshs2 billion, KFA will use Kshs500 million to rehabilitate its structures, pay off its bank loans and other creditors. The bulk of the money, which is Kshs1.5 billion, will be used as working capital. Indeed, this money will be used to facilitate the importation of bulk fertilizers and machineries, so that we can mechanise agriculture by getting



machineries and implements which are affordable and of high quality. This will have the effect of increasing production and decreasing the prices of the inputs. One of the questions which have arisen is on the status of the KFA. The KFA is like a parastatal in transition. Once the KFA is revitalised, we intend to shape up its shareholding and restructure its membership. Currently, very many of the KFA members are not known. We want to go into that exercise.

The members of the KFA will conduct elections. I want to emphasise that the Government has no intention of running any institution. At the same time, I also want to assure this House that as soon as we have restructured the shareholding of the KCC, we intend to advise farmers to conduct elections because that institution belongs to them.

Mr. Temporary Deputy Speaker, Sir, my Ministry has no intention to go into business. We are too busy trying to revitalise co-operative societies and we do not want to go into any business. I want my colleagues to understand clearly that we want to revitalise the KFA for the farmers. Indeed, if Parliament adopts this Sessional Paper, all of us will be part of this revitalisation. This is not a Government thing, but a national thing. Therefore, all hon. Members will feel part and parcel of the revitalisation of the KFA.

*(Loud consultations)*

**The Temporary Deputy Speaker** (Mr. Khamasi): Order, hon. Members! Hon. Kimeto, hon. Kones and hon. Salat, can you respect the contributor on the Floor? Please consult in low tones.

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Temporary Deputy Speaker, Sir, since there are no major issues in this Sessional Paper, I will ask my colleagues to contribute to the Motion. I hope that we will pass this Sessional Paper today, so that during the next planting season, farmers will have access to affordable inputs. Indeed, after the Budget when the KFA will have received some funds, farmers will be able to borrow money from the KFA and they will afford to buy proper machinery to mechanise agriculture.

With those few remarks, I beg to move. I will ask hon. M. Kariuki to second the Motion.

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Mr. Temporary Deputy Speaker, Sir, I wish to second the Motion on the adoption of the Sessional Paper No.8 of 2005, which provides for a Government guarantee for Kshs2 billion to the KFA. The collapse of the KFA is synonymous with the collapse of the agricultural production in this country. Since the political interference set in on this body which was very successful, and it changed its name to the Kenya Grain Growers Co-operative Union (KGGCU), which was commonly referred to as the "Kenya Gang of Grabbers Co-operative Union", that is when the collapse began. There has been a decline in production and an increase in the cost of inputs and we have seen our country go down for the last 20 years because of the decline of this particular organisation. Agriculture is the mainstay of this country and agricultural activities preoccupy the majority of our people in their day-to-day struggle to earn a livelihood. So, agriculture being the backbone of our economy, it is important that it should be jealously guarded.

I remember that, a few years ago, there was an attempt by a South African firm to buy off the Kenya Farmers Association (KFA) and take charge of our agriculture. I must thank the former President of this Republic because he said that, that would not happen during his lifetime. We need to guard agriculture as the mainstay of our survival, and we must keep foreigners off it, if we are going to be in charge of our economy. The Government has come in handy to support the efforts of the farmers to bring back this organization to its feet. We have lessons to learn; that, we cannot allow political interferences in major sectors of our economy. The lesson we learnt from the KFA and the Kenya Grain Growers Co-operative Union (KGGCU) is that, unless we insulate our key institutions from political manipulation, we will not be able to move forward.

Mr. Temporary Deputy Speaker, Sir, as we think about this guarantee, it is important to ask ourselves what will happen to those who were responsible for the collapse of this institution. Let us guard against creating a precedent to a culture of impunity; where people get into a public organization or corporation, then loot, steal and sell its assets and, at the end of the day, they get away scot-free. I would really like to call upon the Minister to initiate investigations into the assets of the KFA and its collapse. If there are any culprits who will be found, appropriate action should be taken against them. We should also ensure the recovery of what the farmers have lost.

Mr. Temporary Deputy Speaker, Sir, the KFA has had a lot of debts, but I think the most prominent has been on those deals and what is owed to the workers who have retired or have been retrenched. I believe that well over Kshs50 million, or maybe, Kshs100 million, remains unpaid to workers who were retrenched in 1997/1998, and they have been out there waiting to be paid their dues. This has led to the collapse of many families and many poor people have died while awaiting their dues. I know that there have been several litigations in court and pending judgements which have not been made. I hope that Kshs500 million, out of the Kshs2 billion, will go towards settling such debts. If the organization gets back on its feet, as we hope it will, the first priority should be given to those workers who lost their employment during the retrenchment programme, because they have the benefit of training and they have acquired skills, instead of taking another crop of workers to retrain. It is much more economical to use the already skilled labour which is out there and which has not been utilized for the last eight or nine years.

The Temporary Deputy Speaker, Sir, the role of the Government has been questioned in the parastatals and also in state corporations, but we really have to be careful with this talk about privatization. At the end of the day, we shall have no economy to talk about because everything might be foreign-owned. We must ensure that, even as the Government concentrates on its core duties of administration, the key and strategic state corporations are guarded against foreign control. The mismanagement that we have seen in state corporations is basically a managerial issue and not an ownership issue. If you recruit appropriate and competent managers to run a state corporation, I do not see why that corporation cannot make profit. We have a number of state corporations which make profits today because the recruitment of the chief executives is competitive; they look for the best and the most capable. As we seek to revive an organization like this, we should go for the best. I am happy that now, we have regulations under the State Corporations Act for the recruitment of chief executive officers. I do hope that those regulations will be adhered to, so that we can get the most competent managers. We have failed in the past because we have pursued the parochial path of looking for our cronies and patronage in the appointment of heads of state corporations; let us look for merit and the best. I do not think the issue is ownership; it is about management. A state corporation can make profit as much as a private organization.

Mr. Temporary Deputy Speaker, Sir, given the nature of Kenyan politics, I have seen that stakeholders have insisted on one of their own being appointed as chief executive officer. If you look at the sugar industry, for example, the chief executive officers come from the sugar-producing areas; the same applies for the coffee and tea industries, where the chief executives in most of those corporations come from the stakeholders' areas.

I know that the headquarters of the KFA happens to be in Nakuru in my constituency. Nakuru is one of the leading agricultural areas in this country; we have, for a long time, been leading producers of milk, wheat and cereals. So, when this organization is on its feet and its elections are held, we look forward to having its chief executive elected from within the area where the stakeholders are based, because this is in line with the tradition in this country; where sugar producers have one of their own.

Pyrethrum is produced in Nakuru, yet we have never had the chief executive of the Pyrethrum Board of Kenya coming from Nakuru. We would like the chief executive of this board to be recruited from the stakeholders' areas. If Nakuru produces 60 per cent of our pyrethrum, there is no good

reason why a chief executive of the Pyrethrum Board of Kenya should be sourced from outside the stakeholders' areas.

Mr. Temporary Deputy Speaker, Sir, we look forward to a board that will be representative and which will give farmers inspiration and really re-assure them as stakeholders, and that their interests will be taken care of. As far as food security is concerned, the KFA has a national network, with more than 70 branches across the country. The assets are still there and it will be much easier to revive those assets if they are revamped, repaired and stocks are made available. The KFA was the main source of inputs for the small farmers as well as the large-scale farmers and we do hope that, with the revival of the organization, the small farmers will be able to go into production with the available credit. One of the major departments in the KFA was the Credit Control Department, which was disbursing credit to farmers, and upon delivery of the produce, they would deduct the income from the farmers and they were able to make their way that way.

In terms of the poverty eradication strategy and wealth creation, it is very important that we have a strategic corporation like this one which we are targeting to put on its feet. By so doing, we are going to increase production across the country, fight poverty and create employment for our people.

So, it is really my hope and desire that this House is going to support this particular Sessional Paper which is awaited by farmers, and I think one of the pledges of this Government was to revamp the agricultural industry. In the same breath, I welcome the efforts to revive the Kenya Meat Commission (KMC) despite all the opposition that the Government should not be in business. I think the Government is on course. We have to look at our farmers across the board because whether they are farmers or livestock keepers, they are all important because agriculture is the backbone of our economy and we have to support it.

With those few words, I beg to second.

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

*[Mr. Deputy Speaker took the Chair]*

**The Assistant Minister for Foreign Affairs** (Mr. Wetangula): On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order! Order! You know what happened when there was a change of guard rather abruptly!

*(Laughter)*

*(Question proposed)*

Now, proceed, Mr. Bett!

**Mr. Bett:** Thank you, Mr. Deputy Speaker, Sir. I wish to confirm that the Departmental Committee on Agriculture, Lands and Natural Resources met and I am grateful to the Minister and his team because they were able to come and enlighten the Committee on this request to revive the KFA. Agriculture is the backbone and the mainstay of this country and, indeed, of any nation. It is the engine of growth and, in order for an engine to function well, it must have oil within itself. If agriculture is the backbone of our economy, then it must have ribs to hold, strengthen and support it.

Mr. Deputy Speaker, Sir, agriculture contributes 50 per cent to the Gross Domestic Product (GDP) of our country. It provides healthy food for our people. This is the food which sustains a nation. If this country does not have adequate foodstuffs, there will be famine all over. This is already

known to us. In the past, this country has suffered a lot because of lack of food, yet we have the land, capacity and the people to till the land.

Mr. Deputy Speaker, Sir, agriculture also provides security in terms of food. If we are able to provide surplus food, we will be able to sell it and earn on foreign exchange. However, if we do not support agriculture, we will not be able to stand as a nation.

Agriculture is the source of raw materials for the agro-business. There are so many activities in this country that depend a lot on raw materials from agriculture. If we do not supply such raw materials to these agro-businesses, we will not be able to provide employment to our people. We will not also be able to provide better welfare to our people. We need to support our people and to empower them. We can only do so by allowing such industries to come and prosper in our country. Agro-businesses in this country are dependent on agriculture.

Mr. Deputy Speaker, Sir, I have already said that agriculture provides healthy food for our people. A healthy nation is an economically viable nation. However, we must enable agriculture to prosper. The Kenya Farmers Association (KFA) is one of the avenues which will enable the farmers to develop their land and keep livestock for beef and milk. The milk will then be sold to the Kenya Co-operative Creameries (KCC). We are happy that the Government is busy revitalising it. Also, the Kenya Meat Commission (KMC) is being revitalised.

Nevertheless, farmers will succeed in their endeavours if they will get agricultural inputs at affordable prices and at the right time. You will remember, a while ago, that the Minister for Agriculture announced that fertiliser was on its way into the country. That was true but it arrived very late when the planting season had already passed. Proper farming can only be done when the right inputs, at affordable prices, reach to the farmer on time. I strongly believe that KFA is strategically placed to do that. It can buy bulk agricultural inputs which are required by farmers. It can buy fertiliser at prices that are heavily discounted and pass the discount to the farmers. By so doing, it will benefit the farmers.

Mr. Deputy Speaker, Sir, the KFA was also a leading distributor, or input provider, to farmers before it collapsed. As we have heard, it has 55 outlets, apart from stockists, which are spread across the country. Therefore, the KFA is strategically placed to distribute these agricultural inputs to the farmers. As I have said, the network is already there.

I would also like to touch on the issue of credit to farmers. In the yesteryears, the KFA of yesteryears used to facilitate credit facilities to the farmers. Farmers would be given credit facilities on easy terms or longer credit period to pay. When the credit facilities go to commercial traders, which is the case today, farmers are unable to access credit facilities. However, the KFA used to do so. It was also inter-linked with other farmers' organisations and institutions, like the Agricultural Finance Corporation (AFC), which used to channel loans to farmers through the KFA. The farmers were taking those loans by way of inputs from the KFA. This ensured that they did not misuse the loans they had been given by the AFC.

Mr. Deputy Speaker, Sir, the AFC was also very useful in terms of assisting milk processors. The KCC used to get its inputs, like the milking cans, which were then sold to farmers at very low prices. It was really to the benefit of the farmer at every stage. Today, farmers are not able to get milking cans from the KFA because it is no longer functioning the way it used to function.

Mr. Deputy Speaker, Sir, the Kenya Seed Company was also using the KFA to distribute quality certified seeds to farmers. There is nothing better than giving farmers quality certified seeds to plant as opposed to situations where after the KFA collapsed, so many unscrupulous traders were selling uncertified seeds to farmers. They ripped off farmers! We do not want this to continue.

The co-operative societies also prospered because of the KFA. It is true that we know the problems facing co-operative societies today. One of them is that they are unable to provide their members with cheaper services because they do not have the ability to get the services from the KFA.

While supporting this Motion, one needs to be careful in noting that we have to be mindful of the operations of the institution. We need to fight poverty and this can be done through the KFA. However, the people may not have the ability. The only way to ease it out is to get the inputs at discounted prices from the KFA. This will enable farmers to buy the inputs from these organisations.

I also want to touch on management. The KFA is asking Parliament to guarantee it for Kshs2 billion. Who are going to be the managers? How qualified are they? Have they been vetted? That is one thing that we must look at very critically. We need a professional and qualified management which can utilise this money properly. If it cannot, then this House should not allocate money to the KFA, lest the KFA will misuse it and ruin the economy of this country. The other issue is on members of the Board. We need to emulate the Kenya Sugar Board (KSB). The KSB is electing its members on the basis of regions; to ensure that all areas concerned are represented, although this needs to be perfected. We hope that when the KFA finally gets on its feet, the members of its Board will be elected by farmers across the country. This will ensure that every region is represented.

Mr. Deputy Speaker, Sir, I would also like to touch on the issue of the banks. Who are these people who are going to lend the money? What are their terms and conditions? For how long are they going to give us this money? We may agree to guarantee KFA for Kshs2 billion, but the bank will lend them money for a short period. This period may not only destroy the farmer but also the institution that we are trying to revive. I am happy that the Minister has said that the Ministry and the Government are not going to play the role of a *dukawalla*. I would like to urge the Ministry to ensure that the KCC, KFA and KMC are run commercially. In the past, we made errors and we do not want to repeat them.

With those few remarks, I beg to support.

**Mr. Deputy Speaker:** Yes, Mr. Wetangula! Are you a farmer?

**The Assistant Minister for Foreign Affairs** (Mr. Wetangula): Mr. Deputy Speaker, Sir, I am a major dairy farmer in this country.

I stand to support this Sessional Paper. But, as I do so, I would like to point out a few things. To begin with, I would like to say that the Kenya Farmers Association (KFA) was the engine of farming in this country. It was owned by farmers. However, it had a very weak legal foundation. That is why today some of its previous managers are among the richest people in this country. This is because they short-changed the organisation they were working for. As we put this Sessional Paper in place, I would like the Minister to come up with a proper legal framework upon which KFA will be revived. Let us have a legal foundation on which the KFA will survive on. I say this because we do not want somebody tomorrow, in a public rally, to issue a decree to convert KFA into Kenya Grain Growers Co-operative Union (KGGCU) and vice-versa, because he wants to do away with the management or something like that. The only reason why companies like Nzoia Sugar Company (NSC), Mumias Sugar Company (MSC) and others survived the looting spree of yesteryears is because they had proper legal foundation on which they were grounded.

I would urge the Minister, as we approve this Sessional Paper, to very quickly draft some legal framework that will protect this organisation. Similarly, this organisation had a lot of assets countrywide. Many of them were taken away either by previous managers, or other looters waiting in the wings. I think it will be important for the Minister to trace and recover all the assets of KFA.

Mr. Deputy Speaker, Sir, we all know the critical role that KFA will play in farming in this country. However, I would want the Minister for Co-operative Development and Marketing, and the Minister for Agriculture, to make sure that there is a link between critical organisations in the farming structures of this country; namely, Co-operative Bank of Kenya, KFA, Kenya Co-operative Creameries (KCC), Agricultural Finance Corporation (AFC), Kenya Seed Company, African Development Corporation (ADC) and the National Cereals and Produce Board (NCPB). These are the link organisations that help farmers in this country. An organisation that regulates their operations

and linkages is necessary, so that farmers are able to get credit and do their business.

I would want a situation where, as we revive KFA, we simultaneously strengthen the role of AFC, so that AFC becomes the critical finance organisation converted into a farmers' bank that will offer local credit to KFA when they import fertilizer, or buy seeds and other farm inputs.

Mr. Deputy Speaker, Sir, farmers in this country suffer enormously due to middlemen. We have *dukawallas*, Indian traders, who bring in fertilizer and make obscene profits. They make up to 1,000 per cent profit.

Mr. Deputy Speaker, Sir, even though this is a liberalised market, we do not want to smoke them out of town, but what we are saying is that we must have an organisation that is not entirely profit driven. We need organisation that has the interests of the country and the farmer at heart; an organisation that will see that making a 10 to 15 per cent profit in business is a decent profit; not profiteers who want to become billionaires overnight.

Mr. Deputy Speaker, Sir, I also want to mention that, as we revive KFA, its headquarters should remain in Nakuru, or perhaps, be set up in richer farming areas, for example, Eldoret or Kitale, so that all farmers who deal in cereals or other products can access it. I hope that we will not find another farmers' organisation establishing its headquarters in Nairobi when those who consume their services are based elsewhere.

Equally, it would be better, for purposes of transparency and accountability, for this Sessional Paper to enumerate all the debts that KFA owes so that, as we approve this guarantee, we know what we are guaranteeing and what is being written off. The history of non-accountability in this country stinks and we do not want to create any situation where, tomorrow, we have questions that have no answers.

Mr. Deputy Speaker, Sir, I would like to agree with Mr. M. Kariuki; that we have a lot of people who were working with KFA before it collapsed. Those people were laid off when the organisation collapsed. When we revive KFA, these people should be given the first priority in terms of employment. Those who retired can be replaced and where there is replacement, we need to have an equitable distribution of these positions countrywide.

Mr. Deputy Speaker, Sir, on page four of this Sessional Paper, the Minister cites Permanent Secretaries who will constitute part of the Board. I would want a situation where farmers take the centre stage in the ownership and directorship of KFA. I would want the Minister to zone the country, so that farmers themselves hold elections and have proper representation of the board of the revived KFA, so that we are able to assist farmers.

Mr. Deputy Speaker, Sir, let me finish my contribution by lauding the efforts that the NARC Government is making in the revival of many institutions that have collapsed in this country. I represent a constituency that is largely sugar cane and coffee-growing. I am happy to note that at the time we held General Elections in 2002, coffee farmers in my constituency were earning 50 cents for a kilogramme of coffee. This year, they earned Kshs24 per kilogramme. I believe this will go up.

Mr. Deputy Speaker, Sir, Nzoia Sugar Company was on the verge of collapse. In fact, it was technically insolvent. However, in the last one year, this company has paid its farmers Kshs1.5 billion. They have, in their account, a credit balance in excess of Kshs500,000,000. This is good management. This is management that makes the managers of yesteryears, like our colleagues across the Floor, feel embarrassed and ashamed, those who ran down this country knowingly, wilfully and greedily!

**Dr. Godana:** On a point of order, Mr. Deputy Speaker, Sir. The hon. Member was a very vibrant youthwinger in the former regime. How can he accuse and tell us that we should be ashamed?

**Mr. Deputy Speaker:** Order! Dr. Godana, you stood on a point of order!

**The Assistant Minister for Foreign Affairs (Mr. Wetangula):** Mr. Deputy Speaker, Sir---

**Mr. Deputy Speaker:** Order, Mr. Assistant Minister! Dr. Godana, I did not hear your point of order! Can I hear it now?

**Dr. Godana:** Mr. Deputy Speaker, Sir, the hon Member is definitely out of order to rub at our side so seriously. That is because, to the best of my knowledge, he was a very vibrant youthwinger in the former regime. Is he in order, therefore, to accuse us like that? If we did that, we were together! Some of us did not actually do it!

**The Assistant Minister for Foreign Affairs (Mr. Wetangula):** Mr. Deputy Speaker, if Dr. Godana controlled his excitement, he would make a lot more sense. But to stand here and rattle the way he is rattling belittles his position as the Deputy Leader of his side.

**Mr. Deputy Speaker:** Order! That language of "rattling" is out of order and unparliamentary. Could you---

**The Assistant Minister for Foreign Affairs (Mr. Wetangula):** Mr. Speaker, Sir, he did not rattle! He spoke uncontrollably.

I want to finish by saying that the whole country can see that the management of public affairs of this Government is definitely something to proudly stand up and talk about. It is definitely something that is putting money into the pockets of *wananchi* represented by all of us; from both sides of the House.

Mr. Deputy Speaker, Sir, even those who are protesting at what I am saying, quietly come to us and tell us: "You are doing a fantastic job!" They have done so and we are proud of it.

**An hon. Member:** Those are the defectors!

**The Assistant Minister for Foreign Affairs (Mr. Wetangula):** Mr. Deputy Speaker, Sir, I want to finish by saying that, as we approve this Paper, the Minister must ensure that, by the time we finish everything, we have a proper legal framework to guard Kenya Farmers Association (KFA) from any possible plundering, theft and looting, like we saw in the past regime.

Thank you.

**Mr. Serut:** Thank you, Mr. Deputy Speaker, Sir, for allowing me to contribute to this important guarantee by the Ministry of Co-operative Development and Marketing to KFA.

Mr. Deputy Speaker, I would like to start by thanking the Minister for bringing this particular document to assist the farmers. Farmers in this country have suffered for quite some time, especially because of farm inputs like fertilizer. KFA used to be the last resort for farmers in this country. But when KFA collapsed, farmers were left at the mercy of brokers.

Mr. Deputy Speaker, Sir, I want to echo the sentiments that have been expressed by Mr. Wetangula. The Minister must come with a proper legal framework and change the name of KFA. I want to propose that it be called the "Kenya Farmers Service Corporation". I propose that name, so that we can expand the role of KFA to include extension services and research. That will involve soil sampling and marketing of our produce. That will render the issue of liberalisation null and void because that organisation will regularise the prices. Liberalization means that the market has to dictate the prices. But if we have a KFA that will be importing directly and selling farm inputs to farmers, the prices will come down.

Mr. Deputy Speaker, Sir, I am also concerned about the Government running KFA, even if it is for a short period of time. We have a history in this country. KFA collapsed because of political interference; the Government had an upper hand. What guarantee do we have now that, within the three years that the Government is going to run KFA, there will not be political interference? I know that, in the next two years, we are going for elections.

**An hon. Member:** Or even earlier!

**Mr. Serut:** Mr. Deputy Speaker, Sir, that is the concern of even the farmers. It is my considered opinion that we should revive KFA within one year. Thereafter, let the farmers elect their own directors. Let us own that organisation by having directors from every zone. Let them elect their own officials, so that farmers in this country can have confidence in KFA.

Mr. Deputy Speaker, Sir, there has been an issue of which banks will lend money to farmers

and at what interest rates. I want to agree with hon. Members who have raised that issue. We do not want KFA to be guaranteed money from banks where certain politicians have interests. That is because such banks might charge very high interest rates and KFA will become insolvent again. I am being told the Mover wants to respond.

Therefore, with those few remarks I beg to support.

**Mr. Deputy Speaker:** Order! Who told you that, Mr. Serut?

**Mr. Serut:** Mr. Deputy Speaker, Sir, I had been warned by the Assistant Minister!

**Mr. Deputy Speaker:** Order! The Chair controls the proceedings of this House! I think, let us not dwell on that! Let us move on to the next person!

Mr. Gachagua, please, proceed!

**Mr. Gachagua:** Mr. Deputy Speaker, Sir, I rise to support this important Paper. It is acknowledged in this country that agriculture is the mainstay of our economy. In line with that position, it is important that everything is done to revitalise agriculture.

Mr. Deputy Speaker, Sir, we have had two Papers; the Economic Recovery Strategy for Wealth and Employment Creation and the Strategy for Revitalisation of Agriculture. Those two Papers have stated very clearly that we need, as a country, to increase the budgetary allocation to the Ministry of Agriculture and related Ministries. It does not make sense for us to keep on repeating that agriculture is the mainstay of this country and yet, we allocate it very little money in the Budget.

Mr. Deputy Speaker, Sir, it has been agreed that the budgetary allocation to agriculture will be increased from the paltry 2 per cent to 3 per cent to 10 per cent. However, this is a long-term strategy that may take time to achieve. But, in the meantime and short-term, the Paper before us is important. It has something that we can do very quickly. It will give us immediate results towards the revitalisation of agriculture.

Mr. Deputy Speaker, Sir, we have problems in the provision of agro-inputs that go towards agriculture. They include chemicals, fertilizers and so on. During its heydays, KFA was known as an organisation that was able to provide farmers with agro-inputs and chemicals at very reasonable prices. That was because it was owned by farmers.

Mr. Deputy Speaker, Sir, as Members of the Committee on Agriculture, Lands and Natural Resources, we have looked at what KFA has put across in terms of convincing this House that this is a well-meant move. I rise to support this Paper because KFA has a network that is distributed throughout the country. It has warehouses and outlets all over the country. All we need to do is to enable it buy inputs that can be accessed by farmers.

Mr. Deputy Speaker, Sir, we all know that we have had a problem with the quality of seeds distributed in this country by middlemen. This is an opportunity for us to enable an organisation like Kenya Farmers Association (KFA) and give it the mandate and responsibility to bring in and distribute quality seeds. I think that is a job it can do well. This Government has already done so much in empowering farmers by writing off debts to coffee and sugar farmers. This is in the same line with empowering farmers to do even more. We have had an opportunity to peruse a report on what the KFA management intends to do in terms of restructuring its debts and making sure that the guarantee that was advanced to it by the Kenyan Government is well taken care of. There are plans to get rid of non-core assets like buildings. This will go into taking care of the long-term loan that KFA currently has.

Mr. Deputy Speaker, Sir, I would like to echo the views given by hon. Members in this House that, to carry out this work, it is important that KFA's management is given a free hand in terms of recruitment and making day-to-day decisions which affect the organisation. I propose that the duration of the guarantee be extended. It is important for Government officers to be represented on that board. However, as soon as the guarantee is over, it is important that KFA becomes trully a farmers organisation, with farmers electing representatives to the board. It is a farmers organisation and



should remain so.

**Prof. Olweny:** Thank you, Mr. Deputy Speaker, Sir. I wish to support the Sessional Paper before us by reminding the House about the importance of agriculture. We all know that the agricultural sector is the foremost of all sectors in this country. Unfortunately, today, it is performing poorly, leading to unemployment in this country.

Mr. Deputy Speaker, Sir, during the days when the sector used to perform very well, we did not experience the current status of unemployment in this country. The poor performance of the sector is one of the major issues which have been caused by lack of political goodwill, accompanied by little attention by the Treasury. The Treasury does not give this sector adequate funds. There is too much undue attention given to other sectors which we can do away with.

Inadequate attention to the agricultural sector and undue political interference is what led to KFA being pushed to its death bed and we are now trying to revive it through this Sessional Paper. The KFA was pulled down when the Kenya Grain Growers Cooperative Union (KGGCU) was formed. It was formed by politicians, for politicians and for looters who looted and made the sector perform poorly.

Mr. Deputy Speaker, Sir, we all know that the colonial Government knew that the agricultural sector could only survive if it was subsidised. This can be enhanced by coming up with institutions that support farmers. That is how the colonial Government came up with KFA. It knew very well that without a well structured system, the agricultural sector would collapse. That is what we have not taken into consideration today. That is why some of the bodies we have like KGGCU, which replaced KFA, died. The colonial Government gave full support to KFA, which in turn gave its full support to farmers.

Mr. Deputy Speaker, Sir, the colonial Government gave full support to the KFA and farmers and for that reason farming excelled. We would not hear of food insecurity in those days. If we revived KFA today, it would be one way that the Government could use to help farmers procure inputs at subsidised rates. It would be one avenue where farmers would get inputs through credit arrangements. It would help farmers procure professional services very easily if it was revived because when it used to do well the same services used to be given to the farmers.

As my colleagues have said, it was just a matter of mismanagement, unnecessary political interference and a free day for the looters.

Mr. Deputy Speaker, Sir, today farmers are being conned when they buy poor seeds but KFA, once revived, could help them the way it used to do. Farmers used to get very good quality seeds to plant. Name whatever crop, they would get good quality seeds for it. However, today they do not because if you went to the Kenya Seed Company to buy the seeds, sometimes you get only 70 per cent germination or even less because we do not have an organisation which could help farmers to get good quality inputs.

Mr. Deputy Speaker, Sir, in order to give an opportunity to my other colleagues who want to make an input, let me summarise by saying that if KFA is revived, it will also co-ordinate with other agriculture-based institutions like the National Irrigation Board (NIB).

Rice farmers experience problems nowadays in getting seeds and even marketing their rice. Kenya Sugar Board (KSB) is holding its elections this month and it also has its problems but if we had a restructured KFA, it would co-ordinate for the betterment of farming in this country. Revival of KFA would mean reviving agriculture, improving the wealth status of our farmers and creating employment opportunities in this country. It would also help us in single sourcing of inputs for our farmers which would make everything very convenient for the farmers in this country.

Mr. Deputy Speaker, Sir, with those few comments I support.

**The Minister for Foreign Affairs** (Mr. Mwakwere): On a point of order, Mr. Deputy Speaker, Sir. Considering that the contributions made by hon. Members seem to be re-emphasising the

same points, would it not be in order if the Mover was called upon to reply?

*(Applause)*

*(Question, that the Mover be  
now called upon to reply,  
put and agreed to)*

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Thank you, Mr. Deputy Speaker, Sir. First, I wish to thank the hon. Members for their support of this Sessional Paper. I wish, indeed, to reiterate my gratitude to the Departmental Committee on Agriculture, Lands and Natural Resources because of its very able guidance. As you have heard from all the hon. Members, they have raised a few concerns which I wish to address.

Mr. Deputy Speaker, Sir, we have discussed only the synergy between the agricultural institutions namely the Kenya Farmers Association (KFA), the Agricultural Finance Corporation (AFC) and the National Cereals and Produce Board (NCPB). We are discussing how that synergy will be formatted. Most interesting and important is that the passage of this Sessional Paper will now guarantee KFA of the funds they need to revitalise their institutions and godowns and to pay off their creditors.

I did say, when I was moving this Motion, that Kshs500 million will be used to pay former employees of KFA and the balance of Kshs1.5 billion will be used as operational expenses that will be used to establish letters of credit to facilitate importation of the requirements.

Mr. Deputy Speaker, Sir, concerns have been raised about the banks which should be involved. The Kenya Farmers Association (KFA) would have taken Parliament for granted if it had not raised this matter with the banks. We would also have taken Parliament for granted if we had started negotiations and then asked this House to pass this Sessional Paper. Those negotiations are going on because Parliament has given the guidelines to be followed. Parliament has also said that the interest rates to be charged should be discussed so that the farmers can benefit abundantly from the passage of this Sessional Paper.

The recovery of assets and debtors of the KFA have been discussed. Before we got a Cabinet approval to bring this Sessional Paper to this House, we established an inquiry at the KFA. The inquiry gave us the true position of that organisation which is, indeed, sad. However, the debtors of the KFA are known. We know that some properties which had almost disappeared have been recovered and those that have not been recovered will be recovered. I would like to assure this House that the KFA will not lose any property.

Mr. Deputy Speaker, Sir, on the issue of returning the KFA back to the farmers, I would like to assure this House once more that we will update the members' register as soon as that organisation is revived. This is because the KFA is owned by the farmers in this country. Some of the KFA members have died, while others have ceased being members for one reason or another.

So, we need to update the register of the KFA and give an opportunity to other members to join organisation because it belongs to farmers.

Mr. Deputy Speaker, Sir, I would also like to inform this House that before we appointed the interim Board, we met the delegates of the KFA and gave them a programme of action. They accepted that the Government takes it over temporarily. So, we have a transition Board at the KFA. It is true that part of the money we are looking for is meant to enhance the management of the KFA.

Currently, we have a qualified management at the KFA but we need to recruit more. However, the KFA does not have the capacity to employ the managers who can move the organisation to where we want it. However, with the passage of this Sessional Paper, we will access

funds and put in place a qualified management team that the members desire.

Mr. Deputy Speaker, Sir, I have touched on most of the issues the hon. Members have raised except the legal framework. What is the KFA? Currently, the KFA is a co-operative society. I would like to assure this House that, as a co-operative institution, the members of the KFA should be comfortable. Recently, this House passed the Co-operative Societies (Amendment) Bill. The members of the KFA should be comfortable with the Act which we passed that states that co-operative institutions will monitor the goings on in the KFA.

Mr. Deputy Speaker, Sir, at least, I would like to assure this House that, under this Government, the Kenya Farmers Association (KFA) will not be a KGGCU. I will make sure that it gets the best possible management and leadership from my Ministry.

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

*(Question put and  
agreed to)*

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

ADOPTION OF THE TWELFTH  
PIC REPORT

THAT, this House adopts the Twelfth Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on Wednesday, 13th April, 2005.

**Mr. Deputy Speaker:** Is the Chairman of the Public Investment Committee not here?

**An hon. Member:** Yes!

*(Motion deferred)*

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

**BILL**

*Second Reading*

THE PUBLIC PROCUREMENT  
AND DISPOSAL BILL

**Mr. Deputy Speaker:** Is the Minister for Finance not here too?

**An hon. Member:** No!

*(Bill deferred)*

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

**MOTION****ADOPTION OF SESSIONAL PAPER NO.3  
ON SPORTS DEVELOPMENT**

THAT, this House adopts Sessional Paper No.3 of 2005 on Sports Development laid on the Table of the House on Thursday 28th April, 2005.

**Mr. Deputy Speaker:** Is the Minister for Gender, Sports, Culture and Social Services not here?

**The Minister of State, Office of the Vice-President** (Mr. Balala): Mr. Deputy Speaker, Sir, for now, we are not ready. However, I will move the Sessional Paper tomorrow.

*(Motion deferred)*

**ADJOURNMENT**

**Mr. Deputy Speaker:** Hon. Members, having no other business, the House is, therefore, adjourned until tomorrow, Wednesday, 11th May, 2005, at 9.00 a.m.

The House rose at 6.25 p.m.