

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 18<sup>th</sup> September 2013

The House met at 9.00 a.m.

*[Hon. Speaker (Mr. Muturi) in the Chair]*

### PRAYERS

**Hon. Speaker:** Hon. Members, my attention has been drawn to the fact that we do not have quorum. You know that in keeping with our Standing Orders, we cannot commence any business unless and until we have quorum. I, therefore, direct that the Quorum Bell be rung for 10 minutes initially.

*(The Quorum Bell was rung)*

Hon. Members you may now commence business. Hon. Member for Molo Constituency, you may take the Floor.

### NOTICE OF MOTION

#### POWER SUBSIDY TO COMMUNITY WATER PROJECTS

**Hon. Macharia:** Thank you. Hon. Speaker, Sir. I beg to give notice of the following Motion:

THAT, aware that the ever increasing cost of power remains a burden to many Kenyans who find themselves struggling to pay or have their power disconnected; noting that numerous community-driven water projects, especially water boreholes, have stalled due to the high cost of electricity; further aware that, that challenge has a potential to greatly impact livelihoods given that water is a necessity for life; this House resolves that the Government subsidizes power supply to community water projects to enable Kenyans without access to tapped water benefit from that crucial resource.

Thank you, hon. Speaker, Sir.

**Hon. Speaker:** Very well. Is there any other Member? I do know that the House Business Committee balloted for several Motions. But if any Member is ready to give notice of his or her Motion, you are at liberty to do so. But if those ones whose Motions had been balloted have not arrived or are still in bed, the House can proceed to transact the more serious business than sleeping.

Do I see hon. Major Muluvi?

### REQUESTS FOR STATEMENTS

#### CATTLE RUSTLING AND BANDITRY

**Hon. Muluvi:** Thank you, hon. Speaker, Sir. Mine is to, first of all, thank you very much for giving me this opportunity. Before we left for recess, I had sought a Statement from the Chair of the Administration and National Security Committee. Since we left for the recess, within the constituency we have lost six constituents due to banditry. It has taken three months since I sought the Statement. Last time, the Chairman had told this House that the Statement he had sought from the Ministry of Interior and Coordination of National Government had been sent to the Senate - to Senator Musila. I want him to come up and tell us the position.

**Hon. Speaker:** The Chair of Committee on Administration and National Security, hon. Lentoimaga or a representative, please respond.

**Hon. Lentoimaga:** Thank you, hon. Speaker, Sir. I do not think I have any information at the moment, but I would request that I be given time to consult with my Chairman. That is because all the Statements go to him. So, I cannot really give any substantive information now.

**Hon. Speaker:** But has the Member ever appeared before the Committee, hon. Lentoimaga?

**Hon. Lentoimaga:** I do not remember the hon. Member appearing before the Committee; not when I was there.

**Hon. Speaker:** Hon. Mutua Muluvi.

**Hon. Muluvi:** Hon. Speaker Sir, I have approached the Chair three times and requested him to invite me to the Committee, but he has not invited me. I want to tell the country that, on Friday last week, we lost three people due to banditry. It is very sad that nothing has come. A month ago, I think the Leader of the Majority Party took the initiative and followed it up on my behalf. He is in the House. Could he tell us the position as it is at the moment?

**Hon. Speaker:** Maybe, the Leader of the Majority Party, you could step in because it looks like your troops are not being helpful to the Member.

**Hon. A.B. Duale:** Thank you, hon. Speaker, Sir. I really pity and agree with hon. Muluvi. But at one time – and I am sure the HANSARD will bear me out - I had the answer here and the Chair said he wanted to read it himself. The Deputy Speaker who was by then in the Chair gave a directive and it is very unfortunate. I will raise it with the Chair. It is very unfortunate because that day, I had the answer and three months later, that issue has not been settled.

I think I raised that issue the day you gave the communication pertaining to very sensitive urgent issues. You said they should be done by my office but, of course, the Deputy Speaker by then ruled otherwise. But I agree and I will tell the Chair that this answer must come as early as tomorrow afternoon. But I really sympathize and agree with the Member for Kitui, hon. Muluvi, that the issue is very urgent. I will direct the Cabinet Secretary for Interior and Coordination of National Government to provide the answer and the Vice-Chair to read it tomorrow afternoon with your indulgence, hon. Speaker.

**Hon. Speaker:** I think there is need to give leadership in this matter. It is not fair that the Member has been raising this issue for three months.

*(Hon. Member raised his hand)*

I mean there is going to be decorum. The Chair is never intimidated by statements in the Press about so and so. Do not worry. This is very firm. But the point is that I recall hon. Major Muluvi has been really up on this matter. So, I think that since the Vice-Chair of the Committee does not have any idea on it and the Leader of the Majority Party had a ready answer, it is only fair that I now direct that the matter be handled by you. Give Major Muluvi some response tomorrow afternoon. Hon. Lisamula Silverse Anami.

**Hon. Anami:** Thank you, hon. Speaker. On the same matter, I think it will be important for the Leader of the Majority Party to appreciate that this concern is a concern for all Kenyans and not just that one constituency. The issue of insecurity is rampant and if we have three people lost just in the last fortnight, you can multiply that by 290 constituencies and that is the situation. We have a problem in Shinyalu. We have thugs going around even during broad daylight.

**Hon. Speaker:** What is your point of order since you claimed to rise on a point of order? There is no debate on this matter. Please, hon. Lisamula, what is your point of order?

**Hon. Anami:** Hon. Speaker, the answer that the Leader of the Majority Party had cannot have evaporated. He can give the answer now and make reference to all constituencies.

**Hon. Speaker:** Resume your seat. I rule you out of order. Hon. David Kangogo Bowen.

#### SUSPENSION OF STUDENTS FROM SOUTH EASTERN UNIVERSITY

**Hon. Bowen:** Thank you, hon. Speaker. Almost one-and-a-half months ago, I requested for a Statement from the Chair of the Departmental Committee on Education, Research and Technology to do with some students who were sent home for six years in the name of disciplinary measures at South Eastern University College (SEUCO) in Kitui.

Hon. Speaker, Sir, six years for young students of 18 years is too long. As I speak, those boys are now just stranded at home. They were not given a chance to appear before the disciplinary committee but I was told today that it will take like two weeks. Now, the students are still waiting to get justice.

Thank you.

**Hon. Speaker:** You said which Departmental Committee? Is it the Departmental Committee on Education, Research and Technology? Hon. Macharia, are you responding for the Departmental Committee on Education, Research and Technology? Hon. Macharia, do you want to give a commitment?

**Hon. Macharia:** Thank you very much, hon. Speaker. I do not have a direct answer but I promise to follow this up and provide an answer by this afternoon.

**Hon. Speaker:** You want to provide an answer this afternoon?

**Hon. Macharia:** Yes, an answer on when we can react to that. I will consult the Chairperson and then I can answer the hon. Member this afternoon on when we can react.

**Hon. Speaker:** So that you do not get this thing wrong, when a Member raises an issue of this nature, there is need that he or she really interacts with the Committee. It is for the Committee to invite whatever technocrat to appear so that the Member can really prosecute some of these concerns. That is because if the Committee gives a response

without, first of all, hearing the Member and what responses the Executive have, then obviously, the report we shall be receiving in the House here will be without foundation. So, I would direct that hon. Macharia and your Committee have some engagement with hon. Bowen so that, at least, the response that is given to him becomes a response that other Members of the House can also contribute in enhancing or improving the situation, as the case may be.

Dr. Pukose, you have the Floor. Hon. Members, I am just being sympathetic. I think I am going to make quite some instructive ruling about this issue of cards. So, please, begin taking it seriously. Remember to carry your cards. You carry your Automated Teller Machine (ATM) cards. You carry your handbags and I do not want to say what else you carry. Please, treat this card with similar seriousness.

#### DEGAZETTEMET OF LAND OCCUPIED BY CHOLIM CO-OPERATIVE SOCIETY

**Hon. (Dr.) Pukose:** Thank you, hon. Speaker for your kindness. But I am sure my card is in the car and so, I will go and get it. Just before we went on recess, I had requested for a Statement from the Committee on Delegated Legislation on an issue that is affecting the Cholim Co-operative Society who were evicted from a piece of land that they had bought. After deliberations with the Committee on Delegated Legislation, they requested that the issue be first handled by the Departmental Committee on Lands. So, I am seeking to know from the Chair of the Departmental Committee on Lands how soon they are able to address my issue and when they are going to visit the place because they were evicted in 2005 and they have been suffering. Those people have been living with their relatives and it is high time they stopped living with them.

Thank you, hon. Speaker, Sir.

**Hon. Speaker:** Chair of the Departmental Committee on Lands? Hon. Kigo Njenga, you are an active member of that Committee.

**Hon. Njenga:** Thank you, hon. Speaker. I will pass this information and message as worded to the Committee and probably seek that we get our 14 days - that is two weeks - to give a comprehensive report on the same.

Thank you, hon. Speaker.

**Hon. Speaker:** Very well. Hon. Mwinyi.

#### STATUS OF KENYA PETROLEUM REFINERIES LIMITED

**Hon. Shimbwa:** Thank you, hon. Speaker. I rose before this House on 11<sup>th</sup> June 2013 seeking a Statement on the status of Kenya Petroleum Refineries Limited. I also accompanied the Departmental Committee on Energy, Communication and Information to the refinery and pipeline. On 24<sup>th</sup> July 2013, the Chairperson of the Departmental Committee on Energy, Communication and Information made a response from the Cabinet Secretary for Energy and Petroleum and, among other things, the Cabinet Secretary gave an assurance to this House that his Ministry has agreed with oil marketers to extend the Kenya Petroleum Refineries interim product agreement for a period of two years and that during that time, they will have a shareholders meeting and find the way forward for an upgrading.

The Departmental Committee on Energy, Communication and Information has not yet given its report and the situation on the ground has actually changed for the worst. As of 4<sup>th</sup> September, the refinery had nothing to process and the workers are now in an apprehensive mood. That place is very sensitive as you are aware, hon. Speaker. It requires a lot of safety precautions and measures but the state in which the workers are at the moment we are afraid, maybe, that place will actually result into a disaster because nobody in this world would like to stay in a situation whereby, he or she is not sure of his employment. So, we would like this House to direct that the Departmental Committee on Energy, Communication and Information brings its report and, perhaps, because of the nature of events that are taking place, maybe, have a specific committee selected from this House to investigate the Essar agreement with the Government because we seem to be seeing an issue where nobody wants to take responsibility. We do not know what is actually happening.

Hon. Speaker, Sir, I would like you to give us direction on this. Thank you.

**Hon. Speaker:** Of course, hon. Mwinyi, it is within your right, as a Member, to propose the formation of an *ad hoc* committee to investigate a specific matter and report to the House. If you so desire, that is within your right. Of course, as a Motion, it will have to be debated here and agreed to in the manner you will have proposed. But it is your right, as you suggest in your statement, to propose the formation of such a committee, if you think that, that will be the best way. But in the meantime, could we hear some response from the Leader of the Majority Party?

**Hon. A.B. Duale:** Hon. Speaker, Sir, you will remember that one-and-a-half months ago, I stood on the Floor of this House and questioned the deal between Essar and the Kenya Government and even the issue in which Essar bought the refinery for US\$3 million. I said that if you collapse those tanks and sell them as scrap, they are worth US\$10 million. I had more information and you directed that I appear before the Committee on Energy, Communication and Information. I want to tell the House today that since Kenya entered into an agreement with Essar, we have lost close to Kshs15 billion. I want to prove to the Committee that Kenyans are paying more for fuel because of our agreement with Essar. I seek your indulgence to direct the Committee on Energy, Communication and Information to investigate this within a timeline of 10 days so that tomorrow morning, I will appear before that Committee as a Member for Garissa Town.

I agree with my colleagues that we should go to the bottom of the agreement between Essar that bought the Kenya Petroleum Refinery Limited for a paltry US\$3 million. The land is worth Kshs350 million. Those who were in charge of the Ministry of Energy in the last Government and very powerful people were part of that deal. I have the documents. My colleague and I, the Member for the area, want to appear before that Committee and this House gets a report.

I am sure that is why the Government of Kenya does not want to extend the two-year agreement for Essar. We want Parliament to investigate within a limited time. If we do not do that, Essar is camping at Government offices waiting for an extension. I want to prove to the country that for the last 33 months that Essar was in this deal, the people of Kenya have lost Kshs15 billion. We have a comparison of the price of fuel when we go through the refinery and Essar, and when we directly refine petroleum. Why should Kenyans pay Kshs5 extra for petrol, diesel and kerosene? Somebody somewhere is

getting the money. You directed that I appear before the Committee but the Committee did not give me the chance.

Now, I want you to further direct that within 10 days, they bring a report and my colleague and I be the first persons to appear before the Committee to tell the country how big people in the last Government, together with Essar, ripped of the country through scandals similar to the Goldenberg and the Anglo Leasing. We must stop this as Parliament.

**Hon. Shimbwa:** Hon. Speaker, Sir, I wish to---

**Hon. Speaker:** Hon. Mwinyi, I think you had already made your point. Do not prosecute the issue before me because as you know, the Speaker has no vote. So, do not prosecute. I have heard you and you know; you had already raised a matter with me even yesterday. I have sympathies with what you have said. It is in your constituency and listening to what the Leader of the Majority Party has said, it is only fair that I direct, which I hereby do, that the Committee on Energy, Communication and Information, tables a report before this House within 10 days from the date of today after hearing both hon. Duale, hon. Mwinyi and any other Member who may wish to present any information to the Committee. If the Committee fails to do so, then its mandate to do that will be taken away and vested elsewhere. Hon. Rege, I know you are a Member of that Committee. I am not going to vary what I have said, but you may raise the point that you want to raise, I can see you really want to say something.

**Hon. (Eng.) Rege:** Hon. Speaker, Sir, thank you for allowing me to catch your eye this morning. The Leader of the Majority Party is on the spot. He is very right in what he is talking about. We held several meetings in the Committee and agreed on certain steps to take. Nonetheless, there is also another Committee that has taken this case very seriously - the Public Investments Committee. I remember they had questioned the refinery management several times and even the Government on how the investment was made at the refinery.

It is very sad that what hon. Duale is talking about could take place in this country. You should instruct the two Committees to sit together to find out the way forward with regard to that investment.

**Hon. Speaker:** It is not too complicated. I am fully aware of the mandate of PIC and I am fully aware of the mandate of the Departmental Committee. Let the matter be handled by the Departmental Committee on Energy, Communication and Information and bring a report as directed. I hear you, hon. Rege. Please, I know you are a Member of that Committee. You were also the Chair of that Committee in the last Parliament. You may help shed some light on this matter, so that you do not have to hold joint sittings. Given the membership of committees today, you may appear like another plenary. It may be easier if you just sit as the Committee on Energy, Communication and Information to which you belong and, of course, a ranking Member, and try to go to the bottom of this matter and present the report to the House.

We are still on Statements.

**Hon. Shill:** On a point of order, hon. Speaker, Sir. This new dispensation has brought about a lot of challenges. In the House, Question Time used to be very important because we used to get answers instantly. We have now clocked six months - half year is gone - and many Members have burning questions which need to be answered immediately, be it at the constituency or national level. Committees take longer to answer

questions across the board. I want directions from you because when you give the Committees leeway, they take a long time and those questions become un-answerable. So, time will lapse and nothing will be urgent. So, am I in order to ask for your directions as to the minimum and the maximum time a Committee should take? We are being taken for a ride.

**Hon. Speaker:** Well, of course, you are also at liberty to propose the period. You also sit in several Committees, hon. Shill.

**Hon. Shill:** Hon. Speaker, Sir---

**Hon. Speaker:** Hon. Shill, if I am speaking and then you are also speaking, then we are in a market place and not in the Chamber. So, it is only fair that this matter as to how long Committees take to respond to Statements from the Members be discussed so that, as a plenary, we can take a decision that matters of a given nature will take what period before the Committee can respond and other urgent matters which do not require the prosecution before a Committee can be handled directly by the Leader of the Majority Party, his deputy, the Whip or as the case may be. It is a matter that I cannot sit and direct that it should happen within three, four or 10 days. It is a matter that we should, as a House, reasoning together, agree that when Members raise issues, they should be responded to by the Committees within given times. But we cannot just give it knee-jerk reactions and begin giving directions which may also impede the functions of Committees as well.

We all need to give it some time and thought. I agree with you that six months down the road, we need to come up with some procedure that, if you are a Chair of a Committee and an issue has been referred to your Committee, you will react to the issue within a given period. But let us give it some thought so that we can come up with something that will, hopefully, be workable. I sympathise but, of course, I know that Question Time was very exciting but it was not business. It was just that. It was time for people to enjoy themselves. You just came from the induction workshop the other day and you heard that even in other jurisdictions, what you call the Prime Minister's Question Time, it is just a time for people to come and ventilate and thereafter nothing seems to be done. I think Statements sought by the Members are serious and they require considered responses from the Committees.

Member for Kitutu Masaba, you also do not have your card?

**Hon. Bosire:** Hon. Speaker, Sir, I forgot it here some time back.

**Hon. Speaker:** Please, every Member who may have lost or misplaced their card, make an effort before Tuesday next week to have a card. Have it replaced because there will be consequences! Please, make an effort starting today to replace the cards because it is only fair that we become a bit more orderly.

#### GOVERNMENT PREPAREDNESS TO IMPLEMENT SCHOOLS LAPTOP PROGRAMME

**Hon. Bosire:** Thank you, hon. Speaker, Sir, for giving me this opportunity. Sometime in July, specifically on 23<sup>rd</sup> July, I sought a Statement from the Committee on Education, Research and Technology, regarding one very controversial issue to do with the schools laptop programme. I sought clarification on the state of preparedness of the Government. I sought to know how the programme will be implemented, the method of identifying the best laptops and other related measures to ensure the success of the

programme. I was assured that within two weeks, we would get a complete report, which I am seeking to be brought to this House for us to ventilate on.

Thank you, hon. Speaker.

**Hon. Speaker:** Is that directed to hon. Amina's Committee? Certainly not! That is the Committee on Education, Research and Technology.

It also speaks volumes when Chairs of Committees are absent from the Chamber and not even their deputies are present. It speaks volumes and it is important that hon. Members of those Committees begin also to put pressure on their chairs. If they are not willing to be present, then of course, you know that the power is in yourselves. Of course, I am alive to some excitement that they may even wish to replace the Speaker. But that is also within their rights. So, there is no harm. If somebody is not performing, the right decision should be taken to address the issue.

Where is the Chairperson of the Committee on Education, Research and Technology?

**Hon. Eric Keter:** As one of the hon. Members of that Committee, I rise on behalf of the Chair and say that there is adequate preparation which has been done though I cannot be very specific now. But I am sure within the next two weeks, we should get the answer.

**Hon. Kinoti:** On a point of order, hon. Speaker, Sir. You have given directions over and over about these Statements and the answers that should be given. I am shocked that hon. Members of certain Committees come and tell us that on behalf of their Chairmen or Chairladies they will give answers when those Chairpersons had given commitment to give those answers. So, what business do other hon. Members have to come and tell us that they will give answers?

Hon. Speaker, Sir, these Chairpersons are basking in the glory after we elected them. Maybe your clarification can give us some direction. Kindly, could you give us direction on what we should do with those Chairpersons?

**Hon. Speaker:** I want to leave it to the better judgment of hon. Members of various committees. Hon. Eric Keter, do you still want to contribute to this matter?

**Hon. Eric Keter:** I just want to continue and say that preparations have been at a very advanced stage. So, I assure the hon. Member that he will get a very good answer within two weeks.

**Hon. Speaker:** Very well. Hon. Member for Kitutu Masaba, it looks like hon. Eric Keter is very serious about this one. I only hope that you will start counting two weeks from today so that when you rise again to seek that Statement, I hope hon. Eric Keter will be in the Chamber to see if the report would have come or not.

#### STAFF RETRENCHMENT AT TELKOM KENYA

**Hon. (Ms.) Wanyama:** Thank you hon. Speaker, Sir. One month ago, I had requested for a Statement from the Committee on Energy, Communication and Information over the staff retrenched from Telkom Kenya Limited. I also wanted to find out whether they have been paid their dues to-date.

**Hon. Speaker:** Telkom Kenya Limited, that must be the Committee on Energy, Communication and Information. What is happening? Who is here from the Committee



on Energy, Communication and Information? Hon. Kiptanui, it looks like you are an endangered species now.

**Hon. Kiptanui:** Hon. Speaker, Sir, let me assure this House that we are not endangered species. On that issue of Telkom Kenya Limited, I want to give an assurance that we shall give a report by next week. For your information, even the report on the refinery, we were almost finalizing it. The only issue which was remaining was on Essar agreement and we do agree with what hon. A.B. Duale has said. I want to believe that within those days, we shall be able to give the report on KPRL and by next week, we should be able to give the report on Telkom Kenya Limited.

**Hon. Speaker:** Hon. Members, you know today is reserved for you as it is a Private Members' day. But you took the liberty because I am aware that before we went on recess, there were many hon. Members who sought Statements from various departmental committees. I am sure what we are doing is merely to revive those requests. I think it is important that hon. Members of those Committees draw the attention of their leaderships that indeed, those requests are pending before the House and hon. Members are anxious to get responses. Where hon. Members have not been invited to appear before the Committees, arrangements should be made to invite them. I assume that during recess, that would have actually been the best time to invite hon. Members to appear alongside technocrats from the Executive.

I think the last one, since today is the Private Members' day, will go to hon. Andrew Mwadime.

**Hon. Mwadime:** Thank you hon. Speaker, Sir. I had requested for a Statement from the Chairperson of the Committee on Environment and Natural Resources regarding destruction of crops in some areas of Mwatate Constituency on 12<sup>th</sup> June 2013, but up to this very moment, I have not got any response. I am urging the Chairperson---

**Hon. Speaker:** Just for your information, the Chair of the Committee on Environment and Natural Resources informs the Clerk that she is ready with the Statement. Would you like to hear it instead of prosecuting it, perhaps, you may have prosecuted it before the Committee?

**Hon. Mwadime:** I will be very happy, hon. Speaker, Sir.

**Hon. Speaker:** Hon. Amina Abdalla.

#### DESTRUCTION OF CROPS BY ELEPHANTS IN MWATATE CONSTITUENCY

**Hon. (Ms.) Abdalla:** Hon. Speaker, I wish to begin by apologizing for not having the card. I beg to read the following response:

On 13<sup>th</sup> June 2013 the Member for Mwatate, hon. Mwadime sought a Statement regarding destruction of crops by elephants in Msorong, Godoma, Mwashuma and Mwachabo areas in Mwatate Constituency. In the Statement the hon. Member requested to be told what measures the Kenya Wildlife Service (KWS) has taken so far to control the situation and indicate the number of households affected by this menace not only in Mwatate, but also in all parts of the country.

The Ministry of Environment, Water and Mineral Resources is aware that elephants have been destroying crops in Mwatate Constituency. The following are the measures they have taken to address the matter:

The KWS has deployed two special animal control units in the area. The two units are from the Community Wildlife Service (CWS) office in Voi. The units have been facilitated with five vehicles that assist in the management of human-wildlife conflict in all areas within the constituency. In addition, the KWS has been using choppers and Husky light aircraft to drive away elephants from the community areas back to the parks and sanctuaries.

In order to minimize human-wildlife conflict in Mwatate Constituency, the KWS is currently implementing two fencing projects in the area. The first one is the Mwakitau-Ndii electric fence, which is 65 kilometres long. So far, 35 kilometres of this fence have been completed and the remaining 30 kilometres will be completed in the next one year. The second fence, which is supposed to cover Bura-Kasigau area is currently being marked and aligned. This fence will take a further one-and-a-half years to complete.

The Ministry of Environment, Water and Mineral Resources has facilitated the KWS to develop and maintain a national database on human-wildlife conflict and we have been given the number of cases of human-wildlife conflict in the whole country from 2009 to the present, and specifically for the whole of Taita Taveta District, which includes Mwatate. The cases for Taita Taveta County are as follows: With regard to crop destruction, there were 74 cases in 2009; 26 cases in 2010; 53 cases in 2011; 325 cases in 2012; and 134 cases in 2013. As a long-term measure, the Wildlife Conservation and Management Bill, 2013 will address the issue of compensation for damage of crops by wildlife. As you are aware, current regulations on compensation do not cover compensation for loss incurred by farmers when wildlife destroys their crops. The draft Bill that will be brought before this House addresses this aspect.

In conclusion, the Ministry of Environment, Water and Mineral Resources wishes to reiterate that human-wildlife conflict has been a major concern in Taita Taveta County and at the national level as reported cases between 2009 and 2013 are over 8,144. The Minister undertakes to address the menace of destruction of crops through the new Bill that will be coming before the House in the nearest future.

Hon. Speaker, I wanted to raise an issue that you and many hon. Members have raised. They have said before that they must be called to appear before the Committee to discuss statements that they seek. In my Committee, I have adopted a rule that if the Statement sought is very clear and we are able to get a clear answer from the Ministry, we just agree and come before this House to read it. However, when the Statement is detailed and requires a lot of input, or if we disagree with the Ministry's response, we take it upon ourselves to involve the Member and bring a report. This is because the Statement we might wish to adopt as a Committee might be in disagreement with what the Ministry's official Statement has been. So, when we do not call a Member to our Committee, it is because we find the request to be clear enough and the answer from the Ministry not controversial.

**Hon. Mwadime:** Hon. Speaker, the response has satisfied me. Thank you.

*(Applause)*

**Hon. Speaker:** I hope other Committees will also do their work exhaustively as hon. Amina Abdalla's Committee has done, so that hon. Members can express satisfaction with the responses given.

**Hon. Kombe:** Hon. Speaker, I also sought a Ministerial Statement from the Chairperson of the Committee in charge of environment over the Mombasa Salt Farm. However, to date, I have not heard anything to that effect and the company is still cutting down trees and fear still remains that Magarini may soon be a desert. Could I kindly be guided as to when they will visit the area as they had promised?

*(Hon. Shill stood up in his place)*

**Hon. Speaker:** Hon. Barre Shill, you cannot claim to be rising on a point of order when the Chair of the Committee is about to respond. You will be given a chance.

Proceed, please, hon. Amina Abdalla.

**Hon. (Ms.) Abdalla:** Hon. Speaker, the Member for Magarini has been to our Committee because we were dissatisfied with the answer provided by the Ministry of Environment, Water and Mineral Resources. We informed him that we would be going to the area. The issue in contention is that the Ministry claims that the trees that are being used are not live trees – they are senile trees. The hon. Member, however, asserts that the trees being used are of economic value.

Therefore, as a Committee, we thought that the only way to know whose claims are valid is to go to the field. We promised the hon. Member that we would do that once the House resumed business. We will do that the soonest.

**Hon. Speaker:** Very good. Yes, hon. Kombe.

**Hon. Kombe:** Hon. Speaker, could I, probably, be given the date so that I prepare myself to accompany them to the area? Thank you.

**Hon. Speaker:** Let us not get to that because we do not want the House to get involved in such mechanics. Obviously, travel is a matter that will also involve the Office of the Clerk in some form of administration. I think it is a matter that can be agreed upon. Hon. Chair of the Committee has indicated willingness to travel; maybe hon. Amina wants to give a specific date.

**Hon. (Ms.) Abdalla:** Hon. Speaker, I do not want to give a specific date. There is also a challenge in some of the requests to visit sites. Our Standing Orders require that when we make such a trip, we have a quorum which is nine Members. It is very difficult to have a one-off trip and get a quorum. So, I would like to request that the Committee on Rules and Procedures considers the possibility that we should send a smaller delegation of less than nine Members required for a quorum to verify some of the things.

**Hon. Speaker:** Well, it is a matter that should be taken up by that Committee. Because of the nature of the Statements being sought, I quite agree that it will be necessary that smaller groups of Members be allowed to visit sites. Obviously, it also has a financial bearing on the finances of the Parliamentary Service Commission (PSC); therefore, it is a matter that will need to be looked at with sympathy.

Hon. Barre Shill, you claim to be on a point of order.

**Hon. Shill:** Thank you, hon. Speaker. Questions that have been asked by Members of Parliament and the answers given are very crucial so that we do not have a repeat of the same questions. Some of us are inside the House while others are sometimes away. Would it be in order that we get these answers or Statements circulated when they are tabled in the House? Most of them are given verbally? I have not seen even one single Statement or answer that has been answered through either our e-mails or offices. We

would like a direction on this one because we want to know what is happening; the answers are also very vital to us.

**Hon. Speaker:** Well, they are not answers strictly speaking. Some of them will come in by way of reports and obviously reports are supposed to be circulated. A Statement that is read, at the very most a copy of it can be availed to the Member who sought it. We also do not want to get into a situation where we get an answer to what hon. Amina says about senile trees being circulated to the Member for Migori. He, perhaps, has no interest in senile trees or even very “brainy” ones. Hon. Shill, the Statement may only be given to the Member who sought it, so that by the time it is read out by the Chair of the Committee, the Member also has had occasion to peruse it and prepare himself or herself to seek further clarification on it. So, we may not have a requirement that it be circulated to the general membership of the House. That will be an unnecessary expense.

Hon. Pukose. Are you the Vice-Chair?

**Hon. (Dr.) Pukose:** Yes, Hon. Speaker. I am the Vice-Chair of the Departmental Committee on Health.

**Hon. Speaker:** Then proceed.

#### INSUFFICIENT ICU BED SPACE IN PUBLIC HOSPITALS

**Hon. (Dr.) Pukose:** Thank you, hon. Speaker, Sir. I am ready with two Statements which were sought by hon. Members. I will begin with the one sought by hon. Aden, the Member of Parliament for Balambala. He sought a Statement on insufficiency of bed space in intensive care units of public health hospitals. He sought clarification on the following:

(i) the reason for insufficient bed space in intensive care units in public hospitals, especially the largest referral hospital, Kenyatta National Hospital (KNH), causing citizens to accumulate high medical bills in private hospitals; and

(ii) plans by the Government to ensure that all public hospitals are able to accommodate all Kenyans needing intensive, or emergency care.

On the reason for insufficient bed space in intensive care units in public hospitals, especially the largest referral hospital, KNH, causing citizens to accumulate high medical bills in private hospitals, we want to say that we invited the Principal Secretary and the Cabinet Secretary for Health and also the Director of KNH. It is true that there is insufficient bed space in the ICU units in public hospitals including KNH, which is the largest referral hospital in the country. Even the ICU units themselves are very few in the country. In an ideal situation, there should be an ICU bed for every 50 normal beds in a hospital. We had a table which showed the ICU beds available in the public hospitals. In the KNH we have only 26 beds. In Moi Teaching and Referral Hospital (MTRH) we have six beds. At the Coast General Hospital we have two beds. At Nakuru General Hospital we have four beds. At Kisumu General Hospital we have four beds. At Nyeri General Hospital we have three beds and at Kisii Level Five Hospital we have three beds. In total all over the country, in public hospitals we have only 52 ICU beds. There are several reasons why the country has insufficient ICU units and bed space where units exist.

The cost of procuring ICU beds is very high. It requires at least Kshs6 million to procure one ICU bed. Partly due to the high outlay required, KNH has only 26 ICU beds currently. According to the World Health Organisation (WHO) standards, a hospital the

size of KNH with 2,000 beds should have at least 80 ICU beds. Thus, there is a shortage of 54 ICU beds going by this standard, and efforts are being made to acquire more beds for KNH, but this is subject to availability of funds.

The ICU units require specialised laboratory support, which is also very costly. The approximate cost of establishing an ICU laboratory is Kshs15 million. The ICU services are labour intensive, especially with regard to nursing staff trained in the critical care. The recommended nursing to patient ratio is 1 to 1. For an eight-hour working day, or shift, this translates into a requirement of three nurses per bed for every 24-hour period. There is a general shortage of nurses in the country which also translates into shortage of ICU trained nurses. Trained nurses available in each of the other public hospitals currently offering ICU services are as follows: In the KNH we have 150 nurses; the MTRH has only 18; the Coast General Hospital has two; Nakuru General Hospital has nine; Kisumu General Hospital has two; Nyeri General Hospital has two and Kisii Level Five Hospital has only six trained nurses in the ICU.

In addition to services of nurses, critical care requires services of a trained multi-disciplinary team, whose numbers and skills require a substantial budget. A complete critical care team comprises of the following: An anesthetist, a surgeon, medical officer, nurses, laboratory technologist, biomedical technologist, nutritionist, counsellors; these are for relatives; physiotherapist and a critical care physician. It takes time and funds to train a complete team with an added challenge being that some of the skills cannot be acquired locally. A case in point is that recently there was an advertisement for an anesthetist and only five applied. So, you can see the shortage.

The last point is that one of the key things for the multi-disciplinary team in the managing of ICU services is a consultant anesthetist. The ICU services cannot be started without a consultant anesthetist. Apart from the Kenyatta National Hospital where the number is just about enough, only 11 Level-5 hospitals, and a few high-volume district hospitals have consultant anesthetists, meaning that the rest cannot offer ICU services. The total number of anesthetists in the country is only 58, with 46 of them deployed in public hospitals currently offering ICU services. In Kenyatta National Hospital, we have 32 anesthetists, five in Moi Teaching and Referral Hospital, three in Coast General Hospital, two in Nakuru General Hospital, two in Kisumu General Hospital, one in Nyeri General Hospital and only one in Kisii Level Five Hospital.

Proper health care requires establishment of high dependency units to hold patients discharged from the ICUs before they are well enough to be admitted into the general wards. Establishment of high dependency units is also a very costly venture, as it requires specialised equipment and qualified staff. The ICUs require provision of sustainable supplies of non-pharmaceuticals that are very expensive and that Kenya Medical Supplies Authority (KEMSA) has not been procuring.

The second question on the plans by the Government to ensure that all public hospitals are able to accommodate all Kenyans needing intensive, or emergency care, the number of patients requiring ICU services has been increasing at a rate that our hospitals are not able to accommodate. Kenya is experiencing a rise in non-communicable diseases, road accidents and inter-ethnic conflicts, some of which lead to health states that require critical care in ICUs. This is because the numbers are overwhelming and the human and financial resources necessary for creation of more ICU beds are lacking. It should be noted that the KNH and other public hospitals have been receiving high

numbers of victims of road accidents; this is one of the major causes of high demand for ICU services.

In view of the reasons for insufficient bed space in ICUs in public hospitals, the Ministry has plans, in consultation with county governments, and subject to the availability of funds, to scale up the ICU services capacity in the country in a progressive and phased approach. In this plan, several counties will initially share services before units are established in all the counties. The factors to be considered in prioritizing establishment of ICU units include morbidity and mortality patterns, readiness for ICU services provision in terms of infrastructure, equipment and human resource, population, region and geographical access. The implementation of this programme will improve and equitably distribute ICU services in the country, in addition to decongesting the current centres offering ICU services.

In the proposed programme for the implementation, in the initial phase, the Ministry intends to upgrade or establish ICUs in the current Level-5 hospitals. These are what we call provincial hospitals. They are 11 in total, namely Garissa Provincial General Hospital, Embu Provincial General Hospital, Coast Provincial General Hospital, Nyeri Provincial General Hospital, Kisumu General Hospital, Kakamega Provincial General Hospital, Nakuru Provincial General Hospital, Thika District Hospital, which is a high-volume hospital, Machakos District Hospital, Kisii District Hospital and the Meru District Hospital. The proposed setup will constitute eight to 12 beds per unit within a timeframe of two years.

The second phase will involve establishing ICUs in selected Level-4 Hospitals. The targeted hospitals are Kitale District Hospital, Lodwar District Hospital, Bungoma District Hospital, Isiolo District Hospital, Homa Bay District Hospital, Kiambu District Hospital, Voi District Hospital, Mandera District Hospital, Wajir, Siaya, Marsabit, Naivasha, Narok, Busia, Moyale, Malindi, Maralal, Kericho and Lamu district hospitals. The proposed timeframe for this phase is four years, with each unit having five to eight beds.

The third and the final phase would involve setting up ICU units in the remaining county hospitals in over five years. The implementation phases I and II consist of six years scale up programme for ICU services in the county on a yearly basis from 2013 to 2019. I have a programme which the Members who are interested can look at. In terms of the human resource requirement for the proposed ICUs, multi-disciplinary teams of skilled health care providers are required to offer quality ICU services, and the minimum requirement for health care workers by each of the proposed units of five to 12 beds is two anaesthetists, one surgeon, two medical officers, 30 nurses, three laboratory technologists, two biomedical technologists, one nutritionist, one counsellor and two physiotherapists. Induction training for the team members can be conducted locally at the KNH; this will require a budget additional to the infrastructure cost as indicated. Some of the necessary training such as that necessary for ICU medical officers is available abroad and the budgetary implications need to be assessed and taken into consideration.

The estimated cost of training the multi-disciplinary teams is about Kshs300 million over a four-year period. Most of these funds will be used to conduct accelerated training for the critical staff for ICUs, namely the anaesthetists and nurses. In our analysis that was done, the budgetary requirement for scaling up ICU services in the country is Kshs1.650 billion. In order to realise this, the Ministry requires the support of the

National Treasury to avail the necessary resources for establishing and operationalisation of the ICUs. The Departmental Committee on Health in particular and this House in general, can contribute to the realisation of the plan through advocacy and engagement with the National Treasury during the national budgetary process to ensure that funds are set aside for this programme.

**Hon. Gichigi:** On a point of order, hon. Speaker, Sir. I have noted that there is a trend of bringing reports or answers to this House when the Members who sought them are not present. Would I be in order to request that you give a direction that whenever a committee is presenting a report on a date that was not specified when the report was sought, the Chairperson should notify the Member who sought the report, so that he can be present in the House? Sometimes some of us are in Committees and when a report is given to this House in our absence, we never know that has happened. Would I be in order to request that?

**Hon. Speaker:** You will be out of order. We cannot possibly do that because then Committees will not work also. I am sure everybody appreciates that even now as we sit here, I have given permission for some Committees to also be sitting; this, unfortunately, is one of the things that Kenyans do not understand. When they see these empty spaces, they may not know that Members are out there working for them. Now to require that I give a direction for Members to be present, maybe a Member is even out of the country. If we go that way, that level of micro-management is going to cause gridlocks. What will happen is that there will be 50 Members present and 50 such long Statements being given; no other business will be transacted. On a day like today, Private Members' Motions are the ones that are going to suffer. So, it is just a question of Members who have sought Statements liaising with the committees to know when the Statements will be issued.

*(Hon. Wambugu raised his hand)*

Hon. Wambugu, this idea of raising hands is not good.

I can only encourage Members to be in touch with the committees to know when their Statements are going to be read out. But to give direction, hon. Gichigi, is going to just make work completely difficult, both for the Members and even for the committees. The best thing is for Members to try to find out from the Committees when their Statements are likely to be ready. It is not possible for me to say: "Member for Balambala, be present", if he chooses to be asleep. Of course, Statements like this one, to me, are for information purposes. Indeed, hon. Pukose ends that Statement on a high note, that it is still upon this House as a whole, and specifically through the Budget Committee, to avail funds for some of the work that the Ministry is projecting to do. This is just information, not just for the hon. Member for Balambala. The hon. Member for Balambala may have drawn the attention of the House to this inadequacy of bed capacity in ICUs. But I think information contained in that Statement is for the whole country. Hon. Gichigi could have moved that this report be debated at an appropriate time, because it is very detailed. I think it is a report that would benefit a great deal from contributions from hon. Members. But I think I cannot give a blanket direction, hon. Gichigi. If we go that route, we will be engaging in an unnecessary altercation.

Let me give the hon. Clement Wambugu a chance to contribute.

**Hon. Wambugu:** Thank you, hon. Speaker, Sir. I had pressed my intervention button for quite some time and I thought it was not working. Actually, I was also just rising to make a comment on the issue of the replies to requests by hon. Members, especially for Statements. In this period of information technology, I think it should be in order that when an hon. Member asks for a Statement the concerned Committee, through its Clerk, should be in a position to forward the report, or the response, to the hon. Member through an e-mail, so that he can be conversant with what is in the report. We need to discuss the report from a point of knowledge. Such a report should come to the Floor of the House for Hon. Members to discuss. We have e-mails and everybody is encouraged to have an e-mail address. We have laptops and computers. If Chairs of Committees and Clerks are requested to be sending out information, I think it could be of very great use.

Also, before I resume my seat, it is also of great concern that some of the Statements we are asking for, we expect to be called to the Committees to participate. You wait for a month, two or even three months and some of them are very urgent.

Hon. Speaker, Sir, there was one time I was on the Floor seeking a statement on issues about running of universities in this country and up to now, there are some officials or staff members in various universities who have been sacked for no good reason, especially by Jomo Kenyatta University of Agriculture and Technology (JKUAT). One of the Deputy Vice-Chancellors, Prof. Njue, up to now does not know his fate. He has just been suspended for a reason he does not know; up to now a university's committee has not given a good reason as to why that happened. So, it would be good if chairmen of committees and committees themselves would be expediting some of these reports. If we ask for something urgent, which is supposed to be reported on within less than one week and then it takes two weeks, you will see things going wrong all over.

Hon. Speaker, it is my humble plea that we ask committees to expedite some of the replies and responses to Statements that are asked by hon. Members.

Thank you, Sir.

**Hon. Speaker:** Whereas I appreciate what hon. Wambugu has raised, in my view, there was more than enough to address various issues by various committees. Of course, it is also incumbent upon hon. Members to constantly remind chairs of committees that they have sought Statements. Where chairs do not respond, draw my attention to lack of response. That is the only way we can, perhaps, for the time being try to address the issue.

The issue of forwarding responses to hon. Members through their e-mails is a nice one. When a Statement is sought, the response is meant to be given here in the House. Whereas I appreciate the need for upfront information, we will also need to get hon. Members behaving responsibly; they should not go out there to discuss the responses before they have been given on the Floor of the House. There will be an element of a corresponding requirement of utmost good faith on the part of every one of us. If a Statement is sought, it is expected that the response will be given here. Even if an hon. Member has received the report in their e-mails, they should not decide it is for discussing in other forums. It is a matter that we, as the Rules and Procedure Committee, would wish to have a look at.

Now, we have really eaten into Private Members' time. I do not know whether there is an intervention from hon. Grace Jelagat Kipchoim.



**Hon. (Ms.) Kipchoim:** Thank you hon. Speaker, Sir. Just before we proceeded to recess, I had sought a Statement from the Committee on Environment and Natural Resources. The people of Baringo South, Lake Baringo and Lake Bogoria are expanding their territories. This has now affected their environment; six schools are now closed and 1000 families are out in the cold. The Committee has not responded to my request and I do not know what is going on. These people are suffering and I am still expecting to hear from the Committee.

**Hon. Speaker:** Hon. Kipchoim, I wish you had walked from where you are seated to where hon. Amina Abdalla was, since she is the Chair of that Committee. I am sure by now she would have given you an indication as to when they will be calling you. Now, she appears to have left the Chamber. Can I encourage you to remind her that you sought that Statement?

**Hon. (Ms.) Kipchoim:** Thank you, Sir.

**Hon. Speaker:** Hon. Members, I think hon. Pukose had another Statement, but given that we have eaten into Private Members' time for Motions, I think we better just move to that Order. Hon. Pukose, you can give that Statement in the afternoon.

Next Order.

## **BILL**

### *First Reading*

#### THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL

*(Order for First Reading read – Read the First Time and ordered to be referred to the relevant Departmental Committee)*

## **MOTIONS**

#### ENHANCEMENT OF COMPENSATION TO VICTIMS OF HUMAN-WILDLIFE CONFLICT

THAT, aware that smallholder farmers living in the buffer zone around the Mount Kenya National Park and Forest Reserve have struggled for years with the elephants that regularly invade their land and destroy their crops, which is a costly affair for these smallholder farmers where livelihoods are often lost in a single night raid; concerned that hardly a day goes by without an incident occurring between farmers and the elephants in the area; noting that elephants from the park easily stray outside its perimeters and cause damage to crops, domestic animals and homes, and even injury and death; and further aware that the Kenya Wildlife Service's compensation mechanism is wanting and unsatisfactory, giving only Kshs200,000 for death and Kshs50,000 for injury and nothing for crop or property damage, this House urges the Government to enhance the claim for persons killed from the current Kshs200,000 to Kshs1,000,000 and for those injured from Kshs50,000 to Kshs200,000 and also consider compensating farmers for destroyed crops and property based on value.

*(Hon. Njuki on 31.7.2013)*

*(Resumption of Debate interrupted on 31.7.2013)*

**Hon. Speaker:** This is the Motion by hon. Onesmus Muthomi Njuki. You have a balance of one hour and eleven minutes to this Motion. Who was on the Floor? Any hon. Member is at liberty to contribute. This Motion is supposed to be owned by the Departmental Committee on Environment and Natural Resources.

**Hon. Shidiye:** Thank you, hon. Speaker, for giving me this opportunity to contribute to this Motion. We must appreciate the fact that 80 per cent of Kenyans depend on agriculture for their livelihoods. Small-scale farmers eke out their living through farming by selling farming produce. Majority of Kenyans, about 70 per cent of them live below the poverty line.

Most of the farmers living near Mount Kenya Forest grow food crops and cash crops. We have put more emphasis on wildlife than human beings. Wildlife and tourism have become more important than our farmers. You will realize that the compensation families are given when their people are killed by elephants, lions, or hyenas is so small that most of the people do not get that money at the end of the day. Majority of them look for this money through the Ministry of Tourism and Wildlife. More often than not they do not get the money. This is very disheartening. It happens because of bureaucratic red tape, corruption at the Ministries involved and so on. One spends more money looking for that money.

Having said that, I know that tourism is an important sector in this economy and we need to grow it. However, traditionally and, in fact, from the late 1970s and 1980s to 1990s, Kenyan tourism has not grown. We have been receiving only one million visitors a year which is very small if you compare this with Spain which receives 60 million visitors, or France which gets 40 million visitors, or the United States of America which receives 100 million visitors; or Egypt which gets 5 million visitors a year. We are really far behind and yet we have the capacity and ability. We are a diverse nation. Ours is a beautiful country and we can bring tourists here in large numbers. However, that should not be at the expense of the poor farmer living at the foot of Mount Kenya. These people have their lives to live. Majority of Kenyans do not benefit from tourists. Tourism is an industry for elites.

Unless we change our system, that is, the system of looking for tourists to boost the economy and the traditional aspects of beaches and wildlife, we will not be able to sustain and bring more tourists to this country. India, USA, Malaysia get many tourists because they have diversified. They have used education as a tourist mechanism. They have used medical facilities and other sectors to support the tourism industry.

We could improve the industry by reducing poaching and becoming good to the farmers. We could also fence areas where there is wildlife. The money that we get from tourism must be used to fence these areas in order to reduce conflict between farmers and wildlife.

Hon. Speaker, in this country security for people is very important. Each time we have an election, we lose many tourists. This is because people fear this country. People fear that violence will erupt. That is why we must reduce the tension. Year in, year out we are always discussing political issues. Political temperatures must be slightly brought down. Infrastructure must be improved. You realize that the road to Mombasa is narrow

and small. Tourists even fear travelling on our roads. For the last 50 years we have not improved our roads and yet that is a very important issue.

With regard to compensation, when you give Kshs200,000 for life lost, that is despicable. It is reducing human life to nothing. It means that you do not believe in the sanctity of life. The money should be increased to Kshs1 million and even more. We need insurance cover for people in that area who are livestock keepers. It is true that you would spend more money looking for that little Kshs200,000. For injuries you are told that compensation is Kshs50,000 – this is not an amount good enough even to treat the person who is injured. We need to change. Money has lost value in this country. If money paid, say 20 years ago was Kshs200,000 obviously today that amount of money is meaningless; it is a drop in the ocean. It does not compensate adequately the lives of those who are killed by wildlife.

If we want to develop tourism, ways of doing that must be found. Our people are custodians of wildlife. We have lived with wildlife side by side. Even during times when elephants breed in excess, they are culled. In Zimbabwe and other countries, they do so. They reduce the numbers of the elephants. When you have excess wildlife, it becomes difficult to do farming. It becomes difficult to rear goats and camels. A time has come when we should look at different approaches to tourism. This is an industry that can generate income and improve the lives of our people.

*[Hon. Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Hon. Kajwang') took the Chair]*

Kenya has the capacity to bring 50 million tourists to this country, but that is only if we improve our infrastructure, security, education and diversify. We need to go the eco-tourism way. We should set up about 200 universities so that the whole of Africa comes here for high quality education, but cheap to access. We should venture into medical tourism. Many heart patients are going to India for surgery. This is because health facilities there are top class and cheap. That is why we need to change. If we live in the old order, we will not be in a position to improve the lives of our people.

People are talking about tourism, but which tourism are we talking about when the lives of Kenyans are not improving? It is sad that 70 Kenyans are living below the poverty line. They have no food. Bread is now costing Kshs75. The price of milk is Kshs60 or Kshs70. Can these people afford these commodities? Majority of Kenyans are unemployed. What are they going to eat? How are they going to survive? Is it that elites can live and the rest have nothing to eat? We must find ways of creating wealth. We must find ways of helping and sustaining our economy. We must find ways of generating income.

A country is like a public or private enterprise. We must know how to make money for this country. We need to know how to generate income and look for ways of improving the lives of our people. The old way of doing things cannot work. We now have a devolved system and it is a money guzzler. A lot of money is being taken up to employ people and yet there is no money for development. Money meant for development is now used to pay people salaries and to buy fuel. Very soon we are going

to grind to a halt. That is why a sector like tourism which ought to have improved a long time ago has instead been dwindling. Time has come for a paradigm shift. Time has come for a change. Time has come for us to look at the interests of the common man, that is, the small-scale farmer. After all, 80 per cent of Kenyans live on agriculture. So, that is a big economy which Kenyans would rely on.

With those remarks, I beg to support this Motion.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Thank you for a very effective debate. Hon. Members, I have several requests here; let us agree so that each of us can get a chance to speak.

Hon. Members, many of you may have pressed the button but you do not intend to speak to this subject. I request you to release those buttons so that we can know those of you who really want to speak to the subject at hand. We want to give every Member quality time so that you are able to conceptualize and deliver your submissions.

So that Members do not come to the Speaker’s Chair, we will go strictly by the requests the way they appear on the screen and hoping that you have released the buttons the request line looks like this: Hon. Macharia Jacob Waweru, hon. Iringo Cyprian Kubai, hon. Dawood Abdul Rahim, hon. Omulele Christopher, hon. Ottichilo Wilber Khasilwa, hon. Kajuju Florence, hon. Dido Ali Rasso, hon. Rai Samwel Gonzi, hon. Kisang William Kipkemoi and hon. Waiganjo John Muriithi. We will go in that order so that Members do not have to approach the Speaker’s Chair. So, let us begin from hon. Macharia, where are you please?

**Hon. Macharia:** Thank you, hon. Temporary Deputy Speaker. I rise to support the Motion by hon. Onesmus Muthomi Njuki, proposing that the compensation for farmers or for people who are killed by wildlife be raised from Kshs.200,000 to Kshs.1 million and also for those injured be raised to Kshs.200,000 from Kshs.50,000.

Despite the fact that my constituency does not have human-wildlife conflict per se, I would like to talk about the plight of Kenyans and especially farmers from Mt. Kenya region. Farmers are actually pushed into being creative to ensure that wildlife does not destroy their crops. Farmers in these regions have found it not profitable to be near game parks. Most of them have started looking at wildlife as food and that is why when rangers gun down elephants or buffalos, our farmers scramble for the meat. They no longer value these animals. There is desperation because of the little compensation that is given to farmers and people injured by wildlife. We are costing human life at a mere Kshs.200,000.

I recall a case in Oljororok sometimes back where the Kenya Wildlife Service or the Department that deals with wildlife in Kenya purported that a farmer who had gone to guard his crops had tried to milk an elephant. This talk was meant to evade compensating the farmer because we know that it is not possible for a human being to milk an elephant. It becomes very difficult for KWS to compensate people who are injured by wildlife.

The Mover of the Motion should not only look at compensation but also into mechanisms of compensation. In thousands of cases, KWS and other government agencies have been able to go around the cases and leave the farmers and the people affected without any compensation.

I support the Motion. Thank you, hon. Speaker Sir.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Thank you, the next one is hon. Iringo. Just before you speak, I should remind you that there has been a Bill that has been prepared in terms of the Motion, probably proposing better compensation than that which you see in this Motion. So, we had agreed before that this is just an appetizer because Members decided that they have to debate it. So, let us not take too long on it because a Bill is going to come and we are going to debate it in an effective way. All the substance of the Motion that you see here will be reflected in that Bill. So, Members really take as little time as you can get to deliver your speeches so that we can go to the next Motion before us.

Hon. Iringo take the Floor.

**Hon. Iringo:** Thank you, hon. Temporary Deputy Speaker for this opportunity. I rise to support this Motion from my brother Onesmus Muthomi Njuki and I believe as you have said, it is a precursor to the Bill which is about to come to the House. This Motion, I would say, has come at the right point in time because of the wildlife-human conflict. Some of the problems we experience are man-made because the people who are supposed to take care of these animals, maybe are relaxed or they do not take their jobs seriously.

When we come to compensation of those people who have been aggrieved, have lost their property or loved ones, it is a nightmare. Some cases go back to 10 or 20 years. Even today, there are people who are still waiting for their compensation.

My constituency borders Meru National Park where wildlife-human conflict is the order of the day. People are always suffering; crops are being destroyed and also human life is lost. The process of getting the officers or the right people to file compensation becomes a problem.

I really support this Motion. Again, even the Kshs.1 million hon. Njuki is talking of here is minimum. If a breadwinner is killed by an elephant or buffalo, even if you give that family Kshs.1 million, I do not think it can even educate the children of that person. Most of these people who are killed by these animals are in their daily course of looking for bread for their families; they are tilling their farms. Once one is killed and then he is just compensated with Kshs.1 Million, I find it too little. I would like to talk about Kshs.10 million because we have lost a breadwinner and he has left a family that was depending on him.

An elephant goes into a *shamba* and destroys an acre or two of maize plantation and then when they come to compensate you, you are given Kshs.10,000 or Kshs. 5,000. That is an abuse. These figures should be adjusted accordingly.

By the same token, we appreciate that wildlife or tourism is a foreign exchange earner, it brings income to our country. Unfortunately, even those people bordering national reserves or game parks rarely get to benefit from the returns which are earned through tourism. That is why there is resentment; that is why there is that feeling by the locals that they better kill the wildlife because they do not earn anything from it.

I would like to urge the KWS, when they are doing their budget, let them spare some funds to do some community work within those areas so that people feel that they belong there. They can put up a classroom within that area. That way, people can say that a classroom was put up because an elephant was seen by a tourist and he paid money. If that is done, these people can protect these animals.

If this issue of compensation is looked into, I believe people will own those animals and they will also respect them. If there is any problem, they will solve it amicably. At the moment, they do not see any value for the animals and that is why they go around killing them. So, I really support this Motion and because there is a Bill coming on this particular one, I would propose a compensation of Kshs10 million and not Kshs1 million.

With that hon. Temporary Deputy Speaker, I beg to support. Thank you.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Thank you. Hon. Dawood, press the intervention button.

**Hon. Dawood:** Thank you, hon. Temporary Deputy Speaker. I wish to support this Motion by hon. Muthomi Njuki. We are aware, like you said, that we will be having a Bill coming soon to the Floor of Parliament, but I think it is very important for us to ventilate on this Motion.

We have a problem in my constituency. In three locations, we have got the elephant menace and we have lost a couple of lives over the past few years. Like the previous speaker said, compensation is really not coming through for very many years and we have had a problem with the Kenya Wildlife Service not taking responsibility in the form of making the fences. Where the fences have gone down, they will probably not bother doing anything about it until the people are asked to contribute. We are even being asked to mend them using the Constituencies Development Fund (CDF). With the little money we get for the CDF, we do better work with it. The KWS has got a lot of money which they can spend doing the fences.

Hon. Temporary Deputy Speaker, I think from the earlier Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources, she mentioned that KWS was doing some fences in Mwatate. If that is the case, are there two sets of rules for doing the fences to stop elephants from crossing over? Is it a case where some constituencies will be fenced using electrical fence and some will not? I think that needs to be answered by the Chairperson of the Committee.

The elephant menace has messed up my constituency. In fact, over the last two to three weeks they have been trying to chase away those elephants. They have been coming to the road and going into farms and uprooting each and every crop which is there. When the KWS is called to disperse those elephants, it becomes a real problem because they will not turn up for one or two days and when they eventually do, the farms are in a mess.

So, I agree that we should raise the compensation for loss of lives but we should not limit it to Kshs1 million. Kshs200,000 should be the minimum for injury. If a person is injured and he needs to go for surgery definitely Ksh200,000 will not be enough for surgery and other things like medicine and all that. For crops, we should have a minimum which should be based on damage done on an acre of maize or an acre of potatoes. Then there should be a timeframe within which payments for compensation are made. We cannot have a case where somebody waits for compensation for 10 or 15 years. By the time the compensation is paid, the person will have passed away. So, it does not make sense really to wait for compensation for many years. There should be a timeframe which should be between six to 12 months.

Hon. Temporary Deputy Speaker, the other thing would be to make KWS more proactive, to liaise with communities and respond to distress calls faster than they currently do.

With those few remarks, I wish to support this Motion and encourage the Mover of the Motion to make a few amendments, if they are not already contained in the Bill. Thank you, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Alice Chae, you are on intervention.

**Hon. (Ms.) Chae:** Thank you, hon. Temporary Deputy Speaker, Sir. I stand to propose an amendment to the Motion by hon. Onesmus Muthomi Njuki. I am in agreement with him since I feel that all that we are doing is good because we really value the lives of the people of Mount Kenya. We also value the animals.

**The Temporary Deputy Speaker** (Hon. Kajwang’): We understand that your intervention is to propose an amendment?

**Hon. (Ms.) Chae:** Yes, please.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Would you just go right there and do that?

**Hon. (Ms.) Chae:** Okay. I want to propose an amendment to the Motion by hon. Onesmus Muthomi Njuki that the Motion be amended by deleting the words “also consider compensating” before “farmers” in the last sentence and replacing it with the word “compensate” so that it is a must that the farmers should be compensated for their crops which have been destroyed by the wild animals.

I call upon hon. (Ms.) Chidzuga to support the amendment.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Chidzuga, can you press the intervention button so that we can see where you are? Yes, there you go.

**Hon. (Ms.) Chidzuga:** Asante sana, Bw. Naibu Spika wa Muda. Nasimama kuunga mkono Hoja hii kwa kugeuza kile kipengele kinachosema ya kwamba wafikiriwe wakulima kulipwa ama kulipwa ridhaa. Hiyo ni lazima walipwe kwasababu chakula ni muhimu katika maisha ya mwanadamu na tukiangalia ule umasikini ambao tuko nao huko chini mashambani, mwingi umetokana na chakula chetu kuliwa na wanyama wa pori. Na kumfanya huyu mkulima ajiskie kwamba naye Serikali imemfikiria na ili na yeye pia aweze kuwalinda wale wanyama, ni lazima naye aone faida kutokana na kulipwa chakula chake kile ambacho amejitahidi kulima katika shamba lake.

Bw. Naibu Spika wa Muda, pia katika kuongezea, mimi nikiwa mwanachama wa kamati ambayo inasimamia mambo haya ya wanyama pori pamoja na mazingira ni kwamba tunakuja na Mswada ambao utaweza kuleta haya mambo kwa pamoja ili tuweze kuyajadiili kisawasawa katika Bunge na pia tuweze kupata maoni tofauti tofauti kwa wananchi. Ni lazima wananchi wetu waweze kufikiria kwasababu bila chakula tutakuwa kila siku sisi ni waombaji na hatutaki kuona Kenya yetu ikiwa siku zote inatafuta chakula kutoka nje. Sehemu nyingi katika nchi hii ni sehemu za kilimo lakini zimefanywa ziwe masikini ama wawe na njaa kwasababu ya mnyama wa pori ambaye anaendelea kula chakula chetu.

Kwa hivyo, tunaomba ijapokuwa Hoja hii imezungumzia tuu sehemu moja ya Mount Kenya, hili neno sio la Mt. Kenya peke yake bali ni neno ambalo litahusisha Kenya nzima popote pale palipo na mnyama wa pori ili mkulima aweze kulipwa chakula chake.

Asante na naunga mkono mjadala huu kwa kupitia hicho kipengele kubadilishwa. Asante.

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

**Hon. Omulele:** Thank you, hon. Temporary Deputy Speaker, Sir, for giving me the opportunity to speak to this Motion. This is a good Motion. Our people have for a long time been suffering from injury and deaths that have been occasioned by our wildlife, yet as a nation, we consider wildlife as one of the crown jewels in our economy. We all are aware of the importance we attach to our wildlife. We know the contribution of wildlife to our economy. We all are aware that the tourism industry derives a huge boost from our wildlife.

We must, therefore, look at these people who live at close proximity with our wildlife and make sure that they feel that the wildlife is also important to them and they have, therefore, a role to take care of it. It is a good thing that the substantive Bill is coming up, so that we can fully debate this and come up with a system and a scale on which we shall compensate our people who suffer from the wildlife conflict and the activities that our people carry along the corridors that interface with our wildlife sanctuaries.

We should not just look at it in terms of putting there a figure of, for example, Kshs200,000 for injury or Kshs1 million for death. I propose that when we are looking at the substantive Bill, we should look at it alongside the well held principles of common law practice where compensation is aimed at putting the person in the position in which he was before that torturous activity happened to him, so that we should not just say that the ceiling will be Kshs1 million. We should look at every case as it arises and come up with a system where people will be compensated for the real loss that they have suffered.

With those few remarks, as we discuss the main Bill when it comes to the Floor, we should look at this in terms of the common law practice which is analogous, which has been the case in accident claims so that we do not just say that because Omulele has died, we pay Kshs1 million. We should look at this with a clear mind on the value that your life was to your family, to your people and the level of education that you had attained.

So, I support and I will be looking forward for the main Bill to come to this Floor so that we can pass it.

**The Temporary Deputy Speaker** (Hon. Kajwang’): The Speaker will also be looking forward to your contributions to it. The Bill has been published and so, it would be good if you liaise with the Chairman of the Departmental Committee to carry those views, so that you probably put them together before we get to debate it. Thank you so much.

**Hon. (Dr.) Ottichilo:** Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this Motion. I want to note that as a former Wildlife Manager, this is a problem that has continued to increase due to increasing human-wildlife conflict, particularly in conservation areas. Therefore, it is important that this matter is addressed.

In the Tenth Parliament, this matter was raised several times through Questions and even a Motion was passed which addressed the same issues. So, it is important that in the Eleventh Parliament, this matter, again, has been brought to the Floor of this House. The problem of human-wildlife conflict must be addressed. It must be addressed, particularly as regards to land use planning. Without proper land use planning, the issue



of wildlife-human conflict will continue. Therefore, it is important to note that the Land Management Act and policies have been passed and it is important that we have the land management and use bill brought to this House, so that it can address this issue.

As regards payments or compensation, I want to note that, as many of you think that KWS is the one that is supposed to compensate farmers, this is not true. The KWS only does administer the amount of money but the money is budgeted by this House. Therefore, it is this House that has the mandate to budget how much money is required for compensation. So, it is important that the Wildlife Conservation and Management Bill be published and, very soon it is going to be tabled before this House. What I would like to do is to invite our colleagues to look at this Bill. Being a Member of the Committee on Environment and Natural Resources, I have had a chance to look at this Bill and the proposals in this Bill address most of these issues. It is important that before the Bill is finally discussed on the Floor of this House, hon. Members should look at it and propose amendments.

Hon. Temporary Deputy Speaker, Sir, the most important aspect which has always been raised on the Floor of this House is the delay in compensation of those people who are either killed by wildlife or maimed. The problem has been that KWS is the one charged with the responsibility of carrying out the assessment. With the county governments in the proposed Bill, there is provision that this matter could be handled at the county level and, therefore, the payment could be much more expedited.

Finally, I want to note that, as regards the issue of compensation for the crops destroyed and livestock killed, this is an issue that was experimented by KWS but it faced a lot of problems, particularly when it came to assessment of how much worth of crops has been destroyed and how much compensation should be given out. So, as we have the Bill tabled in this House, the House should look at the best and most appropriate method of compensating losses occurring due to destruction of crops or loss of livestock.

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

**Hon. (Ms.) Kajuju:** Thank you hon. Temporary Deputy Speaker, Sir. I am happy to see you back into the House robust as usual.

I am happy that you have given some directive on this Motion in terms of the Bill that has been published and is supposed to come to this House. I was a little bit uncomfortable with this Motion and I have spoken to the Mover of the Motion, hon. Muthomi Njuki. Though the Motion is well intentioned, I find that you and I understand that when a person has suffered injury and they move to court, the court has the opportunity to award damages or assess damages depending on the injuries suffered by the victim.

Hon. Temporary Deputy Speaker, Sir, if one has suffered a personal injury claim or a fatal claim, the damages can never be the same because in a fatal claim, there is the issue of loss of dependence and the multiplier on the years that have been lost and the loss of dependence by the persons who are going to suffer after a fatal claim. So, I really want to support this Motion, but I am asking the Mover to try and see how he can amend it because we cannot put a minimum to an award of damages, neither can we put a maximum to an award of damages, because it all depends on the assessment of damages by the courts, because it is the courts that have the capacity and the *locus standi* to quantify damages depending on the respective claim that has been presented before it.

Be that as it may, I am advised though I have not looked at the Bill, that it tends to cap the award on a maximum of Kshs5 million on a fatal injury claim. I believe that this is an eye opener, that hon. Members will have an opportunity to really re-look at the human-wildlife conflict when the Bill originating from this Motion is brought before the House.

Hon. Temporary Deputy Speaker, Sir, this Motion really affects the areas surrounding Meru County. The KWS has not been responsive to the sanctity of life. I have seen circumstances where the KWS is supposed to respond but they have not responded. They have been blind to the sensitivities of the communities that live around the areas where they co-exist with wildlife. I believe that when that Bill comes, it will be a great step towards taking care of the victims who suffer and the families that are affected and those who lose property out of human-wildlife conflict. I really urge the Mover of this Motion, as I had spoken to him, that he should amend this Motion so that at the end of the day, we do not have to cap the damages that are awarded to a certain figure because in my understanding of the law, it is important that the legal process or the Bill that is about to come to the House is able to set a reasonable standard that is awardable to the victims of the struggle between the wildlife and human beings.

All in all, I will not hesitate to say that it is a well-intentioned Motion. Looking forward at the fact that the Bill is coming, I do not think I will suffer any damage if I support the Motion.

Thank you.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Alright. Hon. Members, I understand from the HANSARD we have not put the Question on the Motion as amended, which we must.

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

*(Question of the second part of the amendment, that the words to be inserted in  
place thereof be inserted, proposed)*

*(Question of the second part of the amendment,  
that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Question of the Motion as amended proposed)*

Hon. Members, we continue to speak to this subject as amended. Hon. Dido, the Floor is yours.

**Hon. Dido:** Hon. Temporary Deputy Speaker, I rise to support this important Motion. I come from a constituency that is covered by a national park and game reserve. It has the only natural forest in northern Kenya. It has been conserved by generations and that is why it exists today. It is all because of the goodwill of the people of Saku.

What we have experienced in not so many years are deaths and injuries of human beings, destruction of crops and killing of livestock by wild animals. This, however, has not put off my people in terms of conserving wildlife.

Three weeks ago, a peasant farmer, Mr. Dababa of Sagante Location, lost all his flock. This means that he has been thrown into poverty. He is now neither able to feed his family nor send his children to school. What this Motion proposes is placing the responsibility somewhere. It is important that we emphasize with regard to compensation once the Bill comes before this House. People have been killed and others injured but compensation takes so many years to be effected. Many of the victims are very poor and so they do not have access to lawyers.

Once the Bill comes before the House those of us from constituencies that are largely affected should be able to robustly contribute to that Bill so that it addresses issues of the day. I also welcome KWS's partnership with the Government of France to fence off Marsabit Forest. This, by extension, will limit the human-wildlife conflict.

The crux of the matter in this Motion is that the people who live in the forest reserves or wildlife sanctuaries must benefit from the conservation of the environment. If their conservation efforts do not pay dividends then the communities will feel that they have no reason to conserve wildlife. It has already been said that the Bill will come before the House.

With those remarks, I beg to support.

**Hon. (Ms.) Lay:** Thank you, hon. Temporary Deputy Speaker. I stand to support the Motion as amended. I want to thank hon. Njuki for bringing this Motion here even as we wait for the Bill to be tabled. Tourism and wildlife contribute billions of shillings to our country. We have tried to put in place measures to protect our wildlife and even to stop poaching. We have, however, given a blind eye to our people; we no longer protect them as we are supposed to. We do not even protect our farmers. It is a pity to learn that only Kshs250,000 is awarded when there is death as a result of human-wildlife conflict. Nothing is given to compensate our farmers.

The human-wildlife conflict is found mostly where we have national parks and game reserves. In my county there is a place called Mwakitau where this problem is rampant and it does not seem to be coming to an end. In fact, KWS has most times been accused of encroaching into our land. They have not managed to fence off the wildlife area to protect our people from elephants.

As we make all the efforts to try and curb poverty and hunger, we are still contributing to the same. Instead of coming up with solutions, we are contributing to the problem. When farmers lose their crops, their families go hungry. It should be mandatory that as we employ rangers to protect wildlife, we also ensure that we have rangers stationed where farmers border game reserves and national parks, so that they provide protection to farmers throughout the weeding period and harvesting period, so that we do not suffer losses. We are looking forward to having that Bill in the House. If figures have not been captured then we need to ensure that we introduce amendments to the Bill to ensure that our farmers get the compensation they deserve.

With those few remarks I support the Motion as amended.

**Hon. Kemei:** Thank you, hon. Temporary Deputy Speaker. I rise to support the Motion as amended. We have put the value of wild animals ahead of human beings. We need to reverse this trend because we cannot quantify the life of a human being. Even when we say that we want to raise compensation from 200,000 to Kshs1 million--- Life of a human being is sacred and only God knows its value.

During my primary school education between 1975 and 1981 I lost two of my schoolmates to snake bites. Their families were not compensated. Two weeks ago, I was in my constituency and I visited Aror Ward. Farmers there are complaining. They have called KWS several times, but to no avail. Their animals, especially goats and sheep, have been killed by baboons and other wild animals. We need to compensate farmers. We are eagerly waiting for the Bill, so that we can debate it and ensure that farmers are compensated adequately.

My constituency borders a game reserve within Elgeyo/Marakwet County. The game reserve is not fenced. Even before the Bill comes before the House, we need to ensure that KWS is compelled to fence all the national parks and game reserves, so that our people can co-exist peacefully with wild animals. We know that wildlife is a good source of FOREX revenue.

We also need to urge KWS to practise affirmative action, so that the communities that surround game reserves and national parks benefit by having their young people recruited into KWS service. That way the communities will benefit. As one of the speakers said, it is also good that the KWS sets aside money to put up classrooms as part of its corporate social responsibility (CSR), so that communities can see that the KWS recognizes their proximity to national parks and game reserves.

With those few remarks, I beg to support.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. George Oner Ogalo, are you claiming to be rising on a point of order or intervention?

**Hon. Ogalo:** Sorry, hon. Temporary Deputy Speaker. I want to propose an amendment. I have consulted with the Mover of the Motion and the very short amendment does not change the motive of the Motion.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Yes, hon. Oner. The Speaker is aware of your intention to amend but get to know that we have exhausted the time that we had allocated for this Motion. So, I will ask you to do it pretty fast and also to get it seconded pretty fast, so that we keep time.

**Hon. Ogalo:** Hon. Temporary Deputy Speaker, I would like to propose an amendment by adding at the end of the Motion “provided such death, injury or damage to crops or property does not occur within natural habitat of the wildlife or designated migratory corridors.”

Hon. Temporary Deputy Speaker, the import of this is that I know very well what hon. Njuki would like to achieve by this Motion; what I am saying is that the people he wants to compensate are the people innocently living and carrying out their farming activities around the habitats of the wildlife. Those who go into the wildlife habitats should not seek compensation. You cannot walk into the park, get killed and get compensated.

Hon. Temporary Deputy Speaker, that is what I want to clarify with this amendment and I would like to ask hon. Ottichilo to second the amendment. Thank you.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Ottichilo.

**Hon. (Dr.) Ottichilo:** Thank you, hon. Temporary Deputy Speaker, Sir. I rise to second this amendment and say that the reason given by the Mover is very valid. This is because rules are very clear on how to get into national parks. If people deliberately go into national parks and they are killed there, then they should not seek compensation.

Also, as regards compensation for crops and livestock, it is important that people take the necessary precautions. If we leave it open, people can misuse this provision.

I second.

**The Temporary Deputy Speaker** (Hon. Kajwang’): All right, Members. An amendment has been proposed and seconded. Therefore, I propose it.

*(Question, that the words to  
be added be added, proposed)*

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Members, I will entertain one or two contributions on the subject.

Yes hon. Waiganjo.

**Hon. Waiganjo:** Thank you, hon. Temporary Deputy Speaker for giving me this opportunity to ventilate on this amendment even as we wait for the Wildlife Conservation and Management Bill to come to the House.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Waiganjo, just for procedure, for now we are entertaining ventilations only on the substance of the amendment. I see that you have been on the request list to contribute. I will allow you to contribute when your time comes; for now have a few minutes on the amendment.

**Hon. Waiganjo:** Thank you, hon. Temporary Deputy Speaker. I think it is an important amendment considering the fact that we have also to make countrymen responsible. We must also protect our wildlife parks and corridors. You realise that if you tell Kenyans that you will compensate them, they may go out of their way to seek that compensation by way of encroaching on the wildlife habitats. So, I think the hon. Member’s amendment is important to this Motion. I hope it will also be captured in the substantive Bill.

Thank you.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Thank you. Yes, hon. Charles Muriuki Njagagua.

**Hon. Njagagua:** Thank you very much hon. Temporary Deputy Speaker. I stand to support that amendment that has been proposed by the hon. Member. We know that there is what we call human-wildlife conflict and I am certain that the entire amendment that has been proposed will take care of that conflict.

I especially refer again to my small constituency, Mbeere North. We have a lot of crocodiles chasing our women as they fetch water. They chase away young children. I am certain that whatever amount they get paid under the current Act is actually an insult to the bereaved families and the injured persons.

Hon. Temporary Deputy Speaker, you are a legal practitioner of many years’ standing. We know that in other jurisdictions, like the motor vehicle industry, you can even get about Kshs3 million as compensation for loss of life. You can even get about Kshs300,000 as compensation for amputation of a hand or even a finger. So, why should the KWS pay for people who die Kshs50,000 or Kshs100,000? I am in support of this Motion for the bereaved families or the injured persons to get their due compensation.

**The Temporary Deputy Speaker** (Hon. Kajwang’): All right. Thank you. Hon. Waiganjo, consult with the Mover to see whether he can donate to you one minute when his time comes to reply. I sympathise with you because you have been on my request list

for quite some time. Can you approach him so that you can discuss that? Now, I will put the Question.

*(Question, that the words to be added  
be added put and agreed to)*

*(Question of the Motion as amended proposed)*

Hon. Members, now we have the Motion in the amended form. The time that we had allocated for this Motion is long gone; I will now call upon the Mover to reply.

**Hon. Njuki:** Hon. Temporary Deputy Speaker, Sir, we have had enormous contributions from the House and I can see that Members are still interested in contributing. I want to donate only four minutes. I will give two minutes to hon. M'ruaki and two minutes to hon. Waiganjo. Then I will respond. I will be left with six minutes unless I have more than that; if I have then I can donate more time. I will donate one minute to the Member for Kilome.

**Hon. M'uthari:** Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this Motion as amended. In this Motion, it is very important that we consider farmers. In my constituency, Igembe North, we are near the Meru National Park and Ngaya Forest and there is a lot of human-wildlife conflict. Many times, people are injured and crops are destroyed by wildlife. Farmers have not benefited and it is high time that even as we take care of our wildlife, we also considered farmers who invest in their farms. Many times, they end up having all their crops destroyed. According to the KWS, this cannot be compensated. We are looking forward to this Bill so that we can discuss it and look at the possibility of having farmers and people compensated adequately as we take care of our wildlife.

At times, it is disturbing because it appears as if we are more concerned with wildlife than we are with human beings. This is ridiculous! Wildlife, if we follow the biblical principles, is supposed to take care of human beings. But now human beings are there for the service of the animals; it beats logic. When you look at the level of compensation, it is a joke. We cannot have this kind of scenario where when a member of a family is killed by wildlife, the family is given Kshs200,000.

**Hon. Waiganjo:** Thank you, hon. Temporary Deputy Speaker, Sir. As I support this Motion, I would like to add that it is important to know that the compensation we are talking about hardly comes. In fact, most people who are injured, or even killed do not even bother going for the compensation because the process is difficult. There are no mechanisms for making sure that people are compensated in good time. I also hasten to add that there is need to look at the mechanism for such compensation, so that quantification can be done depending on loss of expectation of life, status, dependents, suffering and disability. This is an important Motion. This problem is as old as our history, and I want to thank hon. Muthomi Njuki for bringing the Motion to this House.

Finally, it is important also to formulate policy so that wildlife conservationists are required to fence off conservancies, so that habitation for wildlife can be separated from that of human beings.

Hon. Chair, I want to thank you for what you ruled. You exhibited what is on your screen and made Members comfortable. They listen to debates knowing that their

time will come. I hope you are going to train and teach that to the substantive Speaker, the deputy and even the panel members.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Order! Order, hon. Member! The Speaker’s office is only one office. Where is your card, hon. Regina?

**Hon. (Ms.) Muia:** I forgot it.

**The Temporary Deputy Speaker** (Hon. Kajwang’): I will allow you to speak from the Dispatch Box for one minute.

**Hon. (Ms.) Muia:** Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support the Motion and request the Mover if I can add something small on his Motion. When people are injured and manhandled by wildlife, they end up staying in hospitals for a very long time. Once they are out of hospitals, they are unable to support themselves or their families. We should add that the Government caters for their hospital bills. The Kshs200,000 which they are given after leaving hospital cannot do much for a family. I was just requesting the Mover if he would be comfortable with me adding that during hospitalisation, the Government should cater for the expenses.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Regina, you know the rules. Let us go on to the Mover.

**Hon. Njuki:** Hon. Temporary Deputy Speaker, Sir, I wish to seek your intervention to know how many minutes are remaining for me to reply.

**The Temporary Deputy Speaker** (Hon. Kajwang’): You only have five minutes, which have almost run out. You probably have four and a few seconds.

**Hon. Njuki:** Hon. Temporary Deputy Speaker, Sir, in that case, I will urge my friends, hon. Members, who wanted to contribute to kindly bear with me because I only have five minutes. Looking at what has transpired, I have to use the five minutes.

I want to start by thanking the Members who have contributed to the amendment of this Motion starting with hon. Lemein who contributed before we amended the Motion. Initially, I had only asked for compensation for crops, but he brought in compensation for injury and death.

I also want to thank hon. Alice Chae for bringing in the amendments that have removed doubt. Wildlife compensation would not have been complete if we gave the KWS the option of considering compensating. I also want to thank my friend, hon. Oner, who has brought in the late amendment. We also have to take care of our animals. If you go into the park and get attacked there, then that can be a problem because it will mean that we will be compensating people even when they are on the wrong.

**The Temporary Deputy Speaker** (Hon. Kajwang’): I am not interrupting you, but can hon. Oner approach the Chair.

**Hon. Njuki:** Hon. Temporary Deputy Speaker, Sir, the only problem would be in the rare cases involving animals like crocodiles and hippos that live in water. If you are attacked along rivers, you may not be compensated.

This morning during the Statement Time, hon. Amina Abdalla brought an answer to a Statement that was sought by Members from Taita Taveta on the issue of marauding elephants in the county. This is not an isolated case. It is good to note that it is not only elephants that have an issue. In this country, right at our doorsteps, and everywhere we live, we have animals that can injure our people, or even cause death, including even scorpions. I believe this Bill is not only going to be about elephants. It is a Bill that is also going to compensate people who are killed by other animals apart from elephants. A lot

of conflict exists between the agricultural fraternity and tourism fraternity because of this issue. We have to pass this Bill to reduce the suffering of our farmers. We also need to make sure that everybody shoulders their responsibility. When the KWS knows that it is going to compensate and farmers know they are going to be paid, then we will reduce the conflict and have the two sectors existing in harmony. We will actually be able to build our nation based on the blessings we have been given by nature rather than being at war all the time.

Hon. Temporary Deputy Speaker, Sir, I know a Bill is coming to this House, and this Motion, if passed, will not negate the benefits that will be brought by the Bill. In any case, it only acts as an appetizer for the Bill that is coming before this House. So, I urge this House to pass the Motion so that our farmers and people who neighbour animals can live in peace with the animals we need for the growth of this economy.

With those few remarks, I move the Motion.

**Hon. Ogalo:** Hon. Temporary Deputy Speaker, Sir, I rise pursuant to Standing Order 53(3) and wish to request that we defer the putting of the Question to tomorrow, or at any other session, considering the mood of the House.

Thank you.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Members, this is a show that the induction workshop did not go to waste. Hon. Members are now displaying understanding of the Standing Orders. What hon. Ogola is doing is covered by Standing Order 53(3). It provides that the Question can be deferred to another day, considering the mood of the House. Since paragraph (3) gives discretion to the Chair, I order that the Question will be put tomorrow, at the time when this matter will appear on the Order Paper.

Thank you so much hon. Members.

Let us now move to the next Motion.

*(Putting of the Question deferred)*

#### REVIEW OF TERMS AND CONDITIONS OF RECRUITMENT OF KPR PERSONNEL

**Hon. Lentoimaga:** Hon. Temporary Deputy Speaker, Sir, I beg to move the following Motion:

THAT, aware that insecurity in the Arid and Semi Arid Lands (ASALs) is caused by perennial cattle rustling that is aggravated by poor or no infrastructural facilities; also noting that there is inadequate deployment of Kenya Police Reservists (KPR), who are ill equipped, unpaid volunteers with the National Police Service and lack the motivation to fight this crime leading to apathy that has seen residents lose their livestock and even lives; and further aware that there is need to restructure the security machinery in ASAL areas to mitigate the situation, this House urges the Government to urgently review the terms and conditions for the recruitment, remuneration and deployment of the KPR in ASAL areas with a view to providing them with uniforms, proper identification documents, automatic firearms, regular allowances and general



improvement of their working conditions, so as to restructure this crucial sector and help the KPR fight cattle rustling more efficiently.

Hon. Temporary Deputy Speaker, Sir, I do not want to try to reinvent the wheel. The Kenya Police Reservists are part and parcel of the police, only that they are not paid. They are deployed every other time. I am talking about the KPR who were deployed in northern Kenya. We are all aware that cattle-rustling has been a total menace to our people. It has caused loss of property and lives and terrible displacement of our people in those areas of these counties. So, the KPRs are an integral part of the police force and they have been localized. They have been used by chiefs, DOs and police themselves. Even the National Police Service Act, Sections 10 and 115 talk about deployment and the structure of KPRs. So, I am not trying to say that we need to have a different section in the police force; we are only trying to engage them, and make the police service more efficient and fight crime better. After all, in the same Act, it is mentioned that they will assist the police in maintenance of law and order, preservation of life and property, prevention and detection of crime, apprehension of offenders, enforcement of all laws, and preservation of peace, duties which the service is charged with performing.

Hon. Temporary Deputy Speaker, Sir, why do I insist on trying to restructure the KPRs now? This is because the counties of northern Kenya have very few police officers. Those who are available are only in shopping centres and the population is very small. Areas where cattle rustling takes place are far away from shopping centres; they are remote areas where police officers are not available.

The terrain where cattle rustlers take away animals is terrible and inaccessible. You can only reach them by air; you cannot use vehicles. Even policemen do not have vehicles; equipment is not there. Secondly, weather conditions in those areas are very harsh. So, it is only residents of those areas who can actually maintain law and order in them. That is why we need to improve the welfare of the KPRs.

Hon. Temporary Deputy Speaker, Sir, over time as these young men were deployed, they were issued with firearms which are outdated and cannot be used effectively. Some of them, like the MK IV Rifle, have no ammunition in the market. So, it is difficult for this personnel to assist residents against cattle rustling. Most of the recoveries of livestock are done by the KPRs because they are the ones available there. Of course, the police recover livestock, but in actual sense, most of the work is done by KPRs.

Therefore, I am moving this Motion because I want them to be assisted by being paid some allowance; they should not continue to be volunteers when they lose their lives every day. We lost a child in my village this morning. Herds of cattle were driven away by cattle rustlers. It is so painful that we can lose people and property; we are unable to effectively manage the situation because of lack of welfare for the KPRs who are supposed to assist us manage crime.

Hon. Temporary Deputy Speaker, Sir, over time we have lost hundreds of animals, thousands of people have been displaced and a number of orphans and widows now exist. Poverty is just on the increase because of this menace. More firearms are being brought into Kenya and I do not know how we can prevent this if the KPRs are unable to control it. They are deployed even along our borders, for example, with the Sudan. They are also deployed along our border with Uganda. They are actually performing the work that army officers should perform. It is them who try to prevent

invasion from the hostile people from neighbouring countries. The police are few. We are supposed to have one policeman for 850 citizens, but the present statistics show that we have one policeman to 2,000 citizens. We need to assist the KPRs so that they can also help in curbing cattle rustling. I want to urge this House to pass this Motion so that the welfare of those reservists is looked into.

The current KPRs are managed very poorly. They are not deployed well. Somebody is issued with a firearm and he can go anywhere he wants. To some extent, there is also corruption because there are no clear regulations of issuing firearms. Sometimes, the firearms are brought via the police. So, if we restructure the whole KPR, then we will be able to curb that kind of corruption.

A number of hon. Members have told me to allow them to second. I would, therefore, like to ask two hon. Members to second this Motion. One of them is hon. Lomenen from Turkana South---

**The Temporary Deputy Speaker** (Hon. Kajwang’): Obviously, that is out of order.

**Hon. Lentoimaga:** Then I would like to request that you give both of them a chance to contribute.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Even that is at the discretion of the Chair. Only one hon. Member will second. Who will second?

**Hon. Lentoimaga:** Hon. Ekomwa Lomenen.

**Hon. Ekomwa:** Thank you, hon. Temporary Deputy Speaker. I rise to second this Motion. It has come at the right time and in the right place. We could assert the words of a philosopher called Thomas Hobbes in his theory of human nature where he said that the primary role of government is to protect lives and property. When the government fails to protect life and property, people go back to the state of nature where they do whatever they want. That is exactly what we are experiencing in most parts of Kenya where people are killed and property stolen, but no action is taken. People have gone back to the state of nature. No wonder they have found their own ways of protecting their lives.

The KPRs are doing a lot to protect lives and property. That is why we are saying that since the Government is unable to employ enough policemen because of cost restraints--- The KPRs are very cheap. They do not need loans. They do not need pensions. All they need are allowances and uniforms. I wish to recall the words of Machiavelli who said that it is very easy for a man to forget the loss of his mother, but it is not easy to forget the loss of lives and property. In most parts of our country, people have lost property and yet no action is being taken.

Hon. Temporary Deputy Speaker, you can affirm that in ASAL areas, the mainstay of the people is livestock. During cattle rustling, people lose lives and livestock. Innocent children and women are killed all the time. As a result of that, vulnerability increases and so is poverty. Even this morning, there was a raid in my place. I am told that even in Samburu, people have lost lives. So, because the Government is not in a position to employ the expected number of policemen--- The only way we can exercise devolution in the Kenya Police is through KPR. That is because KPRs are in the villages. When we support recruitment of KPRs, we are actually supporting devolution. KPRs are a very special force. Why am I saying so?

They were born in that area and they know the environment so well. They have intelligence reports about the areas. They are naturally militant because they are born in

insecure areas. They have the natural experience of using firearms even without taking them for training. Why should you incur expenses in training people who are not informed, instead of using those who have trained naturally? I have experienced these things. I know that as a Member of the National Assembly, if I am given a choice to choose between a KPR and a police officer for an escort, I will go for the KPR to be my escort. That is because I trust them. I know they are well informed when it comes to usage of firearms, they are experts. They are also ever there. They protect life and property for 24 hours in the village. What are we really after?

The reason we are supporting police reforms is for us to ensure that Kenyans are protected round the clock. The KPR qualify to do such a task. The moment we support KPR, they will be able to protect the lives and property of Kenyans. They will also take up the responsibility of recovering stolen livestock. They will reduce the loss of lives of innocent children and women. They will also instill trust in the Government by working efficiently. The KPR will reduce crimes. They will assist Kenyans in the recovery of illegal arms. That is because they know the culprits. They will also supplement the inadequacy of the police officers in the country.

I strongly recommend that more KPRs be recruited, deployed and given allowances in their respective villages.

Hon. Temporary Deputy Speaker, Sir, I also recommend that those KPRs should be provided with proper protective clothing. I also recommend that KPRs should be facilitated by giving them good vehicles. That is because they are in the spirit of volunteering. They have already volunteered. They are ready to be commanded any time. They are always there. I think you can even test the idea by hiring KPRs in ASALs areas. You will see the work that they can do. You can hire them even in the area you represent, hon. Temporary Deputy Speaker, Sir. The KPRs are the best security people we can use in this country. Let me confirm that to you. The international boundary between Kenya, Uganda and Sudan is being taken care of by KPR. They have never demanded anything from the Government. The only thing they need from the Government is appreciation. Many of them have lost lives and their families have never claimed for any compensation and yet, they are Kenya citizens. Why can we not appreciate people who have volunteered to serve this nation without any command or order? Why can we not appreciate them by only giving them allowances? The guns they carry are the very same guns that the police who have pay slips have. They only get the guns from the Government of Kenya. Why are those others paid and yet, they are not performing? We are not appreciating those who are performing by paying them what they deserve.

Hon. Temporary Deputy Speaker, Sir, I can confirm to you that even the environment in ASAL areas harbours insecurity. You can imagine that I represent a place where--- I can mention it to you. There is a ward called Kalabata. That ward has a population of 36,000 people. There is no policeman there. There is no police post. We are told that one policeman is supposed to man 450 people. So, those are 36,000 people with no policeman. I can quote another ward called Kaputir. It has a population of 26,000 people and there is not a single police post or police officer. They expect to be protected. There are several wards with the same problem. So, the best way to solve this issue--- We know that it is very expensive to employ all the police officers that we want, but if we can employ and support KPRs, you can rest assured that ASAL areas will be safe and the cattle rustling menace will go down. We will no longer lose lives and property.

So, I urge this House and my colleagues that this is the best Motion we can support ever. That is because even as we are seated here, when we go back to our constituencies, we will be insecure when we are serving the people. So, when we go there, we should make sure that there is security in the villages and areas where we know there is insecurity.

Finally, it is very easy to monitor. There are people in this nation who have decided to kill other people anyhow. There is terrorism in this nation. The KPRs have intelligence reports from those areas. When we use them because they are already in the villages and stay with those people, you can be assured that they will give the Government the intelligence reports of terrorism. The KPRs are there in the villages. They speak their languages. They are well acquainted with the environment. They can survive in very harsh environments with high temperatures. They can survive in all those areas. They can walk for long distances. I have seen a KPR who walked for almost 200 kilometres while protecting lives of innocent Kenyans. I have seen a KPR who has lived in the bush for a whole month. You know those cattle raids happen at odd hours – almost 3.00 a.m. at night. When will a policeman wake up at that time? The KPRs are already there. If a raid happens at that particular time, they will always respond even without vehicles. The only thing that we are doing is to ease the process by supporting them and ensuring that they are facilitated to serve Kenyans.

Before I finish, there is a philosophy of a gun and a cow. Cattle rustling is a way of looking for property.

With those remarks, I beg to second the Motion.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Members, I have a very long list of requests. I suspect some of us may be pressing the button when we do not intend to speak on the subject of insecurity. If you think that you want to speak to something, please, release the buttons so that we are able to know who wants to speak. As you are aware, under Standing Order No.30, we must rise at 12.30 p.m., unless otherwise. So, this is the order that we shall follow: Hon. M’uthari, hon. Lay, hon. Okoth, hon. Fatuma Ibrahim Ali, hon. John Waiganjo, hon. Zainabu Chidzuga, hon. Jacob Macharia, hon. Maison Leshoomo, hon. Ferdinard Wanyonyi and hon. Peris Tobiko. In other words, you do not have to approach the Chair. We will go by that order. Can we have hon. M’uthari.

**Hon. M’uthari:** Thank you, hon. Temporary Deputy Speaker, Sir. I stand to support this Motion. This Motion is very important and I wish to thank hon. Alois for bringing---

**Hon. F.K. Wanyonyi:** On a point of order, hon. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Wanyonyi, nothing can be out of order because he has just started speaking, unless you have an order against the Chair. But I will allow you. I will be strict with you. I want you to tell me the Standing Order under which you rise and what is not in order.

**Hon. F.K. Wanyonyi:** Hon. Temporary Deputy Speaker, Sir, there is a general statement that has been made because, basically, the Mover of the Motion had indicated that he supports the Motion. To be put last in the list of the people who are going to

contribute is not--- I think he even mentioned it to you. I would rather be given the chance because I have taken time to research on the same.

**The Temporary Deputy Speaker** (Hon. Kajwang’): I will accept that the information is not received at the same time. Hon. Member, I am going strictly by the request list because all Members must speak according to the list. We cut you short, hon. M’uthari. You can go on.

**Hon. M’uthari:** Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this Motion. I wish to thank the Mover for moving the Motion. I come from Igembe North, which neighbours Isiolo and part of Samburu where we have challenges. The people who support us are the KPR. They are very helpful and it is high time the Government took its responsibility seriously. Even as we speak about the KPR, it is as if the Government is not willing to protect its people and their properties.

*(Hon. (Ms.) Chidzuga pressed the intervention button)*

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Chidzuga, is that by mistake or by design?

**Hon. (Ms.) Chidzuga:** By mistake.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Continue.

**Hon. M’uthari:** Hon. Temporary Deputy Speaker, Sir, cattle rustling has been around for a long time. I am speaking with a lot of pain because many of our livestock are with our neighbours. This has been a regular occurrence. I do not know whether the Government is not able to protect its own citizens. Even as we deploy KPR, a lot of money is allocated to the security agents. Cattle rustlers come from one region to the other. In this particular incident, they went to a particular place. It is known where they are and nothing has happened. It is as if one district is completely independent of the other districts.

Even as we speak about KPR, it is high time the Government came up with very clear strategies to curb this problem. It appears as if cattle rustling has been allowed as a way of living for certain people. It has been a regular occurrence. The people who do it are known. They live in a specific location where we have general police officers, Administration Police and others. It is high time we made cattle rustling very expensive so that when people are caught engaging in it, they pay dearly and people will be deterred from the practice. Otherwise, even as we empower KPR, which is important, we need to put deterrent measures in place. We need to support KPRs because, to a large extent, this is a risky job. Being a KPR, you are not compensated. You are not insured. They walk in the bush for long periods and if one dies, they are not compensated. If KPRs are not supported, they can also use the firearms which they are given to look for their compensation from their neighbours. They can use them for their personal gain.

It is important for the Government to consider KPRs. We could even amend the Motion and where we are urging the Government, we resolve. The Government is not here to be urged. We can resolve that the Government takes care of the KPRs’ needs as they perform their national duty. They should be given ammunition, uniforms and regular allowances. This will also motivate them to do what they can do.

As I end my contribution, the Government should listen and act. The idea of stealing and killing other people like rats and thinking that if you want to re-stock you go to other communities for livestock, should be taken with the seriousness that it deserves.

I beg to support.

**Hon. (Ms.) Lay:** Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support the Motion by hon. Alois. Cattle have been a source of livelihood for the people in the ASAL areas. Livestock contributes a lot to our economy because, most of the time, we trade with our neighbouring countries and revenue is earned and brought back to the country.

Hon. Temporary Deputy Speaker, Sir, cattle rustling in those areas has been a menace for many years and, it is like we have not really found a solution to this problem. I support the Mover that security needs to be beefed up in those areas because when such things happen, most of the people who are affected are women, children and the elderly. Those people do not just come to steal livestock, they make sure that they kill people and some residents leave or flee their homesteads in fear of such activities.

One of the main reasons that contribute to such menace is poverty; people scramble for the few resources that we have. They tend to think: "If I do not have, then let me go and steal from the other person." In those areas, people have taken it upon themselves to try and keep peace. They try to protect their animals with illegal firearms. That is why there are many illegal firearms in those areas.

Hon. Temporary Deputy Speaker, Sir, I want to say that, apart from beefing up security, there are so many activities that we can introduce in such areas; activities that can make sure that people earn money and not just steal livestock. We have seen the Government trying to make those people know that there are other ways of getting money through farming, irrigation *etcetera*. There are some minerals in that area that have been explored and people can mine and make sure that the community benefits from that. While mining, it means we can create employment for the youth. They can get busy and forget about killing other people and stealing their livestock.

The other activity that can be done is the growing of *aloe vera* because it can do very well in such areas. They can also harvest gum from trees. I learnt that from my recent trip to Djibouti when I met the Intergovernmental Authority on Development (IGAD) Secretariat. Even sapphire had been found in such areas. Really, if we can try and help the community or people who live in that area and show them that we have alternative ways of making sure that they earn money, I am sure some of those problems will come to an end.

I support the Mover that we really need to beef up security in the area and make sure that we equip security officers with modern equipment. That is because those cattle rustlers come from Ethiopia and they have equipment or firearms which are better than what our security personnel have.

So, I stand to support the Motion.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Thank you. Hon. Okoth, knowing that you are a very brief person, I am sure you can contend with the next two or three minutes to deliver your speech on this.

Hon. Okoth, the Floor is yours, please.

**Hon. Okoth:** May I invite my colleague, hon. Wanyonyi, in that respect.

**The Temporary Deputy Speaker** (Hon. Kajwang’): I do not think the Standing Orders will allow that. The Standing orders just do not allow it.

Let us go to the next speaker, therefore. Fatuma Ibrahim Ali; you only have two minutes, mum.

**Hon. (Ms.) F.I. Ali:** Thank you, hon. Temporary Deputy Speaker, Sir. I stand to support the Motion and I want to confirm that the Motion is very timely, knowing the challenges the northern counties are experiencing.

I did not stand to support the Motion because I come from the north. I stand to support the Motion because there is a major problem in those areas. I think Kenyans have good memories in terms of what happens in northern Kenya, particularly areas along the regional borders.

Hon. Temporary Deputy Speaker, Sir, from pre-colonial to post-independence times, those areas have experienced cattle rustling and cross-border conflict that largely affects northern Kenya. Things have not changed. The cattle rustling of 1950s is still present and that is clearly indicative that our country has not appreciated the unique problems of this area and, therefore, it has not designed security apparatus to address the unique circumstances of those areas and deal with cattle rustling and cross-border conflict. I support this Motion. I consider the 11<sup>th</sup> Parliament to be very progressive in terms of understanding those circumstances.

I support the Motion in terms of recruiting and increasing the National Police Service.

Hon. Temporary Deputy Speaker, Sir, recently when we had a clan-based conflict, we heavily relied on the support and the skill of the KPR. I think it is important for the country to appreciate the mandate of the security forces to restore law and order and protect life and property. But again, the country must appreciate their challenges. I am saying this because KPR - which is localized in those areas - understands the situation and they are well trained. They are recognized as a unit that can address insecurity and they are also conversant with the area in terms of geography and infrastructure. They are also able to address the cattle rustling menace, which is also rampant within the areas and affects the communities.

## ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. Kajwang’): Thank you. Hon. Members, you have a balance of seven minutes which you can use in the afternoon. The time being 12.31 p.m., this House, therefore, stands adjourned until this afternoon.

House rose at 12.31 p.m.