

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 24th April, 1996

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 153

OFFICES FOR DOS

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

- (a) whether he was aware that the District Officers for Mutuati and Ndoleli Divisions have no residences or offices; and,
- (b) how much money has been set aside by the Ministry for the construction of the houses and offices for the two District Officers; and,
- (c) why the Government created additional divisions without setting aside adequate funds for their infrastructure.

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

- (a) The two District Officers are accommodated in the district offices put up by the wananchi of the area.
- (b) No funds have been allocated for the construction of the houses and offices for the two divisions in the 1995/96 voted estimates.
- (c) The Government created additional divisions to bring administration services closer to the people while funds are being sought to put up offices and residences.

Mr. Maore: Mr. Deputy Speaker, Sir, arising from the answer given to part (a) is the Assistant Minister aware that the two District Officers are a burden on the local people? Could he clarify further on part (c) because the massive expansion of the provincial administration is a mere propaganda and campaign meant to deceive people that the Government loves them and that it is some form of development? Can the Assistant Minister explain what infrastructural or tangible development has arisen out of this expansion of the provincial administration? We have 20 chiefs where we used to have two chiefs ten years ago. How has that benefited the people?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, the hon. Member has asked me to expound on part (c) of the answer that the Government has created additional divisions to bring administration services closer to the people. The Government takes into account the wishes of the people because it governs according to the wishes of the people. It has become an increasing demand due to the rise of the population and the development that has been taking place within our country, the people should be served as closely as possible.

Mr. Deputy Speaker, Sir, the infrastructure may not be sufficient, but the services are required. We are asking some of our District Officers that, although their offices may not be as sophisticated as those of their earlier predecessors, to use the existing facilities in serving wananchi.

It is not a question of propaganda. It is the question of the wishes of the people. Many of the hon. Members on both sides of this House have always asked the Government to sub-divide their administrative units because it is very important. Instead of the citizens going 200 miles away to see their DC, it would be in the interest and convenience of wananchi if the DC comes nearer to them.

Mr. Maore: Mr. Deputy Speaker, Sir, can the Assistant Minister explain if the Government had that clarity of vision, in its policy when creating these districts and divisions, why did they not allocate any funds for the purpose for the whole Financial Year? If you have forgotten to allocate funds this year, how much have you

budgeted for it during the next Financial Year? Are you intending to house these DOs to show your "love" for the people that you really want to serve? How much have you budgeted for that?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, by taking the DOs near to the people, we have shown our love for them. If the hon. Member wants us to show love for the DOs by building houses for them, let me assure him that every DO, DC and every

[Mr. Sunkuli]

other Government official is paid a house allowance. If there are no official houses for the DOs and DCs, they will have to use their house allowances to house themselves. With our limited resources, the hon. Member must understand that we cannot definitely build all the offices at a go. We have to build the offices along with other things like hospitals and so on. But the priority is that the services offered by the DOs must reach the people.

Mr. Murungi: Mr. Deputy Speaker, Sir, as a matter of fact, creating new districts, divisions and locations is not showing any love for the people from the Government. What they are doing is taking oppression closer to the people. They are not taking development closer to the people, but they are taking oppression closer to the people.

Mr. Deputy Speaker, Sir, in fact, they are not even taking administration closer to the people because the DOs in these two areas of Mutuati, Ndoileli and also in Kanyakine and Igoji in my own Constituency have no Land Rovers. They cannot move around. So, the DOs cannot leave their offices.

Mr. Deputy Speaker: Ask your question, hon. Murungi.

An hon. Member: How are the people oppressed?

Mr. Murungi: Mr. Deputy Speaker, Sir, when I was in Sierra Leone, I saw that the DOs were using motor bikes to move around the country. But because this Government has no money---

Mr. Deputy Speaker: What is your question?

Mr. Murungi: My question is this: Since this Government has no money---

Mr. Deputy Speaker: You are not asking the question as you have said!

Mr. Murungi: Could the Government consider buying bicycles for the DOs so that they can take administration closer to the people?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, I hope you will allow me to ignore the remarks on repression because the hon. Member used to be a member of FORD(K) and he used to believe that administration is oppressive.

Mr. Deputy Speaker: I thought he is still a Member of FORD(K).

Mr. Sunkuli: Mr. Deputy Speaker, Sir, even members of the Opposition have always demanded from the Government that they should get chiefs as closer to them as possible. The people of this country do not regard their chiefs as oppressors. In fact, the chieftaincy is the most competitive post I know of, in the public service. It is not a repressive post because it is a post that brings the chief closer to the people, in terms of offering administrative services.

Mr. Deputy Speaker, Sir, the Government is making an effort to ensure that all DOs in the country are mobile.

Question No. 088

COLLECTION OF DROUGHT LEVY

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

- (a) how much money has the Government collected from the Drought Levy Fund so far; and,
- (b) how has the money been spent; and,
- (c) whether the Government will stop collecting any more Drought Levy forthwith.

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

- (a) The Government has so far collected Kshs874,927,243.40 from the Drought Levy.
- (b) The amount received has been utilised in the purchase of food, mainly maize for distribution to the famine stricken people in various parts of the country, and in financing various short-term and long-term projects around the country, in form of drought relief.

(c) The Drought Levy Fund has already been discontinued as it was meant to last for one year only.

Mr. Murungi: Mr. Deputy Speaker, Sir, we are pleased to learn that the Drought Levy has been discontinued. Can the Assistant Minister specify which projects the Government started with the Kshs874,927,243.40 which they collected; and where are those projects?

Mr. Manga: Mr. Deputy Speaker, Sir, as I said, the money has been used for buying maize for distribution and also on projects in the drought stricken areas of North-Eastern Province. These are projects like water supply and improvement of roads.

Mr. Murungi: On a point of order, Mr. Deputy Speaker, Sir. I asked the Assistant Minister to name specific projects that have been implemented using this money. It is not enough to say that they have done water projects in North Eastern Province and so on. Can he name specific projects?

Mr. Manga: Mr. Deputy Speaker, Sir, I do not have the list of the projects, but if the hon. Member is so interested, I can bring a tabulated list of the same.

Mr. Farah: Mr. Deputy Speaker, Sir, either the Assistant Minister is not properly informed by his own officers, or there is a serious mismanagement of that Fund. Not one single project in Garissa District has been implemented under this Drought Levy Fund. I am not talking about the Drought Recovery Programme of the World Bank (WB), which is a different thing. Right now, we in Garissa do not have clean and sufficient water and the Ministry in charge of water has attested to that fact in this House. Can the Assistant Minister tell the House exactly which projects were undertaken, or undertake to come back to this House with a list of the projects and how much money was used on those projects?

Mr. Manga: Mr. Deputy Speaker, Sir, I just wish to make one point very clear. The money from this Drought Levy Fund was paid into the Consolidated Fund and then voted as ordinary supply for Government projects. It was not being handled by the Office of the President as a separate Fund. So, no project is indicated as belonging to this Fund. I also want to say that there are many Government projects that are going on in the area the hon. Member has mentioned. I have said that I will bring a list of the projects that are being implemented with money from that Fund.

Mr. Rotino: Mr. Deputy Speaker, Sir, Kshs874 million is quite a lot of money. Some of our districts have suffered from recurrent droughts. The hon. Assistant Minister should be able to give specific projects that were implemented in the districts.

Mr. Manga: Mr. Deputy Speaker, Sir, I want to repeat that a list of the projects will be brought here.

Hon. Members: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order! Mr. Assistant Minister, be specific. When do you think you will bring this list here?

Mr. Manga: Next week on Tuesday.

Hon. Members: There is another Drought Recovery Programme!

Mr. Deputy Speaker: Order! Order! The Drought Recovery Programme is very different from the Drought Levy. Anyway, he has given an undertaking to bring a list of specific projects. Perhaps, it will be proper to allow one or two hon. Members to raise further questions on the issue when he brings the list on Tuesday. Next Question.

Question No. 055

ASSAULT OF MACHARIA MURAYA

Mr. Deputy Speaker: Mr. Nthenge is not here? We will pass his Question for the moment. Mr. Mwaura's Question.

Question No. 094

PRODUCTION OF BANANAS

Mr. Mwaura asked the Minister for Agriculture, Livestock Development and Marketing:-

- (a) whether he could tell the House the amount of bananas that were produced by Muranga District in 1993, 1994 and 1995;
- (b) what plans he has to establish a banana processing plant in Maragwa; and,
- (c) whether he could tell the House what arrangements the Government is making to assist banana farmers in this country to have access to overseas markets.

The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae): Mr. Deputy Speaker, Sir, I beg to reply.

- (a) The amount of bananas that were produced by Muranga District: in 1993 104,000 metric tonnes, in

1994 142,000 metric tonnes and in 1995 176,500 metric tonnes.

(b) According to prices in the country, there is still a shortage of fresh ripe bananas, as the price of one finger in Nairobi is between Kshs4 and Kshs5. With these prices it is not advisable to encourage processing of bananas, due to the costs of processing. This is because it is considered that the value added prices will not be attractive enough to the farmers.

(c) Already, some farmers are exporting bananas to European countries and the Middle East. The export quantum is, however, minimal as banana is not one of the major export crops in the country, since the local market demand is very high. The Government on its part is encouraging and promoting banana exportation through participation in international horticultural exhibitions in Europe and the Middle East, and also by sending trade missions abroad under the Horticultural Crops Development Authority, the Export Promotion Council and the Fresh Exports Association of Kenya.

Mr. Mwaura: Mr. Deputy Speaker, Sir, I am happy about the way this Question has been answered by the Minister, particularly because bananas have become a very important commodity for our rural people. The Minister knows this because in particular, his own Kisii District produces a lot of bananas. Whereas he says that we have not reached the capacity necessary to establish a factory for the processing of bananas, would he consider establishing a factory for the entire country, even though I had asked that Muranga District be considered for the establishment of this factory? I believe that Kenya has reached a stage where we can start with a small capacity factory and thus help the banana farmers in this country.

Mr. Nyachae: Mr. Speaker, Sir, the idea of establishing a processing plant for bananas is constantly under review. But considering the amount of bananas being produced and the market available for it, at present we find that farmers find it attractive to sell ripe bananas direct in the market as opposed to the idea of establishing a processing plant, which may not be attractive enough to farmers. Therefore, if the factory is established right away it may not have the raw materials, and we will not force farmers to take their bananas to it, if they can get better prices for ripe bananas in the urban centres.

Mr. Michuki: Mr. Deputy Speaker, Sir, arising from what the Minister has said, what arrangements is his Ministry making to increase production of bananas so that we have surplus for export in order to earn foreign exchange?

Mr. Nyachae: Mr. Deputy Speaker, Sir, we are encouraging farmers to produce bananas not only for the local market in urban centres but also as a staple food in certain areas of the country. But we find that export is not really part of our priorities right now. This is because competition in the international market is very high.

Perhaps, for the information of the hon. Member who has raised this point, the people who are producing the largest amount of pineapples in Kenya are the same people who would be our biggest competitors in the banana market internationally. In North Africa, they are the producers of a huge amount of bananas. Therefore, the question of encouraging export of bananas is under constant consideration, but right now it is not our priority.

Mr. Gatabaki: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Minister to mislead this House about the incapacity of this country to export bananas when he knows very well that no effort has been made by this Government to support farmers by providing funding to them and encouraging production of high quality export bananas? In fact, the Prisons Department does produce high quality bananas. The Minister knows very well of the hostility of this Government to the farmers of this country, in the sense that--

Mr. Deputy Speaker: Mr. Gatabaki, I have not seen your point of order! I think you are asking a question.

Mr. Gatabaki: Mr. Deputy Speaker, Sir, I have not been able to put it very clearly because I was assaulted by the Kiambaa bull last Saturday!

Mr. Nyachae: Mr. Deputy Speaker, Sir, I do not know what the hon. Member is referring to, but if it is the question of encouraging farmers to grow more bananas, I would like to refer him to his own Province. In Kirinyaga District, around Mwea, the Government is, encouraging through experiments, banana production. In Nyanza Province, we have a huge programme there in a place near Oyugis called Kotieno, where again, there is a big programme on banana production. Therefore, the exercise of encouraging our farmers to produce more bananas is a continuous process and we are doing it.

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, can the hon. Minister tell this House which is which, because a Minister of the Kenya Government, has on the one hand, said that the demand for bananas is so high that they cannot encourage the processing of the same when at the same time, in my own constituency, the people have been denied a large chunk of land because they want to use that land to produce bananas for purposes of processing? Which is which? The Lake Basin Development Authority (LBDA) has denied the people the use of the Yala Swamp for production of food because they are devoting it to the production of bananas for processing

purposes. Are you aware of that?

Mr. Nyachae: Mr. Deputy Speaker, Sir, the issue of Yala Swamp, although it does not come under my Ministry, is a completely different issue from the encouragement we are putting on the production of bananas. There have been issues on priorities within the Nyanza Province under the LBDA. They need to sit down with the leaders in order to agree on their priorities. It is not a question of denial, but a question of leaders and the LBDA in Nyanza, to agree on their priorities as far as the agricultural production is concerned.

Dr. Otieno-Kopiyo: You come from Nyanza and you should understand the problems that we are facing. (inaudible)

Mr. Nyachae: Very much.

Mr. Mwaura: Mr. Deputy Speaker, Sir---

(Mr. Icharia also stood up)

Mr. Deputy Speaker: I have given the Floor to Mr. Mwaura.

Mr. Mwaura: Mr. Deputy Speaker, Sir, the hon. Minister has told the House that already we are exporting bananas to Europe and the Middle East. Is the hon. Minister in a position at least to tell the House how much tonnage of bananas is currently exported to those countries?

Mr. Nyachae: Mr. Deputy Speaker, Sir, I do not have that figure with me now, if I could be give more time, I would seek information from the private parties who export bananas and bring it to this House. I will use the Horticultural Crops Development Authority to contact the Fresh Fruits Processors Association to give me the information and then I will produce it in this House.

Question 074

GENERATOR FOR DISTRICT HOSPITAL

Dr. Lwali-Oyondi asked the Minister for Health:-

- (a) whether he is aware that the Kapsabet District Hospital lacks a stand-by generator which is crucial for emergency operations whenever there is power failure;
- (b) whether he is further aware that a Mrs. Mary Cherotich Kemei died of a ruptured uterus on 31st October, 1995, at Eldoret District Hospital following a delay in performance of a caesarian section at the Kapsabet District Hospital; and,
- (c) if he could immediately install a stand-by generator to supply electricity to this hospital.

The Assistant Minister for Health (Mr. Criticos): Mr. Deputy Speaker, Sir, I would like to apologise to the hon. Member, but I am not satisfied with the answers which I have received from my staff. I, therefore, request that this Question be bought before the House next week on Tuesday.

Dr. Lwali-Oyondi: Mr. Deputy Speaker, Sir, I would not like to object to what the Assistant Minister has just said. But I hope he will not come back with the same answer and tell me that it has just now been accepted.

Mr. Deputy Speaker: Well, maybe he will be satisfied with the same answer next week. We hope he will not be dissatisfied with the answer next week. In that case, we have no option, but to accede to the request that the Question be put on the Order Paper, preferably on Tuesday.

Next Question!

Question 065

TELEPHONE EXCHANGE AT MAGINA

Mr. Ojode asked the Minister for Transport and Communications whether he could instruct the Kenya Posts and Telecommunications Corporation to immediately instal a telephone exchange facility at Magina Trading Market to serve major secondary schools like Okota Girls, Obera Mixed, Magina Girls and health centres at Rachong, Magina, Opapo and the surrounding areas.

The Assistant Minister for Transport and Communications (Mr. Morogo: Mr. Deputy Speaker, Sir, I beg to reply.

An exchange facility will be installed in Magina in the financial year 1996/97. However, at the moment, the coin box has been provided to ease communication difficulties in the area.

Mr. Ojode: Mr. Deputy Speaker, Sir, the answer given by the hon. Assistant Minister is very misleading. Last time I was promised that the installation of this facility would be done during the last financial year, and up to this very moment, there is nothing on place. You heard the hon. Assistant Minister talk of a coin box having been installed at this particular place. There is nothing like that. I do not know the place where the installation took place. If it was underground, I would accept. Otherwise, there is no coin box anywhere around Magina. Could the Assistant Minister tell me where in particular this coin box is. He should not talk of next financial year, which starts from June. When exactly will the installation of this facility take effect?

Mr. Morogo: Mr. Deputy Speaker, Sir, the coin box is in Magina Centre. Financial Year 1996/97 starts in June, 1996.

Mr. Ojode: On a point of order, Mr. Deputy Speaker, Sir. You know, Sir, I am the Member of Parliament for that area.

Mr. Deputy Speaker: Yes, I know that.

Mr. Ojode: I came from Magina on Saturday and I wanted to use the telephone to call the hon. Minister himself, hon. Ayah and I could not call him from Magina because there was no coin box. Where exactly was it installed in Magina because Magina is a small trading centre? He is misleading the House. What is the telephone number of that coin box there?

Mr. Morogo: Mr. Deputy Speaker, Sir, I do not know Magina. I have not been there and I am not challenging the hon. Member. However, the coin box has been installed in Magina centre. I will bring the telephone number this afternoon.

Dr. Otieno-Kopiyo: Mr. Deputy Speaker, Sir, this question about the provision of STD facility which are services provided by Kenya Posts and Telecommunications is a regular feature in this House. One wonders that Kenya Posts and Telecommunications is a commercial enterprise. If people need the service, why do they have to wait until 1996/97 financial year? What has this got to do with provision of services where customers are demanding for it and they will pay for it?

Mr. Morogo: Mr. Deputy Speaker, Sir, it is true that Kenya Posts and Telecommunications operates commercially, but in Magina there are not enough people who require this service at the moment. I can assure this House that upto last year there were only 20 applicants and so it was not possible to do that. But in those areas---

Dr. Otieno-Kopiyo: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is contradicting himself. He has made a promise that in 1996/97 Financial Year, they will provide the service. The criteria for provision of this service, because I have asked many questions of this nature, is that you have to have 120 subscribers. If you have only 20 applicants what is the basis of your promise that you will provide the service in 1996/97?

Mr. Morogo: Mr. Deputy Speaker, Sir, if hon. Dr. Otieno-Kopiyo could listen, he would save my time and hon. Members' also. I said in 1995 there were only 20 applicants in Magina, but now we have enough to give them the service and this is why we will provide the telephone service in Magina.

Mr. Ojode: Mr. Deputy Speaker, Sir, the Assistant Minister is misleading this House by saying that by next Financial Year they will instal this facility. It is so difficult on the part of students together with the parents to communicate with one another. I would want the Assistant Minister to tell us how many applicants, as at now, that warrant the installation of this facility and when exactly in the next Financial Year is the installation going to take place?

Mr. Morogo: Mr. Deputy Speaker, Sir, I appreciate the problem the parents have and this is why my Ministry, through the Post Office, is providing this service. The Financial Year, obviously, the hon. Member knows is between June 1996 and not later than June 1997.

Mr. Deputy Speaker: Next Question. Hon. Nthenge for the second time.

Question No.055

ASSAULT OF MACHARIA MURAYA

Mr. Deputy Speaker: Is Mr. Nthenge still not here? The Question is dropped.

(Question dropped)

COMMUNICATION FROM THE CHAIRMOTION FOR ADJOURNMENT: EXACT LOCATION
OF KENYA/SUDAN BORDER

Mr. Deputy Speaker: Hon. Members, I have received a notice from the hon. Member for Kikuyu, Mr. Paul Muite, of his intention to raise a matter on a Motion for Adjournment - end of normal sitting day pursuant to the provisions of Standing Order No.18 - concerning a reply given on 18th April, 1996 to Question No.026 in connection with the physical boundary between the Republic of Kenya and Sudan. I have considered the matter and I have decided to allow the hon. Member to move the Motion for Adjournment at the time of interruption of Business of the House on Thursday, 25th April, 1996. I hope if he is not here, he will be informed by his friends.

MOTIONS

IMPROVEMENT OF INFRASTRUCTURE IN GARISSA

THAT, in view of the influx of refugees into our country from the neighbouring states namely, Somalia, Sudan and Ethiopia; and noting the fact that Kenya being a sanctuary of peaces for these refugees who have overstretched the existing infrastructure, security and causing ecological disaster to our already fragile milieu and ecosystem; and further noting the importance attached to the role played by United Nations High Commission for Refugees (UNHCR) in providing essential services to these refugees; this House urges the Government to negotiate with UNHCR with a view to urgently secure adequate funds for improving infrastructure and curb the looming ecological disaster in Dadaab and Liboi Divisions, Garissa District.

(Mr. Shidie on 17.4.96)

(Resumption of debate interrupted on 17.4.96)

Mr. Farah: Thank you very much, Mr. Deputy Speaker, Sir. On this Motion of discussing the impact of refugees on Dadaab and Liboi which are in my constituency, the spirit of the Motion which we should not misunderstand is asking the Government to immediately enter into negotiations with a UNHCR with view to urgently secure adequate funds for improving infrastructure and curb the looming ecological disaster.

We are very much conscious and aware of the problems that brought these refugees into Kenya. We are not trying to say that the refugees have brought a problem to this country and they should be taken out of this country. No! Refugees are in this country as refugees because of a terrible despotic rule in their own country which was done by the elite of that country, the politicians and rulers. People who are suffering in the refugees camps are the innocent masses of that country.

As the neighbouring state, we have a duty to give them the shelter in their refugee camps and to accord them every possible assistance that they can be accorded. But what we are telling the Government is that it should own up to its responsibility in those refugees camps and their environs.

As it is right now, when the refugees were in places like Utange, Malaba and in Thika here, this was a genuine and a very high concern by the Government on the impact of those refugees both social, security and environmental. Such that it was without any reason or overriding reasons that the Government decided to relocate them all to North Eastern Province simply because that area is inhabited by Somalis, and by implication Kenya Government considers Somalis to be some kind of second-class citizens. So, whatever impact that happens to their area is just as good as it may!

I am a Member of Parliament for that constituency, hon. Shidie comes also from that constituency, and I really appreciate his support in this matter. We have tried to talk to the Government on numerous occasions to own up to its own responsibility and negotiate firmly with UNHCR and with the other international agencies that are involved in the refugee work there and the Government has simply shown absolute massive indifference. When the refugees were in Utange, the Government compelled the UNHCR to supply to the refugees an alternative to wood fuel. They were given stoves, charcoal and so on. They did not have to cut trees, but when it came to the semi-desert of North Eastern Province, the Government was not prepared to do the same. It was not prepared to compel UNHCR to give an alternative to wood fuel to the refugees in those refugees camps.

As it is right now, we all know those of us who have read a book like the *Lords of Poverty*, UNHCR and many other international agencies, the staff of those agencies are the biggest crooks, they are corrupt, they are out to make fast buck. They are there simply to make a quick buck and get out of it because they normally go on a short assignment of six months or one year. They do not have any interest in taking care of environment of a place like that. But it is for the Government of Kenya to compel them to do that. For example, when I discussed these things with UNHCR on numerous occasions, they told me that GTZ has got a tree nursery in Dadaab.

That land does not belong to anybody. The land in North Eastern Province is a trust land. Any pastoralist, any Somali can settle and pitch up his own hut anywhere he wants. Consequently, we cannot tell the population of the area, "we have a tree nursery for you. The refugees will be cutting the tree. Every time they cut a tree follow them and plant another one. The land does not belong to them. It is not like a farm that belongs to an individual. It is a common land. And in a common land situation like this, somebody can plant a tree today and tomorrow it is cut off by somebody else. One has no right, it is not his own private land. There is no land tenure in that area". But what they are saying is that over a period of time which we know, GTZ has spent millions of dollars in trying to arrest the problem of environmental ecological disaster. But what is that money being used for right now? To create high-paying international jobs for international whites from all over the world and to give them fat allowances, to give them very good rest and relaxation what they call "R and R". Nothing of it goes there, the tree nursery is there, but the people have no motivation. We told them to employ the women groups for them to go out and plant trees, but somebody has an interest in protecting that small tree. They do not want you to do that and they tell you that they have got a tree nursery here that is costing them millions of dollars every year. It is only last year that I brought up the issue of employment in that area because the locals of that area are the ones who are bearing the brunt of the impact. This includes the social impact, the security impact and the environmental impact. Give them employment in the refugee camps. As recently as last year, we still had less than 15 per cent of the people who are employed in the refugee camps coming from those areas. Actually, at one time, we had only three per cent. We are talking about such menial jobs like watchmen, drivers and other jobs that do not need skills and professional qualifications.

Mr. Deputy Speaker, Sir, the Kenya Government has got to own up to its responsibility to North Eastern Province. I am not, in any way, saying that we have got to be hostile to those refugees. I am for the rights of those refugees. Those are innocent people. If you remember, in the late 1970s, there was a massive influx of Ethiopian refugees into Somalia that was as much as close to a million people. Now, there is a reversed trend. If, during those days, Somalia had said that they would not accept those refugees because they would be a burden and would stretch their resources, and then turned them back, it would have been very bad because, today, it is a different case. The shoe is pinching on the other feet. It is Somalis who are refugees all over. Tomorrow, it is likely, very likely--- And I am confident about this. If we are not able to change our own ways right now, and if we do not stop this kind of autocracy and dictatorship we are having here, sooner or later, we might end up in the same place and, probably, end up as refugees in Somalia. There is no doubt about that. We are squarely on that path. I was in Burundi, I have also seen the Rwanda issue and I have no doubt in my mind that we are right on course. So, what I am saying is that those who suffer in such situations are very innocent people who do not have a role in determining the way the nation is run. People who have a role in determining the way the nation is run are the leaders who are in this House. In most cases, when the situation gets bad, they always find a way to go out and live in luxury elsewhere, just like the ones who carried out the genocide in Rwanda did. The same thing is happening with the so called "war lords" in Somalia because they have all their families outside the country. Ali Mahdi has his family outside the country. Aideed also has his family outside the country. Not a single warlord in Somalia right now has got his children and family inside Somalia.

Mr. Deputy Speaker, Sir, what I am basically saying is that, as a matter of urgency, the Government needs to immediately form a task force on the refugee impact. I am talking about North Eastern Province and Turkana. Both areas are semi-deserts. If the rate at which the environment is being totally degraded continues, we will have an absolute and total desert in those areas which will not sustain the small population there. Since 1991, we have had refugees in this country. For five good years now, the Government has not owned up to that simple responsibility. We have talked about the insecurity in that area. For a long time, we have been telling the Government about this problem and trying to give suggestions as to the best way to maintain security in that area, for the sake of that area itself as well as for the rest of the country. As it is right now, I have no doubt in my mind that a lot of arms do cross the borders, come through the refugee camps and end up in other parts of the country. That is primarily because the Government did not take our advice on that.

Mr. Deputy Speaker, Sir, in matters of security, right now, the UNHCR pays fat allowances to the policemen who are there. As the tradition of this country is, the senior officer who is in charge of determining who goes to work there and who does not has an interest. Quite often, you find that when there is this very senior

officer in charge of posting policemen to these refugee camps, he will only post there all members of his tribe who are in the police force. When that officer is transferred and another one is put in charge, he will do the same. When problems occur, like they have occurred on a number of occasions when bandits attack a police escort, you find that six soldiers are killed on the spot and all of them are drawn from one tribe in Kenya. That is very unfair, and it has happened. I have talked to the Office of the President on various occasions and told them that a lot of the trading in weapons that find their way out of the refugee camps into up-country is done by police officers.

The Government should own up to its responsibility, both in terms of the ecological disaster in this area and also the security and welfare of the refugee impact on masses there, as well as the refugees' welfare.

Thank you, Mr. Deputy Speaker, Sir.

The Minister for Home Affairs and National Heritage (Mr. F.P.L. Lotodo): Mr. Deputy Speaker, Sir, I beg to respond.

My Ministry has already initiated discussion with the United Nations High Commission for Refugees (UNHCR) with a view to having the areas affected rehabilitated. However, I propose an amendment to the Motion by adding the following words at the end:

"... and other areas in the country where refugee camps are located".

Mr. Deputy Speaker, Sir, the Mover of the Motion, hon. Shidie, confined himself to Garissa district, but we have several refugee camps throughout the country. In Coast Province, we had Utange and Marafa which we have closed now. In Eastern Province, we had Walda in Moyale district which has also been closed. In Central Province, we had Thika which has also been closed. We are left with Ifo, Dadaab, Liboi and Dagahale in Garissa district. We also have Kakuma in Rift Valley Province, Turkana district. We have four small ones in Mombasa---

Mr. Farah: On a point of order, Mr. Deputy Speaker, Sir. Just to show how much disinterest there is on the part of Government in these refugee camps, we do not have a refugee camp now in Liboi. We have Ifo, Hagadera and Dagahale refugee camps. There is no refugee camp called Dadaab, but they are all in Dadaab Division.

The Minister for Home Affairs and National Heritage (Mr. F.P.L. Lotodo): Mr. Deputy Speaker, Sir, that is the name we have for those camps within the same area.

When the influx of these refugees took place in 1991/92, the figure was slightly over 400,000. At the moment, the figure has come down to 175,000 in the entire Republic. It is true that where all these camps are located, trees have been destroyed by the refugees. In 1994, the then Assistant Minister for Home Affairs and National Heritage, hon. Galgallo, went to Geneva and met the [**The Minister for Home Affairs and National Development**]

United Nations High Commissioner for Refugees on the issue. A Japanese consultant was dispatched from Geneva to visit these areas and assess the destruction.

Mr. Deputy Speaker, Sir, the following year, I went myself and met the UNCHR Commissioner herself and she promised that she was waiting for the outcome of the consultations, but up to now, we have not received any communication from Geneva. But a month ago, I summoned the UNCHR local representative in Nairobi and reminded him that we are still waiting for the money to rehabilitate the areas which were destroyed by the refugees. I do not know when Geneva will reply, but I intend to leave for Geneva towards the end of the year to follow up the issue.

Mr. Deputy Speaker, Sir, a number of hon. Members have expressed concern about the destruction of trees and the state of insecurity in all these places. In North Eastern Province, it is not true that when the refugees came into the country in 1991/92, is when insecurity started. We had it right from 1967 when we had the shiftas. So it is not fair to blame the refugees for all these ills. What about in Eldoret and Nairobi where people are killed all the time while there are no refugee camps there? We have closed Thika Refugee Camp, and we no longer have transit camps. We used to have one here. So it is not fair to blame everything on refugees. We have bandits, the local crooks who have taken the advantage and pretended to want everybody to believe that these are refugees, which is not true.

Mr. Deputy Speaker, Sir, most of the refugees in the country, now, are still Somalis and they are not only located in Dadaab; some are in Kakuma. We requested, when we closed Thika Refugee Camp, those who wanted to go to Dadaab and Kakuma, and others who thought their lives would be in danger in Dadaab, to choose to go to Kakuma, which is close to Sudan. We also have Sudanese from South Sudan and all these are in Kakuma and we have some Ethiopians. When we closed Walda Refugee Camp, others refused to go back to Ethiopia, and most of these were Oromos and also top military men. All these refugees are now in Kakuma Refugee Camp.

Mr. Deputy Speaker, Sir, in most countries refugees are kept away from the urban centres. They are

stateless people, they do not know their destination and they tend to be destructive. That is why we had to close Utange and Marafa Refugee Camps because they were very close to our towns like Mombasa and Malindi, which have tourist hotels because they were a security threat to our hotel industry.

Mr. Deputy Speaker, Sir, I have been to Bangladesh, formerly East Pakistan, and I visited a refugee camp, which was hosting refugees from Burma. The facilities offered there are exactly the same as the one offered here.

Mr. Deputy Speaker, Sir, concerning the issue of felling trees, there is no way you can have refugees without having trees around being destroyed because they are not in the towns where they can use electricity. After that, I went to Tanzania and the nearest refugee camp took me four hours to drive there. Again, I went to Zimbabwe, a journey which took me the whole day and quarter because the following day at 10 O'clock is when I reached near Mozambique border. Further, I visited Namibia and it took me six hours to reach Osirere Refugee Camp near Malawi border. We did not know how to handle refugees and that is why we had put them near the urban areas like Mombasa and Marafa, but when we realized that they were a security threat, we had to take them away. From Lokichoggio Town to Kakuma Refugee Camp is about 105 kilometres, but I do not know the distance from Dadaab to Garissa.

Mr. Deputy Speaker, Sir, we have closed quite a number of them and we are only left with Kakuma and Dadaab Refugee Camps, but I understand that Dadaab is the name of the area. But in Ifo, Dagahare and Lagdera is where we have the Refugee Camps.

Mr. Deputy Speaker, Sir, I said earlier on that I am following the issue with the UNCHR, High Commissioner but if she does not respond before October, 1996, I will personally go to Geneva and present the case.

Mr. Deputy Speaker, Sir, I beg to move.

The Assistant Minister for Tourism and Wildlife (Mr. Kisiero): Thank you, Mr. Deputy Speaker, Sir. I stand to second the amendment by the Minister---

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. The Minister has been talking of an amendment which is now being seconded, but did he read the Motion as amended and what he did delete; what he has replaced it with and what the amended Motion does read?

The Minister for Home Affairs and National Heritage (Mr. F.P.L. Lotodo): Mr. Deputy Speaker, Sir, the hon. Member was either talking and being kept busy by his colleague and that is why he never heard the amendment when I read it. I read the Motion and proposed the following words, "and other areas in the country where refugee camps are located." This is the amendment and I had earlier read the whole Motion as amended.

Mr. Deputy Speaker: It is not the duty of the Minister to read the Motion as amended.

The Assistant Minister for Tourism and Wildlife (Mr. Kisiero): Mr. Deputy Speaker, Sir, I stand to second the amendment by the Minister which is quite clear.

It is true that the question of refugees is not only confined to those areas that have been mentioned by the Mover of the Motion. There are, indeed, other areas and not only that, since there is no permanent peace in the surrounding countries, there could be other refugees camps in the future, and, therefore, the Minister's amendment is quite appropriate. It is true that Kenya is a sanctuary of peace and for many years, people from other countries and the surrounding areas have always come here for protection. They have also come to enjoy the peace that the Kenyans enjoy.

Mr. Deputy Speaker, Sir, it is obvious that when Kenyans plan their development strategies, they do not include the refugees that have come into the country or those that may come in future into country. Therefore, the presence of those refugees makes it very difficult for the Kenyans to live in this country. Because we do not have enough roads and some of these refugees come with their vehicles and other things, obviously there is congestion. The same applies to our facilities like the telephones, water, electricity, housing and the firewood which has been mentioned in a big way. When one thinks of the semi-arid and arid areas of Eastern and North Eastern Kenya where there are very little trees and when the refugees come in and destroy all these trees, our Kenyans and also our wildlife suffer a great deal because they will not have something to eat. Therefore, the presence of these refugees makes our economic life very difficult in deed.

Another area which has already been of concern is in the obtaining of jobs. I remember some years back, the Baganda girls filled our Nairobi capital and in the process they displaced the Kenyan girls from secretarial jobs. It was quite a big problem because when it comes to courtesy, the Baganda were quite smart in appearing to be very courteous and so on and the Kenyans found it extremely difficult and they did not like it. So, the presence of these refugees is a problem the United Nations High Commission for Refugees (UNHCR) must address seriously because what is in Kenya should be for the Kenyans and whatever the refugees have to do in Kenya

should not interfere with what the Kenyans are supposed to do. Therefore, it would be much better if the UNHCR found a way of looking after the refugees and prevent them from interfering with our Kenyan life.

Mr. Deputy Speaker, Sir, speaking about wildlife and the fact that when the refugees are left in some of those game reserves, definitely they are encouraged to eat something and in the process they may eat our wildlife and destroy the possibility of tourists visiting these areas. In Kenya, for example, we from the Sabao tribe have our culture which takes into consideration wildlife totems. Each clan has its own totem. I may not eat an antelope because it is the totem of my clan and another clan may not eat a giraffe because it is a totem of their clan or the lion and so on and that way wildlife is conserved. But when you have got foreigners coming in into this country, they do not know our culture and they eat and finish all the animals, thus rendering Kenya short of wildlife.

Mr. Deputy Speaker, Sir, we have had security problems in the City of Nairobi and in towns like Bungoma and Kitale. The insecurity has come about because there are too many guns smuggled into the country by some of these refugees. When they ran away from their countries, some do so with their weapons and when they come here, they use those weapons to rob our banks and people and consequently making life very difficult for the local Kenyans.

Mr. Deputy Speaker: Mr. Kisiero, please, are you really talking about the Motion and the Amendment?

The Assistant Minister for Tourism and Wildlife (Mr. Kisiero): Yes, I am talking about refugees coming to this country and in the process misbehaving and destroying our ecology and our security.

Mr. Deputy Speaker, Sir, we know that UNHCR, and other NGOs, would want to help us but some of them keep on giving us empty promises. We remember NGOs like the United Nations Development Programme which has been promising us a lot of money for roads but they have not done it. We hope that the UNHCR will fulfil what they promised the Ministry of Home Affairs and National Heritage because the Minister says his officers have been to Geneva but the UNHCR have not done much. We hope that they will fulfil their promises so that they do not fail to assist our country. But what causes all these problems? What causes the insecurity? What makes these people come to this country and can this happen to Kenyans? It is possible that it could happen to Kenyans if we do not remember that tribalism is very dangerous. Tribalism has caused those problems in those other countries. Greed for power, leadership, wealth and protection of their tribesmen is what has caused all these problems. This has necessitated the fleeing of their own tribesmen. I hope that Kenyans will observe and learn from those things that have happened to those foreign countries whose citizens have come to this country and ensure that we bury tribalism. Even if your tribe is big, remember to accommodate and co-operate with the small ones. We need peace because Kenya is big. Kenya has got a lot of things to enjoy and there is no need for Kenyans to fight over small things, stone one another and even kill one another just because of power because eventually it could lead to us being refugees in those other countries.

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

(Question of the first part of the amendment, that the word to be left out be left out, proposed)

(Question of the first part of the amendment, that the word to be left out be left out, put and agreed to)

(Question of the second part of the amendment, that the words to be added be added, proposed)

(Question of the second part of the amendment, that the words to be added be added, put and agreed to)

(Question of the Motion as amended proposed)

Mr. Akumu: Mr. Deputy Speaker, Sir, you will have remembered that about two years ago, I raised a Question when an European Member of Parliament had indicated to me that negotiations were advanced with the UNHCR and Kenya for over K\$ 240 million which was to be used to strengthen security, build roads, check the borders and build airstrips along the districts that were at our borders. I raised the Question and apparently the Minister in the Office of the President then indicated that they were negotiating and funds had started coming in. So, I am surprised that the Minister is still talking of further negotiations and I thought that funds were already coming. You are going to tell us what they are doing on this issue.

Mr. Deputy Speaker, Sir, I would like to tell my colleagues that I worked for Africa for a short period of time and you never know when you yourself will become a refugee. I used to see people who were very arrogant in their Parliaments and who were very powerful Ministers. They did not care about the refugees and wanted them confined and treated as prisoners and so on only for them to find themselves refugees in another country. I met many of them and some of them were Ministers. Some came from Ghana, Cote'd'Ivoire and so on. So let also be humble in the way we treat the refugees and let us also remember that they are also Africans and also remember that one day we may find ourselves in this dilemma which is not caused only by tribalism but also by wars which can come. Some of these issues are externally triggered. The Assistant Minister is right to say that tribalism and internal greed causes them and we may find ourselves in this dilemma.

I would like to plead with our people that we better be humble in the way we treat the refugees and let us also hope that we do not misuse them. I am satisfied that in many cases, Kenyans are misusing these refugees, giving them identity cards, soliciting their guns and trying to sell passport to them and so on. Having done that, then you blame them for doing this and that. So, I think if we get the money, we should put them in the villages, have a social programme for them, to train them, talk to them and even educate them so that when they go back, they become better citizens in their countries and leave us behind as friends. I would like, when the Minister will be responding, to consult his colleague in the Office of the President who had indicated that money had started coming. He answered a Question on this issue in this House, and I believe, than two years ago, indicating that UNHCR was already bringing in some money.

Mr. Deputy Speaker, Sir, there should be occasions when you yourself should be leading a delegation of Members of this House to visit these places. That is what other people in other countries are doing. I have had a modest exposure and there are occasions when Government Ministers lead inter-party groups to go and see these refugees, talk to them hear their problems and so on instead of just debating here very remotely and not knowing what the problem practically is. I think this is important and I hope that the Minister will try to make it possible for us to also go and see these people and what is being done in our country. I think it is extremely important that our security people that are handling these refugees are properly trained. It is shocking when you see reports given on Kenya; how we rape these women, what we do in those camps, how we rob them, how we take every golden thing they have and the rest. It is ridiculous really and I cannot believe that all those NGOs and UN personnel are telling lies. So sometimes I do not know the type of people, we have.

Mr. Deputy Speaker, Sir, I really hope that we get the people that are trained so that they are better people and treat refugees better than the way the Zairean's are treating the others and so on. I went around and saw that and I think it is sad. The only country in Africa that was treating the refugees fairly well - now I understand it is not - was Tanzania. Now I really would like us to treat these people humanely, first as Africans and secondly as our neighbours whether they are Somalis because we are talking of African unity and we are hoping to open up our borders. Later on, we do not want them to go away with bad memories that they were raped here, they were robbed and so on. Two, that we should have education centres for cultural exchange so that when they leave, they leave as friends. There are people who are also better off and what I see being done even in Europe, by the time the UNHCR leaves, it should leave a big air strip, a good road, a good centre, something that is built for the country. We somehow also benefit as we accommodate these people, as we feed them, as we educate them, and as we rehabilitate them. At the end of the day, the international community will say, "thank you Kenya Government for having been friendly to refugees and so on, we are leaving behind this good airstrip, and this good road." I support the Minister's amendment that it should not just cover Garissa; it should cover all other areas where there are refugees. I once again strongly appeal to him to train his personnel to be more humane, to be more friendly and that we ourselves should not be arrogant, but should treat these people as brothers; as fellow Africans that have found themselves in unfortunate positions.

Mr. Deputy Speaker, Sir, with these few remarks, I want to support the amendment. Thank you.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I would like to support the Motion, and I would like to make the observation that Kenya has had a very good record in welcoming refugees.

Mr. Deputy Speaker: You have only five minutes!

Prof. Anyang'-Nyong'o: Yes. But that, contrary to what the Minister was saying, and the other gentleman from across the Table, because the mere welcoming of refugees is not a favour, it is a duty for this nation.

[Mr. Deputy Speaker left the Chair]

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

That, once you are a signatory to the International Convention on Human Rights, all human beings within your borders, must enjoy the same human rights as your citizens. And, indeed, if we begin classifying refugees as part of humanity within our borders that must enjoy rights other than Kenyans, that is the first transgression we are committing. I would, therefore, like to emphasise to the Government that, Kenya's policy on refugees is, first and foremost, enshrined in our Constitution which has a Bill of Rights and which defends human beings as human beings.

Secondly, I do not think that refugees cause any ecological stress in this country, nor have refugees jeopardised the opportunity of Kenyans to get jobs. The responsibility of creating job opportunities is the responsibility of our economy. If we plan our economy well, it should cater not just for Kenyans, but for refugees.

Mr. Temporary Deputy Speaker, Sir, the presence of refugees in any country, is quite often an opportunity for that country to make progress. Indeed, nations which have had open-door policies on refugees are nations which have at the same time been economically very prosperous. So, I really think that we should have proper planning and proper policy for refugees which will make it possible for them to contribute to our economy positively rather than have a defensive attitude which sees refugees as a problem.

Mr. Temporary Deputy Speaker, Sir, in those areas where there has been some problems, as indeed, is mentioned in this Motion, this should serve as a lesson for better planning in the future. I do think that the Centre for Refugee studies at Moi University has done substantial work to give this Government proper information on problems of refugees in this country and the opportunities that refugees give. We do not need to refer to Geneva to get this information. We have a Centre for Refugee Studies at Moi University with proper information and researchers which the Government should use effectively in handling refugee problems in this country.

Further, I do think that when it comes to the issue of infrastructure; roads, water, electricity, telephone and so on, conditions are even worse in areas where there are no refugees. In my constituency, for example, after the long rains, bridges were swept asunder and the Ministry of Public Works and Housing has so far not responded. So, when it comes to infrastructure, there should be proper budgeting by the State and, indeed, in places where United Nations High Commission for Refugee (UNHCR) has taken action, those places might be even better in terms of provision of infrastructure than the rest of the nation. So, I think that in our discussion with the UNHCR, let us not put the facts or the position as if UNHCR is letting us down where infrastructure is concerned; let us put our position that UNHCR should provide adequate and requisite budgeting for Kenya refugee budgets as, indeed, is provided for the United Nations Organisation (UNO). This is Kenya's right as a member of the UNO and, indeed, the UNO should have a system whereby they have figures on refugees' presence in every country and the contribution of UNCHR towards every nation should correspond to the number of refugees that are in that nation. So, it is a straightforward matter, of this Government having its facts correct and put this case before UNCHR and not doing it in any apologetic way whatsoever.

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

The Assistant Minister for Lands and Settlement (Mr. Kaino): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute and to support this Motion, which is very important. A question which my colleagues and I ask one another is; who is a refugee and why do we have refugees? This is a very important question. Why have these people come from their countries or why should one leave his own country to live in another foreign land? Why did he leave his job, his luxurious car, his beautiful land, good food in his country and his own people. There are many factors that have caused this problem of refugees. As Prof. Anyang'-Nyong'o has stated here, that this country has been a place for refuge for many people who have left their countries, we do not want to praise ourselves that we are harbouring refugees all the time. We also have problems in this country. The Bible says; "Remove the speck from your eye before you remove a log from somebody else's eye". We need to protect this country for our own sake. It is not for somebody sake, it is for ourselves that we protect this country by all means.

As hon. Akumu has said some of these people who have come to this country, have been driving Mercedes Benzes. They have been sitting in very high offices, but today, some of them are useless people in town. They are just with common men in the town. I have one case in my place when Uganda had problems. Somebody who used to be lecturer at Makerere University, a mathematician, was digging a shamba, but nobody knew that he was a person of that calibre. Until he did a sum for a Form Four Student, and then we realised that, that man was intelligent. When the child came and told the father, "this man did the sum and he solved it" the man was pushed ahead to do more sums until he was accepted to teach in a secondary school, after spending a whole year cultivating in a farm. Being a refugee is not something good. We need to protect ourselves. We should not take it for granted that we are in a good country, safe. The President has always been saying that "siasa mabaya, maisha

mbaya". It is true, "siasa mbaya, maisha mbaya" Inflammatory statement can cause problems in the country. The other day a Bishop made dangerous statements. Hon. Shikuku has been saying here that, God is truth and without truth, there will always be conflicts. If there is no truth in the country, there are conflicts. It is as a result of conflicts that people disperse to different countries to seek refuge, but even there they will have problems. They will be put in a certain area and the impact that they will have on the environment will be disastrous. It brings to the environment many things like communicable diseases from that other country. The refugees live in poverty where something small will be shared by 100,000 people or 1,000,000 people. It is a big sacrifice. On the issue of rehabilitation United Nations should come in to assist and even give something as a gesture for people refuge. This will be good because when these refugees go back to their own country they will have left better schools there, water and also health institutions. Something must be done to protect the environment, because refugees are like locusts. They invade an area and devastate it and nothing is left there.

There is a question that Kenyans should ask one another. Let us put politics aside today. From the way I am seeing the Opposition, some of them have got very good thoughts about this country. It is not fair to say that all Opposition people are bad. There are people who are serious and they know how the country was founded. They know that this City is not the way it was 30 years ago. It has taken 30 years and very hard work by Kenyans, to build this City. But it can be destroyed in one day that is not a laughing matter. It is not something acceptable. We do not want to see people who come and behave as sheep but actually they are wolves. We need to see people who behave well. But some people present to be religious. I am a religious man. I read the Bible. A person may be a priest but, he may not be a priest; he may be working for his own father. The Bible says that the Devil has been a liar, and he is the father of the liars. So, people may be working for their own fathers. Kenyans who are straightforward may come and say "this is wrong", if it is for the benefit of Kenyans. Somebody may come and say "this is right", and if it is correctly right, let us say it is right for the betterment of Kenyans and Kenyans will live in peace. We must protect this country for the sake of the children who are innocent or those who are in school now, and in future they will say "we had Members of Parliament during the multi-party era who really protected the country despite problems of multi-partism." We need people who are nationalists or people who love their own country. There is nothing like that. Some people can go out of there to destroy millions of people so that they may live good lives alone. We need Members who nationalists. This is because Kenyans want to live in a Kenya that is peaceful and God will bless this land because of many good things that we are doing. We shall get many blessings and as hon. Akumu has said, let us love these people. I know that many guns have found their way to this country. The guns which are being used in Nairobi today were brought here by the refugees. Some of the refugees are evil. Not all of them are good, but the Government must see to it that the ones who are criminals are ejected from the refugee camps.

Let them go and die somewhere else. I am saying that not all refugees are good. The problems which we are undergoing now, even those that are being experienced by Marakwets in Kerio-Valley, are caused by these refugees. The guns which are there are from outside not here. Many people have died in Kerio-Valley through the use of these guns. People bring guns from North Eastern Province and anywhere else just to sell them and many people have lost their lives. Very good citizens of this country have lost their lives through these guns. The Minister has said that he is going to make sure that something is done. He said that he will consult with the United Nations High Commission for Refugees (UNHCR) and see that something is done to ensure that there is no influx of refugees in any part of this country. Let Kenyans benefit from these infrastructures that have been provided by the United Nations. What have we gained from them? When peace has been achieved in their countries and these refugees go back to their countries, what are we left with? We want schools, hospitals and so on. We want it to set up something which will be appreciated by Kenyans. We want to be rewarded for harbouring these refugees.

With these few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Kariuki): I will now call upon the Mover to reply.

Mr. Shidiye: Thank you, Mr. Temporary Deputy Speaker, Sir. First and foremost, I would like to thank the following Members of Parliament who contributed to this Motion. I would like to thank hon. Dr. Kituyi, hon. Mwaura, hon. Sunkuli, hon. Kisiero, hon. Akumu, hon. Prof. Anyang' Nyong'o, hon. Kaino and hon. Farah.

The issue of refugees is an issue that needs international attention. This country has been invaded by so many refugees who have moved away from their countries. I would like to touch on two things. One, the international community has derelicted the Republic of Somalia. The refugees who are here today cannot go back to their country and, as it is today, these people cannot go back to their country because Somalia has become another Cambodia. I have no problem with the fact that refugees have settled in our area, but when you settle refugees in a very fragile environment, it is very dangerous. It is not like settling them in Central Province where when trees are cut others can be planted and grow. I am talking about a situation where trees are cut down in very

large numbers and replenishing and replacing them is very difficult.

The other thing is that the Government of Kenya should negotiate with UNHCR--- I can see that my time is out and I will stop there.

With those few remarks, I beg to move.

(Question of the Motion as amended put and agreed to)

Resolved accordingly:

THAT, in view of the influx of refugees into our country from the neighbouring states namely, Somalia, Sudan and Ethiopia; and noting the fact that Kenya being a sanctuary of peace for these refugees who have overstretched the existing infrastructure, security and causing ecological disaster to our already fragile milieu and ecosystem; and further noting the importance attached to the role played by United Nations High Commission for Refugees (UNHCR) in providing essential services to these refugees; this House urges the Government to negotiate with UNHCR with a view to urgently secure adequate funds for improving infrastructure and curb the looming ecological disaster in Dadaab and Liboi Divisions, Garissa District and other areas in the country where refugee camps are located.

REVIEW OF NSSF ACT

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

THAT, recognising the economic difficulties that affect most Kenyan families, and considering the high cost of living that has come about due to liberalization policy which has caused dramatic rise of most essential commodities such as food, education and medicine; this House urges the Government to carry out a comprehensive revision of section 20 of the National Social Security Fund Act, Cap 258 of the Laws of Kenya, in order to allow any person who retires at the age of 45 years after serving for over 20 years to be paid his/her N.S.S.F. benefit instead of having to wait until one attains the age of 55 years.

QUORUM

Mr. Aluoch: Mr. Temporary Deputy Speaker, Sir, there is no quorum.

The Temporary Deputy Speaker (Mr. Kariuki): There is no quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Kariuki): We have a quorum now. You may proceed, Mr. Mwaura.

Mr. Mwaura: Mr. Temporary Deputy Speaker, Sir, I regard this Motion as very important because it affects the majority of our people, who are actually the solid rock on which this country is founded. Every country's stability and economic development depend on its population. We know that in 1965, under Legal Notice No.8 of 1965, National Social Security Fund (NSSF) was established. So, 35 years ago, the economic stability and development of this country was just about to begin.

In terms of industrial investments at that time, one can look back and see that our resources were meagre.

But the Government of the day had to introduce this law in order to ensure that the workers of this nation contributed towards their retirement welfare, and also to ensure that employers would also contribute towards the same purpose.

Over the years, NSSF has grown to become a monumental economic giant. Over the last few years, we have seen the impact that it has created in our economic stability. Unfortunately, although, the workers sweat has enabled NSSF to prosper and at present has investments of Kshs50 billion, which have been contributed by 2.7 million registered employees, who have been engaged by over 439 employers, it is very difficult for these people to benefit immediately after retiring from their employment.

I am happy because after my consultation with the Minister concerned, and having worked in the Ministry of Labour and Manpower Development, I know that the Government is equally concerned about the

improvement of the welfare of our workers. Within the last five years, due to the structural adjustment programmes, this country started retiring people before they attained the age of 50 years under a programme that is now being referred to as "Golden Handshake". Therefore, workers within the Civil Service are being given money to retire at the age of 40 years. I believe very strongly that Kenyan workers who have worked for over 20 years, and have attained over 45 years old, should be given their retirement benefits. That is the law which I want this House to introduce.

Every year, the amount of money that is withdrawn and paid to the workers is only Kshs34.4 million, while their contributions within the same period are over Kshs1.3 billion. So, you can see that this is a very meagre amount of money. That is why we are asking the Government to pay these workers.

We have been talking about many things in this House. There has been liberalisation in this country, we should expect industrialisation to move faster than it has done in the past. We are talking about more investors coming to this country. This will make it possible to employ more Kenyans. At present, the Kenya labour force stands at 11.8 million. This is the labour force that requires employment. By the year 2000, the Kenya labour force will reach 14.6 million. We cannot have security and stability in this country unless we can ensure that our workers are well looked after. The question of educating, providing health facilities, clothing and food management to the children of our workers, and every family in this country, is paramount.

These are the things that we feel very strongly about. We feel very strongly that our people should be made able to feed their children. Our people must be made to educate their children. Our people must be enabled to give medical care to their children. Each person struggles in their own way to improve their welfare. As I have said, stability and security in each country is maintained by the people. Even governments themselves are made by the people; it is people who vote in governments. Unless the welfare of the people is looked after, it is going to be extremely difficult to sustain the stability of any nation.

Mr. Temporary Deputy Speaker, Sir, for the last three years that we have been here, particularly during the last session, there has been a lot of allegations that the National Social Security Fund (NSSF) money has been given to a few individuals as loans; or, that the Fund has invested in some projects wrongly, where money is stolen. I am glad that the Minister is here. We hear that NSSF's investments amount to over Kshs40 billion. If that money is taken care of and invested in projects with a huge return, it will make this country economically strong and our workers healthy. Workers whose health is not good cannot be productive.

About 14 years ago, the development of this country was equal to that of other countries like Singapore and South Korea. There was a time when Kenya's level of economic development was equal or more than that of those countries. But over the last 14 or 15 years our development has declined. I believe very strongly, as I have said, that it is investors, employers and employees who generate the development of any country. It is, therefore, for this reason that I have appealed here that the Ministry should introduce a law that will go a long way towards benefiting the workers.

With these few remarks, I beg to move the Motion.

Mr. Akumu: Mr. Temporary Deputy Speaker, Sir, I would have liked very much to see the Motion a little bit expanded, but I will not attempt to amend it. In supporting the Motion I would like to also state that it is extremely disappointing--- You were once a worker. I remember visiting you when you were still a worker in the 50s, although you are no longer a worker. You will remember that when the NSSF was created in the 60s it was intended to help the workers help themselves. But if this Fund has helped anybody in this country, you will agree with me that it is the rich whom it has helped become richer. It has never helped the workers. It has no housing scheme for the poor and low income groups. It has no programme for giving loans to workers when they are being re-deployed. If anything, it makes things harder for the workers. For example, if one retires after working for 20 years, he has to wait until he is 55 years old before he is paid his contributions. This is making it hard for him to get his own savings.

I am hoping that the Minister will accept this Motion. I think it is important that a person who has been contributing to the NSSF for five, 10, 15, 20 or 30 years should have access to his money. If he wants to build a house in the rural areas, buy a house in an urban area, or buy a little farm for settlement in a rural area he should be assisted. Not only should a worker just have access to his money after 20 years of making contributions, but he should be assisted in all possible ways. I am aware, a few of us, like Mr. Clement Lubembe and myself, who negotiated for the establishment of this Fund are still alive, but some have gone. I understand that the Minister wants to change this Fund to a pension scheme. That proposal should be discussed and the change should affect only new members. Those who have been contributing for 10 or 20 years should not be told that they cannot have a lumpsum payment and that they will have monthly instalments.

Mr. Temporary Deputy Speaker, Sir, as I said on another Motion, I did some modest work for Africa, and I am aware of many African countries where workers have no access to their old age contributions because their

governments have gone bankrupt, and where even pensions cannot be paid. We know that workers of *The East African Standard* newspaper had to virtually go to court so as to get their money. So, the arrangement where workers are paid their benefits in lumpsum is better. It is important when amending the Act, as proposed by hon. Mwaura in this Motion, that the Minister should take into account other factors.

When I went to Zaire, I am sorry to give Zaire as an example all the time, I found that workers could not get their old age benefits or even pension. A family was lucky to get a letter telling them that their son or daughter would join the army or some other disciplined force the following year, as a way of paying the family pension. That is wrong. I think it is important that workers' contributions are kept by a board of trustees, which pays the money in lumpsum, as and when the worker wants it. So, the Act should be amended, as proposed by hon. Mwaura, to enable one who retires after working for 20 years to get his money. Furthermore, if it is ever contemplated to amend the NSSF Act, there should be serious negotiations about the amendment and such amendment should affect only new contributors.

We have discussed at length the issue of the NSSF. I know that the Minister has just returned from a Pan-African meeting in Addis Ababa. I congratulate him because he was elected one of the vice chairmen of the Pan-African workers' body. I think it is also important that he tries to comply with what was agreed at this Pan-African meeting. He knows that there is a regulation which governs the international social security under the International Social Security Association (ISSA). I think it would be important, if we are going to be transparent and if we are going to show the workers that we are not out to misuse their money, that we invite ISSA people to review what we think about our current social security scheme and how we think it should be used. The NSSF is the largest savings body today in the country. So, we think discussing it is very important.

There is a lot of general criticism, not only against the Government, but even against hon. Members of this Parliament, that they have not paid enough attention individually, and collectively on the misuse of the funds of the NSSF. People feel that we should have individually or collectively gone and asked more questions on this matter because this is a public Fund. We are disappointed that the people who are representing the public in this Fund are two trade unionists and the two employers who have been condoning bad investments. How can they go and buy land whose value is only Kshs.15 million and buy it for Kshs.100 million?

I think it is important that we should collectively and individually get concerned about this issue. I want to support the hon. Minister very strongly. It would be very unfair if he could insist that we were influenced by the late Mboya to support the establishment of the Fund 31 years ago. Those rules should be revised today. I feel that somebody who has been a contributor and a good staff member for 10 years in the same company should be allowed to get a loan to buy a small shamba, build a little house or start a small business using his savings as collateral security. That is important. We should not convert it to a pension. I have seen cases where pensions do not even exist. Pension dues are not paid in certain cases; they just appear in form of pieces of paper. When you go to claim, you are told that your grandchild will get it because the Government has chopped it all or eaten it all.

Therefore, we should not convert lumpsum payment that somebody gets into a pension. I can see my friend hon. Shikuku looking at me because he would like workers from Butere to get some money for putting up at least simple houses. However, if the lumpsum payment is converted into a pension and they are settled in Butere, they will be told: "No, you will be going to Kakamega every month to collect your pension." The number of trips alone that they will make will consume all their pension dues. We have a big problem with these pensioners and we should now increase their pension dues. I have just remembered that hon. Masinde is also a retired civil servant and this may happen to him. Therefore, it may be good for him to help others. Therefore, he should help himself because he is a retired civil servant.

I want to thank hon. Mwaura for considering this issue because this is a big problem to workers. They are being told "Sorry, you have been retired or you still have 20 years to wait before you get your money". Then sometimes they die from frustration in the rural areas then the members of their families begin to follow up their pension claims. It is an endless chase. The person should get the money as soon as he retires if we are serious. But he should still have access to the loan facilities and so on. If the hon. Minister had considered this matter or if he is proposing amendment on the Motion, we can assure him of our full support.

All of us feel that NSSF should spread its income and distribute it more fairly. It was never intended to be used by the rich to get richer. It was intended to help the workers; it was intended for low income earners; it was intended to help a child who could not raise school fees; and it was intended to spread better health services.

It was never, never intended to make millionaires to become multi-millionaires. We really want to plead with the hon. Minister to help us to get a good reputation that, at least, this House is concerned about the small man's contributions. He gets the money and then sends to the Fund despite the fact that he sleeps in trenches in Nairobi only for a rich man to use it to buy palaces or builds estates. A good example is a recent case whereby they were

going to deny children a play ground because NSSF had bought the whole play ground and they wanted to develop an estate which was of no benefit to workers.

With those few remarks, I beg to second the Motion very strongly, and hope that the hon. Minister will assist us by making the Motion better than it is.

(Question proposed)

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): Mr. Temporary Deputy Speaker, Sir, I would like to contribute to this Motion. The Motion seeks a resolution from the House so that the Minister could amend some sections of the National Social Security Fund (NSSF) Act so that when one attains the age of 45 years after serving for over 20 years can be paid his/her dues.

I am one of those people who represent so many constituents and I concur with the idea contained in this Motion for the following reason: This is a compulsory saving, but from experience, I have seen that workers, who are made to wait for that long have died before receiving their money. In addition, I have also seen that almost a quarter of the savings is utilised by the contributor on travelling because he has to make several trips to NSSF Building to go and claim his dues. In most cases, he goes there several times before he finally gets paid.

These savings do not benefit workers very much as it should. I have seen many of them dying poor. They only realise after retirement that they had saved very little. The money that they saved does not help them much. These savings are not operated like other accounts in commercial banks, where one offers his savings as security to secure a loan. I think this House would be very happy if a system would be introduced to enable a contributor produce a statement of his saving to a commercial bank and offer it as security when he or she applies for a loan to purchase some property.

Dues from the NSSF do not help workers much more than the loans they get from co-operative societies. When a member of a co-operative society qualifies for a loan, he is even given up to three times or sometimes four times his contributions. It is also true that a worker, who is a member of a co-operative society, can also apply for an emergency loan to pay for his children's school fees.

We have seen this as very good assistance from the co-operative society. But this money which is being kept by the NSSF and where a worker has no access to it, we find it very difficult. In fact, the retirees, those who are very far from Nairobi, have the tendency of asking the hon. Members of Parliament to present their cases to the NSSF headquarters. Hon. Members have been making several trips to the NSSF building to assist these retirees to get their money. If you do not see a quorum here, it does not mean that hon. Members are not interested in this Motion. Some of them have gone to the NSSF building to find out if their constituents can be paid and it takes them a long time before they are paid.

With the big number of staff at the NSSF building, that does not mean that there is any efficiency at all. There is no efficiency because one has to go there several times before he is paid his dues. For the Fund to be efficient, members of staff should work on the information they receive from the district, but instead they sit on that information until that person comes to Nairobi. That is why I said that might take a quarter of the savings in making several journeys to Nairobi before one gets his contributions. I wish a procedure is formed so that the contributors do not experience difficulties in getting their money paid back. I know for certain that there are some employers who do not remit to the NSSF the workers' contributions and their own contributions but the Minister has got enough personnel to check on this.

Just like the NSSF, I have a lot of complaints on NHIF because it does not help anybody anywhere. If I go to any hospital and I am operated on, I would be required to pay at least Kshs80,000 and the NHIF will pay only Kshs2,000. This is one of the institutions where a lot of pressure should be put so that we make use of this money rather pretending that we are helping workers.

I also concur, as I said earlier on, with the idea of hon. Mwaura. But the only thing that I do not agree with is the provision that somebody work for 20 years so that he can get his contributions. There is no need for that clause of 20 years. I would suggest that whenever one has attained the age of 40 years, whether he has been working for 10 years or 15 years, should be given his contributions so that he can make use of it before he meets his death.

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

Mr. Shikuku: Asante sana, Bw. Naibu Spika wa Muda, kwa kuniona kwa sababu tangu saa tatu nilikuwa hapa.

Hoja hii ni ya maana sana. Sisi ambao tulikuwa katika Bunge hili mwaka huo wa 1965, tuliunga mkono Mswada huo kwa sababu lengo lake lilikuwa ni kunufaisha wafanyakazi au "watu wadogo." Hakuwa mpango

wa kunufaisha matajiri kuwa matajiri sana. Hiyo ndiyo ilikuwa nia yetu, lakini sasa NSSF, na mimi ninawaunga mkono wale waliozungumza hapo mbeleni ya kwamba wafanyakazi wengi wamekufa bila kupata NSSF. Anapokwenda huku katika jengo la NSSF kutafuta marupurupu yake anaelezwa arudi saa nane, akienda saa nane anaambiwa kuja kesho asubuhi, akienda asubuhi anaambiwa kuja saa nane na kadhalika. Mpaka zile pesa alikuwa amekuja nazo hapa Nairobi zinaisha, hana mahali pa kulala na hoteli huwa ni Railways station ndio wanakolala huko.

Wanatumia pesa hizi za wafanyakazi ambao ni masikini au jasho la maskini kujinufaisha wenyewe halafu kesho wanaleta bunda la shiling milioni moja zinawekwa juu ya meza na wanasema "hatutaki maneno matupu, tunataka vitendo". Na vitendo kwa Harambee, nimeleta Kshs1 milioni moja. Lakini kumbe hii Kshs1 milioni ni pesa za NSSF!

Siasa za Kenya zimebadilika kwa sababu ya NSSF. Mtu yeyote anayetaka kuingia katika siasa ni kutoa Harambee na ataingia katika Bunge hili na Bunge hili litakuja kujaa "wezi" ambao wanaiba pesa za NSSF na wanakuja hapa kwa njia ya Harambee. Na hali mfanyakazi anayetoa jasho hawezi kupewa hata za kusomesha mtoto wake. Watoto wengi wa wafanyakazi hawawezi kuenda shule au chuo kwa sababu hawana pesa. Lakini NSSF haiwezi hata kutoa karo ya huyu mtoto apate masomo bali iko tayari kutoa hizo fedha kwa wakubwa wengine kununua mitaa.

Mimi ni mwanachama wa Public Accounts Committee na ninajua vile pesa za wananchi zinaliwa. Ninajua vile watu wanunua ardhi na kuuza kwa bei kubwa na wao wanunujaji wanatumia pesa za NSSF kuja kununulia hiyo ardhi na hali mfanyakazi wa nchi hii hana matumaini yoyote katika maisha yake.

Wengi wao wamefanya kazi lakini hawana hata suruali mbili na pesa zao zaliwa na wakubwa, na wanatambia hatutaki watu wanaosema maneno bure, tunataka vitendo. Unasikia Waziri anatoa Kshs150,000 na hata "mekaniki" wengine watoa Kshs1 milioni mara moja. Tunajua katika PAC ameua ardhi ya Serikali na imenunuliwa na pesa kutoka kwa NSSF. "Mekaniki" anatoa Kshs1 milioni moja!

Haya maneno tunasema kwa sababu tunataka tuwe na imani katika nchi hii. Wachache wanakua wakila na kutapika na wengi wanalala njaa na watoto wao hawasomi. Tunafikiria tukienda kanisani kila Jumapili na kusema amani, mapenzi na umoja inatosha. Haiwezekani, Bw. Naibu Spika wa Muda.

Kuna wakati ambao utafika hawa watoto wa wafanyakazi ambao hawawezi kusoma, hawa watu ambao wanakufa na pesa zao zinaliwa watazaa watu. And the disparity between the rich and the poor is too great. Pengo lililopo baina ya walionavyo na wasionavyo ni kubwa sana. Mwishowe, huenda yale mambo yaliyotajwa na Yesu yakatokea; wale ng'ombe waliokonda walikula wale walionona. Ni Yesu alisema haya, si Shikuku. Haya ni maandiko matakatifu wala si maneno ya mhe. Shikuku. Ukipenda unaweza kusoma Biblia. "Ng'ombe" walionyauka, waliokonda, wasio na matumaini katika Kenya hii watawala wale wanono katika Kenya hii, na hii haitachukua muda mrefu. Umaskini umekuwa mwingi, na hali kuna watu ambao "wanatapika." Wamekula, wameshiba na "wanatapika" na bado wanakula tena. Utajiri uko mikononi mwa watu wachache. Utajiri huo umetokana na juhudi na jasho la maskini.

Siku hizi, sisi katika Public Accounts Committee hatuwaachi. Siku hizi tunataja majina ya wale watu "wanaokula" pesa za wananchi. Haya yote yataandikwa na kwa vile sasa kuna mitambo ya kompyuta na tunapeleka hizi ripoti zote katika nchi za mbali mbali, wakubwa watafikiri watachoma, lakini watachoma tu rekodi za hapa, hawatachoma za nje. Na ukweli utajulikana siku moja. Mfanyakazi hana haki, kwa sasa bei za bidhaa mbali mbali zimeongezeka. Hakuna anayefikiria ni kwa nini mtu mdogo hawezi kujimudu katika mambo yake. Nyakati hizi mtu mdogo hawezi kuwasomesha watoto wake. Hata juzi, kuna mtu mmoja ambaye mtoto wake amepita vizuri. Baba ya huyo mtoto amepooza upande mmoja wa mwili wake. Mtoto huyo anatoka huko msituni, Butere. Alipata alama 578 katika mtihani wa darasa la nane na akaitwa shule ya upili ya Lenana. Huko Lenana, kati ya wanafunzi 240, yeye alikuwa nambari tisa. Mimi ndiye nimemlipia karo, na mimi si tajiri. Hizi bilioni za pesa "zinaliwa" na hawa watu ambao hupenda kusema "Hatutaki maneno, tunataka vitendo, tunamwaga harambee", na hali wanachukua pesa za NSSF.

Kuhusu hii kashfa ambayo ninazungumzia, ningependa rafiki yangu, mhe. Masinde, ambaye tulikuwa naye shule moja, ambapo tulikalia dawati moja katika darasa moja, ajue. Kuna watu kwake, na kila Mbunge hapa ana watu kwake ambao wamefanya kazi na hawajalipwa malipo yao ya uzeeni na NSSF. Yafaa miaka hii ipunguzwe, na mtu apewe pesa zake. Ninakubaliana na yule msemaji ambaye alisema hapo mbeleni. Yafaa mfanyakazi awe akipata kitu kabla hajafa ili awasomeshe watoto wake. Haifai kuwaacha watoto wa wafanyakazi ambao hawana karo wakose elimu. Watoto kama hawa huwa na akili nzuri. Baba ya huyo mtoto ambaye niliwasimulia kisa chake hapo mbeleni alikuwa akifanya kazi katika Shirika la Reli, na hajapata malipo yake ya uzeeni kutoka kwa hazina ya NSSF. Anaambiwa angoje mpaka atimize umri wa miaka 55. Nani anajua kama atafika miaka 55? Hii sheria ni lazima iondolewe. Tulikuwa tukifikiri hizi pesa zinasaidia wafanyakazi, lakini sasa, tumeshaona kwamba zinaenda kwa matajiri. Yafaa hii NSSF iwe kama chama cha ushirika. Wafanyakazi

wapate kitu, wawasomeshe watoto, hatimaye wajenge mahali pa kukaa kabla ya kufa.

Kwa haya machache, ninaunga mkono. Niko na uchungu mwingi sana katika roho yangu!

Mr. Mathenge: Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to support this very good Motion introduced by hon. Mwaura. I am a contributor to the NSSF because, for every Kshs100 my employees contribute, I also contribute Kshs100 to add to what they contribute. So, I have interest in this Motion. Lately, we have heard of the colossal sums being used by the NSSF to purchase huge tracts of land in this country at inflated prices while, at the same time, we have people coming to our offices in the country-side every week complaining that since they retired from employment, they have been going to the Labour Offices to ask for their dues without being paid. Several promises are made to them. They are told: "Go and come back next week. Go to Nairobi". When you consider that those contributors are men and women of low income, asking them to come to Nairobi and then to return to Nyeri or elsewhere and come back the following week, is putting them into severe hardships.

It has been argued before that payment should be decentralized so that people can collect their dues at their district headquarters instead of having to come to Nairobi to make inquiries. The Minister is now being asked to look at this Act and make changes that are necessary. I feel that necessary changes should be introduced now so that when people reach 45 years of age and they have been working, they should retire if they so wish and get their money straightaway. However, that should not be the end of the issue. Every month, workers contribute huge sums of money which are spent by the NSSF on investments like building sky-scrapers in Nairobi and elsewhere. Those sky-scrapers have offices and other facilities which are let to business people at high rates. Now, the contributors must share the hidden benefits from the investment of their money. They should not just wait until the end of time to be paid a lumpsum. At the end of their retirement, they should be paid a benefit of about 80 per cent of what they have contributed. Then 20 per cent plus the benefits accruing from the investments of the NSSF should be paid to them every month so that they continue getting a pension up to the time they die.

The Fund is intended for the welfare of the workers. Paying a man only a lumpsum at the time of retirement is not enough. The payment they get as lumpsum at the end of their service should be regarded as a gratuity to help themselves, and from that gratuity, the balance plus the benefits accruing from the investment of their funds should be paid to them every month until they die. For example, those who retire from Government service are paid a lumpsum at the end of their service and they continue getting a pension until the end of their lives. So, the poor workers should be treated in a similar way. They should get a lumpsum and also continue to receive a monthly allowance or payment until they die. That will prove that the Government is mindful of the workers welfare. However, when a worker retires and sees that he is only paid a lumpsum and he continues to see high-rise buildings coming up, earning the NSSF high rents while he gets nothing, he wonders why he should not get benefits from the money he has been contributing over all the years when he was working. So, the Government must come to the aid of its own people instead of leaving these people to suffer. In addition, this payment which is known as gratuity should be considered fairly instead of leaving some people to enrich themselves from the sweat of the ordinary person who cannot speak for himself. Here, we have been elected to speak on behalf of those unfortunate people. So, the Minister for Labour and Manpower Development should be more considerate and improve the welfare of the workers and their life-time payments.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. I have just been reminded that the story I gave about the lean cows eating the fat ones was actually the dream of Pharaoh which was interpreted by Joseph and not by Jesus. But that still stands that one day the thin ones will eat the fat ones in Kenya.

(Applause)

Mr. Kiliku: Asante sana, Bw. Naibu Spika wa Muda. Maoni yangu yatakuwa ni kuuliza Waziri tu maswali yafuatayo. Sheria inasema kwamba waajiri wanatakiwa kupeleka michango ya wafanyakazi ya NSSF kila tarehe 15 ya kila mwezi kwa makao makuu hapa Nairobi. Ni kwa nini matajiri wengi, hasa wa Kihindi, hawapeleki hizo pesa kwa makao makuu ya NSSF? Ni wangapi wamefikishwa kortini? Hizi pesa za NSSF imekuwa kama njia ya kuwatesa watu wa nehi hii kwa sababu watu wanakufa na ukienda kwa matajiri unaambiwa kwamba marehemu alikuwa akitoa mchango wake wa NSSF, lakini mchango huo haukufika katika makao makuu ya NSSF hapa Nairobi. Ukienda katika kompyuta na kuangalia mchango wa Bw. Makokha au Bw. Swaleh utaona kwamba kompyuta haionyeshi pesa zozote kwa miaka kadhaa ilhali alikufa juzi. Suala hili linakurudisha tena kwa mwajiri wake na hii ndiyo imekuwa shida kubwa leo na Waziri anajua. Ni kwa nini haiwezi kuratibishwa katika sheria kwamba kabla mfanayakazi hajapewa barua ya kustaafu, mwajiri wake ahakikishe kuwa

hayo malipo ya uzeeni yamepokelewa katika makao makuu ya NSSF na anayestaafu amelipwa malipo yake ya uzeeni papo hapo kabla ya kukubali barua ya kustaafu kwa sababu wengi wameteseka kwa sababu hii?

Bw. Naibu Spika wa Muda, ninaomba Waziri kuwa michango ya wafanyakazi ya NSSF iwekwe katika cheti cha mshahara cha kila mwezi kama vile hisa za vyama vya ushirika. Kila mwanachama wa chama chochote cha ushirika anaonyeshwa hisa zake kwa kila mwezi. Matajiri lazima waonyeshe michango ya wafanyakazi wao kila mwezi katika vyeti vyao vya mshahara vya kila mwezi ili watu wote, kwa mfano, akifa kwa ghafla, wajue ni kiasi gani cha pesa alikuwa nacho. Serikali hii inatangaza rasmi kwamba imekuwa ikiwaibia wafanyakazi pesa zao. Pesa za NSSF riba yake mpaka sasa ni asilimia 15 tu. Lakini hila ni kwamba katika benki za biashara ukikopa mkopo, unaambiwa kuwa utatozwa riba kati ya asilimia 26 na 32. Basi Serikali inawaibia wafanyakazi karibu asilimia 15 ambayo ni riba ya michango hii ya NSSF. Ukiweka pesa kwa NSSF, utapewa riba ya asilimia 15, lakini ukienda kukopa pesa hizo hizo mahali pengine katika benki zile walikopesha, unatozwa riba ya asilimia 31. Kwa nini unalipa? Si huu ni wizi? Kuna wizi mwingine ambao Serikali hii imekuwa ikiwaibia wafanyakazi?

Bw. Naibu Spika wa Muda, Waziri huyo, hivi karibuni ninafikiri ataulizwa na wafanyakazi kupitia katika njia zozote zile kujitetea katika juhudi zozote. Ni kwa nini Waziri amekubali pesa za wafanyakazi kwenda kununua ardhi ambazo hazina maana na si za wafanyakazi na majengo ambayo hayaleti pesa? Ninasikia kuwa ile Falana Hoteli kule Mombasa ilikuwa ya watu fulani, sijui ni kina nani, Waziri atayakanusha; watu walikopa pesa kutoka NSSF na kununua Falana Hotel na baadaye wakaiuzia NSSF ile Falana Hotel. Tena watu wawa hawa wakaikodisha kutoka NSSF na sasa wanafanya biashara. Ninaendelea kuchunguza mambo hayo. Huu ni ulanguzi. Hii Serikali imekuwa ikiwaibia watu!

(Applause)

Bw. Naibu Spika wa Muda, ninaunga mkono ingawa nina maoni tofauti. Hali hii ya kufanya kazi miaka 20 ni kweli, lakini siku hizi mtu anapomaliza chuo kikuu ama kidato cha nne hasa kumaliza chuo kikuu kwa sababu ya migogoro na shida mbali mbali, watu wengine wanafikisha miaka 26 kabla hawajamaliza shule kisha kutafuta kazi. Kuna watu ambao wametafuta kazi zaidi ya miaka 10. Ningeomba tusahihishe miaka hii 20 iwe 40, lakini mambo ya kufanya kazi miaka ngapi yaondolewe kwa sababu watu wengine wanafikisha miaka 40 na hawajafikisha miaka 10 tangu waanze kufanya kazi kwa sababu ya ukosefu wa kazi. Hivi sasa, wale wafanyakazi ambao wamekuwa wakistaafishwa kwa njia ya Golden-handshake na retrenchment, wengine wana miaka 40 na michango yao iko katika NSSF. Lakini wakienda kwa NSSF, wanaambiwa kuwa mpaka wafikishe miaka 55 na huko Serikali imewastaafisha. Ni vizuri kuifanyia sheria hii mageuzo ili kuwasaidia hasa wale wafanyakazi ambao wamestaafu kwa Golden-handshake system ili wapate pesa zao.

Bw. Naibu Spika wa Muda, pia kuhusu NSSF, wakati Waziri atakuwa akijibu hapa, ataeleze mpaka sasa ni kiasi gani cha pesa ambazo ziko kwa sababu inasemekana kwamba kumekuwa na zaidi ya Kshs 9 bilioni ambazo hazijulikani ziko wapi, yaani ziko katika Suspense Account. Tuliambiwa hivyo na Waziri mwenyewe. Suspense Account ni ile akaunti ambayo hizo pesa hazijulikani bado ziko wapi, zinatafutwa tu. Hizo Kshs 9 bilioni ama pesa zingine, labda zimeongezeka. What is the financial position of NSSF as at today ile inajulikana na ile ambayo haijulikani? Inatakiwa ifanyiwe namna hiyo na wale wafanyakazi wawe wanakatwa pesa hizo tu na wasikatwe pesa nyingine. Wafanyakazi wa Kenya hawaweki pesa katika benki kwa sababu hiyo mishahara yenyewe hata sio mishahara tena! Ilikuwa nia ya mishahara kuwa mfanyakazi anaweza kuangalia maslahi yake, lakini hawana mishahara wa kutosheleza mahitaji hayo. Hata kama sio hivi vyama vya ushirika siku hizi, watu hawangeweza kuwapeleka watoto wao shule. Co-operative movement imewasaidia watu wengine hata Wabunge hapa. Kama si co-operative, hata hawa Wabunge hawawezi kufaulu. Kwa sababu hiyo, Waziri huyo, tumekuwa tukimshauri kila wakati alete Mswada kuhusu Labour Laws ili kuzigeuza kwa kuwa nyingi zazo ni za kikoloni. Kwa mfano, ikiwa kampuni fulani itafilisika, mfanyakazi halipwi mpaka wale waliokuwa wamekopesha ile kampuni, kwa mfano, benki, walipwe kwanza ndio mfanyakazi afikiriwe. Na benki hizo ni zao na watu wao. Wao wanauza vitu vyote na kulipa waliwakopesha pesa na wakifikia kwa wafanyakazi wanasema kuwa pesa zimekwisha. Yule mfanyakazi anakwenda bila pesa.

Bw. Naibu Spika wa Muda, tangu mwaka 1985, Serikali hii imekuwa ikisema kuwa italetwa Mswada hapa wa kugeuza Labour Laws, lakini mpaka leo haijafanya hivyo. Hii ndiyo sababu ninamuunga mkono, mhe. Shikuku. Nchi hii imeharibika kwa kuomba Harambee. Matajiri, Mawaziri na watu wote wa Serikali wamewekwa mifukoni ya Wahindi na hatuwezi kuendesha nchi hii yetu vizuri kwa sababu ya kuomba Harambee. Nchi hii haitaenda vizuri kwa sababu ya kuomba Harambee. Mwombaji hana dignity wala uwezo wa kufanya chochote kwa sababu ya kuomba. Je, nikimwambia Waziri mtu fulani amemfanyia fulani, atasema kuwa atapiga simu kwa sababu kesho anakwenda kuomba Harambee kwake. Hii ndiyo shida moja ya nchi yetu na nchi

imeharibika.

Kwa hayo machache, ninaunga mkono.

Mr. Mak'Onyango: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for according me this opportunity to join my colleagues who have already supported this Motion.

First and foremost, I do concur fully with the sentiments already expressed here by one or two of my colleagues on the question of dues contributed by workers. We do need to have in place an arrangement whereby these dues should be released alongside the terminal benefits to every worker. This becomes necessary because it is one way by which we can be able to reduce congestion at the National Social Security Fund offices and in the process make it easier for people there to work more efficiently. So, I do think this is a matter that the Minister needs to consider very seriously because it will also help and cut down on costs that the contributors have to incur now travelling from their places of residence to the NSSF headquarters every now and again. So, if arrangements could be made for the dues to be released at the time workers part company with the employer, that will, I think, go a long way in streamlining the NSSF services.

Mr. Temporary Deputy Speaker, Sir, I want to go a step further and ask for the establishment of an NSSF bank, as a workers' bank. In this way we will be able to put to good use for the benefit of the worker himself or herself the money they contribute because by establishing a workers' bank, the bank will be able to earn benefits that will directly benefit them. So, we do need the establishment of this kind of bank as one sure means by which the worker will be able to have some kind of direct say in the money he or she contributes for the future well-being of his or her country. So, I think it is time consideration was given to using this NSSF fund to partly establish a bank from which workers will get loans from this facility much more easily than they are able to do from the commercial banks because their own contributions will act as a guarantee. So, in that case they will be able to benefit immensely from this facility.

Mr. Temporary Deputy Speaker, Sir, I also want to take issue with the question of redundancies. It is time the Minister came up with some kind of legislation as to make redundancies a little bit more difficult than is the case right now. I do submit that cases of redundancies have become the order of the day in this country, in a number of cases these are totally uncalled for and I see them as a way by which some malicious employers do want to escape their responsibilities both to this country and people who have worked for them. I feel very often we have situations in which just because an employer feels that he or she has made enough money and wants to maybe get away from the responsibility or obligation of having to pay certain taxes or having to meet his commitments to the employees. I think because of our lax laws, a good number of investors have been able to use the law of redundancies to close their businesses in this country and get whatever money they can and move elsewhere for other benefits. So, I would like to see the Minister responsible do something in this particular regard so that at least it is made a little bit more difficult for those kinds of investors to abscond from their responsibilities.

Mr. Temporary Deputy Speaker, Sir, I do also want to raise the question of the need to decentralise NSSF services. So far, maybe, the services have been decentralised down to the provincial level but I do feel that we do need to move closer to the people in order, of course, to make it easier for the contributors to be able to come forward and raise their queries with the Fund without having to incur a great deal of expenses by moving from their areas of residence to the nearest offices of NSSF. So, I do feel that it will benefit this country a great deal if the services were further decentralised down to the district level. I do feel that with the kind of funds that NSSF has access to, they can very easily and comfortably have offices down to the district level so that people do not have to walk all the way to Nairobi. In deed, I have the feeling that it will also enable the contributors to have a great deal more money available to them than they do right now. Right now I think it would not be an exaggeration to say that more than 10 per cent of dues to a contributor end up in transport costs. So I do think to help them recoup some of this money, it will help to decentralise a little bit further.

Mr. Temporary Deputy Speaker, Sir, I also want to request that the collection of funds should be streamlined and in this regard, I would also want to go ahead and suggest the need for the establishment of some kind of contributors' association to help the contributors overcome a great deal of the problems they are faced with right now. Very many of our people are not as well versed with the procedures to be followed in laying claims for these dues and the like. Now, if we had some kind of association that catered for the contributors, I am sure they will be able to intervene and save a great many of the contributors from some of the problems that they encounter right now. So, I also feel such an organisation would be able to tackle the question of employers who deduct NSSF contributions or dues but do not forward them to the NSSF. So with an association of contributors, I think the association will be able to kind of intervene and help the contributors. Right now the contributor is confronted with a lot of hardships because in the majority of cases, it is the contributor, himself, that has to go into the intricate matters that are involved. So, if we have some kind of association that would be able to intervene for and on behalf of the contributors, the association will be able to render the useful service to many of the contributors

and in the process bring to an end the myriad of problems faced by many of the NSSF contributors. So, I do think it is time NSSF contributors thought in terms of establishing an association and if the Minister can be able to initiate this kind of move, I am sure in that way he will indeed have served the contributors of NSSF. So, I do recommend that we go in for this kind of association to help out.

With those few remarks, I beg to support.

Mr. Gichuki: Thank you, Mr. Temporary Deputy Speaker, Sir, for recognizing me, so that I may comment on this Motion by hon. Mwaura. The Motion requires that we have employees who retire at the age of 40 years to be given money instead of waiting for 55 years. This is quite sound because at the age of 40 years, that is the time when one is at the prime age, that is the time you are useful, that is the time when you can be economically active and physically active. I think it is imperative for the Minister in charge of NSSF to consider this very seriously because this country is comprised of workers mainly. NSSF is a sad story, from what we get, from the practice of NSSF, it is a sad story. I say it is a sad story because most of the people who elect us are workers and when most of them retire they go home and languish in poverty. They trek days on end to NSSF headquarters to get their money which they never get. In this House we have experienced a host of Questions from Members inquiring about NSSF money for their constituents. I am saying this because, this money should be availed immediately to the workers after they stop employment rather than the practice we get from NSSF where they are investing the money elsewhere. For example, buying plots; as we get it and constructing housing estates that do not benefit the workers. NSSF money also goes to start banks that benefit the rich and not the workers. I think it is high time NSSF was run by the workers themselves. Instead of the Board of Trustees being appointed by the President, the workers should have a say and the Board of Trustees, at some stage, should be elected by the workers themselves, so that they are able to control their money. Because the workers have got no control, this is why this money is invested without considering the plight of the workers themselves. It should also be noted, and the Minister should also note, that we have had complaints from these workers where some employers do not remit the money to NSSF. I have in mind some county councils, some municipalities, we have even seen complaints in the newspapers that their money is not remitted to NSSF. So, when workers retire, they do not get their money because **[Mr. Gichuki]**

the employer has refused to remit the money to NSSF. This is the height of corruption and the Government and the Minister should be able to enforce this directive, where a contributor's money should be remitted immediately because it is a sad story after the employees retire.

Mr. Temporary Deputy Speaker, Sir, we have a situation where NSSF has been accused of investing money without accounting for whatever they are doing. It is high time the Minister himself came up in this House with the amount of investments of NSSF, their benefit to the workers, the contributions from the workers and the employees, so that we know whether NSSF is on the right track or whether NSSF is hoodwinking the workers. It is supposed to be an institution to assist the workers in this country. I believe the institution has a lot in want and it is not assisting the workers in this country. The Mover of this Motion had very good intentions and I believe it is imperative that the Minister revises the National Social Security Fund Act so that we are able to benefit our workers when they retire at the age of 40 years. At 55 years, when you get that money, you are at a stage where even if you invest that money, it may not be useful. To turn it into a pension scheme where may be a worker will be getting Kshs500 or Kshs1,000 per month until he dies, I do not think it will be useful at all. Get the workers after they retire, give them the bulk of their money and let them go and invest it when they are still useful, when their brains are still active and out of that, that money will be useful.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Kariuki): It is now time for the Minister to reply.

The Minister for Labour and Manpower Development (Mr. Masinde): Thank you, very much, Mr. Temporary Deputy Speaker, Sir. I would like to start by asking to be assured that we are discussing the Motion, the Motion to be amended to read 45 years and not 40 years. I want to be sure that, that is the situation.

The Temporary Deputy Speaker (Mr. Kariuki): That is noted!

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Temporary Deputy Speaker, Sir, that being what it is, first of all, I want to thank the Members who have contributed to this Motion.

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am grateful to the Minister for having corrected that. But also probably, just to have the record clear, the Mover said among other things, "liberalization policy which has caused dramatic rise in most essential commodities." I think it should be corrected to be, "rise in the cost of most commodities." We would not be worried if all the commodities rose, it would mean that probably we are progressing. But it should be "rise in the cost" Therefore, I just want to point it out before the Minister finishes.

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Temporary Deputy Speaker, Sir, I merely wanted a clarification on this. I am not asking for any amendment at all. I was not sure whether the Mover had amended it, probably it was a typographic error. The Mover was talking about 45 years and not 40 years, and I wanted to be sure because---

Mr. Shikuku: He did!

The Minister for Labour and Manpower Development (Mr. Masinde): If he did, that is all that I want to comment on, rather than go into the amendments.

Mr. Temporary Deputy Speaker, Sir, I also want to take this opportunity to thank all the hon. Members who have contributed and, they have definitely given very valuable contributions. Probably, in the course of time, I will go through some of them and try to explain the situation as it is.

The National Social Security Fund (NSSF) was established by an Act of Parliament in 1965 and begun functioning in 1966. The aims were to make sure that the Government takes over the security of the workers so that when they retire in their old age, at least, they have something to fall back on. This was at that time when the retirement age at which they would qualify was 55 years. It has since come down, in fact, to 50 because we have what we call "withdrawal benefits". Any member who is 50 years of age, and he is sure that he is not going to seek for employment elsewhere thereafter, he can withdraw and be paid his contributions plus the interest.

The NSSF is also a member of the International Social Security Association (ISSA) which is under the umbrella of the ILO Convention No.102, which is on social security. The aim of social security, as per ISSA, was to look after a number of things and cover a number of areas to safeguard the employees. Some of these, in general, were to be; medical care, sickness benefits, unemployment benefits, old age benefits, employment injury benefits, family benefits, maternity benefits, invalidity benefits and survivors' benefits. That is covering what it should be in full. For NSSF, as per the Act of Parliament Chapter 258, we have concentrated on a few items, namely; old age benefits at 55 and invalidity benefits which means that if an employee is injured at work or elsewhere and he is completely unable to work for the remaining part of this life, he cannot wait until he is 55, he can come and claim the benefits as soon as the doctors can certify to that extent. Then we have the survivors' benefits. Here it is self-explanatory. If a husband who is working, for example, dies, the wife or wives left behind, or next-of-kin, as specified by the husband before he dies, can come and claim this money. So, the question of 55 years will not arise.

Then we have withdrawal benefits. As I had mentioned earlier on, this affects people who get to the age of 50 years and they perhaps, want their money, they do not want to continue working, then they can have their money. We also have the emigration benefits. These are paid to expatriates who come here to work for a certain period, because when they are working here they contribute to NSSF, and when they are leaving the country and they assure us that they will never come to look for employment again in this country, then of course, they are paid their benefits before they leave the country. That being what it is, I think the Fund has done very well. It has worked to the letter, to make sure that it is working for the benefits of the workers and whatever the contributions from both employees and employers are properly utilised. One of the hon. Members mentioned about the percentage. We get the money from the workers and employers. The contribution, admittedly, is very low at the moment. It is long overdue for rectification. It needs to be brought here, so that Parliament can amend this section because at the moment the maximum contribution is Kshs 80 from the worker and Kshs 80 from the employer. You will appreciate that at the moment, with Kshs 160 maximum per month - the worker does not expect to get very much when he is withdrawing his terminal benefits and that is why I agree that this amendment is long overdue. In fact, I have already proposed it and it is with the office concerned with the drafting of this sort of amendment.

Also, one of the contributors has mentioned about what benefits the employee gets while his money is being used. Obviously, the Minister is authorised by the Act to decide on a percentage to be paid out or to be credited to each employee's account each year depending on the income or the profits that the Fund has made. At the moment, it is 15 per cent. I am surprised that when hon. Kiliku was contributing, he thought that 15 per cent is very little. I agree to some extent, but it is within the context of what we get. You should check with any other financial institution, be it any benefits for the worker, like the retirement benefits, their pension and so on. Obviously, not very many of these are paying 15 per cent. But some of the money here paid to the Fund, the Fund invests so as to get the profits and to give some of these profits to the employees. It invests in land, in buildings, in Government Treasury Bills and Bonds and so on. So, again the investments are authorised by the Board of Trustees and again they are doing that completely within the Act of Parliament as authorised by Members of Parliament and whatever they are doing they are doing it within the laws of the country and obviously, in the best interest of the workers. For that reason I felt that I had better explain the situation.

Now, the issue here is to amend Section 20 so that people can earn after working for 20 years

and earn when they are 45 years of age. Section 20 states; "subject to this Act, a member of the Fund shall be entitled to get benefits if he has attained the age of 55 years and has retired from regular employment".

So, the disbursement of this, first of all, it must be clear, would only be given to those who have left formal employment as employees. It must be after 55 years. So, while I would like to say that I have no objection to the suggestion, that we should lower it to 45 years, I do not want it to be assumed or somebody to put it in the Press tomorrow that the employees can go to NSSF tomorrow and get their benefits so long as they are 45 years. All I can say is that it is acceptable, as far I am concerned, and when we amend that Act, that will be put into consideration. It is an Act which has to be amended and which the hon. Member is asking to be amended.

Mr. Temporary Deputy, Sir, I want to correct that impression so that we do not have people coming around tomorrow to say that Parliament has passed that the NSSF dues will be paid at the age of 45 years. That amendment has to be brought to Parliament to be debated on and recommended and only after that shall we be able to handle the situation.

The main aim of this Motion was for old age and I agree with that. Places like UK women are only entitled to those old age benefits at 60 and men at 65. For now, I would take it because it will help us, perhaps if the recipient will employ that money properly, to create more employment. But on the other hand, it may not be serving the purpose for which it was intended, retirement benefit, at 45 years. I do not see anybody retiring at that age.

Having said that, I would like to go through a few issues raised here by hon. Members. One, Mr. Kiliku talked about employers not remitting the employees money to the NSSF. We have an inspection section which goes around the country. In fact, it is based in every district, inspecting firms to ensure that employers submit all the necessary deductions. However, the employees should be advised that the question, as raised by hon. Shikuku and others about travelling to Nairobi and back all the time, should not arise because we have opened offices in nearly all the old districts apart from the provincial office in North Eastern Province. All provinces have got computers and all districts offices and any retiree who needs his NSSF benefits needs to go to the district office nearest to him, give his NSSF number and demand to know what contributions he has made. He does not have to wait until he retires. He can do it even now. All he needs to do is to go to any of our district offices and ask them how much he has contributed. The officers there will contact the provinces which have got computers and he will know what is due to him. In this way, he can then know whether the employer is remitting his money or not and, if he not, the employee has a right to go to any of our offices in the district to complain that his schedule has shown that some of his money has not been paid and our officers will definitely go to the employer to find out what has happened. I feel that hon. Members should advise the employees or voters to that effect on this. These people do not have to come to the headquarters. If an employee has retired, let him fill his forms at the district headquarters nearest to his home. The forms will be processed there, sent to the headquarters and the cheque will be sent to the district and he will be traced at the district, according to the address he has left there and be paid. So there is really no need to come to the headquarters at all.

The other issue was about decentralization. Well, I have mentioned about this. We have already decentralized our offices and so it is a matter of the hon. Members informing their people about it.

On the question of redundancies raised by hon. Mak'Onyango, we made a slight amendment here two years ago and I think that area should be functioning well. We only amended it to speed up the process. Formerly, the Minister had to sign to approve, but now any employer wanting to declare people redundant has to report the matter to the nearest district office and the union representing the employees and the labour officer will meet with the employer and come to a comprise, if there is need. If there is no need, the union can refuse and have it declared as a dispute in which case it will be processed in the normal manner up to the Industrial Court, if necessary. So, I think, the unionists should be educated and carry out their duties properly and defend the people they are protecting.

I want to say that I accept the Motion as it is.

The Temporary Deputy Speaker (Mr. Kariuki): It is time for the Mover to reply.

Mr. Mwaaura: Mr. Temporary Deputy Speaker, Sir, let me thank the Members of Parliament who have contributed to this Motion with factual and concrete evidence as to what we need to do for our workers. I also want to thank the Minister for having accepted this Motion because he understands its genuineness. I believe that we will do a great service to this country, those of us in the Opposition and those in the Government, if we can endeavour to work towards improvement of the welfare of our people. There are those people in various countries, for example, those in Liberia who are experiencing civil wars which are caused by workers revolting against the Government of the day because of the question of wages, food and things like that. There are people in this country who suggest that we call for civil disobedience. I am not sure that by calling for civil disobedience

in this country, which can result into a civil war, we will be doing this country a service. I believe that we need to improve the welfare of our people and in that way this country will continue to grow economically and maintain its stability.

Having said that, I would like to say that I agree with the contribution of my colleague, Dr. Lwali-Oyondi, who had said that the only amendment that should be included is that of inserting the words "in the cost of" in the third line between the words "dramatic rise" and "most essential commodities".

I am very grateful to those hon. Members who have supported this Motion and I am sure that it will go a long way in assisting our people. The Minister has said that by accepting this Motion he does not expect people to go to the Ministry of Labour and Manpower Development tomorrow to ask for their NSSF dues. Let me ask the Minister to bring to Parliament that amendment as soon as possible so that within the next few months, these amendments can be implemented.

With these few remarks, I beg to move.

(Question put and agreed to)

ADJOURNMENT

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

The House rose at 12.20 p.m.