

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 5th May, 2004

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

NOTICES OF MOTIONS

ESTABLISHMENT OF SELECT COMMITTEE TO OVERSEE IMPLEMENTATION OF ANTI-CORRUPTION AND ECONOMIC CRIMES ACT

Mr. G.G. Kariuki: Mr. Deputy Speaker, Sir, I would like to give notice of the following Motion:-

THAT, noting with concern the massive looting of public funds and the endemic corruption that continues unabated both in the public and private sector; in view of Kenyans' commitment and desire to curb the vice; and considering that a number of Government agencies have been put in place to investigate and to collate evidence on the said vice; this House resolves to establish a Select Committee to oversee the implementation and enforcement of the Anti-Corruption and Economic Crimes Act, 2003; and to report on the progress and limitations of the implementation process, and make such recommendations that are necessary to minimize corruption and related economic crimes.

DEVELOPMENT OF SISAL SUB-SECTOR

Mr. Mwacha: Mr. Deputy Speaker, Sir, I wish to give notice of the following Motion:- THAT, in view of the fact that the use of plastic bags has serious environmental effects due to their unbiodegradability and in view of the Government's stated objective of alleviating poverty through industrialization by the year 2020; this House urges the Government to develop the sisal sub-sector as one of the way of alleviating poverty and increasing job opportunities.

ORAL ANSWERS TO QUESTIONS

Question No.165

ATTACK ON PEOPLE AT
NAROO WATER POINT

Mr. Kamama asked the Minister of State, Office of the President:

(a) if he is aware that two people from Baringo East were injured at Naroo water point on 16th January, 2004; and,

(b) what action the Government has taken to bring the culprits to book.

Mr. Deputy Speaker: Since the Minister is not here, we will leave the Question until the end.

Question No.010

MEASURES TO REPAIR AND EXPAND
SUNEKA AIRSTRIP

Mr. Angwenyi asked the Minister for Roads, Public Works and Housing:-

(a) if he is aware that Suneka Airstrip is highly dilapidated;

(b) what immediate steps he will take to repair and maintain this important airstrip; and,

(c) what long-term plans he has to expand the airstrip into an airport to serve the south-western region of this country.

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

(a) I am aware that Suneka Airstrip is highly dilapidated and that there is no fence around the airstrip.

(b) Arrangements are underway to repair the airstrip by resealing, bush-clearing and provision of a new windsock.

(c) There are no long-term plans to expand the airstrip into an airport presently.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, Suneka Airstrip is situated in a region which has a population of over five million people. Over the years, the region has been getting a raw deal from the Government. For example, there are no flight services in the region. People have to go all the way to Eldoret or Kisumu. I thought the Assistant Minister would consider upgrading Suneka Airstrip and make it a commercial airport so that it can serve that important region.

Eng. Toro: Mr. Deputy Speaker, Sir, as the hon. Member is aware, the responsibility of maintaining airstrips was transferred from the Office of the President to the Ministry of Roads, Public Works and Housing, just this year. The Kshs60 million which was allocated for the maintenance of airstrips under the Vote of the Office of the President will be transferred to the Ministry of Roads, Public Works and Housing now that the Supplementary Estimates have been passed by this House. Under a long-term programme, Suneka Airstrip will be looked into and considered along with other airstrips that need to be upgraded countrywide. Unfortunately, it is only the responsibility of maintaining airstrips that has been transferred to the Ministry of Roads, Public Works and Housing while that of maintaining aerodromes still remains under the Ministry of Transport and Communications.

Mr. Owino: Mr. Deputy Speaker, Sir, does the Assistant Minister know that if Suneka Airstrip is expanded, it will serve the entire South Nyanza including Migori and Kuria districts and part of southern Tanzania? It will also serve Ruma Tourist Centre in Suba District. At the moment touring is---

Mr. Deputy Speaker: Order, Mr. Owino. You are not supposed to be making a speech.

Mr. Owino: Mr. Deputy Speaker, Sir, I am just developing my question.

Mr. Deputy Speaker: You have already asked your question. Let the Assistant Minister answer you.

Eng. Toro: Mr. Deputy Speaker, Sir, I am aware of the present limitations that face Suneka Airstrip. However, before we come to the issue of upgrading, it is only reasonable that we repair the

airstrip. The Ministry has already budgeted and allocated Kshs5,101,000 for the repair of the airstrip at the moment so that it is safe for the small aircraft to land and take off.

Mr. K. Kilonzo: Mr. Deputy Speaker, Sir, Suneka Airstrip is just one among the many airstrips in Kenya which are in a dilapidated state. Ithookwe Airstrip in Kitui is one of them. What is the Ministry of Roads, Public Works and Housing going to do to ensure that all dilapidated airstrips in Kenya are repaired?

Eng. Toro: Mr. Deputy Speaker, Sir, as I said, now that the responsibility over airstrips has been relocated to my Ministry, we will be able to carry out all the repairs required. The deterioration of the airstrips arose when the mandate to repair them was transferred to the Office of the President. Apparently, the Office of the President does not have the technical capacity to carry out the necessary repairs on the airstrips. That is why the airstrips are in a bad condition. However, the situation is going to be reversed because the airstrips are now under the right Ministry.

Mr. Angwenyi: The Assistant Minister has heard very loudly and clearly that, that airstrip serves the entire southern region of Luo Nyanza, the entire region of Kisii Nyanza and parts of Rift Valley. This Question has been deferred for the last one-and-half months. I am now surprised to hear the Assistant Minister say that it is the Office of the President which will upgrade this airstrip to a commercial airport. Why did he not get that part of the answer from the Office of the President so that he can give me a full answer? Am I going to defer that part of the Question for the Office of the President? But be that as it may---

Mr. Deputy Speaker: Mr. Angwenyi you have now taken three minutes! Could you ask your question?

Mr. Angwenyi: Could the Assistant Minister immediately consider allocating funds, in the coming fiscal year's Budget, to expand this airstrip?

Mr. Deputy Speaker: At least I am happy that this Question has finally been answered.

Eng. Toro: Mr. Deputy Speaker, Sir, it is a testimony of the confusion that has existed as to who is supposed to maintain the airstrip. That is why I said that the mandate of maintaining airstrips has been transferred to my Ministry, and the Kshs50 million which was allocated to the Office of the President will now be transferred to my Ministry for the maintenance of airstrips. However, I did not say that the aerodromes are under the Office of the President. I said that the aerodromes and airports are under the Ministry of Transport and Communications. If I may jog the Member's mind, the Chief Engineer of Roads, many years ago, used to be called the Chief Engineer, Roads and Aerodromes, and he was charged with the maintenance of all airstrips and aerodromes in the country. However, at the moment, even the maintenance of aerodromes is not under my Ministry. We are discussing and consulting as to which Ministry is capable of maintaining the aerodromes because the Ministry under which the docket falls right now does not have the technical capacity to do so. We would like to take full charge of the maintenance of aerodromes and airstrips. **Mr. Deputy Speaker:** Next Question by Mr. Owino!

Question No.166

PROVISION OF PHYSICAL FACILITIES/
TEACHERS TO SCHOOLS

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

(a) what immediate plans the Ministry has to put up the required facilities to cope with the influx of children in schools, especially now that *Harambee* fund drives

meant to assist in the provision of such facilities are in the process of being done away with; and,

(b) what his immediate plans are to avail adequate teachers to schools.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Deputy Speaker, Sir, I beg to reply.

At the moment, the Ministry is focusing on the provision of instructional materials, repairs and maintenance. At the moment, the Ministry does not have money which has been set aside for the provision of physical facilities. However, we are carrying out a school mapping exercise to establish areas that need support, and we will direct any donor funding from well-wishers to those areas. The Ministry expects leaders, communities and parents to support the Government in the provision of physical facilities in the rapid expansion and rehabilitation of our schools.

Mr. Owino: Mr. Deputy Speaker, Sir, I accept the Assistant Minister's reply. But when he says that he expects support from the community when *Harambees* have been banned, and Members of Parliament and civil servants are not allowed to organize or to help those committees to organize *Harambees*. How are we going to do this?

Dr. Mwiria: Mr. Deputy Speaker, Sir, I think this issue has come up again and again. The fact that Members of Parliament and civil servants cannot preside over *Harambees* does not mean that it is impossible for communities to mobilize resources. This has been happening in many parts of this country, and we really encourage Members of Parliament--

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: You are out of order, Mr. C. Kilonzo! Let the Assistant Minister finish answering the question!

Dr. Mwiria: Thank you, Mr. Deputy Speaker, Sir. The fact that Members of Parliament cannot preside over *Harambees* does not mean that communities cannot be mobilized. Communities include the other sectors, including the religious and private sectors. So, I think we should not use that as an excuse for denying our children in schools the chance to attend primary education. We must do whatever is possible under the circumstances.

Mr. Deputy Speaker: You can ask your question, Mr. C. Kilonzo.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, the Assistant Minister is misleading the House because there is already a ban on the construction of new schools. You know very well that with the introduction of the free and compulsory primary education, we need to provide even more schools. Is he not misleading the House when he says that we can provide physical facilities when there is a ban by the Ministry itself on the construction of new schools?

Dr. Mwiria: Mr. Deputy Speaker, Sir, I do not know about this ban. The idea of carrying out a mapping exercise is to identify places where there is extreme over-crowding; like in Nairobi and in other cities. In this case, we are expecting to receive donor funding from Germany, the Organization of Petroleum Exporting Countries (OPEC) and others to support these institutions.

Mr. Deputy Speaker: You have not answered the second part of the Question regarding what the Minister's immediate plans are to avail adequate teachers to schools. That part has not been addressed, and I think it is important. Could you address that part, Dr. Mwiria?

Dr. Mwiria: Mr. Deputy Speaker, Sir, there must be some confusion in the way the Question has been framed because I do not have the second part of the Question which is asking about teachers!

Mr. Deputy Speaker: Look at the Order Paper! Part "b" of the Question is there.

Dr. Mwiria: All right, I do not have a written answer responding to that part of the Question.

Mr. Deputy Speaker: Then the Question is deferred. It is only fair that if you have not

answered part "b" of the Question which, in my view is so crucial--- Would you rather that we defer this Question so that you can bring a complete answer?

Dr. Mwiria: That is all right, although I could have responded. Can we defer it to tomorrow afternoon?

Mr. Deputy Speaker: Tomorrow afternoon will be fine.

Mr. Mwenje: On a point of order, Mr. Deputy Speaker, Sir. When the Assistant Minister comes to answer that Question, will he also give us the statistics of the children who cannot get places in schools up to now because they are still very many?

Mr. Deputy Speaker: Mr. Mwenje, we have a Question on the Order Paper on that issue and, the Minister will address that issue himself. That is another issue altogether.

Next Question by Eng. Muriuki!

Question No.168

DISBURSEMENT OF SECONDARY
SCHOOLS BURSARIES

Eng. Muriuki asked the Minister for Education, Science and Technology:-

- (a) what is the total amount available for secondary schools bursary this financial year;
- (b) how much has been disbursed as at the end of March, 2004; and,
- (c) when will the balance be disbursed.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The total amount available for secondary schools bursary in the financial year is Kshs770,701,514. This is an increase from the allocation for 2002/2003, which stood at Kshs548 million.

(b) At the end of March, 2004, bursary allocations for Kshs1 million per constituency, totalling to Kshs210 million had been disbursed to all the 210 constituencies. This was the first allocation.

(c) Cheques for each balance, whose calculation is based on each constituency's secondary school enrolment and poverty index, are being processed and will be sent to the constituencies by the end of this week. We hope to send them by Friday, 7th May, 2004.

(Applause)

Mr. Deputy Speaker: Eng. Muriuki!

Eng. Muriuki: Mr. Deputy Speaker, Sir, first of all, let me thank the Assistant Minister for availing himself to attend the Speaker's *Kamukunji* yesterday where most of the questions I would have asked, were answered. However, the last time this money was disbursed to the various constituencies, it took five months from the time the Minister told us to go and open accounts, and the time the money was deposited in those accounts. We would like to have an assurance that this money will be disbursed at that date the Assistant Minister has set notwithstanding that some adjustments were made as a result of the consultations yesterday.

Dr. Mwiria: Mr. Deputy Speaker, Sir, it is true we had problems in processing the first instalment. Part of the problem had to do with the hon. Members who did not form their Committees on time or did not constitute them the way they should have been constituted. I would

like to assure the House that this money will be in the constituencies by next week. We hope to send out the cheques on Friday, but for certain, by next week, all constituencies should have the second tranche.

Mr. Deputy Speaker: I believe we took quite some time on this issue yesterday. I will allow only two questions on this, so that we do not spend a lot of time on a matter which we so informally resolved yesterday.

Mr. Ndambuki: Mr. Deputy Speaker, Sir, could the Assistant Minister tell us how much we should expect on 7th May as he has promised? In the newspapers, it has been stated that the constituencies will receive Kshs500,000. If you calculate the balance which remained after we were given Kshs210,000, you will find that it is a lot. He is even supposed to give us twice as much as he gave us previously.

Dr. Mwiria: Mr. Deputy Speaker, Sir, it is quite clear Mr. Ndambuki was not at the Speaker's *Kamukunji* yesterday. It is important to emphasise that hon. Members attend the Speaker's *Kamukunji*, especially when important matters like the bursary are being discussed.

Mr. Deputy Speaker: Just answer the question!

Dr. Mwiria: Mr. Deputy Speaker, Sir, Kshs500,000 is the top-up for those constituencies which were allocated less than Kshs500,000 after the calculation based on enrolment and poverty index, which was zero for eight constituencies. Otherwise, most constituencies will receive more than Kshs1 million. Some constituencies will receive Kshs5 million and above. So, it is not quite true to say that every constituency will receive Kshs500,000.

Eng. Muriuki: Mr. Deputy Speaker, Sir, whereas I thank the Assistant Minister for his efforts to disburse the funds, we have a lot of problems with students in tertiary learning institutions like teacher training and nursing. Could we use some of these funds to help such needy cases?

Dr. Mwiria: Mr. Deputy Speaker, Sir, I appreciate the point made by Eng. Muriuki, but we have made it very clear that the money that is available for bursaries is limited. In fact, we would like to have more to satisfy the demand for secondary education. Maybe, in the future, we should look into the possibilities of assisting students in tertiary learning institutions. For the time being, we should do a good job in secondary education.

Mr. Deputy Speaker: Very well! Next Question, Mr. Wambora!

Mr. Wambora: Mr. Deputy Speaker, Sir, I have not received a written answer to my Question.

Question No.113

COLLECTION/ALLOCATION OF
COFFEE CESS MONEY

Mr. Wambora asked the Minister for Agriculture:-

- (a) whether he could inform the House how much coffee cess money has been collected by the Coffee Board of Kenya and KPCU since 1999 to date; and,
- (b) how much of the amount collected has been released for road maintenance and to which districts, and how much is yet to be released.

The Minister for Agriculture (Mr. Kirwa): Mr. Deputy Speaker, Sir, I want to seek the indulgence of the House. I am told there is a problem, but I will receive the answer in the next couple of minutes.

Mr. Deputy Speaker: The Minister is seeking the indulgence of the House. What do you say, Mr. Wambora?

Mr. Wambora: Mr. Deputy Speaker, Sir, up to when is the Minister deferring the

Question?

*(Mr. Mbai consulted with
Mr. Deputy Speaker)*

Mr. Deputy Speaker: The Chair is getting concerned because hon. Members want to consult with me when I have to deal with issues. Mr. Mbai, please, sit down and I will consult you later. What were you saying, Mr. Wambora?

Mr. Wambora: Mr. Deputy Speaker, Sir, when will the Minister answer the Question?

The Minister for Agriculture (Mr. Kirwa): Mr. Deputy Speaker, Sir, I expect to receive the answer in the next couple of minutes.

Mr. Deputy Speaker: If the answer will not have been delivered, we will defer the Question. I am about to call out the Questions for the Second Time.

Question No.119
SUPPLY OF ELECTRICITY
TO MATUNGULU DISPENSARY

Mr. Mbai: Mr. Deputy Speaker, Sir, Mr. M. Maitha is not feeling well. He has asked for his Question to be deferred.

Mr. Deputy Speaker: That is why you wanted to consult with me?

Mr. Mbai: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Very well. We will defer the Question as requested by Mr. M. Maitha, who is not feeling well. We will defer it generally because we do not know when he will be feeling well.

(Question deferred)
Question No.158
COMPENSATION FOR MR. ALI
MOHAMED'S FAMILY

Mr. Billow asked the Minister for Energy when the family of the late Ali Salat Mohamed, a former employee of the Kenya Power and Lighting Company (KPLC), who died on duty on 21st July, 1995, will be compensated.

The Minister for Energy (Mr. Ochilo-Ayacko): Mr. Deputy Speaker, Sir, I beg to reply.

The late Ali Salat Mohamed passed away on 1st June, 2003. Prior to his demise the deceased had, on 21st July, 1995, been injured when the vehicle in which he was driving overturned at Wajir. Consequently, he was hospitalised and continued with treatment until 1998, when he was assessed and subsequently awarded 100 per cent permanent total disability.

There has been a long delay in the settlement of the claim following a dispute between the insurers; M/s Phoenix of East African Assurance Company Ltd and the Kenya Power and Lighting Company. However, the said insurers on 12th November, 2003, accepted to settle the claim at an offer of Kshs760,800. This claim will be paid to the widow as soon as the settlement cheque is received from the insurers. Suffice it to add that death in service benefits totalling Kshs1,552,878 was released to the widow, Mrs. Seinab Hussein Ali on 16th November, 2000. The widow was also paid pension arrears to the tune of Kshs219,144 on 14th May, 2001, and she has been receiving monthly pension of Kshs22,470 with effect from 5th May, 2001, to date.

Mr. Billow: Mr. Deputy Speaker, Sir, I wish to thank the Minister for the elaborate answer. However, the family of the deceased is living in agony. You will note that it is almost nine years since the deceased was injured and that money has yet to be paid because of the disagreement between the Kenya Power and Lighting Company and the insurance company.

The death in service benefits of Kshs1.5 million was not released to the widow. An employee who was responsible for disbursing the money embezzled it and he also subsequently passed away. However, he left a will stating that his benefits should be paid to the widow. Since 2001, the family has been struggling to get that money from the employer. I want to provide the Minister with information on that, so that he can assist the family to pursue the benefits of the person who embezzled the money.

Could the Minister tell us when the insurance cheque will be received? It is now nine years since the person was injured while on duty.

Mr. Deputy Speaker: Just before that, Mr. Billow, the Minister has said that Kshs1.5 million was released to the widow. You have said that the money was released to somebody else who embezzled it and subsequently died. Is that what you have said? What is the position? Was the money released to the widow, or to someone else?

Mr. Billow: Mr. Deputy Speaker, Sir, the money was never released. The person who was responsible for disbursing the money to the widow embezzled it. He wrote a will before he died that his benefits be paid to the widow. We have been struggling with that for the last four years.

Mr. Deputy Speaker: Was that person an employee of the KPLC?

Mr. Billow: Mr. Deputy Speaker, Sir, no. He was an employee of the Pensions Department.

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, Sir, I am sorry about that. That fact is coming to my attention now. If the widow could show evidence that there was negligence on the part of Kenya Power and Lighting Company (KPLC), we could arrange to have that bit addressed or redressed. Regarding the receipt of the cheque from the insurance company, I will ensure that the KPLC follows up the cheque and, probably, forwards it to the widow within a month or so.

Mr. Bahari: Mr. Deputy Speaker, Sir, while appreciate the Minister's answer, this widow has suffered for quite a long time. It is now six months since the insurance company agreed to pay her. The Minister is now telling us that it is going to take one month for her to be paid. That is a total of seven months. That is unfair, in view of the fact that we know we have special interest in the issue of pensions. Could the Minister undertake to have her paid within a week?

Mr. Ochilo-Ayacko: Mr. Speaker, Sir, the one month period is in respect of the settlement between the insurance company and the widow. That is not within our direct domain. It is an act of magnanimity on our part to help. This kind of suffering will not go on forever. We should have it sorted out within one month. Regarding the other issue, I shall consult with the Questioner and see what to do.

Question No.170

CONGESTION AT PUMWANI
MATERNITY HOSPITAL

Dr. Ojiambo asked the Minister for Health:-

- (a) whether she is aware that Pumwani Maternity Hospital is congested due to inadequate space;
- (b) whether she is also aware that there is a Nyayo Ward facility next to the hospital being rented out as a private residential estate; and,
- (c) if the answers to (a) and (b) above are in the affirmative, whether she could

consider annexing the residential estate to the maternity hospital to ease the congestion crisis.

The Assistant Minister for Health (Mr. Konchella): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that Pumwani Maternity Hospital is congested due to inadequate space. I am, however, aware that it has a capacity of 127,750 ward days annually. The actual number of patients served is equivalent to 96,000 ward days annually. The bed capacity at the hospital is, therefore, not fully utilised.

(b) I am also aware that there is an incomplete Nyayo Ward facility next to the hospital that is under the contractor, who is yet to hand it over to the Ministry. I am not aware of renting out of the incomplete premises.

(c) The incomplete facility is in the hands of the contractor. Once the work is complete, the Ministry will take it over and use it for the intended purpose.

Dr. Ojiambo: Mr. Deputy Speaker, Sir, I am not surprised to get that kind of reply from an Assistant Minister, who is a man. May I ask the Assistant Minister to visit the hospital and find out what kind of condition the place is in. This country knows that the hospital caters for pregnant women from all over Nairobi, and that space is inadequate. Mothers sleep on the floor. If it had adequate space, the Assistant Minister would have bought more beds so that mothers do not share beds with their infants. Currently, there is the Nyayo Ward facility which is being rented out to private individuals. Could the Assistant Minister go there and find out how many people are occupying it? He should also annex the Nyayo Ward facility and make it part of the maternity hospital.

Mr. Konchella: Mr. Deputy Speaker, Sir, Pumwani Maternity Hospital is under the City Council of Nairobi. I will liaise with the Minister for Local Government and find out what additional efforts the Ministry needs to support the City Council. Meanwhile, the Nyayo Ward facility which is next to the hospital is not complete. The Ministry cannot do anything to it since it is under the contractor. We are not aware of anybody living there. If there are any squatters, it is for the contractor to deal with them.

Mr. Kombe: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to say that he is not aware of what is happening at the Pumwani Maternity Hospital? The hospital is located just a kilometre from the City Centre. The Question was given to him several days ago. Should he not have gone there?

Mr. Konchella: Mr. Deputy Speaker, Sir, I told the Director of Medical Services this morning to make arrangements for the Ministry officials to go and assess the hospital and also let us know how we can support the City Council.

(Ms. Mbarire stood up in her place)

Mr. Deputy Speaker: This is a ladies' matter! Yes, Ms. Mbarire!

Ms. Mbarire: Mr. Deputy Speaker, Sir, Pumwani Maternity Hospital is one of the most critical hospitals in this City. It is the only hospital with the cheapest rates for mothers who cannot afford to go to the private hospitals. We know very well that the hospital is congested, mothers share beds, and that when one delivers, it can take a day for her to be attended to or receive stitches. The last time one of our television stations featured the hospital, it had leaking roofs, and the medical officials were recycling gloves. Does the Assistant Minister want to tell this House that this hospital is not congested and is not in a deplorable condition? Could he be honest with this House and say that they have not done their work to help the women of this City?

Mr. Konchella: Mr. Deputy Speaker, Sir, I invite the hon. Member to visit the hospital, because I was assured by the City Council that repairs have been done, and that there are no leaking roofs.

Prof. Oniang'o: Mr. Deputy Speaker, Sir, we last saw the situation at the Maternity Hospital on television. The hon. Minister for Local Government paid medical bills for the women who were unable to meet their medical bills. Could the Assistant Minister tell us how regularly he visits the hospital, and what plans his Ministry has to make sure that poor women in Nairobi can afford maternity services?

Mr. Konchella: Mr. Deputy Speaker, Sir, the policy of the Ministry is to give concessions for Kenyans who cannot pay for medical services. In the case of women who deliver at Pumwani Maternity Hospital, the hospital's management board looks at how much they can afford and gives them waivers.

Mr. Deputy Speaker: Mr. Assistant Minister, you have not addressed the question. The question was how often you visit Pumwani Maternity Hospital. Could you address that?

Mr. Konchella: Mr. Deputy Speaker, Sir, Pumwani Maternity Hospital is under the City Council of Nairobi. Unless the Ministry is asked by the City Council to do it, we have no reason to go visiting the hospital because we have so many other things to do.

Mr. Wario: Bw. Naibu Spika, swali lililo mbele yetu ni la kifo na uhai. Linahusiana na uhai wa akina mama. Swali hili halijapata jawabu hata sasa. Je, ni sawa nikikuomba uliahirishe ili Waziri Msaidizi atuletee majibu yanayostahili?

Mr. Deputy Speaker: Ninajua kwamba hili ni swala muhimu sana. Hii ndio sababu nimewapa nafasi ya kuuliza maswali mengi. Sijatosheka kuwa kuna sababu ya kuliahirisha Swali hili.

Mr. Ndolo: Mr. Deputy Speaker, Sir, Pumwani Maternity Hospital is the oldest maternity hospital in this City. We have several other maternity hospitals and clinics around Nairobi which are not functional. One is in Makadara, Nairobi. The roofs are leaking, there are no beds, and the place looks so dead. Could the Assistant Minister tell us when these other maternity hospitals will become functional?

Mr. Konchella: Mr. Deputy Speaker, Sir, late last year the Ministry, in collaboration with the City Council of Nairobi of Nairobi, rehabilitated eight health centres in Nairobi. Plans are on to rehabilitate the remaining 15 in the next financial year.

Ms. Mwau: Mr. Deputy Speaker, Sir, the Assistant Minister has promised to make a trip to Pumwani Maternity Hospital. When is he visiting that hospital, because we are willing to accompany him so that he can understand the conditions under which women are being treated? Give us the date.

Mr. Konchella: Mr. Deputy Speaker, Sir, I will arrange for a visit to the hospital with the Minister for Local Government and my technical staff tomorrow.

Mr. Deputy Speaker: Tomorrow is fine. Then it is up to the hon. Members and the Assistant Minister to sit down and agree on the trip. The Chair will not spend time on agreeing of the time and so on. Any hon. Member who is interested can accompany the Assistant Minister to Pumwani Maternity Hospital.

Dr. Ojiambo: Mr. Deputy Speaker, Sir, I do hope that the Assistant Minister is now satisfied that this House is concerned about Pumwani Maternity Hospital, but the Question was about space at Pumwani Maternity Hospital. The Assistant Minister has not said anything about space. Could he tell this House how soon he will annexe the Nyayo Ward facility next to Pumwani Maternity Hospital and make it part of the facilities for mothers of this country to have adequate space for bringing children into this world?

Mr. Konchella: The Nyayo Ward facility which the hon. Member is talking about is 70 per cent complete. We are looking for funds to complete it. We are also expecting the Ministry of Roads, Public Works and Housing to let us know about the requirements for repairs.

Mr. Deputy Speaker: So, Dr. Ojiambo, you will co-ordinate the tour.

Dr. Ojiambo: Thank you, Mr. Deputy Speaker, Sir.

Question No.147

EXPANSION OF SERVICES
IN EASTLEIGH ESTATE

Mr. Mahamud asked the Minister for Local Government:-

- (a) whether he is aware that Eastleigh Estate in Nairobi has expanded tremendously in terms of population, commercial activities and increased traffic with poor and inadequate infrastructure such as water, electricity and sewerage services; and,
- (b) if the answer to (a) is in the affirmative, what plans he has to improve and expand these services.

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

(a) I am aware that Eastleigh has expanded. The following measures have been undertaken. The design and tendering for improvement of sewerage services in Eastleigh, Nairobi, are complete under Contract No.WSD/Q231/2000 for sewerage rehabilitation on 5th Street, Eastleigh. It is expected that sewerage service will greatly improve to cope with the current situation. Designs for water improvement in Eastleigh are complete. A 16-inch water pipe along 1st Avenue for Juja Road is expected to boost the supply to cope with the current demand in the area. A four-inch water pipe is being laid to inter-link supply in Kinyanjui Road to boost supply in areas around Gen. Waruinge Road. A tender has been floated for the rehabilitation of the following roads: Second Avenue Eastleigh, from Juja Road to 15th Street; 3rd Street; from 1st Avenue Eastleigh to 2nd Avenue Eastleigh; Gen. Waruinge Street from 1st Avenue to 2nd Avenue.

(b) The tenders which were opened are under evaluation. Work will start immediately after the award of tenders. The question of electricity supply should be directed to the Minister for Energy for an appropriate answer.

Mr. Mahamud: Mr. Deputy Speaker, Sir, while I am happy with the answer given by the Assistant Minister, I would like her to inform the House how much money has been allocated for the rehabilitation of these roads, that is 2nd Avenue, Eastleigh, from Juja to 15th Street and 3rd Street, from 1st Avenue Eastleigh to 2nd Avenue and Gen. Waruinge Street, from 1st Avenue to 2nd Avenue. How much is the money? Is this money sufficient to tarmack these roads?

Mrs. Tett: Mr. Deputy Speaker, Sir, a tender for the reconstruction, recarpeting and repair of specific roads in Eastleigh, plus extensive water drainage works, was advertised on the 27th February, 2004 in the *Daily Nation*, the *East African Standard* and *The People Daily* newspapers. Initially, the tenders were to be opened on 29th March, 2004. Due, however, to fire incident at City Hall, the tender-opening was postponed to 13th April, 2004, through extended advertising in the *East African Standard* and *The People Daily* on the 16th of March. The tenders were opened and evaluation is still going on. We are still waiting for the award of the tender.

Mr. Abdirahman: Mr. Deputy Speaker, Sir, a number of initiatives were taken by individual entrepreneurs in Eastleigh. I just want to know from the Assistant Minister what future plans they have in store in terms of providing sufficient market facilities for people who hawk goods around major buildings.

Mrs. Tett: Mr. Deputy Speaker, Sir, we wanted to start with the sewerage and the roads first because the roads are in a pathetic condition. After that then we will be able to look at the parking space and pedestrian walkways.

Mr. Mahamud: Mr. Deputy Speaker, Sir, I asked how much money was allocated for the rehabilitation of these roads. The Assistant Minister has not answered my question.

Mrs. Tett: Mr. Deputy Speaker, Sir, I said that we are evaluating the tenders at the moment. The amount that I have here is for the sewerage system because the tenders were opened and the winner awarded the tender. We are still evaluating the tenders for the roads. We have not yet determined the amounts required.

Mr. Deputy Speaker: Madam Assistant Minister, I want to assist the House. The tender issue is a different one. There should be money that has been allocated for the intended work. The question is how much money is allocated? Could you address yourself to how much money is allocated for this work?

Mrs. Tett: Mr. Deputy Speaker, Sir, funding for roads repair and maintenance is sourced from the LATF funds. I do not have the amount now, but I can avail it from City Hall.

Mr. Deputy Speaker: Very well. Next Question!

Question No.169

LAND ALLOCATION IN MAGARINI
SETTLEMENT SCHEMES

Mr. Kombe asked the Minister for Lands and Settlement:-

- (a) whether he could table a list of those who were allocated land in Magarini Settlement Schemes;
- (b) whether he could also table a list of those issued with title deeds in the settlement schemes; and,
- (c) whether he could consider waiving the accrued interest on land rates to enable those allocated land to pay and get their title deeds.

The Assistant Minister for Lands and Settlement (Mr. Ojode): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I hereby table a list of the people who were allocated land in Magarini Settlement Scheme.

(Mr. Ojode laid the document on the Table)

(b) Only three people in Pumwani Phase I have been discharged and their title deeds issued, namely; Plot No.116/H, Mr. Gelani; Plot No.451, Mr. Fredrick Kasiwa Ngumba and Plot No.4, Mr. Omar Salim Abei.

(c) I do not consider it prudent to waive the accrued interest because the loan was given on very favourable terms of 6.5 per cent. It is payable in 30 years. Many of the settlers have not made any payments for many years hence the accumulated arrears.

Mr. Kombe: Mr. Deputy Speaker, Sir, the Assistant Minister has given only three names of people who have been issued with title deeds in Pumwani Phase I. Those three people are from one settlement scheme. How many people from Bundita, Marafa, Magarani, and Pumwani Phase II settlement schemes have been issued with title deeds?

Mr. Ojode: Mr. Deputy Speaker, I would like to give the background of the eight settlement schemes.

Mr. Deputy Speaker: Briefly, Mr. Ojode!

Mr. Ojode: Mr. Deputy Speaker, Sir, I will be very brief. We have Adu, Fundisa and Pumwani settlement schemes that are all registered. Mizijini Settlement Scheme is not registered. Tarasa, Shauri Moyo, Ramada and Pumwani Phase II---

(Loud consultations)

Mr. Deputy Speaker: Order, Members! We cannot conduct the business of the House in this manner! There is too much talking and walking around. Hon. Members are also consulting loudly. Please, consult in lower tones so that we conduct the business of the House in an orderly manner.

Proceed, Mr. Ojode!

Mr. Ojode: Mr. Deputy Speaker, Sir, out of these eight settlement schemes, only three are registered. The remaining five are not registered, but the Ministry is in the process of title-mapping some of them. Magarini Settlement Scheme has the worst record of Settlement Fund Trustee loan repayment. This explains why only three people out of thousands of allottees have so far been discharged.

Mr. Khamisi: Bw. Naibu Spika, shida ya vyeti vya kumiliki mashamba, hasa katika Mkoa wa Pwani, imetokana na ukosefu wa pesa. Watu wetu hawana pesa za kulipa riba inayoendelea kuongezeka kila mara. Kwa nini Bw. Waziri Msaidizi hawezi kuondoa riba hiyo na kuwakubalia wananchi kulipa tu ada ile ya kwanza ili waweze kupata vyeti vya kumiliki mashamba yao? Hali ikiendelea namna hii, wananchi wetu hawatapata vyeti hivi.

Mr. Ojode: Mr. Deputy Speaker, Sir, it is not possible for me to give a waiver. We have only put 6.5 per cent as the interest rate for those loans, and we have given them 30 years to pay back. These are very favourable terms. They are the ones who are not willing to pay back. Could the Chair prevail upon these settlers to pay back? What do I do? An interest rate of only 6.5 is favourable; let them pay. Otherwise, let us deal with a case on individual merit.

Mr. Deputy Speaker: Very well, Mr. Khamisi has heard you. Last question, Mr. Kingi!

Mr. Kingi: Bw. Naibu Spika, iwapo wananchi wetu watasamehewa madeni yao, basi watapata vyeti vya kumiliki ardhi na kupata mikopo ili kuendeleza mashamba yao vizuri. Ikiwa mikopo hii haitatupiliwa mbali, basi wakazi hawa hawataweza kupata vyeti vya kumiliki ardhi na kuendeleza mashamba yao. Ninamuomba Waziri afutilie mbali malipo hayo.

Mr. Deputy Speaker: Bw. Kingi, hilo ni swali sawa na lile lililoulizwa na Bw. Khamisi. Endelea, Bw. Waziri Msaidizi!

Mr. Ojode: Mr. Deputy Speaker, Sir, it is the same question which has been asked by Mr. Khamisi. Let leaders ask those people to re-pay the loans. Once they do so, they will be issued with title deeds. They can use the same title deeds to get more loans.

Mr. Deputy Speaker: Last question, Mr. Kombe!

Mr. Kombe: Mr. Deputy Speaker, Sir, these people do not have the title deeds to their land. Which is this loan the Assistant Minister is talking about? At least, he should consider giving them title deeds before they are advanced the loan to pay at the rate of 6.5 per cent.

Mr. Ojode: Mr. Deputy Speaker, Sir, under normal circumstances, a title deed is only released only once you have paid---

Mr. Kombe: On a point of order, Mr. Deputy Speaker, Sir. I have not finished asking my question!

Mr. Deputy Speaker: Order, Mr. Kombe! I thought you finished asking your question!

Mr. Kombe: Mr. Deputy Speaker, Sir, I have not finished!

Mr. Deputy Speaker: All right! Go on!

Mr. Kombe: Mr. Deputy Speaker, Sir, the Assistant Minister should consider giving the title deeds first, then consider the amount that is required as loan to be paid at an interest rate of 6.5 per cent. Failure to do that, we will not allow anybody to intrude into the area. We shall even evict those who have been issued with title deeds in that area.

Mr. Deputy Speaker: Order, Mr. Kombe! Are you asking a question?

Mr. Kombe: Yes, Mr. Deputy Speaker, Sir!

Mr. Ojode: Mr. Deputy Speaker, Sir, title deeds will only be released once the settlers have fully paid the amounts due to them. I also want to warn that the hon. Member of Parliament should guard against inciting his constituents.

I do concur with Mr. Kombe here. I can see his plight. However, let him hold a meeting to urge his constituents to make payments so that title deeds can be released to them.

Mr. Deputy Speaker: Indeed, the Chair has said this before; that this House should not be used by hon. Members to issue threats to communities. This has been repeated several times. So, Mr. Kombe, do not stand on the Floor of the House and issue such threats which, surely, are not justified.

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

Mr. Deputy Speaker: What is your point of order?

Mr. Serut: Mr. Deputy Speaker, Sir, is it in order for both the Assistant Minister and the hon. Member to mislead the House about title deeds? I know that, before the loans were issued, the title deeds were issued. It is on this basis that the loans were issued.

Mr. Deputy Speaker: Mr. Ojode, what do you have to say about that?

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

Mr. Deputy Speaker: Order, Mr. Kombe! What is wrong? There is a point of order that the Assistant Minister is about to reply to, then you shout another point of order! Mr. Kombe, you are out of order!

Mr. Ojode: Mr. Deputy Speaker, Sir, I have said here clearly that loans once have been disbursed and repayment has started and completed, title deeds will be released.

Let me also warn hon. Members that if they incite members of their community to violence, it will be suicidal for them and not anybody else, because the Government will take stern action against them. Mr. Kombe, if you continue inciting members of your community, you will see!

(Laughter)

Mr. Deputy Speaker: Order, Mr. Ojode! Address the Chair!

That is enough for that Question. For the second time, the Question by Mr. Kamama.

Question No.165

ATTACK ON PEOPLE AT
NAROO WATER POINT

Mr. Kamama asked the Minister of State Office of the President:-

(a) if he is aware that two people from Baringo East were injured at Naroo Water Point on 16th January, 2004, and;

(b) what action the Government has taken to bring the culprits to book.

The Assistant Minister, Office of the President (Prof. Kibwana): Mr. Deputy Speaker, Sir, let me first of all apologise for being late.

However, I beg to reply.

(a) Yes, I am aware that the two people from Baringo East were injured at Naroo Water Point on 16th January, 2004.

(b) The police are looking for the victims to record their statements so that they are issued with P3 forms to assist in investigations and subsequent arrest and prosecution of the attackers.

Mr. Kamama: Mr. Deputy Speaker, Sir, this answer is highly academic and, therefore, not satisfactory. Two of my constituents were injured at that waterpoint on 16th January, 2004 and, up to now, no policeman has ever visited that particular point.

Mr. Deputy Speaker: Mr. Kamama, could you give a little explanation and then ask your question?

Mr. Kamama: Mr. Deputy Speaker, Sir, I am saying that no policeman has ever gone to that site! The site is within what we call Suguta-Kainuk Corridor. That place has been handed over by the Government to the bandits and rustlers! That is because nobody has ever gone there! There are no policemen, no chiefs and no nothing! How will the Assistant Minister get to those people if the policemen are not there? That is an area which has been left to the bandits!

Mr. Deputy Speaker: Let the Assistant Minister answer!

Prof. Kibwana: Mr. Deputy Speaker, Sir, to my knowledge, when Kenyans are injured, they complain to the police and they are issued with P3 forms. They fill them up while the police continue with investigations. The hon. Member will appreciate that, in the absence of the complainants going to Loruk Police Station, which covers that particular area, and do what is necessary for the police to take up that matter, it is really difficult to assist both Todopong and Kakuko, the two persons who were involved.

Mr. Rotino: Mr. Deputy Speaker, Sir, the Assistant Minister is very ignorant about the geography of the area. From Naroo Water Point to Loruk, where he talking about, is about 300 kilometres. I want to ask the Assistant Minister to tour the area. The only police post which is available between Kainuk and Looruk is called Amalel Police Post, which has only six policemen. Could the Assistant Minister, therefore, consider upgrading that police post to a police station with, at least, a vehicle to be able to patrol the area? Those culprits could have been apprehended. Could you consider that and visit the area? You do not even know the area!

Prof. Kibwana: Mr. Deputy Speaker, Sir, that particular matter was actually reported to the District Officer's (DO's) Camp at Ekolowa. The next step was for the two complainants to report to the police. But that did not happen. But I do appreciate what the hon. Member is saying. We shall consider the request that he has made.

Mr. Shitanda: On a point of order, Mr. Deputy Speaker, Sir. This is a very important and sensitive Question. Is it really in order for this House to allow the Assistant Minister to answer a Question that touches on security and bandits, when he was recently involved in an incident where he was behaving like a bandit?

Mr. Deputy Speaker: Order, Mr. Shitanda! The Assistant Minister is answering the Question in his capacity as an Assistant Minister, Office of the President. Therefore, he is entitled to answer this Question!

Last Question, Mr. Kamama!

Mr. Kamama: Mr. Deputy Speaker, Sir, I want the Assistant Minister to listen to this one very carefully.

(Loud consultations)

Mr. Deputy Speaker: Hon. Members, please, let the Assistant Minister hear the question!

Mr. Kamama: Mr. Deputy Speaker, Sir, we are talking about an area that has no Government!

Mr. Deputy Speaker: Has no what?

Mr. Kamama: It has no Government! There is no police station, no chief and nobody is there. The area measures 700 kilometres by 150 kilometres; that is, from Suguta Valley to Kainuk. There is virtually no Government in that place. How is the Government going to be in charge, if it is not there? It is a corridor of bandits! So, the Government has no capacity. I want the Government to be there first, so that I can be satisfied with the answer.

Mr. Deputy Speaker: What do you want the Assistant Minister to do, Mr. Kamama?

Mr. Kamama: I want an anti-stock theft police unit and a police station there! In summary, I want the Government to be there, because it is not there!

The Minister for Livestock and Fisheries Development (Mr. Munyao): On a point of order, Mr. Deputy Speaker, Sir. Is the Chair satisfied that there is an area in Kenya without the Government? We have an overall Government!

Prof. Kibwana: Mr. Deputy Speaker, Sir, as I have indicated, when that matter happened, it was reported to the DO's Camp at Kolowa. I believe that the DO's office is a very effective part of the Government. I think that in terms of the substantive Question that has been asked, that is of the two people who were attacked and require help from the police, the simple issue is for them to complain, so that they can get a P3 form and the matter is processed. But with regard to the wider question that the hon. Member is asking, that could come through a Ministerial Statement. He could have asked for a Ministerial Statement, so that it could be comprehensively dealt with. I am not aware of any part of Kenya where the Government does not reach. I am an Assistant Minister in charge of security and not insecurity, as Mr. Shitanda wants to allege.

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

Mr. Deputy Speaker: No! Order, Mr. Rotino! We are way beyond the one-hour time limit for Question Time.

Next Question by Mr. Wambora!

Question No.113

COLLECTION/ALLOCATION OF
COFFEE CESS MONEY

Mr. Wambora asked the Minister for Agriculture:-

(a) whether he could inform the House how much coffee cess money has been collected by the Coffee Board of Kenya (CBK) and Kenya Planters Co-operative Union (KPCU) since 1999 to date; and,

(b) how much of the amount collected has been released for road maintenance, to which districts and how much is yet to be released.

The Minister for Agriculture (Mr. Kirwa): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Coffee Board of Kenya collected a total of Kshs346,974,914.90 as coffee cess from 1st October, 1998, up to 1st July, 2002, when it relinquished the function of marketing to Kenya Coffee Planters Union (KCPU), which has since collected Kshs60,488,479.85.

(b) A total of Kshs315,662,363.05 has so far been released to 20 district roads and infrastructure committees. Action is being taken to ensure that the balance of the money, which is Kshs31,312,551.85 held by CBK and Kshs60,488,479.85 held by KPCU, is released to the

respective district roads committees and county councils.

Mr. Wambora: Mr. Deputy Speaker, Sir, I come from a constituency which has coffee and tea. I can say, without fear of contradiction, that the roads which fall under tea are very good, because the tea cess has been utilised properly to make the roads. On the contrary, roads in coffee zones are in a very bad state. It is because the money the Minister is talking about, the Kshs284 million which has already been released to the 20 districts, has actually not reached there. We can only know whether the money has reached there, if he could only answer my second part of the Question, which is: "How much of the amount collected has been released for road maintenance, and to which district?" So, I will need a break down per the 20 districts, so that we could challenge it! That is because that money has not been seen!

Mr. Kirwa: Mr. Deputy Speaker, Sir, records available to me indicate that the money has been released to 20 districts. But I do not know whether it would be prudent for me to read each and every district as it is today.

Mr. Deputy Speaker: Mr. Minister, you could lay the list before the House, instead of reading the whole of it.

Mr. Kirwa: Mr. Deputy Speaker, Sir, therefore, I beg to lay on the Table the list of the 20 Districts which have, so far, received the money, and the money that has been collected from the same districts over the same period.

(Mr. Kirwa laid the document on the Table)

Mr. Deputy Speaker: Very well. Mr. Wambora, that list would be available on the Table.

Mr. Bishop! These nicknames sometimes make us forget your real name.

Mr. O.K. Mwangi: Thank you, Mr. Deputy Speaker, Sir. I praise God for that!

The Minister has said that he has released cess funds to 20 districts. I sit in the District Roads Committee (DRC) in my district. We held a meeting three days ago and the Committee was concerned that, for the last three years, the DRC has not received any money from KPCU as cess money. Could the Minister tell this House how much is alleged to have been released to Maragwa District, when and to whom?

Mr. Kirwa: Mr. Deputy Speaker, Sir, there are a number of districts and Maragwa is one of them. But to read specifically for Murang'a District, it is Kshs28,410,992.20.

Mr. O.K. Mwangi: Mr. Deputy Speaker, Sir, I asked about how much money has been disbursed to Maragwa District, but the Minister is talking about Murang'a; I am not from Murang'a District. How much has been released to Maragwa District and to whom?

Mr. Deputy Speaker: But the list is going to be laid here for you to scrutinise it. I think it is fair that I defer this Question so that the hon. Members can look at the list and raise their questions after that. Will that be okay?

Mr. Kirwa: Mr. Deputy Speaker, Sir, I have no objection. It can be deferred to tomorrow afternoon.

Mr. Deputy Speaker: Very well. I will defer this Question so that all Members can scrutinise the list and be able to ask supplementary questions, if they so wish. So, the Question is deferred to tomorrow afternoon.

(Question deferred)

COMMUNICATION FROM THE CHAIR

DEFERRMENT OF QUESTIONS
BY PRIVATE NOTICE

Mr. Deputy Speaker: Hon. Members, I am having problems with time. I may have to seek the indulgence of Members with Questions by Private Notice, three of them, Messrs. Mwancha, Bahari and Wamwere, to let me defer these Questions to tomorrow afternoon. I know they are urgent but I have to ask that you let me do that. Is that okay, Mr. Mwancha?

Mr. Mwancha: Well, Mr. Deputy Speaker, Sir, as you said, they are urgent, but if it is inevitable, I have no objection.

QUESTIONS BY PRIVATE NOTICE

ANNUAL DEATH TOLL FROM MALARIA

(Mr. Mwancha) to ask the Minister for Health:-

- (a) How many Kenyans die annually of malaria and malaria-related causes?
- (b) What is the Ministry's level of preparedness to avert the effects of the expected malaria epidemics in the prone areas following the heavy rains?
- (c) In view of the fact that quinine and sulphur based drugs are no longer effective in the treatment of malaria, when does she expect new drugs for malaria to be available?

(Question deferred)

Mr. Deputy Speaker: Thank you. Mr. Bahari?

Mr. Bahari: Mr. Deputy Speaker, Sir, I have no objection, except that this is the second time this Question is being deferred.

RESETTLEMENT OF NCC
DEMOLITIONS VICTIMS

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

- (a) How many families have been rendered homeless as a result of the recent demolition of homes in Nairobi by the Nairobi City Council?
- (b) What measures does the Minister have in place to ensure that the affected families are given alternative settlements?

(Question deferred)

Mr. Deputy Speaker: Thank you, Mr. Bahari. Mr. Wamwere?

Mr. Wamwere: Mr. Deputy Speaker, Sir, I think it is okay. But I beg that the Chair asks the Ministers concerned to be present tomorrow because I notice they are not here today.

EVICION OF FARMERS FROM FORESTS

(Mr. Wamwere) kumuuliza Waziri wa Mazingira na Mali ya Asili:-

(a) Je, Waziri ana habari ya kuwa maelfu ya wakulima ambao wamekuwa wakipanda mimea ya vyakula kando na miti na ambao hawaishi tena katika maeneo ya misitu sasa wanakatazwa upanzi wa miti kwa hofu kwamba watapanda mimea ya vyakula?

(b) Je, Waziri anafahamu ya kwamba wakulima hao hawahusiki na uharibifu wa misitu, kitendo ambacho kilitekelezwa na viongozi wa kisiasa na maafisa wakuu serikalini?

(c) Waziri anaelewa pia kuwa kutokana na kutimuliwa kutoka misitu kwa wakulima hao, zaidi ya miche milioni mbili haitapandwa msimu huu wa mvua katika sehemu za Dundori na Bahati?

(d) Kwa nini Waziri amepatia kandarasi ya kupanda na kuvuna miti makampuni ya kigeni ya Comply Timsales na Panpaper?

(Question deferred)

Mr. Deputy Speaker: Very well. I then defer these Questions to tomorrow afternoon. Thank you very much for your understanding.

POINTS OF ORDER

CHANGE IN THE ORDER OF BUSINESS

Dr. Godana: On a point of order, Mr. Deputy Speaker, Sir. We have had experience in the past with this kind of situation and I think, if Questions by Private Notice are postponed repeatedly, then they lose the value as Questions by Private Notice. Would I be in order to ask that when these Questions come up, you actually start with them instead of the Ordinary Questions? We have done this in the past.

Mr. Deputy Speaker: Yes. Indeed, before we went on recess last time, we had started that practice of starting with Questions by Private Notice. I think it is only fair that we return to that practice. So, we will be going back to that practice of starting with Questions by Private Notice so that we address the urgency of these Questions.

(Applause)

Now, there are a couple of Ministerial Statements to be raised. Mr. Ndolo?

MAENDELEO YA WANAWAKE ORGANISATION ELECTIONS

Mr. Ndolo: Mr. Deputy Speaker, Sir, I rise on a point of order to seek a Ministerial Statement from the Minister for Gender, Sports, Culture and Social Services on the electoral crisis that is looming over the MYWO. During the last one month, we have witnessed women from across the country raising complaints about unfair electoral rules by the organisation. The marginalisation of certain women from seeking elective positions at all levels of the organisation, by requiring exorbitant fees, is an example. To make it worse, the membership fee has been hiked from Kshs20 to Kshs60. The fee is obviously too high for women in the grassroots to afford. As such, the burden of membership cards is shifted to the Members of Parliament which takes away the independence of

the organisation.

Mr. Deputy Speaker: Mr. Ndolo, would you be specific on the issue you want a Ministerial Statement on?

Mr. Ndolo: Thank you, Mr. Deputy Speaker, Sir. I would like to ask the Minister concerned to tell us what he is doing about this problem as a matter of urgency as the women of Kenya are concerned and anxious to know the outcome before the elections are held on the 17th of this month.

The Assistant Minister for Gender, Sports, Culture and Social Services (Mrs. Chelaite): Mr. Deputy Speaker, Sir, since the issue is urgent, I promise to bring a Ministerial Statement to this House possibly on Tuesday next week.

Mr. Deputy Speaker: All right, Tuesday next week.

INADEQUATE TRANSPORT FOR CITY COMMUTERS

Mr. Mwenje: Mr. Deputy Speaker, Sir, I rise on a point of order to seek a Ministerial Statement from the Minister for Transport and Communications. This morning, as I was coming to town, I saw a very serious situation where literally, the whole of this city is now walking to their places of work. When I was coming from Dandora, I saw over 20,000 people walking to the city. They could not get *matatus*, trains or buses because the vehicles are inadequate. It appears there is a breakdown of transportation in this city. To aggravate it, the Minister for Transport and Communications has also withdrawn the commuter train to Dandora, which normally carries well over 5,000 to 6,000 people every morning. Could the Minister come out clearly and tell us if this Government has failed to do its work in terms of transportation or what he is intending to do? This situation cannot be allowed to continue any more. It is a serious issue and it should be addressed immediately.

(Applause)

Mr. Deputy Speaker: Very well. The Minister for Transport and Communications is not there and the Leader of Government Business will take the message.

I think that is all I had for requests for Ministerial Statements. Now, let us hear a Ministerial Statement from the Minister for Agriculture.

MINISTERIAL STATEMENTS

BURNING DOWN OF KENYA SEED COMPANY ADMINISTRATION BLOCK

The Minister for Agriculture (Mr. Kirwa): Mr. Deputy Speaker, Sir, as I promised the House on the issue raised by the hon. Member for Kwanza, Dr. Wekesa, I wish to give the following Ministerial Statement about the Kenya Seed Company.

Following the act of arson that burned down the premises of the Kenya Seed Company on the morning of 12th April, 2004, I visited the site on Friday, the 16th April, 2004 as I promised the House. Prior to the site visit, I received joint briefs from both the District Security Committee led by the District Commissioner (DC) Trans Nzoia, and the Board of Directors led by the Chairman, Mr. Patrick Wandagwa. The following was noted:-

(i) The Government security machinery had taken charge of the investigations and the report is expected soon.

(ii) Preliminary investigation indicated that this was an act of sabotage. However, this will

be more evident when investigations are full and complete.

(iii) Five suspects were arraigned in court on 16th April, 2004. These are two serving senior managers and one former processing engineer and two security guards from a private company then guarding the premises of the Kenya Seed Company.

(iv) The estimated cost of the damage is about Kshs40 million.

(v) The contract with the security firm has henceforth been cancelled and other arrangements have been put in place temporarily awaiting the recruitment of another firm through the normal Government procurement procedure.

(vi) The management of the Kenya Seed Company has also identified alternative office accommodation and thus all operations of the company are back to normal.

(vii) Apart from the loss of office building and equipment, no vital records or cash was lost in the inferno due to a back up system available to the company. Hence all records of debtors amounting to approximately Kshs700 million are intact and, therefore, the company will be able to pursue that.

(viii) The audit team from the Inspectorate of State Corporations had also completed their work, therefore, there was no cause for alarm because the records are available for us.

(ix) The insurance brokers and underwriters have been to the site, assessed the extent of the damage and plans are underway to finalise claims of compensation as the premiums were up to date.

(x) Progress since the change over in December 2003, has been very impressive as the company has been able to pay farmers in full arrears amounting to Kshs200 million and it has also been able to clear an overdraft amounting to Kshs600 million. In fact, by the time of the visit, there was a credit balance of Kshs84 million.

Finally, I would want to assure the House that all operations of the company are back to normal and there are sufficient seeds of all varieties to the farmers of this country.

Capt. Nakitare: Thank you, Mr. Deputy Speaker, Sir. While I appreciate the Ministerial Statement from the hon. Minister, this company is the heart of Kenya's economy. However, it is very peculiar that just when investigation had started, the culprits were released on bond. What would stop these people from interfering with investigations?

The Government was also not given a chance to vet the people who were going to take over the jobs in the Kenya Seed Company. We still see the same faces of the people who caused the Kenya Seed Company's failure. The most interesting thing is that most of these people are going to invest their money in different seed companies---

Mr. Deputy Speaker: Order, Capt. Nakitare! Let me guide you. The idea here is to seek clarification on the Ministerial Statement.

(Capt. Nakitare stood up in his place)

Now you are arguing with the Chair. Hon. Members need to look at Standing Orders regarding the Chair. Would you seek clarification? I am going to stop you and I have the powers to do so!

Capt. Nakitare: Mr. Deputy Speaker, Sir, I seek clarification from the Minister. What would stop these people from investing in a competitive seed company which will work for the downfall of the Kenya Seed Company?

The Minister for Agriculture (Mr. Kirwa): Mr. Deputy Speaker, Sir, I never got the clarification the hon. Member was seeking.

Mr. Deputy Speaker: Do you see now, Capt. Nakitare? You were too long and the Minister did not get the clarification you were seeking. Could you now repeat it in a very

compressed manner?

Capt. Nakitare: Mr. Deputy Speaker, Sir, I am seeking clarification from the Minister for Agriculture about the validity of releasing people who are still under investigations on bond. They are the same people who are going to invest money in a Western Kenya seed company that would be competing and seeing to it that our Seed Company fails in its operations.

The Minister for Agriculture (Mr. Kirwa): Mr. Deputy Speaker, Sir, the Government is confident that the investigations so far have tied each and every loose knot and we are confident that we are going to pursue the issue to its logical conclusion.

Mr. Deputy Speaker: Next Ministerial Statement, Mr. Githae! I had said I will only allow only one clarification.

SHORTAGE OF MAGISTRATES/JUDGES

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Mr. Deputy Speaker, Sir, on Thursday, 22nd April, 2004, the hon. Member of Parliament for Saku, Mr. Sasura requested for a Ministerial Statement on the current reforms being carried out by the Judiciary.

Efforts to rid the Judiciary of corruption which began in earnest in October 2003, have now started to bear fruit. Contrary to some media reports, the suspension and retirement of judges and magistrates has not created an unmanageable backlog of cases. Whatever small delay that has been caused by these changes has now been substantially addressed and redressed. In only a span of six months since the reforms began, the Judiciary has revamped its judicial capacity and strengthened its integrity towards a more efficient, effective and impartial administration of justice.

As regards the judges, there really has been no problem. All the stations left vacant by the suspensions or voluntary retirement have been systematically filled and no backlog has developed as a result, apart from a few criminal cases that were partly heard and which have been declared mistrials. In the Court of Appeal, inclusive of the hon. Chief Justice, the Court today has nine out of 11 Judges of Appeal prescribed by law for purposes of Section 64(2) of the Constitution.

In the High Court, the pre-reform capacity of judges was 44 out of the prescribed 50. Today, there are 45 judges deployed to various High Court stations in the country. Indeed, two judges will be posted for the first time to Malindi and Kitale which are High Court stations previously served from Mombasa and Eldoret, respectively. An extra judge has been posted to Meru Court so that for the first time, Meru High Court will have two judges.

Because of the large numbers involved, the retirement within the magistrature initially caused some problems of delayed hearings in the affected stations. Happily, the hon. Chief Justice has constantly sought to remedy the situation created by the retirement of the 76 Magistrates. To replace the retired senior magistrates, interviews have been conducted with successful magistrates being promoted to higher ranks.

In December, 2003, interviews were held for 47 positions of Senior Resident Magistrates. There were 120 applicants. Out of the 47 appointed, 27 were filled through internal promotions of serving magistrates while 20 were from outside the Judiciary. Only three did not take up their appointments and none on account of low salary. Two married ladies turned down the appointments because of possible disruptions of their family arrangements likely to result from their out of town posting. These were State Counsels from the Attorney-General's Chambers whose salary is equal to that of a similar rank in the Judiciary and, therefore, the question of reduced income did not arise. The third person who had a private practice in Nairobi was unable to take up the posting to Bungoma also citing family circumstances.

All those appointed were posted to their respective stations in February 2004 and have

greatly alleviated the problems of delays and backlog. The recruitment is on-going and recently the Judiciary advertised for 67 positions at three levels of the magistrature namely; Senior Resident Magistrate, Resident Magistrate and District Magistrate, according to the vacancies created by the reforms.

The response to the advertisement was massive. There were over 329 applications from outside the Judiciary. These applications have been processed and the applicants have been shortlisted for interviews in May, 2004. The successful applicants will then be posted to their respective stations by the end of May, or early June, 2004. For those who were successful in the internal interviews for serving magistrates, they have accordingly been promoted and their posting to new stations is in progress.

Mr. Deputy Speaker, Sir, it must be appreciated that retiring 76 magistrates out of a total of 254 is bound to create a few problems. The Judiciary, as it can be seen, has, therefore, made a sterling performance in the reforms within six months. When the recruitment of personnel is completed by June, 2004, the Judiciary will have the necessary capacity to robustly administer quality justice for all from all corners of the country.

The Judiciary and the Ministry of Justice and Constitutional Affairs are grateful to the citizens of this Republic for the support, patience and understanding that they have demonstrated with respect to the on-going reforms. I am, therefore, calling on this august House to support the reforms taking place in the Judiciary.

Thank you, Mr. Deputy Speaker.

Mr. Omingo: Mr. Deputy Speaker, Sir, the problems that the Judiciary is facing is as a result of the so-called "Ringera Commission". In as much as the Assistant Minister says that there has not been delay of justice, people have been suffering because of the gap that was created by the Ringera Report. The Assistant Minister has been on record saying that the current Registrar of the High Court was exonerated from blame, because that report was malicious against him. In law, if a portion of a report is dirty, the whole of that report is deemed to be dirty. So, could he clarify whether, indeed, the report that victimised the magistrates is in whole incompetent and malicious, and that it should not have been used to implement the reforms in the Judiciary?

Prof. Oniang'o: Mr. Deputy Speaker, Sir, the basis of Mr. Sasura asking that Question was that justice delayed is justice denied and that there continues to be a backlog of work in the courts due to shortage of magistrates. We have been reading that some magistrates who had been retired are being sneaked in quietly. What is the fate of the magistrates who were retired? To what extent has work in the courts been accelerated because of these reforms?

Mr. M. Kariuki: Mr. Deputy Speaker, Sir, one of the proposed reforms in the Judiciary was the creation of weekend courts, where a magistrate or a judge is placed on duty to deal with matters of bail, because there was need to protect personal liberty. Could the Assistant Minister clarify whether in the on-going reforms in the Judiciary, those courts have been put in place?

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Mr. Deputy Speaker, Sir, let me start with the clarification sought by Mr. Omingo. I never said that the Ringera Report was malicious. That is a creation of the Press. I said that the person who complained against the Registrar of the High Court, Mr. Njai, was found to have acted out of actual malice when making that complaint. That is what I said, but I was reported to have said that the whole report was malicious. It was not. It was competent. The whole matter was thoroughly investigated. All the magistrates who were affected were given an opportunity to exonerate themselves from blame. Those who did so were reinstated and some of them were even promoted. Those who did not give good defence to the allegations made against them were retired.

On the clarification sought by Prof. Oniang'o, I would like to state that there are no

magistrates who have been sneaked back into the Judiciary. The misconception is that some of the magistrates who were mentioned in the Ringera Report are back in the Judiciary. They are back, because they gave a good defence to the allegations made against them. They exonerated themselves against blame. That is why they were reinstated. The intention was to give them a hearing, so that they could not be condemned unheard. That is exactly what happened. Those who succeeded in doing that were reinstated and some were even promoted. The intention was not to witchhunt or be malicious against anybody. These were genuine reforms taking place. I must say that the Judiciary is one organ of the Government which has managed to effect many reforms in less than a year.

On the clarification sought by Mr. M. Kariuki, I would like to confirm that plans are at an advanced stage to have court sittings on weekends, public holidays and late into the evening. For instance, the Magistrate's Court at the Nairobi City Council sits very late, so that it can peruse some of the bail applications. So, reforms are going on. A successful aspect of these reforms has been for magistrates to hear mentions within prison facilities. That initiative has reduced a lot of backlog. Some prisoners who had been forgotten have now been put into the system to ensure that they are not forgotten again. There are even plans to have small claim courts, so that we can reduce the congestion in the magistrates' courts as well as in the High Court.

Mr. Deputy Speaker, Sir, reforms in the Judiciary are going on, and I call upon this House to support us in this regard.

CLOSURE OF COCA COLA BOTTLING PLANTS

The Assistant Minister for Trade and Industry (Mr. Miriti): Mr. Deputy Speaker, Sir, I rise to issue a Ministerial Statement on the closure of Nakuru and Machakos Coca Cola Manufacturing Plants in response to a request by Mr. Ndambuki.

Mr. Deputy Speaker, Sir, the Coca Cola Company is moving out of Nakuru and Machakos as part of their plant restructuring process. The move is aimed at streamlining the company's operations to enhance productivity and consolidate its operations with its new site, which is at Embakasi. The company intends to close down all its three branches, namely, Flamingo Bottlers at Nakuru, East Kenya Bottlers at Machakos and Nairobi Bottlers at Addis Ababa Road, Industrial Area, Nairobi. The closure of the three branches will be done in three phases. The plant in Machakos was closed on 3rd May, 2004. The one in Nakuru will be closed between July and August, 2004, while the one in Nairobi will be closed between November and December, 2004.

Like any other business entity, Nairobi Bottlers is operating in a liberalised economy and the stand it has taken is healthy for its operations. The Government has no direct control over the decisions made by the company to improve on its productivity and maintain its competitiveness so long as it observes the rules and regulations governing all business entities. In fact, it will be worthwhile for other local bottlers to emulate Nairobi Bottlers and take a similar strategy to consolidate and remain competitive to avoid selling off their shares to better performing companies.

Restructuring of the three companies owned by the Coca Cola Company will definitely lead to shedding off of some workers who may not be required by the company after rationalising its activities. However, distributors of Coca Cola products will be retained to continue with distribution in their same regions. Some of the workers who are on permanent terms of service will be accommodated in the staff establishment of the company to be re-located to Ansper. The total number of distributors for the three firms currently stand at 400 with a workforce of about 650

employees. The company has already made arrangements to sensitize workers targeted for retrenchment through seminars, to educate them on the kind of business they can venture into as part the efforts to prepare them for exit from the service. Notification will be made to the affected staff in good time before closure of each plant. They will also be compensated adequately.

Thank you.

Mr. Deputy Speaker: Very well! Prof. Oniang'o, do you want to seek clarification?

Prof. Oniang'o: Mr. Deputy Speaker, Sir, if you recall, Mr. Ndambuki's concern had to do with more than 6,000 employees losing their jobs. Could the Assistant Minister clarify to us what is the net gain or loss of the jobs involved here, especially given that the NARC Government continues to tell us that they will create 500,000 in a year?

Mr. Kaindi: Mr. Deputy Speaker, Sir, the concern of the workers in those factories is: How many of them in each of those establishments will be retained? Could the Assistant Minister give clarification as to the specifics? This will enable the workers, for example, at the Machakos Coca Cola Plant, to know specifically how many of them will be retained. In addition, they should know the packages they will take home, because there is concern that many of them are just being retrenched without getting any due compensation.

Mr. Kagwe: Mr. Deputy Speaker, Sir, in view of the fact that many of these people are not going to get employment elsewhere, and given that there is some training going on, could the Assistant Minister tell us how adequately he thinks these people are going to be trained? I am asking this because normally we hear that people are being trained to venture into businesses, but they only get a one-day seminar and are then assumed to have been transformed into business people overnight. So, could the Assistant Minister tell us whether he is satisfied that the training those people will get is sufficient to prepare them to become businessmen, and go on to create the 500,000 jobs that the NARC Government has promised?

The Assistant Minister for Trade and Industry (Mr. Miriti): Mr. Deputy Speaker, Sir, at the Machakos Coca-Cola Plant, there are 256 employees, out of which 165 are on permanent terms of service. After its closure, 107 casual employees were laid off. The Nakuru Plant has a workforce of 100 people and it has not yet been determined how many of them will lose their jobs. The same applies to the Nairobi Plant. According to Mr. Ndambuki, there are about 20,000 employees who are going to lose their jobs. However, from the figures I have given, it is apparent that we do not have such figures Mr. Ndambuki talked about. In fact, this problem would not have arisen had the Minister, then, in 2001, not allowed the take-over of the company by a South African firm through a Gazette Notice No.4739. That is what caused all these problems.

At the moment, we cannot say whether the workers will be adequately trained or not because they are yet to be trained.

Mr. Deputy Speaker: Very well! Next Order!

MOTION

AMENDMENT OF THE COTTON ACT

Dr. Ojiambo: Mr. Deputy Speaker, Sir, I beg to move the following Motion:-
THAT, in view of the fact that problems of the cotton sub-sector have continued to increase and that Kenya stands to lose its quota under the African Growth Opportunity Act (AGOA) if it does not produce enough cotton by September 2004; concerned that the Textile Industry which depends on cotton has collapsed and needs to be revived; further concerned that the collapse of the sub-sector has led to loss of livelihood of over 8 million Kenyans; aware that the Cotton Act 1990,

Cap.335, has failed to adequately address the problems of the sub-sector, this House do grant leave to introduce a Bill for an Act of Parliament to amend the Cotton Act in order to comprehensively address the problems affecting the cotton sub-sector.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, the cotton industry has failed the Kenyans. It continues to do so, and it will, probably do so, tomorrow, if this House fails to give the cotton farmers a direction. As we have said before, the Cotton Act has failed to address the concerns of the cotton sub-sector. The cotton farmer has failed to know what to do, where to go and how to proceed. Unlike other economic crops in Kenya, for example, coffee, pyrethrum and tea, the cotton sub-sector does not have an authority; a body that can regulate its activities. Unlike the Kenya Sugar Board (KSB) in the sugar industry, the Cotton Board does not address issues in depth. Likewise, both the tea and coffee industries have authorities. The concern of the cotton farmer is as deep as that of those that grow pyrethrum, coffee and tea.

Mr. Temporary Deputy Speaker, Sir, as I speak, we know that very many Kenyans are jobless. Some of them cannot even afford a meal a day. With an unemployment rate of 60 per cent, 80 per cent of our people live in rural areas where we know that their only lifeline is a *jembe* and their *shambas*. Some years back, these people thrived just like any other Kenyan who is employed. Their lives were also well-catered for because they earned a livelihood. The cotton industry used to be the largest employer in the manufacturing sector of the economy of this country. It had 24 ginneries, 52 textile firms and 110 large-scale Government manufacturers and spinners; altogether, employing over 100,000 people. In addition, there were over 75,000 small and micro-garment manufacturers, but currently, this industry is operating with less than 20 per cent of the initial firms. Kenya used to be a great exporter of cotton and textile products, but, currently, we are importing over 80 per cent of these products. As a result, we are losing a lot of valuable foreign exchange. We know the Export Processing Zone (EPZ) here in Nairobi and we only hear about AGOA. We also hear that there are people employed at EPZ. We know that both the AGOA and EPZ have not served Kenyans very well. We have heard our people working in EPZ complaining about the poor pay they get. So, we would like to see the benefits we get out of the AGOA accruing to our own people. We know that the AGOA, for example, in the year 2004, earned from its exports over Kshs13 billion, but out of that, this country's earning was less than 2 per cent. This is pathetic!

Mr. Temporary Deputy Speaker, Sir, there are many problems that the cotton farmers in this country face, and yet this country has a lot of potential in the textile sub-sector. We have over 400,000 hectares of land which can be put under cotton production straightaway. If we had done that, eight million of those people we have referred to, today, would be in business and their families would lead a better life than the one they are leading today. If 400,000 hectares of land are put under cotton, that would give a yield of 400,000 tonnes of cotton seeds, and this country would produce cooking oil which it imports from other countries.

(Applause)

This country loses over Kshs5 billion to import cooking or edible oil. We should conserve that foreign currency.

We also know that a further 600,000 hectares of land can be turned into good use by growing cotton along Tana and Athi rivers, Kerio Valley Basin and the lake basin. Our people should utilise that land to grow cotton because this country requires this crop for its own industries. We can revive our industries and turn round the economy of this country through the manufacture and exportation of products realised from the cotton industry.

If all our textile industries and ginneries were revived, this country would create many job opportunities. This country can create more than 400,000 job opportunities in the cotton sector alone. This country would create another 200,000 job opportunities from cotton related industries. In total, the country would create 600,000 job opportunities which are well above the 500,000 jobs that the NARC Government promised Kenyans it will create per year.

We need to do a lot for our country today. All that this House should do for Kenyans is to give them guidelines. Therefore, the Government of Kenya should help this House come up with an Act of Parliament which can give guidelines to cotton farmers. This House should, therefore, grant leave to introduce a Bill for an Act of Parliament to amend the Cotton Act which can establish an authority or a body to give guidelines, which can look into not only the production of cotton but also its processing, administration, sourcing of funds and all that goes with the industry.

Today, we look upon the Ministry of Agriculture to support the cotton farmer. As I speak here today, I am not very sure that this Ministry has allocated any money to the cotton sub-sector. Cotton farmers have been encouraged to grow the crop. They know that the President wants Kenya to be a working nation, and they too want to be part of it. But they have been discouraged in the past and they are still discouraged today. They do not know how their tomorrow will be. Some of the communities which have depended on cotton in the past, are the poorest in Kenya today.

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

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

This House should help those people to also improve their living standards.

If we revive the cotton industry today, we will help Kenyans do many things. Cotton will generate income to this country, and we also require it for our comfort. This is because clothes made of cotton are more comfortable to wear than nylon ones. We would also like to be part of the communities which use the products of cotton. So, we should meet our local demand for cotton textile. We can only do this by producing enough cotton and have it processed here.

We can also save foreign exchange and increase our foreign earnings if we revived the cotton industry today. We will further attract direct and indirect private investments. People will come here in large numbers to invest in this industry. We will see many Export Processing Zone (EPZ) godowns filled up with industries which manufacture cotton goods. We will also minimise the need to import used clothes. I am not condemning *mitumba* clothes because they have served us very well. Kenyans would be walking naked in the streets had it not been for the *mitumba* clothes. But I am saying that we can minimise cases of Kenyans wearing them. We can produce quality and cheaper attire for our people to wear.

(Applause)

We will make the Kenyan population benefit from the benefits accruing from the Africa

Growth Opportunity Act (AGOA), if we produce and process our cotton. There are also the COMESA and East African Community markets in the Continent of Africa and we have signed cotton agreements. Those are opportunities we have failed to exploit because our cotton sub-sector has collapsed. So, we should revive the cotton industry and to do so, we need to introduce a new Act which can give comprehensive guidelines to cotton farmers.

Mr. Temporary Deputy Speaker, Sir, I know that many hon. Members would like to contribute to this Motion. Therefore, I will not use all my time repeating issues which they know. The hon. Members can enrich the debate. I would like to request His Excellency the Vice-President and Minister for Home Affairs to second the Motion.

(Applause)

The Vice-President and Minister for Home Affairs (Mr. Awori): Ahsante, Bw. Naibu Spika wa Muda. Ninasimama hapa kuunga mkono hii Hoja, ambayo imeletwa na Dkt. Ojiambo.

Wakati wote tukijadiliana, iwe hapa Bunge au kwingineko, shida kubwa sana ambayo inaikumba nchi hii ni umaskini. Umaskini umezidi katika kila pembe na sehemu ya nchi yetu. Tukiangalia sana, si lazima tuwe maskini, kwa sababu tulipewa ardhi kubwa sana na Mwenyezi Mungu ili tuitumie, lakini hatuitumii sawa sawa. Hii ndio sababu nimesimama hapa kuichangia hii Hoja, na ninamshukuru sana Dkt. Ojiambo kwa kuileta hapa.

Jambo la kwanza ni kuuliza ni kwa nini mmea wa pamba, ambao ulikuwa wa maana sana, ulizoroteka. Kila mkulima anataka kulipwa kwa jasho lake. Kilimo cha pamba kilizoroteka kwa sababu tulianza na shirika la pamba ambalo liliharibu kila kitu. Halafu tukaunda Cotton Lint and Seed Marketing Board ambayo haikufahamu hata pamba inatumiwa namna gani. Dkt. Ojiambo ameelezea manufaa tunayoweza kupata tukikuza mmea wa pamba. Nitaongezea machache tu, halafu tutafute suluhisho.

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

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

Bw. Naibu Spika wa Muda, kwanza, tuko na watu zaidi ya milioni 30. Tukisema kila mmoja wao atatumia Kshs500 peke yake kila mwaka kununua nguo ambazo zimetengenezwa na pamba, hiyo peke yake italeta zaidi ya Kshs15 bilioni. Tunajua kwamba pamba, siyo tu inatoa pamba yenyewe, lakini iko na mbegu na mambo mengine. Ni nini tunaweza kufanya tuimarisha tena ukulima wa pamba? Ni jinsi Dkt. Ojiambo amesema. Ni kuleta Mswaada hapa ambao utatunga sheria itakayoongoza ukulima na uuzaji wa pamba. Tunaweza kujitosheleza katika nchi hii tukiwa na pamba ya kutosha. Wakati huu, pamba nyingi inayotumiwa hapa inatoka nje. Tunajua kwamba viwanda vyote vilivyokuwa vikitengeneza nguo vilianguka! Wakati huu, wakulima wanaogopa kulima pamba kwa sababu ya bei wanayoipata. Kwa hivyo, suluhisho sio tu kuleta Mswaada na kutunga sheria ambayo itaongoza ukulima na uuzaji wa pamba, bali ni sisi wenyewe tugeuze maisha yetu. Tugeuze maisha yetu kwa sababu wengi wetu wanaogopa ukulima. Wanachukulia ukulima kama "part time". Tunataka kujiandaa na kutilia maanani ukulima wa pamba.

Tutafanya hivyo kwa njia moja peke yake! Ikiwa tutapata bei ya kutosha! Lazima tuige mfano wa shirika la kustawisha majani, Kenya Tea Development Agency (KTDA). Inatakikana wanaolima pamba waimiliki pamba hiyo. Hiyo ni kusema kwamba tutamiliki pamba kutoka

kutayarisha mashamba, kutafuta mbegu, kupanda, kuvuna na kupeleka kwa kiwanda. Kiwanda kitakuwa chetu. Baada ya kusiaga ile pamba safi, itakuwa jukumu letu kutengeneza nyusi. Kutoka kwa hiyo nyusi, sisi wenyewe tutatengeneza nguo. Wakati huo, pamba ikiletwa kwa mara ya kwanza, mkulima atapata kiasi fulani cha pesa. Halafu, tutaendelea kuongeza bei na mwishowe, atakuja kupata marupurupu mengine, jinsi ambavyo wakulima wa chai wanafanya.

Tukitayarisha mashamba tukitumia majembe jinsi tunavyoona akina mama na wazee wakifanya kule mashinani, haitawezekana. Hiyo ni kwa sababu, hata ukitia bidii namna gani ukitumia jembe, huwezi ukalima ekari moja kwa siku moja! Haiwezekani! Tunataka sasa kuimarisha ukulima wetu. Hiyo ni kusema kwamba, tutatupilia mbali tabia tulizokuwa nazo zamani, za kila mtu kufanya kazi peke yake. Mama ameeleza kwamba kuna ekari zaidi ya milioni moja kule mashinani. Tunataka kuacha kukatakata mashamba. Tunataka wakulima, hata wakiwa ni 5,000, wajiunge pamoja kwa sababu, siku hizi tuna stakabadhi za mashamba. Na hiyo stakabadhi itaonyesha uko na ekari ngapi katika shirika. Lakini tukiwa pamoja, tunatumia matinga tinga kulima sehemu kubwa za kukuza pamba. Kwa hivyo, jambo la kwanza ni kufanya hivyo. Tuanze kujiunga pamoja ndiyo tutumie mbinu za kisasa za kutayarisha mashamba yetu.

Zaidi, tunataka kutilia maanani utafiti wa mbegu. Mbegu tunayotumia imekuwa hapa kwa zaidi ya miaka 60. Tunataka mbegu itakayotoa pamba nyingi. Tunataka mbegu ambayo itamea haraka na kupunguza muda wa kukuza pamba. Wakati huu, inachukua miezi mitano! Kwa nini tusifanye utafiti tuwe na pamba inayochukua miezi mitatu kukua? Ikikua kwa miezi mitatu, basi tunaweza kulima pamba mara tatu kwa mwaka. Tukilima pamba mara tatu kwa mwaka, viwanda vya pamba havitakuwa vikifanya kazi mara moja kwa mwaka. Vitakuwa vikifanya kazi mwaka mzima mfululizo. Hali hiyo itasaidia vijana wetu waajiriwe. Wakiajiriwa kazi katika mashinani, vijani watakoma kuja mijini kutafuta kazi ambazo wakikosa, wanaishi maisha mabaya na kuingilia uhalifu.

Bw. Naibu Spika wa Muda, pamba ni mmea ambao unaweza kuondoa ufukara katika nchi yetu. Mbegu ya pamba peke yake, ina mafuta tele. Inaweza kuokoa pesa nyingi ambazo tunatumia kuleta mafuta ya kutengeneza sabuni na mambo mengine. Mabaki pia yanaweza kutengenezwa kuwa chakula cha ng'ombe na mifugo wengine. Kwa hivyo, pamba ni mmea kama mnazi, ambao uko na kazi na manufaa mengi sana. Inaweza kutusaidia kuongeza idadi ya vijana wanaofanya kazi. Kwa hivyo, ni jukumu la Bunge hili kuunga mkono Hoja hii, ili tuweze kutunga sheria ambayo italeta mwongozo kwa ukulima na uuzaji wa pamba.

Kwa hao machache, naunga mkono Hoja hii.

(Question proposed)

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me an opportunity to contribute to this Motion. I start by congratulating Dr. Julia Ojiambo for being foresighted in bringing this Motion that has been long overdue.

Mr. Temporary Deputy Speaker, Sir, cotton production in this country was a major mainstay for many Kenyans. In the 1940s up to the 1970s, cotton was a major contributor to our Gross Domestic Product (GDP). It was a major source of wealth to our people. It was a major source of employment and it was a product that we were all proud of. Areas around Lake Victoria, Western Kenya and Coast Province, around Tana River, were all major cotton producers. This production eventually ground to a halt and virtually collapsed due to multiple reasons, including corruption, mismanagement and all manner of ills.

Mr. Temporary Deputy Speaker, Sir, of late, we have had the opportunity from the United

States of America (USA) under the Africa Growth Opportunity Act (AGOA) that was meant to benefit the cotton industry and this Motion seeks to, among other things, address the benefits that AGOA underlined for the cotton production. The revival of the cotton industry in this country is not something that will cost us astronomical sums of money. In fact, the requirement is very small. I do not believe that the Minister for Agriculture needs anything beyond Kshs150 to Kshs200 million to revive the industry and put it back to where it belongs.

Mr. Temporary Deputy Speazker, Sir, one of the major constraints to the cotton industry is the lack of the enabling law to assist in regulation of the industry. I do agree with hon. Dr. Ojiambo that the Cotton Act needs a total overhaul but it is not just cotton that is stifled by lack of enabling legislation. All industrial crops in this country, whether we are talking of cotton, sisal, sugar-cane and many others, do not have a proper legal framework that regulates and governs the production, processing and eventual end-user. Long gone are the days when sectors like cotton were suffering under the weight of boards that did not assist in the growth of the industry. What the Minister ought to do is to comprehensively review all the Acts that govern industrial crops like the Sisal Act, Sugar Act, Cotton Act, Tea Act and so on, so that we can have a comprehensive regulatory structure.

Mr. Temporary Deputy Speaker, Sir, one of the major constraints of cotton production in this country is the cost of inputs. Like any other crops, there are acaricides that are used for spraying the cotton buds and the fertiliser that is used for cotton production are all very expensive. The Minister has constantly told us that he has a programme of assisting Agricultural Finance Corporation (AFC) which will in turn, assist Kenya Farmers Association (KFA) to bring in farm inputs at affordable rates.

Mr. Temporary Deputy Speaker, Sir, cotton as a crop, is one of the few crops that has no waste. When you talk of cotton after production from the farms, you have the lint and cotton seed, out of which we can make oil, soap and produce cotton seed cake for animal consumption. This is one crop whose benefits far outweigh the inputs that we can put into production.

Mr. Temporary Deputy Speaker, Sir, this country used to have very productive cotton ginneries. We had Mulwanda Ginnery in Busia, Nambale Ginnery, several ginneries in Eastern and Coast provinces, Malaba-Malakisi Ginnery in Bungoma and several others in Nyanza Province but they have all collapsed. It is important that the Ministry of Agriculture, together with the Ministry of Co-operative Development and Marketing, do assist the farmers to revive these ginneries so that the farmers can truly own the means of production and generate sufficient wealth to reduce poverty.

Hand in hand with the revival of the industry, will be the increment of job opportunities. We need to create jobs, and jobs are not only created in offices, but on the farms. There are many areas where if cotton production was revived, the farmer will employ one or two other farmhands. That will reduce the unemployment problem we have in this country.

Mr. Temporary Deputy Speaker, Sir, when we talk of AGOA and if you go to the Export Processing Zones (EPZs), one sometimes wonders whether this country has any Africans with the entrepreneurial capacities like the hon. Member sitting in front of me. In all EPZs, every undertaker is either an Indian or a foreigner of sorts. I think it is high time our Government took a very deliberate policy step like it is being done in South African, to empower Kenyans of indigenous origin to take part in the economic activities and development in this country. There is hardly any Kenyan of African origin that you can go and identify at the EPZs that is involved in wealth creation and benefitting from the opportunities available from AGOA. I think it is now time the Government, through several banks in which we have equity, deliberately set aside funds to lend to African entrepreneurs so that they can be given an opportunity to fight at an equitable level with other non-indigenous Kenyan investors because investment by non-Kenyans is so fluid that overnight, they can lock up and leave. However, if we support Kenyans, we know that whatever investments they

put up, are here to stay.

Mr. Temporary Deputy Speaker, Sir, I would also like the Minister to pay attention to the issue of quality seeds. For a long time, very little research has been put into cotton production. The Kenya Agricultural Research Institute (KARI) that has done so well in maize production has totally forgotten and ignored an important crop like cotton. We need, like the Vice-President and Minister for Home Affairs said, improved seeds that would mature in two-and-a-half or three months so that the farmer can be able to grow and harvest sufficient crop to earn a decent living. We have a lot of Government land that has been taken away and I would want the Minister to take back some of this land so that it can be used for research in cotton production. If we are to talk of research in cotton production, I would want to see the research being done in areas where the crop is produced. We do not want the research to be carried out in offices and laboratories in Nairobi when, indeed, the end-user is elsewhere.

Finally, I want to urge the Minister to take sufficient steps and help the cotton farmers in Malaba and Malakisi area so that they can reclaim and have back their Malaba-Malakisi ginnery.

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

Mr. Rai: Ahsante Bw. Naibu Spika wa Muda kwa kunipa nafasi ili nami nitoe mchango wangu kwa Hoja hii.

Kwanza, ningependa kumpongeza mhe. Dkt. Ojiambo kwa kuwaza na kuona umuhimu kuwa zao hili lapswa kufufuliwa ili maisha ya watu wetu yaweze kuimarika. Nilipokuwa mtoto mdogo, zao hili lilikuwa likifanya vizuri sana katika sehemu kame za Kinango. Lilikuwa likiwasaidia watu katika maisha yao. Ni jambo la kushangaza kwamba miaka 40 baadaye, hakuna mahali popote zao hili au mbegu yake inaweza kuonekana. Ni vigumu kutambua ni wapi pamba inauzwa humu nchini. Ilikuwa ni jukumu la Serikali kujua ni sheria gani itadumishwa ili zao hili liweze kupata huduma nzuri na wenye kulikuza waweze kulikuza vilivyo ili nao wapate riziki yao.

Bw. Naibu Spika wa Muda, tunapozungumzia pamba, ni sawa na kuzungumzia nazi. Hatujui ni sheria gani ambayo inalinda mnazi wala haeleweki mnazi unafaida gani kwa mwananchi wa kawaida. Zao la pamba, mbali na kuweza kuuzwa katika masoko ya nje, mbegu yake ina manufaa mengi. Serikali inapaswa kutilia maanani zao hili ili kuwepo na sheria ya kulitunza. Kwa jinsi hiyo, zao hili litaweza kukuzwa vema nchini na hali ya maisha ya mwananchi wa kawaida itaimarika. Masoko mengi ya zao hili la pamba yameharibika kwa sababu ya ufisadi. Kulikuwa na masoko mengi ya pamba hapo mbeleni, kwa mfano, katika miaka ya 1960. Wakati huo, kulikuwa na masoko ya pamba takriban kila mahali humu nchini. Ni jambo la kushangaza kwamba baada ya miaka arobaini, hii leo hakuna soko lolote la pamba. Ni jambo la kusikitisha kwa sababu ikiwa zao hili lingezingatiwa na wakuzaji wa pamba wapewe huduma nzuri, basi pengine umaskini ungekuwa ni historia katika maisha ya baadhi ya watu wetu.

Tunapozungumzia zao hili, ni vema pia kulitaja Shirika la Mikopo ya Wakulima (AFC). Shirika hili limekumbwa na matatizo mengi kwa ajili ya ufisadi. Badala ya kuwasaidia wakulima na kujua shida zao, shirika hili limekuwa likibuni njia nyingi za hila za kuwafilisi wakulima. Kwa mfano, kulikuwepo na mashamba makubwa ambayo yalinuiwa kuendeleza ufugaji. Baadhi ya wale watu ambao walichukua mikopo katika shirika la AFC, walizoroteka na kufilisika. Ilibidi shirika hilo lianze kufuta mikopo hiyo ambayo ilikuwa imekopesha. Hali ilikuwa hivi: Mtu angekopeshwa Kshs2 milioni. Unapofika wakati wa kulipa mkopo huo, mtu huyo angerudisha Kshs1.5 milioni na pesa zilizobaki zingepatiwa watu binafsi katika shirika hilo. Tunahitaji kurekebisha sheria zetu ili swala hili la riba ya asilimia 10 lituondokee katika maisha yetu. Haiwezekani sisi kuweza kuwafanya wakulima waweze kuthibiti maisha yao na kuweza kufanya kazi bora iwapo itakuwa siku zote kila wakati mwananchi anapohitaji mkopo ili ajaribu kuinua hali ya kimaisha ya aidha ukulima wa pamba au ukulima wa aina yote ile, hata kama ni ufugaji, iwe ni lazima kuwe na

kiwango fulani cha pesa zitakazomtoka ili zirudi kwa wale maofisa wanaohusika. Ili tuweze kuteta na umaskini, kupigana nao ama kuumaliza, ni lazima sheria ziimarishwe na tuweze kujua kwamba tutakuwa na uhakika fulani wakati mkulima anapohitaji mkopo wa kumwezesha kufanya jambo fulani, aweze kusaidika na apate zile pesa anazozihitaji kulingana na makadirio na makusudio yake fulani. Kwa mfano, kama azimio langu ni kwamba nataka mkopo wa Kshs3 milioni ili nipate kueneza ukulima, na hatimaye nusu ya pesa zile zitanipotea mikononi mwangu, basi kufaulu kwangu kutakuwa ni kwa shida, kwa sababu sitaweza kukamilisha ule mradi ama ile miradi niliyokusudia kuifanya. Hatimaye, utafika wakati ninaohitajika kuanza kuulipa ule mkopo ama ile mikopo, na itakuwa dhiki.

Kama vile Dkt. Ojiambo alivyosema, kitu ambacho Hoja hii inajaribu kumulika ama kukitilia maanani ni kuihimiza Serikali ijaribu kuangalia ni sheria gani zilizo bora za kuweza kumpa mkulima wa pamba nafasi ili kwanza, aweze kujiendeleza, na pili, apate pia kufaidika kwa jambo fulani na pia kuinua hali yake ya kimaisha katika nchi hii. Hoja hii imeletwa hapa na nia yake ni njema. Tunaamini kuwa hatutakuwa na upinzani wowote kuhusu Hoja hii kutoka kwa Serikali, na kwamba Serikali itakubali Hoja hii ipite. Kitu ambacho wakati mwengine kinatutaliza ni kwamba tunazipitisha Hoja kama hizi lakini kule kutekelezwa kwa Hoja hizo pia kunakuwa ni mzigo mkubwa. Iwapo sisi tutakuwa katika Bunge hili tukitengeza sheria ambazo zitakuwa hazifanyi kazi, basi tutakuwa tunawadanganya wananchi wetu. Tutakuwa tunaleta Hoja kama hizi, tunazungumzia mambo ambayo tunajua yanaweza kuinua hali ya kimaisha ya watu wetu, na hatimaye baada ya kupitisha Hoja hizi, sheria zile zinakwenda kukaliwa. Sababu inakuwa "hatuna pesa".

Lakini ni mambo mangapi yanafanyika katika Jamhuri yetu ambayo yanahitaji vipengele vichache tu kufunguliwa ili kazi ipate kwenda sambamba? Tuko hapa kujaribu kuangalia hali ya mazingara ya maisha ya wakulima na wafugaji, na hali ya maisha ya watu wetu. Kwa sababu zao hili la pamba linapokuzwa, pia linafungua soko la kazi katika sehemu zetu tofauti. Lakini itakuwa ni jambo la kuudhi na la kusikitisha kuona kwamba sheria imeletwa hapa, imezungumzwa na kupitishwa, na hatimaye haitaweza kusaidia ama kufanya kazi yoyote katika Jamhuri yetu. Jambo kama hili linatatiza na ni afadhali tuambiwe ukweli wakati tunapopitisha Hoja kama hii kuhusu hatua gani Serikali itajitolea na kuwa tayari kutoa kiasi gani ili kuweza kuwasaidia ndugu zetu na wananchi wetu ili wakati wanapongangania ama kukazana kujua kwamba sasa soko la pamba lataka kufunguliwa, wajue kwamba wanafanya kazi ile lakini baadaye watakuwa na manufaa gani. Kuliko kuwawekea sheria nzuri za kuweza kuwalinda, halafu iwe tu twafanya kazi ambayo mwishowe haina faida yoyote. Hata zile sehemu kame kama zile sehemu za Kinango, zao la pamba lilikuwa linafanya vizuri. Nilikuwa nikiwaona kina mama wakianzisha miradi ya mashamba ya umoja ili waje pamoja kila wiki ili kulima pamba, na baadaye, kulikuwa kukija watu wakinunua pamba hiyo ili kuipeleka masokoni. Kina mama wale walikuwa wakipata pesa kutokana na mazao yao. Lakini baada ya kukorofishwa kwa soko hili, hasa kwa watu kama sisi ambao tunatoka katika sehemu kame, inakuwa tumebakia kukuza mmea wa mahindi, na iwapo pengine kiangazi kitatukabili, maisha yetu yanakuwa ya kubahatisha. Chakula hiki cha msaada wa Serikali sio cha kutegemea. Ni lazima wakulima waangaliwe kila mahali na wasaidiwe kwa kupewa mbegu na mazingara bora ya kutayarisha mashamba yao ili wapate kunufaika kutokana na mazao yao.

Bw. Naibu Spika wa Muda, ni dhiki kwa sehemu kame ambapo kiangazi kimetokea kwa muda wa zaidi ya mwaka mmoja. Hakuna maji na wananchi wanaishi maisha ya kubahatisha. Sisi tunatengeneza sheria hapa ambazo hazitekelezwi. Jambo hili linawaudhi wananchi wetu. Tunatakikana kuwaeleza kwa nini hawaoni faida ya sheria ambazo tunatunga hapa. Hoja nyingi zimepitishwa hapa, lakini hazijatekelezwa. Sijui kama Serikali ina nia gani juu ya Hoja hizi, kwa aidha kukubali ama kuleta marekebisho. Hatimaye, hazitekelezwi.

Bw. Naibu Spika wa Muda, ni lazima sisi sote tukate shauri na tujue kwamba tuko na

jukumu juu ya watu wetu katika Jamhuri hii. Pamba ilikuwa ikiajiri watu wetu na kuwasaidia kupata mapato katika maisha yao ya kila siku. Ningetaka kuomba Serikali iondoe vikwazo vingi vya sheria ambavyo vinamfina mkulima. Tunahitaji mbegu ili wakulima waweze kupanda pamba kwa wingi. Wakulima wa pamba wakipata soko la pamba yao bila vikwazo vyo vyote, maisha yao yatabadilika.

Kwa hayo machache, ninaunga mkono.

The Temporary Deputy Speaker (Mr. Poghishio): Order! At any time, we normally have the official Government position. So, I am going to ask the official Government responder to come in at this point.

The Minister for Agriculture (Mr. Kirwa): Mr. Temporary Deputy Speaker, Sir, I want to appreciate the Mover of the Motion, Dr. Ojiambo, for bringing this timely Motion. I also want to assure my colleagues that the Government is in full support of the Motion as we appreciate the enormity of the problem.

We appreciate the enormity of the problem, given the fact that 60 per cent of this country is suitable for cotton growing. It is also important to emphasise the fact that in areas where cotton has been doing well in the past, there is high incidence of poverty today. This, therefore, means that by addressing the problem of cotton, the Government will be addressing the overall problem of reduction of poverty levels for the people of Kenya. It is important to lay the foundation of the problem bedeviling the cotton industry.

In an attempt to reverse the declining trend in the sub-sector, the Government liberalised the industry in 1991 and opened up the private sector participation. The private sector agents took up the roles previously carried out by the Board, primarily the purchase and sale of pesticides and other inputs, and also, the ginning of cotton. Marketing was de-controlled and market forces determined the prices of cotton seed. This was the genesis of the problem. This sector was liberalised without the necessary institutional framework to take care of the challenges of liberalised market economy.

Mr. Temporary Deputy Speaker, Sir, some of these challenges have been lack of credit facilities to our farmers for input procurement and farm operations. The other problem has been lack of sufficient capital for ginneries to buy cotton, and also, low quality planting seed. It has also been clear that low prices of cotton and available market of the same is because of the private sector involvement. There has been high cost of production for fertilizers and chemicals. As you know, cotton needs a lot of herbicides and pesticides application. In some cases, you have to apply four times before you can get good cotton product.

There has been dumping of subsidised products into the market and also, old and obsolete ginneries that have been ginning cotton since 1902. This, therefore, means that, as Government, we have the enormous duty to reverse the trend that has existed in the last couple of years.

Mr. Temporary Deputy Speaker, Sir, the cotton policy review exercise was started in 1999. A task force was set up and a policy paper prepared. A stakeholders consultation meeting was held and the necessary recommendations forwarded to the Agricultural Committee in July, 2002. Amendments were made to the recommendations, and the draft forwarded to the Cabinet.

When we took over, the first paper I presented to the Cabinet was on cotton issues and amendments to the Act. The Cabinet studied the paper and realised that there were issues that we needed to address, so as to adequately empower cotton farmers to play a key role in the industry. This, therefore, meant that I had to look for ways of ensuring that the co-operative movement and farmers of this country were involved in the issues of production, processing and marketing of cotton. A committee was formed in July, 2003 and has already prepared a draft policy paper, taking into consideration the sentiments of the Cabinet at the time I forwarded the memo.

Mr. Temporary Deputy Speaker, Sir, I want to assure hon. Members that two weeks ago, I

went for a retreat with my senior staff to discuss two main crops, cotton and pyrethrum. I want to assure this House that as we take into consideration the AGOA initiative, we need to ensure that we have the requisite framework for us to organise our industry, so that we can meet the challenges of ensuring that the cotton we produce is used both locally and for export into the regional market. It is important for us to realise that there are many other issues that we need to deal with to ensure that our cotton farmers are able to take advantage of the AGOA initiative.

To ensure that the September 2004 deadline does not catch up with us, the Government has done the following. In the month of April, a group of stakeholders visited cotton growing districts to sensitise farmers, farmers groups and other organisations on the need to grow the crop. These groups are associated with the ginneries and will be the channels of credit provision to farmers in some cases. Steps have also been taken to enter into contractual agreements with ginners, so as to facilitate cotton seed buying and credit provision. The Ministry has already prepared its estimates for the next financial year, 2004/2005; Kshs130 million will be channelled to farmers through the AFC for acquisition of chemicals and other inputs. This will ensure that we assist the farmers of this country to realise their potential. The AFC loan will also assist the farmers to buy seed cotton, and thus encourage them to plant more cotton at the same time. The farmers are also in the process of forming a Kenya Cotton Growers Association, which will liaise with the Kenya Cotton Ginners Association to address some of the issues not addressed directly by the Ministry or any other stakeholder.

Mr. Temporary Deputy Speaker, Sir, it is also important for me to emphasise that we, as a Government, are clearly focused on the issue of research as far as varieties are concerned, both in terms of the ability to resist certain diseases and pests, and also early maturing. We feel, as a Government that we have enormous responsibility to ensure that the farmers of this country get the best out of their effort. Under the agricultural productivity project, we have set aside Kshs4 billion, which shall be used to ensure that there is an effective linkage between research, production, processing and marketing of all agricultural produce.

Back to the issue of the Act, I do agree that the Act needs a lot of amending and restructuring, so as to focus on the current trends. I would like to support all the initiatives from Members of Parliament, specifically the initiative as far as this issue is concerned. Just to respond to a few sentiments raised by hon. Members, we are not looking at cotton alone. We are looking at the entire legislative regime under the Ministry. As you know, the Ministry is governed by 65 pieces of legislation which, at times, are at conflict with each other. We are seriously thinking of revitalising the agricultural sector and clustering some of these pieces of legislation into various components. For example, all industrial crops can come under a simple legislative framework, so that all of them, sugar, pyrethrum, cotton and any other crop, are governed by a legislative framework that is clear and easy to administer.

We are also looking at food crops so that we can also put them under one common legislative framework. We are also looking at the review of the Agriculture Act, because it has been in existence for the last 102 years. We feel that if we get the support of this House, given the calendar of Parliament, and the fact that this House has enormous work to do during the year, we will be focused on ensuring that all these things are done in the next couple of months.

If I were to give the necessary legislative framework to the Ministry of Agriculture and did nothing else for the time I will be the Minister, I would be proud because the person who takes over from me would be able to implement Government policies and programmes without a lot of hindrance.

With those few remarks, I beg to support.

Mr. Wario: Ahsante, Bw. Naibu Spika wa Muda, kwa fursa ambayo umenipa niweze

kuichangia Hoja iliyo mbele yetu. Singependa kusahau kutoa shukrani kwa Dr. Ojiambo kwa kuwakumbuka Wakenya waliosahaulika, na kwa kudhihirisha dhuluma waliyofanyiwa wakulima wa pamba katika nchi ya Kenya. Ningependa kumshukuru na kumhakikishia kwamba tutasaidiana na yeye ili haki ya wanyonge waliosahaulika iweze kutambulika.

Iwapo ungechukuwa fursa kuangalia mavazi mazuri ambayo Wabunge wamevaa katika Bunge hili na kisha ujulize mavazi haya yalitoka kwa pamba ya nchi gani, basi ungejua kuwa wakulima wa Bura hawangelala njaa iwapo mavazi haya yote yangetoka kwa pamba ya Wakenya katika nchi hii. Nasikitika kwa sababu mavazi haya mazuri yameletwa kutoka nchi za nje na huku tukidhalilisha wakulima wetu.

Bw. Naibu Spika wa Muda, wakati huu ninapozungumza, zao hili la pamba ni kama popo; si ndege au mnyama. Sehemu moja ya zao hili inasimamiwa na Wizara ya Kilimo, nyingine inasimamiwa na Wizara ya Maji, na ya tatu inasimamiwa na Wizara ya Vyama vya Ushirika na Uuzaji. Wakati umefika wa ukulima wa pamba kusimamiwa na Wizara moja. Kama Serikali hii itatenga pesa kwa minajili ya kuendeleza miradi ya ukuzaji wa pamba, ni lazima pesa hizo zisimamiwe na Wizara moja. Hatutaki ukulima wa pamba uwe chini ya Wizara ya Kilimo; usimamizi wake uwe chini ya Wizara ya Ushirika, na unyunyuzaji wa maji chini ya Wizara ya Maji. Tukifanya hivyo, basi tutakuwa tukiendeleza dhuluma iliyokuwepo hapo mbeleni. Tunataka uongozi mwafaka na msimamo mmoja; ukulima wa pamba uwe chini ya Wizara moja. Si jambo la busara kuweka ukulima wa pamba chini ya Wizara tatu. Hili si suluhisho kwa wakulima wa zao hili.

Bw. Naibu Spika wa Muda, kwa mfano, mradi wa unyunyuzaji maji wa Bura ulikuwa unatoa asilimia 40 ya pamba katika nchi hii. Leo, hakuna ishara ya ukuzaji wa pamba katika sehemu hiyo. Ukiuliza kuhusu ukulima wa pamba, unaambiwa uulize hizo Wizara tatu. Juzi nilipozuru makao makuu ya Wizara ya Maji, nilisikitika kumuona mhandisi mmoja aliyehitimu katika masomo ya maji amefanywa msimamizi wa ukulima wa pamba katika Mradi wa Bura. Hili ni jambo la kusikitisha. Sasa tunataka kubuniwe halmashauri itakayosimimia zao hili kuanzia upandaji, uzalishaji hadi uuzaji.

Bw. Naibu Spika wa Muda, bado ninasikitika kuwa asilimia 60 ya wa Kenya ni maskini hohe hahe. Hawajimudu na hata hawawezi kupata chakula mara tatu kwa siku. Iwapo tungekuwa na zao hili, basi hali ya wananchi wetu ingekuwa bora. Hii ni sababu moja yangu ya kuiunga mkono Hoja hii ili tuboreshe maisha ya wananchi wetu. Juzi nilitazama kipindi kimoja katika runinga ya Kenya Television Network (KTN) kuhusu kijana mmoja aliyefuzu chuo kikuku na kupata shahada ya kilimo. Jambo la kuhuzunisha ni kwamba alikuwa akifanya kazi ya kuendesha baiskeli za *boda boda*. Hii ni thibitisho tosha kwamba hakuna nafasi za kazi katika nchi hii. Asilimia 60 ya wananchi wetu wanaostahili kuajiriwa hawapati nafasi za kazi. Kama mradi wa Bura ungefufuliwa, basi kesho tumgemwalika yule kijana wa shahada ya kilimo kuusimamia. Ufufuzi wa ukulima wa pamba nchini utaongeza nafasi za kazi na hata kusitiri aibu inayoikumba Serikali ya NARC. Serikali hii iliwaahidi wananchi wetu kwamba itaunda nafasi za kazi 500,000 kila mwaka, lakini tunajua hata zile chache zinaendelea kupunguka. Kama wangepufua mradi huu, aibu hiyo ingefichika.

Bw. Naibu Spika wa Muda, namshukuru Waziri kwa kuunga mkono Hoja hii. Aliahidi kwamba atatoa mkopo wa Kshs130 milioni. Kile kifungu cha pesa kutoka Shirika la Mikopo la Wakulima, (AFC) hakijafika katika sehemu kame za nchi hii. Ningemhimiza Waziri mara hii aangalie sehemu hizi kame. Ningetaka pia kumweleza kwamba pesa hizo haizitoshi; ni chache sana. Ningemwuliza aongeze pesa hizo ili ukulima wa zao hili uimarike.

Bw. Naibu Spika wa Muda, leo, kama nilivyosema hapo awali, asilimia 80 ya pamba tunayotumia kutengeneza nguo inaletwa kutoka nchi za nje. Hali hiyo imedhalilisha na kudhulumu wakulima wa pamba katika nchi ya Kenya. Hiyo ni aibu kubwa! Ikiwa hatuwezi kufufua miradi ya pamba katika nchi hii, na kuwaacha watu wetu wakiangamia, huku tukiwasaidia wawekezaji kutoka

nchi za nje kuja kufanya biashara katika nchi yetu, aibu hiyo itaendelea!

Bw. Naibu Spika wa Muda, ni jambo gani lilichangia kuanguka kwa mashamba ya pamba katika nchi ya Kenya? Sababu kubwa ilikuwa ufisadi. Ufisadi ulitanda ili watu wachache waweze kufanya biashara ya mitumba, wakishirikiana na maafisa kule nyanjani. Walihakikisha zao la pamba halina fursa ya kumea katika nchi ya Kenya. Ufisadi na usimamizi mbaya unaendelea hadi leo! Ikiwa Waziri na Wizara yake hatashughulikia maswala hayo, basi zao la pamba litakuwa katika kaburi la sahu.

Bw. Naibu Spika wa Muda, utafiti uliofanywa ulidhihirisha kwamba asilimia 80 ya Kenya ni sehemu kame. Pamba hunawiri sana katika sehemu hizo. Thibitisho ni kwamba Bura irrigation Scheme inatoka katika sehemu kame. Kwa kutumia mbinu ya kunyunyizia maji mashamba, mradi huo ulitoa asilimia 40 ya pamba hapa nchini. Leo, tunasema kwamba zaidi ya asilimia 60 ya Wakenya ni maskini wasioweza kujimudu. Asilimia 80 ya ardhi inalala bila matumizi maalum. Iwapo Serikali inafikiria maslahi na maisha ya watu wake, ingeshughulikia sehemu hizo. Siyo tu kwenda kupiga debe kisiasa! Serikali ikifanya hivyo, itaboresha maisha ya Wakenya. Hizo ndizo sehemu ambazo Serikali ingeweka rasilimali zake kuboresha uzalishaji, na kutoa nafasi zaidi za kazi kwa Wakenya.

Bw. Naibu Spika wa Muda, Africa Growth and Opportunity Act (AGOA) imetoa Kshs13,200,000,000. Kati ya hizo pesa, asilimia 2 tu ndio ilikuja Kenya. Kwa nini? Kwa sababu hakuna yule anayeshughulikia zao la pamba katika nchi ya Kenya. Hiyo ndio sababu tunakosa fursa hiyo. Kuna pesa mbichi hapa! Lakini pesa hizo haziwezi kuwanufaisha Wakenya kwa sababu Serikali haijaweka sera au sheria ambayo itatuwezesha kunufaika na hizo pesa kutoka kwa AGOA.

Bw. Naibu Spika wa Muda, Waziri yuko na sisi hapa. Mradi wa kilimo wa Bura ulisambaratika miaka kumi iliyopita. Wakulima maskini hawana chochote cha kutegemea katika maisha yao. Leo, wao wanategemea *famine relief*. Katika hali hiyo, wakulima hao bado wanadaiwa pesa baada ya mradi wao kusambaratika miaka kumi iliyopita! Namwomba Waziri, kwa sababu ya utu, ubinadamu na huruma, awasamehe wale wakulima. Wenyewe hawana tegemeo katika maisha na bado wanadaiwa pesa! Bw. Waziri, kwa niaba ya watu wa Bura, nakuomba uwasamehe watu hao deni hilo.

Bw. Naibu Spika wa Muda, ikiwa viwanda vyote vinavyohusiana na pamba vitafunguliwa katika nchi ya Kenya, kama nilivyosema hapo awali, na walivyosema wengi, nafasi za kazi zitaongezeka maradufu! Mambo ya uwekezaji na uboreshaji wa uchumi--- Natoka katika sehemu kame ambayo tegemeo lake ni mifugo peke yake. Iwapo tungesaidiwa, kwa sababu ya ukame na maradhi ya mifugo--- Maisha ya kutegemea mifugo hayawezi kufaulu. Iwapo wafugaji wa sehemu hiyo wangepunzwa na kuwezesha kulima zao la pamba au mimea yoyote, bila shaka umaskini unayoyakumba maisha yao utaenda chini kidogo.

Kwa hayo machache, naomba kuunga mkono Hoja hii.

Eng. Okundi: Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion. In doing so, I wish to congratulate hon. Dr. Ojiambo for introducing this very important Motion for the benefit of our economy.

I feel that we have got to understand the background very clearly, before we legislate on the issue of the collapse of the cotton industry in this country. Cotton, as a crop, has enormous value to our soils. We know that about 80 per cent of Kenya is marginal land. Cotton does not only grow, but actually introduces fertility to the soil. So, the requirement for fertiliser to grow cotton is very little. In fact, in many parts of the country where cotton is grown, we really do not use fertiliser, which we know is a major cost component in our imports into this country.

We know that in order to grow successful cotton, we need herbicides in order to kill the worms that attack the cotton seed itself when it is growing. But even in that area, Kenya is

importing these herbicides. In the neighbouring countries like Uganda and Tanzania, the cost of these insecticides is much lower than it is here, yet the same pharmaceutical companies which supply these pesticides are the same ones that sell them in the neighbouring countries.

It is very surprising that this cotton, which is a crop that is capable of supporting most of our population; most of our votes that we require to form a government, come from these people. Yet, this sector has collapsed and very little has come from our Government to support it.

I see that the Government did a lot to revive the tea sector with amendment of the Tea Act. The Government did the same in coffee, pyrethrum and to some extent, in sugar. But so much effort has been put in place by the stakeholders to revive the cotton industry. So many workshops and seminars have been held and reports have gone. As the hon. has said, he is taking note that actually activities are taking place to revive this sector, but no real quantum steps have taken place to revive the cotton sector. To me, this is something that is not good for our Government.

When we talk of the Africa Growth and Opportunity Act (AGOA), we should understand what it is. AGOA was started three years ago. It was started with the aim of introducing cheap exports to the American market for our countries so that we could lift the sectors that produce those types of exports. In the cotton sector, the American market does not accept the cotton lint as such, because cotton is a major crop in the evolution and formation of the American economy. They can only help you in areas that are related to it, which is, in this particular case, apparel; which means we have to produce the cotton, gin it, produce lint and then lint is used to manufacture textiles and textiles can now access the American market. This is spelt out in the AGOA agreement.

But when other countries, which are successful in supporting the cotton sector in their own countries, saw this opportunity rise, they rushed to our country and then, they said, now for the first time, all our Export Processing Zones (EPZs) are full of activity, employing our people and processing cotton and producing textiles. These textiles were not from our cotton. In fact, the negative effect was that we did not need to produce cotton here in order to sell something to the Africa Growth Opportunity Act (AGOA). Fortunately, the AGOA specifies that you must produce the product from your own country. By January next year, we are faced with a sad event. We might not be able to benefit from AGOA as a country because the agreement ends at that time, yet we have not prepared the sector in order to benefit from it.

Some three years ago, the Government worked on the Poverty Reduction Strategy Paper (PRSP). This Paper spelt out specific areas in which the Government must put strategic steps in order to reduce poverty in this country. One of this is cotton, and many areas were listed. In Homa Bay District, particularly Rangwe Constituency, the poverty level is 63 per cent. The medicine for that would be to produce cotton. I feel that in order to implement the PRSP Paper, we must come out with very strategic steps in order to handle the battle towards reducing poverty from our people. Cotton is a key aspect in this particular area.

We should not worry about what has happened, but must look ahead. We know that ginneries have collapsed, the sector collapsed and we even know the reasons for this. In fact, it is because of corruption in this country and it has been said very well by the previous hon. Member who spoke. So many things have happened not only in the cotton sector, but also in the other sectors. What is now necessary is for the Government to take bold actions, particularly in the cotton sector. It is extremely urgent for the Government to own this Bill. I would put it the other way; this Bill should be owned by the Government and brought in here, spelling out specific steps so that we can revive the sector.

It is not enough just to say that we want to revise the Cotton Act. There is a Cotton Act, but we need a specific authority which will co-ordinate all activities towards reviving cotton and managing it. In neighbouring countries like Uganda and other East Africa countries, they actually

reviewed the sector a few years back. They produced the Cotton Development Agency. This is the agency now which looks into seed distribution, research and finding markets for farmers. They also produce the value and market prices on a daily basis so that farmers are linked to this data bank on a daily basis, and then they know what they have to do.

Cotton is such an important crop. If you go to Australia, Pakistan, India and most of our African countries, particularly Egypt, which is now a major player in the COMESA market, the main product coming out of those places is cotton. The time is now ripe for this country to take on this thing and be able to produce the necessary instruments which can revive the sector as a matter of great urgency.

Cotton is a very cheap crop to grow. Sometime back we were able to produce over 140,000 bales, but now we are producing only something like 20,000 bales or less per year, which is ridiculous for an economy as large as Kenya.

Mr. Temporary Deputy Speaker, Sir, as we support this Bill, I wish to make a proposal that the Minister for Agriculture should speed up and produce the Bill that not only revives the current Cotton Act, but also introduces a Bill for the Cotton Development Agency or Corporation, to push for the revival of the sector.

With those few remarks, I beg to support.

Mr. Omingo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to support this very important Motion. It is intended to alleviate poverty amongst Kenyans, who have been ripped of their sweat by machinations of the powers that be in the past, and it is about to start rearing its ugly head in the current Government.

Mr. Temporary Deputy Speaker, Sir, I am impressed by the fact that the Minister and the Seconder of the Motion are Members of the Government. That alludes to the fact that this Motion will see the light of the day. We all know that most Private Members' Motions have been gathering dust in the archives. It has been easy for this House to pass them, but they are never implemented. I am impressed that the Minister has owned this Motion, and that the Vice-President and Minister for Home Affairs has spoken in its favour.

Having said that, as much as we keep on increasing the Private Members' Motions gathering dust in the archives, as hon. Members, we should establish an Implementation Committee, which will ensure that Private Members' Motions are implemented.

Mr. Temporary Deputy Speaker, Sir, under the Africa Growth and Opportunity Act (AGOA), the Government of the United States of America (USA) has set a target for Kenya of achieving sufficient cotton production from the local producers by September, 2004. Even if we had done fantastic research, I am not convinced whether we can grow sufficient cotton in a spell of these few months left. It appears that we might lose that quota, unless the Governments renegotiates with the Government of the USA for an extension of time to realise that objective.

An hon. Member who contributed to this Motion said that the cotton sub-sector collapsed ten years ago. It is slightly over ten years since the Cotton Act was enacted. That shows that the Act was not well-intentioned. I have had an occasion to look at it; it is a bad law. The Act talks about regulations, controls, monitoring, pricing, *et cetera*. It does not talk about marketing or renovation or research; Section 5 of the Act. Therefore, this Motion is timely. It is important that Kenyans also realise that some of the laws were put in place to benefit a few individuals.

Section 8 of the Cotton Act gives a blanket amnesty to somebody who is acting in good faith on behalf of the Board, to go scot-free even if he stole money. Really, blanket amnesty for anybody who conducts himself irresponsibly, but hangs on the good faith provision! Most of these Boards were not created to facilitate research, marketing and ensure subsidy in terms of crop input, but they were put there to reward the "good boys" and "good girls" of the previous regime.

For instance, Section 11 provides that the remuneration was to be determined by the Minister for Agriculture, and that reimbursement was to be given "reasonably" to somebody who has travelled in the course of business. People looted. That is why the cotton sector died. It is high time that we stood up to be counted. Kenyans have been impoverished. We have become a *mitumba* nation to the extent that we had *mitumba* cars. We now have *mitumba* clothes. Amazingly, about a month ago, there was a company within the Export Processing Zones (EPZ) being licensed to clean dirty clothes for export. They actually created only 58 jobs and the essence was to import clothes. In fact, it is amazing to learn that part of the items they are cleaning are underpants. Just imagine a company licensed to clean, package and export underpants! That is happening. We must stand up to be counted as hon. Members of Parliament. It is criminal. We must stop this business. Even if it means bringing Kenyans to that kind of lower or lesser beings, we must say "no" to some items. The culprits who pushed us this far had a deliberate---

The Minister for Agriculture (Mr. Kirwa): Mr. Temporary Deputy Speaker, Sir, I rise on a point of order on a serious allegation made by the hon. colleague about a certain company licensed to clean garments. As is the procedure of this House, when there are certain serious allegations, there is need for substantiation. This is because some of these allegations send a wrong image about this country. Could the hon. Member tell us the name of the company that is licensed to clean dirty underpants?

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, second-hand clothes include everything, unless, maybe, the definition of the word "second-hand" does not mean all that I am saying. Maybe, I could use the words "second-hand textiles."

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. Omingo! Nobody put you where you are now. So, you need to get yourself out of it.

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, I will bring to the Floor of the House the details of what I am talking about. However, I do not have them now. So, for the time being, I withdraw the allegation, but the Minister also knows that they have licensed a company to do that kind of work. It is a fact! I withdraw, but I will unleash the bombshell when the right time comes because it is happening. The message is already passed.

Mr. Temporary Deputy Speaker, Sir, it is not only the cotton sector that is suffering under the mismanagement; it is all the industrial crops, including pyrethrum. I am glad the Minister has talked about pyrethrum being looked after. Let us not create an environment where we are going to reward our people for purposes of political expediency. As I said, the law is a bad law. It was actually meant to impoverish Kenyans and it did so exactly. Things never moved again upon the commencement of this law. The industry did collapse and it was a way of actually pushing Kenyans into abject poverty so that the Government could govern them through bribery and manipulation.

Mr. Temporary Deputy Speaker, Sir, the cotton industry requires revitalisation. As I said earlier on, it is not enough to come up with a legislation. What is important enough is to go beyond legislation and implement it. Part of the system here is that we have had clothes in the shelves that have actually not been taken care of well. A total of 80 per cent of Kenyans are living below the poverty line and 60 per cent are jobless. Kenyans are ready to work and they have always worked hard. When we look at the kind of chronology of events of our development, it reflects very badly on us that KICOMI, at one time, was a big exporter of textiles for suit materials to the United Kingdom (UK) and the United States of America. Today, KICOMI is no more, and this was actually done deliberately for the purpose of enhancing the *mitumba* business, including what we have just heard a while ago. People actually had to bring in the *mitumba*, make money out the business and deliberately suffocate the cotton industry that feeds majority of Kenyans.

Mr. Temporary Deputy Speaker, Sir, if we must actually leave, as hon. Members of this

House, let us leave Kenya a better place than we found it. Even the children are suffering because their parents cannot afford a meal a day. I keep wondering how we managed our finances and industries to the extent that we pushed our people into abject poverty. The Government cannot fight HIV/AIDS effectively, if the people are malnourished. Part of the problem of high prevalence in the rate of HIV/AIDS is because people are poor and cannot afford three meals a day. You cannot cover yourself with warm cotton clothing from Kenya when you are malnourished, and you die before your time comes if you contract pneumonia.

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

(Mr. Sambu stood up in his place)

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Sambu, are you the official Opposition Respondent?

Mr. Sambu: Yes, Mr. Temporary Deputy Speaker, Sir.

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

(Several hon. Members stood up in their places)

Order, hon. Members! Mr. Sambu is the spokesman on matters related to Agriculture from this side of the House.

Mr. Sambu: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this Motion not because I am the spokesman on matters related to agriculture from the Opposition side, but because I previously worked in the co-operative sector before this Act was enacted in the early 1980s. I lived and worked in areas where cotton was grown and people earned their livelihood from this crop. People earned a living from the ginneries which were established in Western Province.

We passed this Act which brought so many problems and made many ginneries collapse. Many ginneries went under because the co-operatives and the Cotton Lint and Seed Marketing Board (CLSMB) were mismanaged, or allowed the ginneries to be mismanaged. Many of those ginneries were sold for almost nothing. So, I support this Motion which states that the House grants leave to introduce a Bill for an Act of Parliament to amend, or in fact, overhaul this Act.

I support this Motion because all the ginneries in western Kenya and other areas of the country which produced cotton---

Cotton is a crop which can eliminate poverty within a very short time. This is because this crop takes a very short period to grow. We only need an authority to help the farmer in the provision of pesticides. I heard an hon. Member say that cotton is an easy crop to grow. I agree that it is easy to grow this crop, but we have to have an organised authority to provide the required pesticides. The insects love the cotton ball when the crop is about two-and-half months old. The crop requires different types of insecticides to control the insects during that period. But who was there to provide the insecticides? There was nobody. The CLSMB only took money from the sale of cotton. It bought high grade cotton called "AR" at about Kshs2 a kilogramme. This is the case, and yet from other places, you can hardly get a kilogramme of cotton going for that much.

Mr. Temporary Deputy Speaker, Sir, we have to re-introduce cotton growing in this country. We can provide pesticides to the farmers. We can provide seeds to the farmers. We can even give them money for preparing the fields. This nation has to come out of the poverty that it is in. We keep on saying that we have got a certain percentage of economic growth. This is not there. If we want to have economic growth, we must adopt crops which affect many Kenyans, and cotton is one of them. Cotton growing is not restricted to some areas. It does well in most of the lowlands, but

nobody in the Ministry of Agriculture or the Government is making any efforts to increase the areas where cotton is grown.

Mr. Temporary Deputy Speaker, Sir, we need to have an authority. My view is that, we should not only repeal the Act, but we should form a cotton authority controlled by the stakeholders. The problem with the Cotton Lint and Seed Marketing Board was that it was controlled by people appointed by the Government. They did what they did, and that is why the ginneries went under. Therefore, we have to make up our minds to allow the Mover to be granted leave to introduce the Bill amending or repealing this Act, and bringing in an Act where the cotton authority should be the main player. That authority should be controlled by the stakeholders.

Mr. Temporary Deputy Speaker, Sir, while we look at the African Growth and Opportunity Act (AGOA), we should know that presently, the raw materials that are used in our factories are imported, yet our factories went under with the machineries intact. If you go to Rift Valley Textiles (Rivatex) or Kisumu Cotton Mills (KICOMI), the machineries are intact. I know that the machines are not used. They are a bit rusty, but they can be revived. I think that authority can help to revive those industries, which are still there. I come from Eldoret Town and I know that when Rivatex went down, over 3,000 direct jobs were lost. If each job supported a family of five, that is about 15,000 people who remained without a living. So, those industries are there. There is KICOMI in Kisumu, and Rivatex in Eldoret. There are many others, yet, we are bringing in materials from abroad to come and make the apparels which go into AGOA. We have to be sincere to ourselves and say that enough is enough! We have to start fabricating our own textile materials using our existing factories.

Mr. Temporary Deputy Speaker, we have to make up our minds as well, when that Act is amended, to grow a lot of cotton. Many countries are now growing cotton using the genetically modified technology. I do not know why we are afraid to use cotton from that technology. That is because cotton is not edible! I know that we crush the cotton seed for oil, but really---

Capt. Nakitare: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to tell us that introducing genetically modified technology will only affect the crop but not the soil, when we know that genetically engineered viruses start from the soil? It pollutes the soil and endangers people's lives.

The Temporary Deputy Speaker (Mr. Poghisio): Capt. Nakitare, that is an argument!

Mr. Sambu, please, proceed!

Mr. Temporary Deputy Speaker, Sir, that is an argument. Yes, I know he is a military man and an aircraft pilot. I do not disclaim that, but I am an agriculturalist and I know that the soils are not affected by a GM crop or by an ordinary crop. The only thing that we fear when we adopt the GM crop is---

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Sambu! What is this GM you are talking about?

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, in expanding the productivity of a crop, we sometimes need to genetically modify its genes. Therefore, GM stands for genetically modified. We modify the genes so that it produces more. It is like when we develop the hybrid crops; we cross one variety with one variety and create a crop which produces more. However, what we know is that the genetically modified crops will not affect our soils. If there is fear that the edible oil out of it may be harmful, this has been tested scientifically in many countries and found it is not harmful. In fact, India will overwhelm us if we do not move over to the genetically modified cotton crop.

Mr. Temporary Deputy Speaker, Sir, I am not saying we should use genetically modified varieties for other things like maize. No! However, we should use such varieties specifically for cotton, particularly for weaving of cloth. I see no reason why we should not adopt it because those

are highly productive varieties of cotton. The problem we had with cotton previously or even what we still have today is that these crops are low-yielding and the farmers get discouraged because the returns are very low. So, I would say that the Ministry should make up its mind and first allow the Mover of the Motion to allow us to amend the Cotton Act.

Mr. Temporary Deputy Speaker, Sir, secondly, let us closely see if genetically modified crops will not help us. Thirdly, we have to find ways and means of reviving our factories so that we produce our cotton textile cheaply because if we do not produce textiles and rely on imported ones, then the AGOA people will say, "They have lost", since all the textile apparel we must send to America must come from the locally-grown cotton.

Mr. Temporary Deputy Speaker, Sir, I support.

ADJOURNMENT

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

The House rose at 12.30 a.m.