

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 5th August, 2009

The House met at 2.30 p.m.

*[The Temporary Deputy Speaker
(Mr. Imanyara) in the Chair]*

PRAYERS

PAPERS LAID

The following Papers were laid:-

Report of the Departmental Committee on Transport, Public Works and Housing on examination of Fiscal Year 2009/2010 Estimates for the following Votes:-

- Vote 14 – Ministry of Transport;
- Vote 59 – Ministry of Public Works;
- Vote 13 – Ministry of Roads;
- Vote 44 – Ministry of Housing.

(By Mr. I.M. Muoki)

Report of the Departmental Committee on Defence and Foreign Relations on the scrutiny of the Annual Estimates for the Financial Year 2009/2010 for the following Ministries:-

- Vote 08 – Ministry of State for Defence;
- Vote 45 – National Security Intelligence Service;
- Vote 24 – Ministry of East African Community;
- Vote 20 – Ministry of Foreign Affairs.

(By Mr. Keynan)

Report of the Parliamentary Budgetary Committee on examination of the micro-economic issues influencing the 2009/2010 Budget as well as the Estimates of the 2009/2010 for the following Votes:-

- Vote 29 – The Kenya National Assembly;
- Vote 28 – The Kenya National Audit Office.

(By Mr. Mbai)

QUESTION BY PRIVATE NOTICE

OCCUPATION OF NADAPAL BORDER POINT BY SUDANESE SOLDIERS

Dr. Eseli: Mr. Speaker, Sir, I beg to ask the Minister of State for Defence the following Question by Private Notice.

(a) Could the Minister confirm that Sudanese soldiers are currently occupying parts of Kenya territory and explain the circumstances under which they recently stopped the Minister for Immigration and Registration of Persons from accessing the Kenya border with Sudan?

(b) What urgent measures is the Minister taking to ensure the Sudanese soldiers vacate the Nadapal border point, which is one kilometre into Kenya territory?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I request that the Question be answered on the second round.

The Temporary Deputy Speaker (Mr. Imanyara): Dr. Eseli, we will come back to that Question.

ORAL ANSWERS TO QUESTIONS

Question No.126

TERMINAL DUES FOR KENYAN EMPLOYEES OF DEFUNCT EAC

Mr. Yakub asked the Deputy Prime Minister and Minister for Finance:-

(a) what became of the country's entitlement in the defunct East African Community (EAC) as well as the terminal dues of the Kenyan employees in the Community;

(b) how much the British Government paid as terminal benefits for Kenyans working for the defunct Community;

(c) who the recipients are, amount paid and dates of payment to all former employees of the Corporations of the defunct EAC, among them the East African Harbours and Cargo Handling Services, the East African External Communications, the East African General Funds Services, the East African Customs, the East Africa Railways, the East African Airways, the East African Harbour and the East African Post and Telecommunications; and,

(d) what medium is used to communicate to all the former employees or their beneficiaries about the payment of their terminal dues.

The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government (Mr. Nguyai): Mr. Temporary Deputy Speaker, Sir, on behalf of the Deputy Prime Minister and Minister for Finance, I beg to reply.

(a) Kenya's entitlement in the defunct EAC is provided for in the East African Community Mediation Agreement Act, Cap.4 of the Laws of Kenya. The Act stipulated how the assets and liabilities of EAC were to be divided between the three countries, and how the employees of EAC were to be compensated for their service. Kenyan officers who served under the Community were given two options with regard to their terminal dues, namely:-

(i) To retire from the EAC on the re-organization or abolition of service and be paid their benefits immediately; or,

(ii) To join the Kenyan Government and State corporations and be paid their benefits on retirement at normal retirement age of 55 years.

Officers who opted to retire immediately upon the dissolution of EAC were paid their retirement benefits on 30th June, 1977. Those who took the second option continue to be paid their retirement benefits in full from the date they joined the EAC to the date of retirement from the Kenyan Government or State corporations. In addition, some members who had contributed to the East African Provident Fund and the National Social Security Fund are paid as they leave service based on their contribution records, which are extracted from the Arusha, EAC Registry for the purpose.

(b) The British Government paid £21,841,427 as terminal benefits for Kenyans who worked in the defunct EAC. I assure this House that the money was paid and continuous to be paid to the deserving former employees of EAC.

The money was paid as per agreed division to the three Governments of Kenya, Uganda and Tanzania. The Government of Kenya received 42 per cent of the money, which is held in a deposit account at the Treasury, entitled the East African Community Fund. The balance in the Fund as at 31st May, 2009, was Kshs488,931,501.65.

(c) With regard to part "c" of the Question, I hereby wish to table two schedules that clearly indicate the recipients, the amount paid and the date of payment for the officers who were absorbed into the Kenyan Government Civil Service, and those who did not opt to join the Civil Service or whose offices were abolished.

(Mr. Nguyai laid the documents on the Table)

(d) All ex-EAC employees who forwarded their claims were paid their benefits in full, and they were informed of those payments through their respective pay points that they provided. They were also issued with advice letters detailing them the amount of gratuity and accrued monthly arrears.

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, first of all, I wish to thank the Assistant Minister. For the first time in this Ministry, after 25 years, he has acknowledged that they received £21,841,427. However, he has contradicted himself several times in his answer. In Part (a) of his answer, the second paragraph, he has said that officers who opted to retire immediately upon the dissolution of the EAC were paid their retirement benefits as at 30th June, 1977. That is not possible because the amount which he has mentioned was received by the Government in 1984. In Part (b) in the second paragraph,

the Government has acknowledged that the balance in the East African Community Fund as at 31st May, 2009, was Kshs488,931,501.65.

The Assistant Minister has tabled a list of the names of the recipients, which I wish to seek your indulgence to have some time to go through. Which criterion was used, which took 25 years, to pay the officers shown in the schedules that the Assistant Minister has tabled? Why is the balance still in the Government coffers?

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, first and foremost, it is not a contradiction. In 1977, that is when the retirement benefits were calculated. The officers might have probably been paid later, but the calculations were done in 1977.

The criterion which was used to pay the retirement benefits - and that is the reason why there is a balance--- I will probably investigate further. The reason is that payments were made in British Pound Sterling and that currency has appreciated dramatically. Probably, there are a few others who have not been paid. However, there will still be a balance because in 1977, the Sterling Pound was at Kshs21.

The Temporary Deputy Speaker (Mr. Imanyara): Order! Assistant Minister, you cannot, in an answer to a Question, say "probably". If you are giving an answer, you must be able to give an answer.

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, that figure is affected by the exchange rate fluctuations.

Mr. Mungatana: Mr. Temporary Deputy Speaker, Sir, many workers of the defunct EAC were from the Coast. Many of them are old people who have now retired. I am concerned about the Kshs488 million that is still remaining at the Treasury. There is a report that was circulated and it showed that over Kshs2 billion remains for retirees or people who need to claim money from the Treasury or the National Social Security Fund (NSSF), and are not able to access the money.

What is the Assistant Minister doing, pro-actively, to get to those people, so that they can get that money, instead of keeping it at the Treasury?

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, it is true that we have substantial funds not only in the EAC, but also in other retirement funds that are in the suspense account because we cannot find the beneficiaries. We will try and use all the channels available, even if it means advertising in the newspapers. We will also use the administrative process. I would also urge anybody who is aware of people who have not been paid to quickly come forward, and we will expedite their payments.

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, there is a group of employees who the Minister has forgotten to mention. Those are the employees of the former East African Airways who opted to join the new Kenya Airways as new employees. Their terminal benefits including the loss of job payment and provident fund was left with the Government. In 1984, the ground agents of Britain paid Kshs32 billion to Kenya, Tanzania and Uganda. This money was put under the control of the East African Community. Tanzania went ahead and paid her people. Mr. Kimunya sent a team to Arusha to find out how Tanzania had paid the former East African Airways staff. They found that the Tanzanians had been paid Kshs17.53 million as compound interest. Kimunya decided that the same may apply to Kenya. When will the Assistant Minister implement the decision of Mr. Kimunya that these people who worked formerly with the East African Airways are paid, including my brother Muteshi Ayisi Mulema and my cousin Murema?

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, obviously that is additional information. The majority of the ex-East African Airways employees were paid their terminal benefits. Continuation benefits were accrued and paid as they continued to retire. With this additional information, I will provide the specifics.

Mr. Olago: Mr. Temporary Deputy Speaker, Sir, the issue of delayed or non-payment of dues to ex-staff of the East African Community is causing a lot of concern to a lot of people. My learned friend, Mr. Mungatana, could be right in saying that many of those ex-employees come from the Coast---

The Temporary Deputy Speaker (Mr. Imanyara): Order, Mr. Olago! I want you to ask the question.

Mr. Olago: Mr. Temporary Deputy Speaker, Sir, as we move towards the East African Federation, we must also be prepared for the worst in the event that the community breaks up once more. Bearing that in mind, what measures has Ministry put in place to ensure that this predicament does not befall us again in the event that the community does not succeed?

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, first, I must state categorically that the majority of payments have been made. Even though those isolated cases do exist, we will deal with them item by item. More importantly, I think we have to be very optimistic that as we move towards the integration of a new region, we will provide, obviously, clauses that provide for the breakup. However, we should be optimistic that we will be able to achieve our objective of a fully integrated region that does not break up.

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, could the Assistant Minister explain to this House how come that in Tanzania and Uganda, this matter was handled in a very effective manner? In Kenya, it appears as if the Government collected money and is not willing to remit it to the former employees? Could he explain why they have not been able as a Government, to listen to the former employees and pay them their money?

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, I must appreciate and commend the Kenya Government for negotiating and ensuring that 42 per cent of the proceeds came here---

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Assistant Minister, the question is that Tanzania and Uganda have paid their former employees. Why has Kenya not followed suit?

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, with all due respect, as I said in my answer, the majority of the funds have been paid. As I said from the beginning, there are certain funds that are in the suspense account. We are ready and willing to make those payments. Those payments will be made as and when specifics like the ones Dr. Khalwale brought, are with us.

Mr. Gunda: Mr. Temporary Deputy Speaker, Sir, could the Assistant Minister prepare a list of those who have not been paid, so that this list can be circulated to various divisional headquarters so that those people can be paid their money?

Mr. Nguyai: Certainly, Mr. Temporary Deputy Speaker, Sir. We will provide the list and information of all those beneficiaries who have not been paid.

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, as I said earlier, the answers given by the Assistant Ministers are really contradicting themselves. I wish to table a letter here which comes from his Ministry. Part of the letter states as follows:-

“It has proved difficult in some cases, if not all, to credit accounts of such members with those contributions and even impossible to pay those who retire.”

I wish to table the document.

(Mr. Yakub laid the document on the Table)

I have another letter here from the same Ministry.

The Temporary Deputy Speaker (Mr. Imanyara): What do you want the Assistant Minister to do?

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, they did not give the offer to all the East African Community ex-employees--- They gave them to only two of the departments. I hereby lay the document on the Table.

(Mr. Yakub laid the document on the Table)

Lastly, as I had asked earlier, I wish to have more time to go through the schedule which he had tabled this afternoon.

The Temporary Deputy Speaker (Mr. Imanyara): Once you examine the schedule, you are always free to come back to the House.

Mr. Yakub: Much obliged, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Next Question, Ms. S. Abdalla.

Question No.289

STATUS OF FAZA ICE PLANT PROJECT

Ms. S. Abdalla asked the Minister for Fisheries Development:-

- (a) if he could indicate what became of the cold house or ice plant project in Faza (Lamu) which was to commence operations in December, 2008 and clarify the stage of the tendering process; and,
- (b) indicate what plans he has to provide an alternative source of power for the cold house, considering that the generator at the plant cannot provide sufficient power.

The Minister for Fisheries Development (Dr. Otuoma): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

- (a) Initially, the project was scheduled to be put in Kizingitini Village on a fisheries plot, but due to a land dispute with a private developer, the project was relocated to Faza Village which is very close to Kizingitini. The two villages are on Pate Island. Geographically, Faza Village is much more central and can serve the whole district conveniently.

The Faza Cold House project was allocated Kshs16.6 million during the Financial Year 2006/2007, but the money was only received almost at the end of 2007 when the contractor moved on site.

The current position of the Faza Cold House is that it is almost 90 per cent complete. The works were basically in three categories. There was the civil works, electrical works and the mechanical works. The tendering process for Faza Project commenced in 2007 following the laid down Government procedures whereby the advertisements were put in the *Daily Nation* of 2007 and the Lamu District Tender Committee was able to carry out this function.

For the civil works, when the tender was floated, five companies bid and the lowest bidder was Banu Assad who I awarded the civil works. Currently, the civil works are 100 per cent complete. Four companies bid for the electrical works when the tender was floated. The lowest bidder was Ware Electrical Company. As I speak now, the electrical works are 100 per cent complete.

Three companies tendered for the mechanical works. Out of this, Sare Company was the lowest bidder. It was awarded the contract, but unfortunately the mechanical works done by Sare Company were very sub-standard and they were rejected. Another contract was given out for the works to be done afresh.

- (b) My Ministry has put in place alternative source of power considering that the generator cannot provide sufficient power to this project. In the 2009/2010, we have currently factored in solar power as the only ideal and cheap energy.

Ms. S. Abdalla: Mr. Temporary Deputy Speaker, Sir, it is very unfortunate that the Minister has decided to give us the background of the project but he has not answered the Question. This is a very important project to the community of Lamu East Constituency. About 90 per cent of the community members are fishermen. It seems that the community is losing their dream because of---

The Temporary Deputy Speaker (Mr. Imanyara): What issue are you raising with the Minister?

Ms. S. Abdalla: Could the Minister tell this House whether Sare has refunded the money and who has been awarded the tender? Sare must have been paid to buy that machine---

The Temporary Deputy Speaker (Mr. Imanyara): Order! I think you have made your point.

Mr. Minister, can you respond to that?

Dr. Otuoma: Mr. Temporary Deputy Speaker, Sir, as I had said earlier, Sare Company was one of the companies providing the mechanical component of the project. The supervising Ministry was the Ministry of Roads and Public Works. This Ministry was overseeing the project in terms of monitoring and evaluation. When they recommended that the works were substandard, the tenders were re-advertised. Luckily at that time, Sare Company had not been paid. So, not even a single cent was lost on this project as it stands now. Work is going on to make sure we get the right equipment for the cold room.

Mr. Joho: Mr. Temporary Deputy Speaker, Sir, the hon. Member has clearly indicated that the project is very fundamental to the community of Lamu. Could he give us a timeframe when they will award the tender and ensure the work is done so that the people of Lamu can benefit?

Dr. Otuoma: Mr. Temporary Deputy Speaker, Sir, as I had said, the re-tendering for the mechanical bit was done earlier this year. We have factored in to ensure that before the close of this financial year this component, which the earlier contractor had

supplied sub-standard equipment , is going to be finished. Actually, it is going to be finished before December.

The Temporary Deputy Speaker (Mr. Imanyara): Last question, Ms. S. Abdalla!

Ms. S. Abdalla: Mr. Temporary Deputy Speaker, Sir, last year, the Minister promised that the cold storage room would be operational by December. Today, we are in August yet he has not even stated when that cold storage room will be operational.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Minister, did you make any promise to the hon. Member?

Dr. Otuoma: Mr. Temporary Deputy Speaker, Sir, it has always been my policy that things should be completed on time. However, when we visited this place there was already a problem. So, I really ---

The Temporary Deputy Speaker (Mr. Imanyara): Order, Mr. Minister! The hon. Member is saying that you made a promise. Did you make a promise?

Dr. Otuoma: Mr. Temporary Deputy Speaker, Sir, I did make a promise. However, I indicated that it would be my wish that the project be completed as soon as possible. That was not to be. That is why I am saying that procuring new equipment takes a bit of time. I have been reassured that after this re-tendering, within the next six months, it will be completed. The money is already there.

The Temporary Deputy Speaker (Mr. Imanyara): Hon. Members, it is now Prime Minister's Time. I am going to allow the Prime Minister to take his time. If there is time left, that is if he does not take all his time, I will come back to the Questions and see how many we can cover.

Mr. Prime Minister, it is now your time!

PRIME MINISTER'S STATEMENT

IMPLEMENTATION OF *KAZI KWA VIJANA* PROGRAMME

The Prime Minister (Mr. Raila): Thank you, Mr. Temporary Deputy Speaker, Sir. I stand here to report, with great satisfaction, that the Government is making a steady progress in the implementation of the *Kazi Kwa Vijana* Programme which is also known as KKV. I will also briefly touch on the status of the Economic Stimulus Programme.

Mr. Temporary Deputy Speaker, Sir, KKV was conceived as an emergency initiative with the twin objective of alleviating the severe shortage of food and water as well as unemployment of the youth. The KKV was to employ young Kenyans to de-silt small dams and canals, construct rural access roads and paths and small boreholes, to plant trees and set up water kiosks among other activities. By offering job opportunities, the KKV is expected to contribute to lessening social tensions and to reducing crimes by offering jobs to the unemployed youths.

Mr. Temporary Deputy Speaker, Sir, I am pleased to report to the House that the KKV has been well received by our fellow citizens. The KKV has to date employed a total of more than 170,000 youths. This compares well with the target of employing between 200,000 and 300,000 youths.

Under the KKV, numerous water dams, water pans, water kiosks and sewerage work for boreholes and irrigation schemes are being constructed. The KKV programme

has also enhanced planting of trees. The Nairobi River Rehabilitation and Restoration Programme has also been executed under the KKV. In addition, the youths are undertaking garbage collection, cleaning of clogged drains and slum cleaning.

Mr. Temporary Deputy Speaker, Sir, all in all, the KKV has disbursed a total amount of about Kshs1.3 billion. I do not wish to give an impression that the KKV has been implemented as planned. The truth is that the implementation has experienced some challenges. First, the speed of execution has been slow in some instances. This is due mainly to the delay in the release of funds which was largely necessitated by the late approval of the Supplementary Budget.

We have carried out an evaluation of this programme countrywide and that is why I am saying there have been some challenges in some places. Second, there were other instances where wages were not paid on time owing to some administrative bottlenecks.

Third, we had instances where there was interference in the recruitment process. The KKV manual clearly spells out that recruitment should be done on a first come first served basis and for youths coming from about five kilometre radius from the project site.

Fourth, the KKV has not reached all the areas of our country. We will expand the coverage in the coming months so that we are able to reach out the youth throughout the country.

The KKV brought such greater appetite that the number of youths wanting to participate far outweighs the funds available thus far. The Government is making more resources available to meet this great demand. First, the Treasury has prepared to re-vote for use this financial year more than Kshs1.5 billion that was unutilized the last financial year.

Second, although this year's Budget does not explicitly identify KKV projects, at least, Kshs6.6 billion are clearly earmarked for KKV projects. This too will be released very soon. In total, more than Kshs8 billion is available to fund KKV projects in the coming months.

We will focus on the KKV programme to alleviate the food and water crisis that our country now faces. We will urgently mobilise youths to carry out a large number of dams and other water projects where water is scarce. We will also mobilise youths to help transport food, water and animal feeds to towns and villages that are in dire need of help.

Mr. Temporary Deputy Speaker, Sir, looking beyond the current crisis, we are now developing the KKV Phase II, a successor to KKV Phase I. The KKV II will aim to create sustainable employment opportunities for skilled and unskilled youths, in addition to temporary employment of unskilled youths. I am pleased to report that the World Bank is so impressed with our KKV programmes that it is prepared to offer a youth employment project in KKV II. The strategy and delivery unit in my office is working with the World Bank on this project. The Government is also working with the Business Alliance Against Chronic Hunger (BAACH), an initiative of the World Economic Forum supported by a group of prominent businessmen and women in Kenya. In the KKV II, BAACH will help the youths in urban slums in developing, brewing and other informal businesses that they are currently engaged in into small yet genuine and growing enterprises.

In addition, the KKV II will feature internships in major private enterprises. The Government will share the cost of hiring youths as interns with an understanding that once the internship is completed successfully, the youths will be hired as regular

employees. These are some of the main components of KKV II that we plan to launch before the end of this Financial Year.

Mr. Temporary Deputy Speaker, Sir, before I end my response, allow me to mention briefly the progress on the Economic Stimulus Package (ESP), a major initiative of this Government, which is equally important to the KKV. You will recall that under the ESP, Kshs105 million is allocated to each constituency to finance the construction of schools, health clinics, fish ponds, markets and irrigated farm land as well as the hiring of teachers and nurses. In consultation with Members of Parliament and all the relevant Ministries, the Treasury has now worked out modalities of its implementation. The modalities have several noble and attractive features.

First, the selection of projects sites as well as monitoring of implementation will be undertaken by the Stimulus Project Management Committee (SPMC) to be established at the constituency level. Each Member of Parliament is expected to actively participate in the process as a Member of the SPMC. Procurement will be done also at the constituency level by the Constituency Project Tender Committee.

Secondly, virtually all of the project funds will be spent within the constituency. All construction works will be prototype designed and developed by the Ministry of Public Works, so that construction could begin quickly and little money spent on consultancies.

Thirdly, funds for the ESP will be isolated from the normal appropriations. These funds will be managed in the special accounts to be established in each constituency. Line Ministries are responsible for project implementation and accountable for the funds released.

Fourthly, money flows will be tightly controlled and monitored by the Treasury to ensure accountability and transparency. The Deputy Prime Minister and Minister for Finance will take the leadership and responsibility in overseeing the money flows, assisted by a technical working group chaired by the Permanent Secretary, Treasury.

Finally, overall co-ordination and monitoring of the implementation of the ESP will be the responsibility of the Office of the Prime Minister. The Government is ready to roll. The ESP will be launched on 11th August, 2009, by President Kibaki and I.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Hon. Members, as you know, this is the Committee of Supply Day and there are many of you who would like to speak. So, I will not give everybody an opportunity to seek a clarification. Since I know the Prime Minister has given directions as to who should answer the remaining questions, I will give the first priority to those who had indicated that they will ask questions, if they are on their feet.

I will start with Dr. Khalwale followed by Mr. Mungatana. After that I will decide who will seek a clarification next.

Mr. Ethuro: On a point of order, Mr. Temporary Deputy Speaker, Sir. This is the KKV programme but you have pointed out hon. Members on the basis of the Questions they asked, which are not necessarily related to the KKV. I plead that the eyes of the Speaker will catch every Member.

The Temporary Deputy Speaker (Mr. Imanyara): Yes, they will.

Yes, Mr. C. Kilonzo!

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, this is just a plea to the Chair. There are some Members of Parliament whose constituencies the KKV programme is being implemented currently. We will appreciate if the Chair could give us the opportunity to state the actual facts on the ground.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. C. Kilonzo, I will give everybody an opportunity. However, as I mentioned earlier on, it is a Supply Day which begins at 3.30 p.m. If you do not raise too many points of order, more of you will get an opportunity.

Yes, Dr. Khalwale!

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I would like to thank the Prime Minister for what he has just said. However, if one looks at the KKV programme, he or she will find that it is haphazard. The programme does not capture the different interests and talents of the young people.

Mr. Prime Minister, in Ghana, they have the Ghanaian Youth Employment and Empowerment Programme. This programme does exactly the same thing. The only difference with our programme is that in Ghana, they have structured it to ensure that children who have an interest in a special discipline, for example, agriculture are supported using the money obtained from the World Bank. This enables the youth to take agriculture-related programmes so that when the time to join college reaches, they have already gained some experience from that particular discipline.

The Temporary Deputy Speaker (Mr. Imanyara): Order, Dr. Khalwale! You saw how many of your colleagues stood up. Please, be brief in your questions. The Prime Minister will be noting them.

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, what plans does the Prime Minister have to structure the programme so that it does not seem to be tailored to meet the needs of only the youths who have not done extremely well in school?

Finally, for some of the youths to be employed, they are forced to bribe the Provincial Administration officials, for example; chiefs and assistant chiefs. What plans does the Prime Minister have to make sure that merit is recognised before they employ those people?

Mr. Mungatana: Mr. Temporary Deputy Speaker, Sir, you will find that the youth who have been employed dig trenches. They do work that will obviously be short-term. This is the case and yet in the past, the Prime Minister has said that the programme will last for a period of six months.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Mungatana, ask your question!

Mr. Mungatana: Mr. Temporary Deputy Speaker, Sir, I am trying to lay the foundation. What will we do with these youths after that period of six months?

Mr. K. Kilonzo: Mr. Temporary Deputy Speaker, Sir, could the Prime Minister be more precise and tell us how much has been allocated to each and every constituency for the KKV programme? In my constituency, they only worked for one week and they were not paid.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. K. Kilonzo, you have asked a question about each constituency. Yours is also a constituency! Mr. K. Kilonzo, I want you to limit your intervention to questions so that other Members can get an opportunity!

Mr. K. Kilonzo: Mr. Temporary Deputy Speaker, Sir, that is exactly what I am doing. When will the youths who worked for two weeks in my constituency be paid?

Mr. Ruteere: Mr. Temporary Deputy Speaker, Sir, I would like the Prime Minister to tell us how much money has been allocated to the line Ministries under the KKV programme in the constituencies, how much has been used and on what projects that money has been used. I would also like to know when Members of Parliament were involved in the constituencies committees because we were never called for any meetings.

Mr. Ethuro: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to thank the Prime Minister for that Statement, but it raises a number of issues. One, he is seeking for a partnership with the World Bank (WB). We know that World Bank's money is not necessarily free. At what interest is the WB giving Kenya money? Two, according to the Act that formed the Office of the Prime Minister---

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! I gave you a chance to ask two questions and that is the last one.

Mr. Ethuro: Yes, Mr. Temporary Deputy Speaker, Sir. I was listening as I was putting in more. That is because there is more. According to the Act that formed the Office of the Prime Minister, it specifically states that the Office of the Prime Minister is for co-ordination and supervision of Government Ministries. It is becoming obvious---

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! What is becoming obvious? Ask your question!

Mr. Ethuro: Thank you, Mr. Temporary Deputy Speaker, Sir. Could the Rt. Hon. Prime Minister confirm to this House and to the Republic whether, in order to make the Office of the Prime Minister function, it is usurping the roles of the other Ministries? Who will do the co-ordination when it is under your programme?

Mr. James Maina Kamau: Mr. Temporary Deputy Speaker, Sir, I want to thank the Prime Minister for giving that comprehensive answer. But the Prime Minister has admitted that there are problems in the implementation. Has he considered giving those jobs to a committee similar to the Constituencies Development Fund (CDF), because the Provincial Administrators do not know how to do those jobs? Can the job be done by CDF, or a committee that is similar to CDF?

The Temporary Deputy Speaker (Mr. Imanyara): Very well. We will have two more questions from Mr. Kigen and Mr. Kathuri!

Mr. Kigen: Thank you, Mr. Temporary Deputy Speaker, Sir. The Prime Minister has mentioned that about 170,000 youths benefitted from that scheme. What is he going to do to ensure that a big number of the youths who were left out are going to benefit from that exercise?

The Temporary Deputy Speaker (Mr. Imanyara): Final Question, Mr. Kathuri!

Mr. Kathuri: Mr. Temporary Deputy Speaker, Sir, I would like the Prime Minister to tell us: How does he ensure that there is no duplication when he gives money to municipalities that have got Local Authorities Transfer Fund (LATF) and yet, we are not involved and we do not know whether there is duplication?

Secondly, what criteria did he use to allocate the funds to the municipalities? We have county councils which also have needy young men and women who would actually-

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The Temporary Deputy Speaker (Mr. Imanyara): That is clear. Mr. Prime Minister, can you handle those questions?

Ms. A. Abdalla: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): All right. I will give you a chance to ask the final question, Ms. Abdalla.

Ms. A. Abdalla: Thank you, Mr. Temporary Deputy Speaker, Sir. I understand that I am not bright enough, but could the Prime Minister confirm to the House what safety measures he has put in place so that there is no double dishing out by civil servants, where the youth are paid once and the accounting is done twice? The youth might have the money but the accounting will be done by the Provincial Administration.

(Applause)

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Prime Minister, you may now respond.

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, I will answer a number of questions. I would like to say that the first phase was experimental, so that we get to know the difficulties involved.

Mr. Temporary Deputy Speaker, Sir, we have learnt through the phase and we are going to, therefore, seal the loopholes that we have identified. We are carrying out a very extensive evaluation of the project and, so far, we have found out the areas where it has worked out smoothly and why it did so. We have also identified loopholes and weaknesses. For example, we found that in some areas, the recruitment was being done by the Provincial Administration – the chiefs and sub-chiefs. Where that was the case, there were complaints that there was favouritism. The chiefs were recruiting their relatives.

But, Mr. Temporary Deputy Speaker, Sir, that programme was very carefully designed and we produced a manual for *Kazi kwa Vijana*, stating clearly who was to do what. That programme was being implemented by the Ministry of Youth Affairs and Sports. For the information of hon. Ethuro, the Office of the Prime Minister has not taken over the functions of other Ministries. There are always line Ministries implementing and the Office of the Prime Minister is supervising. So, in that case, it had been agreed that the Ministry of Youth Affairs and Sports would be the one that would be responsible for recruitment, and the youth leaders would be members of that committee. The youth leaders are the ones who are supposed to identify the youths. So, we have found out that where that happened, there were no complaints. But where that did not happen, there were complaints.

With regard to the query by Dr. Khalwale, yes, we understand the issue of specialization. But you need to understand that those projects cut across several Ministries and not all the Ministries are involved. There are some projects under the Ministry of Environment and Mineral Resources, like the cleaning of the Nairobi River. Garbage collection, cleaning of the streets and clearing of blocked drainages is under the Ministry of Local Government. The funds for that are being channeled through that Ministry. The Ministry of Roads has also got some funds for those rural access roads. So, those who are working in those rural roads are paid through the Ministry of Roads. The de-silting of dams and construction of new dams is under the Ministry of Water and

Irrigation. The Ministry of Forestry and Wildlife is involved in the planting of trees in the catchment areas. So, there are several Ministries which are involved in that particular programme. They are being co-ordinated through the Office of the Prime Minister.

Hon. Mungatana, that programme is going to be sustainable. Nobody said that it is going to end in six months time. That is why more funds have now been made available. I mentioned that if we take funds which have been rolled back together with what has been put in the Budget right now, it is going to be about Kshs8 billion in this financial year. That will be sufficient to carry us through up to the end of the financial year.

Hon. K. Kilonzo, it is not a question of how much per constituency, it is a question of the projects that are being implemented in the constituencies. There are constituencies where we are dealing with water projects. There are others where we are constructing dams. There are others where we are constructing roads. There are others where we are planting trees and there are others where there is cleaning of towns, clearing of drainages and so on. So, it is not possible to quantify, at the moment, how much money has been spent per constituency.

I think I have already answered hon. Muriuki and hon. Ethuro's questions. Hon. Kamau's question is on how to solve the problem, I think I have answered that question too.

An hon. Member: World Bank!

The Prime Minister (Mr. Raila): On the issue of the World Bank, you know that it also gives grants. What we are talking about right now are grants and not loans.

(Applause)

Hon. Kigen wanted to know how we will ensure others will get the jobs. We are actually going to expand that programme. The programme was launched in March, 2009 and, as hon. Members will remember, we took a long time before we approved the Supplementary Budget. So, the funds were not made available. That is the reason why it was not rolled out the way it had been planned. We now have sufficient time. What happened is that the money that had been earmarked and approved in the Supplementary Budget went back to the Treasury. That is usually the case. So, that money had to be re-voted back and then made available. That is the reason why the work had to stop until money had been made available again from the Treasury. So, within this month of August, we are going to begin again to roll out the programme countrywide.

Yes, the issue of double dealing and double accounting as raised by Ms. A. Abdalla is noted. Those are some of the weaknesses that we discovered which we will deal with. This programme is being rolled out in both rural and urban areas. In urban areas, we have so many unemployed youth. That is why we are doing it in urban areas as well as rural areas. This programme, if properly implemented, has the potential of providing employment to many of our youth who are roaming our towns and rural areas at the moment.

Thank you.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Prime Minister, could you indicate to the Members how you intend to deal with Question Nos. QPM/ 012, QPM/013, QPM/014 and QPM/016 that are on the Order Paper.

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, these Questions a part from the last two, were on the Order Paper last time. The Speaker ruled on them. I had directed that these Questions be answered by the respective Ministries: QPM/012 and QPM/013, Office of the Deputy Prime Minister and Ministry of Finance, QPM/014, Minister for Water and Irrigation.

The Temporary Deputy Speaker (Mr. Imanyara): You supervise and co-ordinate Government Ministries, could you tell us whoever is supposed to answer will do so?

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, the Ministers are ready to give the answers on Tuesday, next week.

The Temporary Deputy Speaker (Mr. Imanyara): So, do I get it that the two Questions by Mr. Mungatana, the Question by Mr. Gitau and the Question by Dr. Khawale will be on the Order Paper, next Tuesday.

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, the Question by Mr. Mungatana and Peter Gitau will be on Order Paper, on Tuesday, next week.

I am ready to answer the Question by Dr. Khalwale.

QUESTIONS

Question No.QPM/012

RATE OF COMPLIANCE WITH FINANCE MINISTER'S DIRECTIVE ON OFFICIAL CARS

(Mr. Mungatana) to ask the Prime Minister:-

If, following the directive by the Deputy Prime Minister and Minister for Finance that Ministers and top Government officials use one official car with an engine capacity of not more than 1800 cc, the Prime Minister could-

- (a) state the rate of compliance with the directive and confirm how much savings are expected from the initiative;
- (b) table the list of the Ministers, top government and parastatal officials who have complied and those who have not and state whether escort cars will also be affected; and
- (c) state when H.E the President, H.E. the Vice-President and the Rt. Hon. Prime Minister will start complying and lead by example.

(Question deferred)

Question No.QPM/013

STATUS/PERFORMANCE OF DONOR-FUNDED GOVERNMENT CONTRACTS

(Mr. Mungatana) to ask the Prime Minister:-

- (a) to list down all the on-going Government contracts as of June 2009 which are donor supported and are of over Kshs1 billion in value;
- (b) give the status of the performance of these contracts and indicate if the donor has threatened to recall the funds for non-utilization by the Government; and,
- (c) state the measures to be taken by the Government to ensure that such funds are utilized in time to avoid demands for refund.

(Question deferred)

Question No.QPM/014

PROVISION OF CLEAN DRINKING WATER
TO MWEA RESIDENTS

(Mr. Gitau) to ask the Prime Minister:-

Considering that Mwea GK Prison uses River Murubara for drainage and the villagers use the same water for domestic purposes, what urgent measures is the Minister taking to ensure the area residents have access to clean drinking water and the prison stopped from releasing sewerage into the river?

(Question deferred)

Mr. Mungatana: On a point of order, Mr. Temporary Deputy Speaker, Sir.
The Temporary Deputy Speaker (Mr. Imanyara): Let us deal with Dr. Khalwale first and then I will hear your point of order.

Question No.QPM/016

PROSECUTION OF POST-ELECTION SUSPECTS
LOCALLY/INTERNATIONALLY

Dr. Khalwale asked the Prime Minister what the Government is doing in order to pave the way for the key suspects of the post-election violence to face justice locally or internationally.

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, regarding the culprits in the post-election violence, the Cabinet discussed this matter extensively in three consecutive sittings and finally resolved as follows:-

- (i) The Cabinet reaffirmed its commitment to the rule of law and in particular its commitments to the International Criminal Court and will cooperate to fulfill its obligations to the court under the Rome Statute,
- (ii) It will undertake accelerated and far reaching reforms in the Judiciary; police and the investigative arms of the Government to enable them to investigate, prosecute and try the perpetrators of post-election violence locally,

- (iii) It will deal with other forms of impunity, including extra-judicial killings, corruption and fraudulent or unlawful acquisition of public land and other public assets; and,
- (iv) It will prepare amendments to the Truth, Justice and Reconciliation Act that will make the TJRC more representative and effective.

The Cabinet is confident that with the proper healing and reconciliation Kenya will not face the events of last years' post-election violence. The Cabinet remains fully committed to implementing the rest of the Agenda Four Items where significant progress is currently being made.

The Temporary Deputy Speaker (Mr. Imanyara): I just want to get indications how many people want to seek clarification on that.

(Several hon. Members stood up in their places)

Dr. Khalwale, you may go ahead!

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I would like to express, on behalf of Kenyans, the anger this Parliament has by the attempt of the Cabinet to kill the option of the local tribunal. I would like to ask the Prime Minister to clarify whether he is satisfied that mere amendment of the TJRC Act would be able to support the minimum threshold required by the International Community for purposes of trying the post-election violence culprits?

The Temporary Deputy Speaker (Mr. Imanyara): Very well, Dr. Khalwale! Prime Minister!

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I have two clarifications.

The Temporary Deputy Speaker (Mr. Imanyara): I am giving you one because of the number of hon. Members who want to seek clarifications.

Dr. Khalwale: Let me just raise the last, Sir. The Government of the United States of America and the United Kingdom have said that they will issue travel bans against Ministers who will be found to have been involved in the post-election violence. To show that this Government is committed to making sure that the country moves forward since the US and UK know the names of these Ministers, could the Government also act locally by sacking these Ministers, so that we know that they are committed?

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, hon. Dr. Khalwale has stated that the Cabinet decided to "kill" the idea of a local tribunal. I want to take hon. Dr. Khalwale along the memory lane. He will agree with me that the Government brought a Bill here intended to establish a local tribunal. That was a Constitutional (Amendment) Bill which required a two-thirds majority. If my memory serves right, hon. Dr. Khalwale himself was in the forefront in campaigning against adoption of that Bill. So, that Bill failed not because of the Cabinet, but because it was denied the numbers that it required. Faced with that kind of situation, what was the Cabinet to do? When the Cabinet decided to try to bring the Bill back to the House, the hon. Member himself and several others were on record saying that it was a waste of time. They said: "Parliament decided, Parliament will not change its mind. Take this matter to The Hague."

Mr. Musyimi: On a point of order, Mr. Temporary Deputy Speaker, Sir. My recollection why that Bill did not have a chance---

The Temporary Deputy Speaker (Mr. Imanyara): Please, what is the point of order?

Mr. Musyimi: Mr. Temporary Deputy Speaker, Sir, I feel the House is being misled. That Bill, when it came here, was rejected because we felt that it had enormous flaws and weakness. What some of us expected the Cabinet to do was to improve it and bring a local tribunal proposal here which met a certain threshold that all of us would find acceptable.

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, that was a question, but not a point of order.

When the Bill was brought to the House, the hon. Member did not point out the flaws. That Bill was based on the Rome Statute. It was a complete carbon copy of the Rome Statute. So, there was nothing much that the Cabinet would do. All that we said was that we were going to try to bring it back here. But the general feeling countrywide was that it was just going to be an exercise in futility. That is the reason the Cabinet, in its wisdom, decided not to waste Kenyans' time. We have been told that majority of Kenyans want the Hague option.

Some hon. Members are on record saying: "Option one; Hague! Option two; Hague! Option three, Hague!" So we said: "Let us not be vague; let us say Hague!", and that is what we said. If the hon. Member understood me correctly, we never said that the Truth, Justice and Reconciliation Commission (TJRC) was going to try the perpetrator of post-election violence. We said it will undertake accelerated and far-reaching reforms in the Judiciary, police and investigative arms of Government to enable them investigate, prosecute and try perpetrators of post-election violence locally. That has nothing to do with the TJRC. The TJRC is completely a different institution all together. The hon. Member said that Kenyans have no faith in the Judiciary, as currently constituted. So we said we are going to accelerate the process of reforming the Judiciary as well as the State Law Office and the police force so that they can be able to undertake the process of prosecuting the perpetrators locally. This is the only option that the Cabinet had but we have not closed the door to The Hague. We cannot restrain the International Criminal Court (ICC), if it wants to indict the perpetrators if they think that the process we are instituting falls short of the international standards, from proceeding and indicting those who were involved. We have not closed the door to the ICC.

Finally, Mr. Temporary Deputy Speaker, Sir, we do not know the names of those who are supposedly being barred from entering the UK and the USA. Our law says that you are innocent until you are proven guilty through due process.

Mr. Olago: Mr. Temporary Deputy Speaker, Sir, by way of clarification, allow me to say that a lot of the debate that we have in the House over this subject this afternoon is based on ignorance of the law applicable to the subject. The fact of the matter is as follows: First, the decision of the Cabinet does not close the door to the ICC trying Kenyans. That should be understood!

(Several hon. Members stood up in their places)

The Temporary Deputy Speaker (Mr. Imanyara): Order, Mr. Olago! Please, seek clarifications! Do not clarify the Prime Minister's position!

Mr. Olago: Mr. Temporary Deputy Speaker, Sir, I wish to seek this clarification under the circumstances. In discussing any proposals that may be brought in amending the Truth, Justice and Reconciliation Commission (TJRC) Act, are we not anticipating debate on a matter that has not come to the House formally?

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Prime Minister, are you not anticipating debate on your proposed amendments?

(Ms. Karua consulted loudly)

Ms. Karua, the Prime Minister may not respond to that! It is not a question!

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, the matter is not before the House, so I am not anticipating debate.

Ms. Karua: Mr. Temporary Deputy Speaker, Sir, the Prime Minister will recall that on 16th December, he and the President signed an agreement and committed themselves to Kenyans that they would push their supporters to pass the Tribunal Bill. It is, therefore, a matter of integrity. Is it not contempt of Kenyans on the part of the Prime Minister and the President to abandon the idea of a local tribunal even without an attempt? Could the Prime Minister confirm or deny what Kenyans are saying; that they have been held hostage by members of their Cabinet whom they can fire but are afraid to fire on this matter with threats that they will reveal all about the two principals at The Hague?

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, the hon. Member has, until recently, been a member of the Cabinet and she understands very well the deliberations of the Cabinet. But when we signed the Accord, we said that we will try to persuade hon. Members to pass the Bill. We never said anywhere that we will force hon. Members to pass the Bill. We cannot force hon. Members!

(Applause)

This is a democracy and not a dictatorship! So, hon. Members have a right. This is a case where we said even the whip will not be applied: That hon. Members will be allowed to vote with their conscience and they voted with their conscience democratically and rejected the Bill. What was the President and the Prime Minister to do? So, we are not being held hostage in the Cabinet. The problem is not the Cabinet; the problem is here in the House, that hon. Members have no confidence in a local tribunal.

Dr. Eseli: Mr. Temporary Deputy Speaker, Sir, could the Rt. Hon. Prime Minister be exact as to when these reforms are going to be started and what is the time for the reforms he is talking about? Finally, could he confirm or deny that this was a negotiated settlement within the Cabinet using a new formula that local tribunal divide by The Hague minus Mau Forest equals to TJRC? Based on new mathematics which is neither new maths nor arithmetic but actually *railanomics* and *kibakinomics*!

(Laughter)

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, if I can take the Prime Minister down memory lane, at the height of the crisis, he is on record as having referred

to the current Chairman of the TJRC, Mr. Bethuel Kiplagat, as a man he had very little confidence in and as a man he knew what he was made of. Therefore, at what stage did the Prime Minister have confidence in him, even to accept him to be the chairperson of the TJRC, a man who has already been taken to court today? At what stage?

Ms. Odhiambo: Mr. Temporary Deputy Speaker, Sir, could the Prime Minister clarify the role of the TJRC because one of the things I have heard – if I have heard him correctly – is that it will be working towards reconciliation when this House has passed a National Cohesion and Integration Commission. The Government has failed to gazette its members. It is that Commission which has the role of reconciling Kenyans. Why has the Government not gazetted the names of those commissioners?

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Prime Minister, you have five minutes to respond!

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, I think the last question raises two unrelated issues. The TJRC, as it is, we have said we are going to reconstitute it. We cannot do it in the Cabinet. It has to come to Parliament and hon. Members will have an opportunity when the amendments are brought here to express themselves; to agree or to disagree.

Dr. Eseli has become an expert and developed a very interesting formula. He asked me first when the reforms will be started. The reforms, as we said, expeditiously. In other words, they have already begun as you know we appointed a task force to recommend measures to reform the police force. That taskforce is chaired by a retired judge and the vice-chair is an expert on police reforms from outside the country; from Canada. It has already submitted an interim report – it was submitted early this week. It has requested for an extension of time for two months to complete its report but we have said that we are going to begin implementation of recommendations contained in the interim report. We are also embarking immediately on the reforms of the Judiciary. We hope that we will have made some progress, as quickly as possible, so that we can constitute a Bench to try suspects of post-election violence.

Mr. Temporary Deputy Speaker, Sir, I do not agree with that formula except to say that the Draft Bill + Parliament = Hague.

(Laughter)

Mr. C. Kilonzo asked me to tell this House at what time I changed my mind about Mr. Bethuel Kiplagat. Mr. C. Kilonzo will remember that the names of the members of the Truth, Justice and Reconciliation Commission (TJRC) were brought before this honourable House and approved by the same. I did not notice any kind of dissent. So, it is not the Prime Minister who chose Mr. Kiplagat. He was chosen by this august House.

POINTS OF ORDER

ROAD CARNAGE IN KENYA

Mr. Thuo: On a point of order, Mr. Temporary Deputy Speaker, Sir. On 23rd July, 2009, I raised a Question concerning the road carnage in Kenya and we were

promised that the Prime Minister will answer it. Could I be in order to ask for a specific date?

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Prime Minister, the hon. Member wants to know when you will issue the Statement regarding road carnage which you promised less than a month ago.

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, I do not know why the hon. Member cannot address that Question to the relevant Minister.

Mr. Thuo: Mr. Temporary Deputy Speaker, Sir, I would like to clarify that when I raised the issue, it was made clear that it involves several departments. It involves enforcement by the police, policy by the Ministry of Transport and the Kenya Bureau of Standards (KEBs) in terms of roll over and, therefore, industrialization. I have the HANSARD of that day. The issue requires a broad approach that includes the Ministry of Roads in terms of roads contribution to carnage.

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, I will issue the Statement next week.

FAILURE BY PRIME MINISTER TO ANSWER QPM/012
QPM/013 AND QPM/014

Mr. Mungatana: Mr. Temporary Deputy Speaker, Sir, on Question Nos.012 and 013, the Prime Minister has said that he is in charge of co-ordination of all Ministries. The directive on motor vehicles is cross-cutting.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Mungatana, what issue are you raising?

Mr. Mungatana: Mr. Temporary Deputy Speaker, Sir, I would like to say that these Questions were approved to be answered by the Office of the Prime Minister because it is the co-ordination point. We do not understand why these Questions are being tossed from one Ministry to another.

The Prime Minister (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, the Prime Minister's responsibility is to co-ordinate and supervise functions of the Government including those of Ministries. In that capacity, the Prime Minister has the prerogative to delegate responsibilities to all Ministers. The Standing Orders have created the Prime Minister's Time when the Prime Minister engages with the House. Sometime it is not Question Time. The Prime Minister has the discretion to delegate Questions which have been directed here to other Ministers to answer. I think it is unfair for the hon. Member to insist that the Prime Minister must personally answer these Questions.

(Applause)

The Temporary Deputy Speaker (Mr. Imanyara): Order, hon. Members! What is it Mr. Mungatana?

Mr. Mungatana: Mr. Temporary Deputy Speaker, Sir, I am not insisting that the Prime Minister must answer these Questions. I am saying this with a lot of respect to the Prime Minister. However, I am saying that his Office is capable of getting this information from all the Ministries so that we can engage. Government departments return billions of shillings to the Treasury at the end of every year and yet programmes

are not being implemented. The only Office that can answer for the entire Government departments is one. I think the ruling is unfair. We should have the Prime Minister here. If he cannot come, his appointed person should be here to answer these Questions because they are important.

The Temporary Deputy Speaker (Mr. Imanyara): That is precisely what the Prime Minister has said. He has said that he can delegate. That is perfectly within---

Mr. J.M. Kamau: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Order! We have a system of separation of powers. You can ask a Question. The Prime Minister supervises and co-ordinates Ministries and Government departments. If he determines that, that Question will be answered by a particular Minister, you in the Legislative arm cannot determine who from the Executive arm is supposed to answer it. If the Prime Minister has given directions on how a Question should be answered, you may insist on the Question being answered, but you cannot insist on who should answer it.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I entirely agree with your ruling.

The Temporary Deputy Speaker (Mr. Imanyara): If you do so, then let us move on to the next Order!

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I agree with your ruling, but I would also like to point out something on Question No.014. That ruling cannot be sustained because this Question was answered by the Minister who demonstrated his inability to answer it properly because it involved not just water but also drainage and the Mwea GK Prison. The House, in its considered and collective wisdom, felt that there is no other better office to answer the Question than the Office of the Prime Minister. This is because under the Constitution, he supervises and co-ordinates functions of the Government.

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

The Temporary Deputy Speaker (Mr. Imanyara): Next Order! This is Supply Time, Mr. Linturi.

Mr. James Maina Kamau: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is very important.

The Temporary Deputy Speaker (Mr. Imanyara): It is important, but you can raise it another day. It is time for the Committee of Supply.

Next Order!

COMMITTEE OF SUPPLY

(Order for Committee read being Fifth Allotted Day)

MOTION

THAT THE SPEAKER DO NOW LEAVE THE CHAIR

Vote 20 – Ministry of Water and Irrigation

The Ministry for Water and Irrigation (Mrs. Ngilu): Mr. Temporary Deputy Speaker, Sir, I beg to move that the Speaker do now leave the Chair.

Mr. Temporary Deputy Speaker, Sir, it is, indeed an honor---

The Temporary Deputy Speaker (Mr. Imanyara): Order, Madam Minister! Hon. Members you will notice that we have eaten into Supply Time by 21 minutes. The sitting of the House will consequently be extended by 21 minutes. Again, the Questions that were not reached, please approach the Clerks-at-the-Table and agree with them when you want your Questions listed within the next two weeks. Do it in a way that does not interrupt the Minister's contribution.

The Ministry for Water and Irrigation (Mrs. Ngilu): Mr. Temporary Deputy Speaker, Sir, it is, indeed, an honor for me to present to this august House the 2009/2010 Financial Year Estimates for my Ministry.

The Ministry of Water and Irrigation policy direction is to ensure adequate and reliable supply of water and sewerage services, irrigation development and water storage. My Ministry is composed of five departments; four of them are technical and one is administrative. They are charged with the following broad functions.

- (i) Water and sewerage services
- (ii) Water resources management
- (iii) Irrigation, drainage and water storage
- (iv) Land reclamation
- (v) Support services.

In addition, there are 14 parastatals and one tribunal that are under my Ministry. The parastatals are The National Water Conservation and Pipeline Corporation; the National Irrigation Board; Kenya Water Institute; Water Services Regulatory Board; Water Resources Management Authority; Water Services Trust Fund and eight regional water services boards, namely, Athi, Coast, Lake Victoria North, Lake Victoria South, Northern, Tana, Rift Valley and Tanathi.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! *Waziri*, could you ask your colleagues who are interfering with those who are taking notes to take their seats so that notes takers can concentrate on doing so?

The Minister for Water and Irrigation (Mrs. Ngilu): Hon. Members, I am telling you what we are going to do. You need not interfere with the officers. They are listening, and need to take notes. So, please, relax.

Mr. Temporary Deputy Speaker, Sir, during the last five years water sector reforms, guided by the Water Act, 2002, were rolled out. Major achievements in the provision of water services have been realised, notably the establishment of key institutions, which are now operational. Capacity is being built to enable them undertake their responsibilities.

The main thrust of the water sector reforms was to separate water resources management and development from water services delivery, focusing the Ministry's role on policy formulation, implementation and monitoring. It is important to note that all water resources management has been vested in the boards.

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

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

The right to use water and responsibility for its management for the benefit of the nation has been vested in the Ministry of Water and Irrigation. The right to use water cannot be acquired, or alienated, except in accordance with the Water Act, 2002..

Mr. Temporary Deputy Speaker, Sir, the overall objective of the reforms is to decentralise water supply services provision and empower local communities, through effective participation in decision-making, especially in water resource allocation and use.

The water sector reforms resulted in the creation of various institutional framework, with specific roles and functions in the categories of policy and supervision, regulatory and service delivery. The Ministry's role has been development of legislation, policy formulation, sector co-ordination and guidance, and monitoring and evaluation.

Mr. Temporary Deputy Speaker, Sir, institutions carrying out regulatory responsibilities are the Water Services Regulatory Board (WSRB), which regulates and monitors the operations of water services boards, issuance of permits to water services boards, setting standards for provision of water services and developing guidelines for water tariffs.

The Water Resources Management Authority (WRMA) does the planning, management, protection, conservation of water towers and water resources, regulation and control of water use. The Water Appeals Board (WAB) does the arbitration of water-related disputes and conflicts between institutions and organisations.

Mr. Temporary Deputy Speaker, Sir, the institutions dealing with service delivery are as follows: The National Water Conservation and Pipeline Corporation (NWCPC), which is charged with the responsibility of construction and rehabilitation of dams and water pans, drilling and equipping of boreholes, and floods control and management.

The National Irrigation Board (NIB) does the development of irrigation infrastructure and possession of water for irrigation. The Kenya Water Institute (KEWI) is the one that carries out training and conducts research for the water sub-sector. The Water Services Trust Fund (WSTF) does the financing of provision of water and sanitation services to disadvantaged groups; this is a pro-poor water poverty fund to rural areas and informal settlements.

Mr. Temporary Deputy Speaker, Sir, the WSB ensures efficient and economical provision of water and sewerage services, contracts water services providers, develops water sewerage facilities, regulates water services and tariffs, and procures and leases water storage facilities.

The water services providers do the provision of water and sewerage services, ensures good customer relations, and sensitises and undertakes adequate maintenance of assets.

Mr. Temporary Deputy Speaker, Sir, all hon. Members are aware that the country is facing a serious water scarcity and stress. The current water crisis facing the country has been due to unfavourable weather conditions, and lack of investment in water storage

infrastructure. My Ministry is implementing a number of measures to address this situation to cushion the public from this water scarcity.

Those measures include drilling and equipping of 250 boreholes around the country, 50 of which will be in Nairobi and the other 200 will be in other parts of the country, distribution of 450 water tanks in low-income areas to store water, negotiation with 500 private borehole owners in Nairobi for supply of water to their neighbours and others, and revival of eight rural water schemes in the proximity of Nairobi through rehabilitation to off-load consumers in those areas from the Nairobi City water system.

Mr. Temporary Deputy Speaker, Sir, the low investment in the water sector will result in a bigger proportion of the number of people without access to clean and adequate water supply and sanitation. This in turn results in increased outbreaks of water-related diseases like cholera in many parts of the country, water rationing and people, especially women and the girl child, walking long distances in search of water.

Access to adequate and reliable water supply is a key input to poverty reduction, an important element for social stability as well as economic growth and performance. In the last two years, my Ministry has provided access to clean drinking water to an additional 2.47 million people, consisting of 1.3 million people in the rural areas and 1.47 million people in urban areas, through rehabilitation and expansion of water supplies, drilling of boreholes and construction or desilting of water pans and dams.

Mr. Temporary Deputy Speaker, Sir, during the same period, sanitation intervention measures resulted in an additional 800 people being covered. It will be appreciated that water and sanitation are inter-linked. That is why the Ministry is upscaling sanitation coverage together with water supply, in line with Vision 2030, the Medium-Term Plan and the Millennium Development Goals MDGs).

In order to achieve the MDGs in water and sanitation in Kenya by 2015, 14 million more people need to have access to safe water, and 15.2 million people to sanitation. These ambitious programmes have to be implemented to ensure that in every year, an additional 2 million people have access to safe water and 2.2 million to sanitation.

Mr. Temporary Deputy Speaker, Sir, this will not be possible with the current budgetary allocation trends to the Ministry. The limited funds available will be invested in the rehabilitation of existing water supplies and irrigation; infrastructure that provides immediate benefits in terms of value for money and support ongoing projects contracts.

My Ministry, therefore, intends to spend Kshs1,037,829,000 in the current financial year on the rehabilitation of rural water supplies under the Development Vote. In addition, Kshs551,125,000 will be utilized for the rehabilitation and development of urban supplies.

Mr. Temporary Deputy Speaker, Sir, as we embark on these major activities, rehabilitating water and sewerage infrastructure, my Ministry recognizes the need to provide the people of Kenya with adequate good quality water at all times. This will be achieved through ensuring adequate water treatment, proper utility maintenance and improved management of water supply and sewerage services.

My Ministry, therefore, intends to spend Kshs883,486,375 under the Recurrent Vote to meet the cost of electricity, water treatment, chemicals and other operating expenses of these water systems countrywide.

During the same period, Appropriations-in-Aid of Kshs652,124,301 will be collected from the sale of water and sewerage services through the Water Services Board.

Mr. Temporary Deputy Speaker, Sir, the mandate for water waste treatment and disposal is domiciled in my Ministry. In order to discharge this mandate, my Ministry intends to spend Kshs226 million under the Development Vote for rehabilitation, development of waste water treatment and drainage works.

Mr. Temporary Deputy Speaker, Sir, the Government handed over management of its water facilities to eight regional water services boards in July 2005, following a nationwide consultation process. Since then, the water services boards are responsible for the efficient, economical provision of water and sewerage services within their areas of jurisdiction. To enable the boards achieve their mandates and increase water and sanitation coverage across the country, my Ministry has allocated Kshs11,409,910,556 in gross expenditure under the Development Vote and Kshs155 million under the Recurrent Vote. Of the Development allocations to the eight regional water services boards, an amount of Kshs505 million is from the Government of Kenya.

The Water Services Trust Fund was established to supplement the efforts of the water services board in the provision of water and sewerage services, particularly in areas with inadequate coverage. In order to enable the trust fund achieve its mandate of financing the provision of water services to under-served areas, my Ministry intends to spend Kshs541,821,200 in the Development Vote and Kshs10 million in the Recurrent Vote.

We intend to spend Kshs287 million to facilitate the National Water and Sewerage Corporation (NWSC) meet the recurrent expenses.

Mr. Temporary Deputy Speaker, Sir, my Ministry requests development allocation during this financial year of Kshs24,695,000,000, of which, the donor funds amount to Kshs15,960,471,120. The Government of Kenya will provide Kshs8,735,017,939. The Recurrent Estimates reflect a gross allocation of Kshs4,478,801,871, which Appropriation-in-Aid amount to Kshs1,141,834,301.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Madam Minister. The Chair has been extremely generous to you and you are squandering the opportunity. Just conclude.

The Minister for Water and Irrigation (Mrs. Ngilu): Mr. Temporary Deputy Speaker, Sir, I wish to appeal to this House to approve my Ministry's budget for the year 2009/2010 as follows: Net development - Kshs13,724,122,865.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Madam Minister! Now you are going to be out of order.

The Minister for Water and Irrigation (Mrs. Ngilu): I am just finishing, Mr. Temporary Deputy Speaker, Sir!

The Temporary Deputy Speaker (Mr. Ethuro): We are out of time.

The Minister for Water and Irrigation (Mrs. Ngilu): I will finish now. Net development of Kshs13,724,122,865 and the net Recurrent of Kshs3,336,967,570.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Madam Minister.

The Minister for Water and Irrigation (Mrs. Ngilu): Mr. Temporary Deputy Speaker, Sir, I beg to move and I ask Mr. Kabando wa Kabando to second my Motion.

The Assistant Minister for Youth Affairs and Sports (Mr. Kabando wa Kabando): Mr. Temporary Deputy Speaker, Sir, I beg to second this Motion.

My contribution will largely focus on the need for us, as a House, to pass this allocation because the Ministry deserves it. Water is basic human right and need. We, as a House, have an obligation to support this Motion.

Secondly, is the need for us to support in a bid to fast track the implementation of the programmes in place. We also need to call upon the Ministry to fast track the implementation or enforcement of regulations in place that will enable institutions created, to effect the water sector reforms according to the Water Act 2002. There have been challenges. I say this with full knowledge being an alumni of the inaugural water sector reforms from 2003.

The following are areas that I highlight that would give greater contribution and effective service from the Ministry. One, is an emphasis on the catchment area. We should ensure that there is a clear programme that will minimize the politicization of issues to do with catchment areas. Currently, this is something we are going through.

Secondly, is the issue of regulatory mechanisms. The water service providers must adhere to the Service Provision Agreements. Stakeholders involved in this sector to fully understand their mandate and responsibilities. One of the key stakeholders is the local authorities. We have seen this in Mombasa Water Company. We have seen the mismanagement and derailment. Currently, we are seeing what is happening in Nairobi City Council. I say this with full knowledge because I do continue my connection with the city water sector programme. It is important for the House to appreciate the devolution of leadership and stake holding in this sector.

Mr. Temporary Deputy Speaker, Sir, it is also important to have enlightened leadership as we implement this. In the Nairobi City Council today, I appreciate that unless City Hall is made to understand that water is not a cash cow; it is not the old department to milk and reward cronies, then it will be very difficult for the City of Nairobi to have clean and reliable water supply.

I do appreciate that the Minister has vested concerns, including today's open commentaries carried by some sections of the media that decry the situation of water in Nairobi.

The other issue is on performance target. Nyeri Water Company is one of the best. I travelled around with other water providers when I was the Chairman of the Nairobi Water and Sewerage Company. Nyeri water Company was being lauded in Sweden and Ethiopia for its management and reliability. It has recorded a reduction of unaccounted for water in its supply.

Mr. Temporary Deputy Speaker, Sir, the Eldoret Water Company was among the inaugural companies. They were doing very well in terms of management and ensuring involvement of stakeholders. I know a number of Members here who were involved in initiating that programme.

In Kisumu, Malindi, Othaya and Mukurweini there seems to be confusion on the responsibilities and mandate of individuals who may have been permitted, through the water sector reform programme, to constitute companies. These are not individual private companies. They are actually held in trust for the public. Therefore, there is need for the Ministry to engage in helicopter view so that there is greater supervision, regulation and control for the water sector. The water providers at the grassroots should have clear targets and an obligation to do quarterly reports. They should have a commitment to do

management and financial audits and submitting the same annually to the Ministry and the relevant Parliamentary Committee without waiting for it to be required.

Mr. Temporary Deputy Speaker, I would say that---

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

The Assistant Minister for Youth and Sports (Mr. Kabando wa Kabando): Mr. Temporary Deputy Speaker, Sir, I beg to second.

(Question proposed)

Mr. Musyimi: Mr. Temporary Deputy Speaker, Sir, may I, on behalf of the Committee on Lands and Natural Resources, that oversees the Ministry of Water and Irrigation amongst other Ministries, thank the Minister, Mrs. Charity Ngilu, the Permanent Secretary and the Assistant Minister for providing us the information we needed to do our work of scrutinizing the budget of this Ministry. We had two sittings and I now wish to give our observations.

Mr. Temporary Deputy Speaker, Sir, in the Printed Estimates for Recurrent Expenditure for Vote 20, Sub-head 2210300 – Gender and Education, there appears to be a double allocation of Kshs180, 000,000. The Ministry had a pending bill of Kshs625 million at the close of the financial year 2008/2009 from the National Water Conservation and Pipeline Corporation as a result of extra works carried out under drought intervention measures. The pending bill is being paid through budgetary provisions and a total of Kshs250 million has been provided in the Financial Year 2009/2010 to clear part of this pending bill.

We observed further that the main projects that had been planned for implementation during this financial year and were left out, include, serving construction contracts for on-going five dams amounting to Kshs3.2 billion, up- scaling irrigation development amounting to Kshs4.158 billion, funding of nine neo-dams projects to increase water storage amounting to Kshs4.3 billion and up -scaling of rural water coverage amounting to up to Kshs1.2 billion.

Mr. Temporary Deputy Speaker, Sir, we observed as well that most of the water services boards other than the Tanathi Water Board appear to be struggling to make ends meet. There appears to be a case of huge operating costs and low income generation. We further observed that there are liabilities carried forward to the water services boards and the National Water Conservation and Pipeline Corporation by the parent Ministry. The Ministry appears to be providing funds every year through the Budget to settle these debts.

Further, under Heads 944 and 945, these activities appear to be activities that probably ought to fall under the Ministry of State for the Development of Northern Kenya and other Arid Lands. We know that there is a working collaboration between these Ministries especially in the Arid and Semi-Arid Lands. However, under those Heads, there appears to be a case of an argument that they come under the other Ministry.

Mr. Temporary Deputy Speaker, Sir, we also sensed some kind of opaqueness with regard to operations and management of the water services boards. These boards demonstrate a case of leakage especially in their resource collection. We observed that this cannot be ascertained properly unless a comprehensive audit has been done to

determine the accountability and transparency. The Committee, therefore, makes the following recommendations:-

(i) That Sub-head 2210300 – Gender and Education be reduced to zero as it has been provided for under Head 567.

(ii) The five large dams of Maruba in Machakos, Kiserian in Kajiado, Umaa in Kitui, Baudesa in Marsabit and Chemsus in Koibatek, whose construction commenced in the last financial year, and that have been left out of the budget allocation in the current financial year, be allocated funds to complete their construction in the next budget estimates.

(iii) The Ministry of Finance is being requested to consider allocating funds to the National Irrigation Board (NIB) under the economic stimulus package to up-scale irrigation in the country.

(iv) That the Ministry of Water and Irrigation allocates funds to undertake an awareness campaign in the rural areas on the various ways to harness both rain and underground water harvesting to increase water storage. This is particularly critical because we have been told to expect flash rains in the next rainy season.

(v) That the Ministry of Water and Irrigation should conduct a proper audit on all pending bills arising out of the operations of the NWPC to ascertain their authenticity.

(vi) Heads 944 and 945 on Integrated ASAL Programmes and Turkana Rehabilitation Projects respectively, be allocated to the relevant Ministry which is the Ministry of State for Development of Northern Kenya and other Arid Areas.

Mr. Temporary Deputy Speaker, Sir, under Heads 524 and 560 the recurrent disaggregated funds appear to be designated to the wrong Head. They appear under Recurrent Budget but they are development items. I am asking that this be hosted under the correct column.

We are also saying that there should be a comprehensive audit on water services boards to determine their accountability and transparency.

We also request the Ministry to delay a proposal we came across of the possibility of phasing out the district water officers. We request that this be delayed until the water boards have justified their viability.

Mr. Temporary Deputy Speaker, Sir, we also recommend that the Ministry of Water and Irrigation ensures that there is professionalism and transparency in the appointment of the management of the water services boards across the country.

Finally, we are saying that this Ministry, together with other sector-Ministries should consider investing more in conservation of wetlands and water catchment areas. I think all of us are aware of the great problem we have with regard to water. This has become a country that seems to be unable to feed itself. This country does not have enough water for its citizens and yet, this is a basic commodity for any person. The least that we can do is to support this Ministry in the work that it does. We should also be honest enough to raise the concerns that we have raised and continue to urge the Ministry officials to do more so that our people can, at least, have water and hopefully food in the days to come.

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

Ms. Karua: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this very important Vote. I am glad that I am doing so after hearing the Report of the relevant Committee, which I support.

I want to begin my contribution by saying that integrated approach to the management of water resources demands that everything concerning water be put together. Therefore, in an ideal situation, forests which are catchments ought to be part of the Ministry of Water and Irrigation. We cannot talk about water resource management without talking about forests. We are now talking about the Mau, Aberdares and Mt. Kenya forests, and we have two Ministries that ought to be dealing with that, because the Water Resources Management Authority ought to have the same concerns as the Forestry Department. So, this is something that the Government has to think about and bring under the Ministry of Water and Irrigation. In South Africa, it is called “Ministry of Water and Forestry”. This also applies to several other countries. In Egypt where there are no forests, the Ministry is referred to as the Ministry of Water and Irrigation. In spite of the name, we ought to think of bringing forests under the Ministry of Water and Irrigation.

Mr. Temporary Deputy Speaker, Sir, secondly, floods are about conservation. I know there is a component of floods that is stuck in the Office of the President, under the Ministry of Special Programmes. That, again, is wrong. Floods should be under the Ministry of Water and Irrigation which can make plans for harnessing the floods as part of the conservation effort. We should have a holistic approach to planning on our water resources.

I am concerned, just like the Committee has indicated about governance in the newly formed bodies, especially the water service boards. Recently, there was an increase in the tariffs in the Tana Water Service Board, where I come from. Residents were required to pay Kshs500 up from Kshs200. This is an increase of almost 150 per cent. The Mission Statement of this Ministry says; “To make water accessible and affordable. You cannot raise the tariffs by 150 per cent and think that you are living up to your Mission Statement. I am glad that after talking to the Minister, consulting and exchanging correspondence with the Ministry officials, this was dropped. This was done without consulting the stakeholders. The real issue is not about raising tariffs, but improving service delivery and number of connections or coverage. You raise more money from the turnover than punishing the residents with a higher tariff.

Mr. Temporary Deputy Speaker, Sir, on the issue of irrigation, I urge the Minister to ensure that they support and give capacity to the small-holder irrigation schemes which are found wherever there is water in this country, so that they can have optimal use of water. The Ministry should educate them on methods that use less water for more yield. I come from one such area. I am unable to see how the Ministry has allocated the Kshs24 billion. When I used my calculator, I found that even if each constituency got Kshs40 million upfront, that would only amount to Kshs8.2 billion. I am aware that the Ministry has many things to do, including urban water, sewerage, irrigation *et cetera*. I have noticed that there is only Kshs3 billion for dam construction. I urge the Minister, in her response, to demonstrate that there is equity in the allocation so that we can deal with two items in our constituencies. That is water for domestic use as well as irrigation and the storage issue.

I also want to say that it is time the Minister considered differentiated tariffs, especially in urban areas, where people in the well-to-do areas pay slightly more for water than those in the disadvantaged areas. This way, you will be able to serve the poor in the cities by providing them water at a subsidized rate.

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

The Assistant Minister for Labour (Mr. Ojaamong): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to raise a few issues regarding the Ministry of Water and Irrigation.

As much as this Ministry is very important, the cry down there is that people want water. Because we have the Ministry officials here, I would like to say that there are two water projects in my constituency. One is the Malaba/Malakisi Water Project. This project was initiated when I was in Class Three. Could the Minister tell me what this project is about? Could she also tell me the people who are benefiting from this project where millions of shillings have been pumped into? I am saying that there is immense corruption in the Ministry of Water and Irrigation to the extent that the local populace cannot understand how projects are being implemented or how the money is being utilised. The public is very annoyed because for over 30 years they have not benefited from this project. The former Vice-President and Minister for Home Affairs, Mr. Moody Awori, other delegates from East Africa and I went to launch this project at Kolanya in Teso District. Not even a drop of water or pipe has reached the school where we launched the project. This is the case and yet we went there with heavy machinery. It is very shameful for a useful Ministry like this to just give lip-service to the people.

Mr. Temporary Deputy Speaker, Sir, that is one project that I now want hon. Ngilu to take over and ensure that it gives the people the services they require. I am referring to the Malaba/Malakisi Water Project. It has been a failure and an embarrassment to this Government.

Mr. Temporary Deputy Speaker, Sir, there is the upgrading of the Busia Water Project. If you look at the designs of that water project, it was to benefit both Nambale and Amagoro constituencies. But, currently, the works are being undertaken but, you will find that the pipes – very good pipes and very good work is being done – are being passed through Teso. But the supply of water is being taken to the Busia side. That is very offending because, previously, those pipes were being extended even to the Teso and Nambale side. I appeal to the people who are concerned because we, the people of Amagoro, are not going to take it very kindly. The pipes are passing through our land and yet, the water is supplied elsewhere. We would like to benefit from that very good project. We want the people on the side of the Busia Town, which is in Teso, also to benefit from that piping. I am making that appeal because the Permanent Secretary comes from there and he understands that problem. The last point where that project is supposed to end is my house in the village on the Teso side. All the surrounding areas should, at least, benefit from that water.

Mr. Temporary Deputy Speaker, Sir, when we used to have Non-Governmental Organizations (NGOs) like Kenya Finland Co-operation (KENFINCO), so many boreholes were dug. Very many shallow wells and boreholes were sunk in Amagoro Constituency – around 210, if you combine the shallow wells with the boreholes. Those boreholes need to be upgraded. But the Government or the Ministry of Water and Irrigation is giving very little attention to that. Those boreholes are very close to the people. They are in schools and market centres where majority of the people can benefit. Therefore, I would like to appeal that this time round, the Ministry should go down, especially to Western Province, where we have the KENFINCO boreholes, and allocate

more funds so that they can be upgraded. That is because in some areas, the water table has gone down.

Lastly, Mr. Temporary Deputy Speaker, Sir, I wish to thank the Ministry for posting a District Water Officer to my new Teso District. Now, I have two district water officers. I hope that the people of Amagoro and Teso districts are going to benefit from this Ministry.

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

Mr. Baiya: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute. I want to start by supporting the proposed Vote of the Ministry of Water and Irrigation. The importance of water to the lives of the Kenyan people cannot be over-emphasized. However, I also wish to support the observations that have been made by the Chairman of the Departmental Committee and my colleague, hon. Musyimi. I want to point out one of the challenges that the Ministry seems to have. It is putting in so much effort that seems, at the end of the day, un-coordinated. I have in mind, for instance, the choice of technology. They have sunk so many boreholes in my constituency and nobody is using them. Even where they are sinking those boreholes, there is another old project that is already going on there. That project is supposed to supply water to that area. So, at the end of the day, it boils down to that. Are you, as a Ministry, rationalizing the use and utilization of the resources?

The other challenge that they have is: They have very old projects that have never been completed and, instead of wondering what to do with those old projects, they come up with new ones. It is as if all we are trying to do is to be seen doing something, rather than actually demonstrating what impact will be felt by the people. Among some of those old projects that have not been completed, there are some that are very viable. Actually, some of those projects would be gravity-based. We would just be harnessing water from its natural source. They would really be very viable and very cost-effective. They are not going to entail the use of electricity and so on. The challenges facing the viability of some of those projects - and I want to agree - is about catchment areas. We are going to destroy all the projects and all the investments that we have put in. There are areas within the catchment areas where people are planting eucalyptus trees and so on. So, the regulatory mechanism of the Ministry ought to be emphasized so that the water catchment areas are actually preserved for the current and future generations. The Ministry should ensure that our investments do not go to waste .

Indeed, the other problem is about governance, and some hon. Members have talked about it. When you look at the Water Act of 2002, the new policies underlying the new Water Act and what we have on the ground, there is a very big dichotomy between what the community and the people are doing, and what the Ministry is purporting to do, including even among its own staff like the district water engineers--- We have the new law. We have the new reforms. But, at the district level, the people who are in charge are actually operating as if they have never heard about the new Water Act, 2002. They are out there, misadvising the people and drawing out plans to sink boreholes when there is already a parallel gravity-based and very viable water project in the area. They only need to advise citizens on what to do so that it can really work.

The problem has also been compounded by the fact that there is no sufficient transparency. I have to say that. There is no sufficient transparency, even as we talk about the Development Vote! Like now, we have no idea where or how the Ministry is going to

utilize this money. It is such that in one constituency, the Ministry is spending huge sums of money that have no parallel or fairness in what it is spending in other constituencies. At the end of the day, fairness is not achieved. Those are some of the grounds that the people use to complain about the fairness of the Ministry.

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

Mr. Baiya: With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to support.

The Minister of State for Planning, National Development and Vision 2030 (Mr. Oparanya): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to support this Motion. First of all, I want to congratulate my colleague for ably moving the Vote for the Ministry.

I want to say that Kenya is a water-scarce country and, being so, we need more funds for major water projects. I have looked at the district allocations and I have found out that most of the districts have got an average of about Kshs7 million. In fact, what I think my colleague is trying to do is share what she gets to most of the Ministries. My own Ministry just got Kshs7.7 million. That is peanuts! I would like to urge my colleague that this is the time that Kenya, being a water-scarce country, to go for major projects. It would be very important to go for major projects rather than small projects that do not help bigger areas.

The other issue is how to manage inter-district water projects. I have a water project in my constituency which I share with Siaya District. It is called Malanga-Sidindi Project. You will find that the Siaya side gets most of the money because that project was initiated by Siaya District. But because it is inter-province, my own district gets about Kshs2 million every year. That particular project has been dormant since the 1980s. But they keep on providing about Kshs2 million every year and that money does nothing!

Mr. Temporary Deputy Speaker, Sir, the Ministry should also find ways and means of conserving water resources. It is important that we come up with projects to harness rain and underground water, especially in schools. This will help schools to have adequate water instead of relying on piped water from the rivers. With the destruction of the environment, water from the rivers has become very unreliable.

I am happy that the Ministry has taken the issue of irrigation very seriously. If this country were to have enough food, it is important that we take the issue of irrigation very seriously. I hope that the Ministry would continue putting more money in irrigation, so that this country has enough food to feed its population. Food is very important for any country. We know the consumer price index, food forms bulk of the figure. Any food shortage affects the economic development of this country.

We have had floods in Nyando and Budalangi for a long time. This is the time the Ministry should come up with ways and means of making sure that we have dams on River Nyando and River Nzoia, so that this particular water is used for the production of electricity, farming and tourists activities so that we have enough food and water for our population.

Mr. Temporary Deputy Speaker, Sir, as a Minister in charge of Vision 2030, the importance of water cannot be overemphasized. We need water for industrialisation. We need water for quality of life for wananchi. We expect by 2030---

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

The Minister of State for Planning, National Development and Vision 2030

(Mr. Oparanya): With those few remarks, I beg to support.

Mrs. Shebesh: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I stand to support this Vote. Before I support it, I want to acknowledge the work that is being done by the Minister, hon. Charity Ngilu and her Assistant Minister, Mr. Kiunjuri. I also want to acknowledge the Permanent Secretary, Eng. Stower and his officers. I am saying this because not many women are now carrying water on their backs. The number has reduced substantially. We must always acknowledge the positives before we look at the challenges that will always be there, that we must look into finding solutions for.

I want to begin my contribution by saying that water is equal to so many things. First and foremost, water is life. That does not need explanation. It is just a fact. Water is also sustainable development. We have been talking about development in this country, but we forget what sustainable development means. It means that you may have water today, but if it is not there tomorrow, the development that you have put in place, will not be sustainable. That is why I would like to agree with my colleague, hon. Karua, that this issue of many Ministries that are doing the same roles, are really confusing us. The work of the Ministry of Water and Irrigation is to manage water. But if there is no water, what is the work of the Ministry? Then, we will not have a Ministry of Water and Irrigation. In short, without integration some of this Ministries and maybe, this is a bullet that the Government one day will have to bite, we will always be dealing with water shortage. Not because of the fault of the Ministry of Water and Irrigation, but Ministries that are critical to sustainable development in terms of water resources.

Let me speak about these Ministries. I am speaking about the Ministry of Forestry and Wildlife that has already been mentioned; Ministry of Environment and Mineral Resources, Ministry of State for Special Programmes that deals with issues of flooding and drought, Ministry of Energy that continues to build hydro-electric dams. We make a big hue and cry about it, when they are only producing at 30 per cent capacity because there is no water to sustain hydro-electric projects like the one that was commissioned just a few weeks ago by the President. I was just made aware recently that the Ministry of Regional Development is in charge of water catchment areas. Now how those Ministries are working with the Ministry of Water and Irrigation is left to the officers in charge of those Ministries to decide what to do. This must be brought in a framework that even we, as Members, can understand, so that we know who to hold accountable. We cannot continue talking about water day in, day out, on the surface and not looking at the critical issue of whether we have enough water. Are we a country that can say in the next 20 years, our children will know what it is to have water from a tap? This is what we are talking about.

I want to say that water is equal to health. If, for example, we had enough water in Nairobi within the slums, we would cut down by more than three-quarters, the diseases that come about due to lack of proper sanitation. So, water is also equal to health.

Water is also definitely equal to security today. Water points that are found within the slums in Nairobi are run by criminal gangs. I would like to inform the Ministry that many women buy water in Nairobi from criminals who man those water points. We are tired of being victimised. We need that water. If it must be run by groups, why not give it to women groups? Women groups will never terrorise each other. Currently, if you do not part with something, you will not get that water. It is a pity because that is the only water

point in that area. To me, this is an issue of security that we must look at critically. There are security problems in areas where there are border conflicts which we see in newspapers every day. Communities fight over scarce water resources. So, water has become a security issue. Let us not look at this Ministry of Water Irrigation at the top level. It can no longer be addressed that way.

I want to conclude by saying water is equal to women. We will never run away from the fact that water is equal to women because women cook, clean and do farming, among other things. So, if the Ministry of Water and Irrigation is looking at the issue of gender critically, it must give priority to women. That is not an issue of discussion. These are issues which need to be implemented across the board. Where development is supposed to be sustainable, give it to those who deal with that component. Let women be in the forefront of looking at how water can be conserved. If today, I can teach my child to conserve water, I will be helping this nation. But if I am irresponsible enough that when my child is brushing his teeth, the water is running from the tap, that is not fair to this nation. Who else will teach that child? At grassroots level, if you are washing clothes, you can use the same water to mop the house. That can only be taught by women. So, water is equal to women.

With those few remarks, I beg to support.

The Minister for Higher Education, Science and Technology (Dr. Kosgei): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to support my colleague and friend, the Minister for Water and Irrigation.

Mr. Temporary Deputy Speaker, Sir, the fact that Kenya needs more water is no longer in doubt. The fact that we do not have enough water is quite obvious. We, therefore, should and must be speaking of what must be done. The Ministry has done its bit to show us what they can do. Let me start by congratulating them most heartedly for the advocacy of how and why we need dams.

A long time ago, I lived in Southern Africa. They have only one season of rain but they still farm because they collect all the water that falls into the dams. We know of countries in this world, especially in the Middle East where they do not get any rain but whatever they get is not wasted. We must, therefore, not just talk about irrigation and dams as if it is something that is not feasible. It is feasible and it is important that this Ministry has more than just what is given in this Budget which they are asking us to support. This amount of money of just over Kshs8 billion is not enough to do the kind of dams that we need. Why do I so say so? It is because every time we talk about water, we talk of the most immediate need; that is, domestic use. Kenya is an agricultural country. We have gone to the point where we tend to demonize those people who use large amounts of water for large scale agriculture. Naturally, the water we need to use for domestic use comes first because we must stay alive. But ultimately, we need to understand that unless we can get our tea and coffee moving, there is no way Kenya can earn revenue. This water is extremely important because the only other way that I know Kenya earns revenue is by tourism and that cannot also be sustainable without water. So, I would like to ask the Ministry, maybe, we should do a little more in collecting water. We are told by our gurus these days that there is going to be an *El Nino*. Are we prepared? Do we have the dams? Is the money there and is the Ministry prepared? I know the Ministry is aware but they are just as good as the amount of money they are given. Can we do a little more? Can we be a little more creative?

The Minister for Water and Irrigation is a very good advocate of where and what to do about water. May I ask her that perhaps, she needs to do a little more in advocating for conserving the water that we have? If you go around Nairobi today, you will not miss a burst pipe which is wasting a lot of water. You will find it in Eldoret, Nakuru and all over the place. There must be a way in which we can avoid losing so much water through burst pipes and, therefore, sometimes, this goes on even here in the city. For over a week or two weeks, there is a pipe that is running. We can do something about that kind of thing.

Mr. Temporary Deputy Speaker, Sir, the Minister spoke to me a few weeks ago and I told her that the idea of doing boreholes in Nairobi and around the country is an immediate response to the current situation. The water table, of course, will go down and one of these days, it will not be there. But in the meantime because this is the only thing we can do to solve an immediate problem, there is a backlog in issuing of permits to people who drill boreholes. She was very kind and she told me to tell them to go ahead. I thought I could do that but my constituents who asked me and the others whom we interact with said: "Look, if you are in Thika, they will tell you to go to Machakos for a work permit. They will tell you to go after three weeks." No driller of boreholes will agree to drill without permits for drilling water. So, may I ask again that perhaps the bureaucrats or – let me be kind, the technocrats – should move a little faster to look at that.

I am definitely happy to be here to support this very hard working Ministry and Minister because we all really must support and push for a little more money because nothing we are doing will move forward without water.

Thank you.

Mr. Mbadi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also support the Vote of this Ministry. Sometime back when I was still young in 1979, a politician from a neighbouring constituency had in his campaign posters that "water is life and land is wealth!" At that time, probably I did not appreciate the accuracy of his campaign slogan but now I stand here saying that truly, with the current development we see around, we realize that without water, we cannot survive.

A lot has been said about what the Ministry is doing to ensure that we have water in our homes and have water for our animals. But one thing that I cannot probably explain better than how Dr. Kosgei has talked about is that currently, we seem to be thinking about giving more money to the Ministry of Water to drill boreholes and build dams. But the question is; if there will be no rain, how will the dams be filled? How will we get the water? How will we get the water from our boreholes? So the emphasis, to me, should be more on protecting and preserving the water catchment areas and conserving the little water that we have. If we put more resources to water conservation and protecting the water sources, then we are assured of more water in this country. I remember when I was young that there was a lot of water all over; so many rivers were flowing from Gwasi Hills from where I come from and we really did not have to ask for any Government intervention to have water in our homes. But that is now history. All the rivers have dried! So, I think, as a country, without even leaving this to the Ministry of Water and Irrigation, there should be a concerted effort to make sure that we protect and safeguard the water sources.

Mr. Temporary Deputy Speaker, Sir, now specifically to the Ministry of Water and Irrigation, there seems, to me, to be so many agencies handling water issues. This confuses us a lot. We have the Water Trust Fund, the regional water services boards and many other water bodies. You really do not know who is dealing with what, whom do you approach and whether they have technical staff, competent enough to deliver. Let me give an example. Lake Victoria Water Services Board, I am told had only four engineers when I visited it last. Now, I am told that one of the engineers has been transferred to Nairobi. I wonder how the three water engineers will be able to cope with the region that is covered by this water board. Of the three engineers, one of them is the CEO. I am also concerned about the slow pace of implementation of the water projects in the country and more particularly, in my constituency. The Italian Government had accepted to undertake a project which was to cost Kshs43 million in the last financial year. At the same time, they also promised to finance a youth polytechnic. They did the youth polytechnic but for the water department, they are still tendering. I do not know when the tendering procedure will end. This year, I can see that budget has increased to Kshs53 million. I do not want to see figures in the budget. I want to see water! I want to see the Sindo Water Project working. That is what I want to see, as an hon. Member. When I see this, I talk to the community and tell them that the Italian Government is giving us money and my five years is ending without that water being seen. Then what are you telling your constituents? You are telling them that you are not saying the truth. So, I would want to see how this is handled.

Let me move a little faster and cover two areas. First, is with regard to the District Water Officers (DWOs) who the chair of the relevant Departmental Committee talked about. I am one of those people who really are against the DWOs being there because they are not doing any job. Even when you want to undertake any Constituencies Development Fund (CDF) project, if you go to them, you have to pay them and they are just going to the same locality; the same district. They are supposed to carry out an evaluation to tell you how much it costs to put up a water project; you have to pay them allowances. The question is: These people have very limited work. If you look at the budget, it is about Kshs7 million. I am sure with Kshs7 million, they do very little in the district.

When we want to engage these officers as the Constituency Development Fund (CDF) committee because we have some funds, we have to pay them allowances. Why is the Government paying these officers salaries? With regard to technical capacity, these people are not even water engineers!

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

The Assistant Minister for Environment and Mineral Resources (Mr. Kajembe): Thank you, Mr. Temporary Deputy Speaker, Sir. I support the Vote for the Ministry of Water and Irrigation. There are many problems in the country which the Ministry cannot address. This is not because the Ministry does not want to solve those problems but it is because it does not have enough resources.

Water projects should be expanded to match with population growth. I will give you an example. The water taps and systems in Mombasa used to serve a population of 250,000 people. Today, the population of Mombasa is over 1 million. Maybe, it is 1.2 or 1.3 million. This is the case and yet we have the same water taps and water systems. This is why water does not flow in those taps. Something should be done.

What is interesting is that if you go to any estate in Mombasa, you will find a water retailer. Water will not flow into housing units, but a water retailer will have water to sell to the people within the locality. How come the water retailer does not miss water and yet the people around cannot access even a drop of water? There is a problem which should be addressed.

Mr. Temporary Deputy Speaker, Sir, I would like to advise the Minister for Water and Irrigation to do what the Ministry of Energy does in the Rural Electrification Programme (REP). This Ministry provides money to the constituencies for the expansion of power. However, this is not the case with the Ministry of Water and Irrigation. There is no water board in Mombasa. Mombasa Municipal Council has been trying to establish the water board and Members of Parliament have been talking about it. Some areas in this country are served by these boards while others are so inferior that these boards cannot be constituted there. We should provide quality services to our people. This Parliament has been in place for more than one-third of its full life and yet we do not have a water board in Mombasa. The Act is very clear on the formation of the water boards. I cannot tell why the water boards are functioning in some areas and not in other areas.

When we gained Independence in 1963, we had sewer systems and water treatment plants working. However, they have collapsed today. I will give the example of Kizingo Sewer Plant which has not been functioning for the last 10 years and yet nobody is trying to solve that problem. Kipevu Treatment Works is “dead” and nobody is attending to it. There is also Tudor Sewer Plant which has been neglected. What are we doing? I am not blaming the Ministry. However, it is the responsibility of the Ministry to come up with a good package and present it to the Government. Let this Ministry be allocated more money in order to deliver services to the people.

It is interesting that all the rivers pass through Ukambani and yet the people in that place do not get water. They just look at the flowing water helplessly.

With those remarks, I beg to support the Motion.

Mr. Letimalo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. I appreciate the efforts being made by the Minister and her officials to provide water to Kenyans. In particular, I thank the Minister for providing Samburu East with a water bowser. This is a drought-prone area. Since we do not have permanent rivers, we rely on pans and dams which dry up during the dry season. We experience hardships because of scarcity of water. The Minister has helped the community and schools in Samburu East which would have closed due to scarcity of water. However, I appeal to the Minister given the vastness of Samburu East District – we are talking about 11,000 square kilometers – and difficult terrain – to consider giving us an additional water bowser to serve the entire district. This is because one water bowser cannot serve the entire district.

Mr. Temporary Deputy Speaker, Sir, to understand the intensity of water problems in Samburu, there was an outbreak of Cholera recently which was attributed to lack of water to the extent that people had to dig shallow wells by scooping sand from dry river beds. You can imagine the same water is used by animals. Certainly, that water is not clean for human consumption. Our people move their livestock to the border between Kenya and Ethiopia in search of water and pasture. Some livestock have even crossed over to Isiolo. Sometimes, we experience conflicts because of scarcity of water. I appeal to the Minister to consider constructing dams and pans in this area. Experience has

shown that if you sink boreholes, it is very unlikely that you will get water, particularly during the dry season. Construction of service dams and pans will go a long way in helping our people. Livestock will not be concentrated in one area if dams and pans are constructed in all the locations.

The Ministry of Water and Irrigation, through the Northern Water Services Board, rehabilitated two pans and constructed a new one in my constituency. I am concerned with the quality of work on the three pans. This is more so with regard to Sirata Pan which is about five kilometers from Wamba Town. Even though I am not an engineer, I can differentiate between a water pan and a hole. At least, a pan has an inlet to let water in. This one is just a hole well. We do not even know how it is going to collect any water. No person or animal can go into that hole. I have raised this issue with the Minister. I hope the Ministry will investigate and appropriate action taken because, to me, that is wastage of funds. If that work can be done well, it will go a long way in assisting the people.

Mr. Temporary Deputy Speaker, Sir, the Northern Water Services Board covers Samburu East. It covers a big region. We are talking of the whole of the North Eastern Province, the larger Samburu District, which is now split into three districts – Samburu North, Samburu Central and Samburu East – and the larger Laikipia District. With the kind of problems that we experience in those areas, this Board will not be able to give us enough attention. I want to request that it be split.

The Temporary Deputy Speaker (Mr. Ethuro): Time up!

Mr. Letimalo: Thank you, Mr. Temporary Deputy Speaker, Sir.

The Member for Rarieda!

Eng. Gumbo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to support the Motion.

As I support the Motion, allow me to start by thanking the Government of the Republic of Kenya and the good governments of the Republics of Korea, Japan and Italy for the investments they have made in my constituency to improve water services.

Mr. Temporary Deputy Speaker, Sir, as we all know, water is life. I want to think that if we want to make this country sufficient in water supply, perhaps we need to stop being too conventional. The driest surface on earth is a country called Yemen. That country's main water source is rain water. Yemen receives less than 50 centimetres of rain per year. It is time that we became a little more creative in the way we supply water to our people.

My own thinking is that most of rural Kenya, particularly places like the area I come from, can do very well with rain water. I laud the efforts of the Government in the school greening project, where they are planning to supply schools with water tanks to be able to tap rain water. That is good!

Mr. Temporary Deputy Speaker, Sir, the impression that one gets is that for us to be able to attain the sort of sufficiency we need in water supply for our people is to go multi-sectoral or inter-Ministerial. An average school block in most of our primary schools is about 700 square meters in area. With a simple calculation, you will notice that only 3 centimetres of rain are needed from such a block to fill a 20-cubic metre tank. This is very cheap investment. It will last over 20 years. It will guarantee water to schools, students and communities. Why are we not approaching these simple ways that can guarantee water for our people?

The other day, I was very challenged when I saw a farmer in Nakuru, who is doing nothing other than digging drainages to direct rain water run-offs to his farm. Right now, he is making money, selling the same water to the community. I want the Ministry to know that, for the last six months, in my own house, I have been depending on rain water and even supplying to my neighbours. Why do we not go for such simple practical approaches that do not require intensive technology? We just need a simple tank, gutters and down pipes; we should encourage our people through a subsidised system of supplying tanks to be able to make use of this system. I want the Minister to think about this system.

Mr. Temporary Deputy Speaker, Sir, as I conclude, I think the proposals that the Ministry has put before us are good, but let us see a little more investment in human resources. The Ministry's technocrats and the water engineers are here. As my colleague said earlier, Lake Victoria South Water Services Board has a problem with engineers. I hope that the Ministry will look into that aspect, so that capacity can be built there.

With those few remarks, I beg to support.

The Assistant Minister for Tourism (Ms. Mbarire): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving this opportunity to add my voice to those of those who have spoken before me by supporting this very important Vote.

I will begin by congratulating the Minister, the Assistant Ministers, the Permanent Secretary (PS) and all the officers for the great work that they are doing under very difficult circumstances, and with limited resources. I believe that with more support, this Ministry should be able to do much better.

Mr. Temporary Deputy Speaker, Sir, I personally feel that the amount of money that has been given to this Ministry is not adequate to meet the challenges of the day, considering that everybody in the country is now talking about the shortage of water. We are facing challenges in our conservation efforts. Our water catchment areas are becoming more endangered through different human activities.

So, I hope that in future, the Government will find it necessary to even triple the amount of money it is giving to this Ministry. Without water, there will be no life at all.

Mr. Temporary Deputy Speaker, Sir, in view of the fact that a lot of water issues cut across different Ministries, I also wish to add my voice to what was earlier on mentioned by Ms. Karua; that, the Government should think of how we can bring together all these Ministries, especially the Ministry of Water and Irrigation, the Ministry of Forestry and Wildlife, and the Ministry of Environment and Mineral Resources into one big Ministry.

You cannot speak about provision of water when you have no control over the water sources. I hope that the Government will, in future, think very seriously about this particular proposal by the hon. Member. As an interim measure, we may probably come up with an inter-Ministerial Committee that will ensure that all the activities in these three Ministries are integrated in terms of implementation.

Mr. Temporary Deputy Speaker, Sir, I also want to mention something about the Water Services Board. Where I come from, we fall under the Tana Water Services Board. Previously, it covered the whole of Upper Eastern Province and parts of Lower Eastern Province. We still feel that the Tana Water Services Board as it is, still covers a very wide area. It takes care of almost the entire Central Kenya and Meru and Embu areas.

So, it will be in order if the Ministry considered creating a water service board for the areas covering Embu, Mbeere and Meru, so that services can come closer home. It is not easy for us to travel all the way to Nyeri. It can be very difficult to deliver some of the services.

Mr. Temporary Deputy Speaker, Sir, the other area that I want to cover is that of the water companies. I support the move by the Ministry of Water and Irrigation to try and amalgamate the various water companies into bigger institutions. That way, we will be able to benefit from economies of scale. Let the formation of these water companies be inclusive, that is from down upwards, in terms of their formation.

What has happened is that water users have no direct linkage to these companies. People do not know where they were formed, or who determines who becomes a director. There are issues around the management of these water companies. Some of the directors are self-appointed. They have absolutely no mandate from the people they serve. They behave more or less like private companies, where they owe nobody explanation as to how they function.

With those few remarks, I beg to support.

The Assistant Minister for Regional Development Authorities (Mr. ole Metito): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I want to support Vote 20 of the Ministry of Water and Irrigation.

It is true that this Ministry has been very active on the ground. In fact, they have done their best within the limited resources that they were allocated. We have all confirmed that these resources are not enough. In every constituency in this country, you can see either a borehole, water pan, a dam or piped water being implemented by this Ministry.

Through the Water Act, 2002 where reforms have been undertaken by this Ministry, I think there have been too many reforms within this sector. When you bring too many reforms within one sector, they will bring confusion. It is very true as hon. Members have said, that there are too many agencies at the district or constituency level; if you want to do a pan, you go to one office. If you want to do a borehole you go to another office. If you want to pay your water bills, you go to another office. This creates confusion. I must admit that the officers on the ground, particularly in Loitoktok Constituency, are doing their best. They are very good officers and the work they are undertaking is being appreciated.

If this Ministry could have a one-stop shop within their building whereby the *wananchi* can get all the services they want with respect to water services, that would be very good.

Mr. Temporary Deputy Speaker, Sir, I also want to talk about water boards. Mine is the Athi Water Service Board. I only have one complaint. I would like the Minister to hear this. My complaint with respect to this Athi Water Service Board is the place where the headquarters has been placed. The headquarters is at Kitui. This water service board is supposed to serve us all the way from Loitoktok. I think, in all fairness, the headquarters of Athi Water Service Board should actually be at Machakos and not in Kitui in order to serve all people equally.

Finally, is the issue of the National Water Conservation and Pipeline Corporation (NWCPC). This NWCPC has the biggest source in my constituency, that is Nol Turesh River. The Nol Turesh water pipeline actually cuts across my constituency. They get

water from the only river that serves my constituency. They get about 65 per cent of their water from that river. I know they have been doing something. I would plead with them to do something at the source because that work was done in 1990. They did not really budget for the expansion of Loitoktok Town, its environs and the population. The machines that have been put there need regular maintenance and upgrading. They should really support us in trying to get some T-joints. We would like at least two lines. Currently, we want two T-Joints that will cut across the district. One should cover 22 kilometres and another 60 kilometres. We have already done two with CDF funds.

This Ministry should do something through the NWCPC in assisting us. It is just a matter of laying pipes because it is water by gravity. That is even cheaper than drilling boreholes. Boreholes are very expensive to maintain. As the MP for Samburu East has said, in the long term, you may find there is no water in those boreholes. I would urge them and appeal to the Ministry that where pipes can be laid and water can flow by gravity, they should explore that option because it is cost-effective.

With respect to those water points along the Nol Turesh pipeline, where it is a public water point, it should actually be made a free watering point for the community. However, for individuals, I agree that individuals meet the cost of that water.

For community water points, they should consider giving water for free or lowering the tariff instead of the rates they have now which are commercial rates.

I am happy with this Ministry and I beg to support.

The Assistant Minister for Information and Communications (Mr. Godhana): Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this chance to share some insights with hon. Members. Allow me from the onset, to support this Vote of the Ministry. Allow me also to take hon. Members through the Republic of Kenya. I believe Kenya is a great county with great people and great resources. There is nothing that we lack in this country. The only thing we lack is management.

Mr. Temporary Deputy Speaker, Sir, in my previous discipline, I managed to traverse the whole of this country. Allow me to take you through a tour of this country so that you can have a clear picture of what resources we have. Looking at extreme north in the Mandera area, we have River Dawa. It runs along the common border with Somalia. From there, as you come towards Garissa, there are quite a number of seasonal rivers that during rainy season cut across roads, rendering roads from Garissa all the way to Mandera impassable. From Mandera to Moyale and Turkana, it is the same story.

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

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

Mr. Temporary Deputy Speaker, Sir, as you come from Garissa towards the coast, we have many other seasonal streams. We have River Tana which is a major river. As you come towards Mombasa, you will find the Sabaki River. Of course, the sea is just next there with enormous volumes of water. If you go Kwale, you will find the Ramisi River which emanates from Shimba Hills. Next are the Kyulu Hills from where other

rivers emanate. As you move towards the Rift Valley, of course, there are the other rivers.

If you go to Turkana from the Kenya – Sudan border, there are so many hills from which other streams and rivers are born. If you come inside Kenya, you will find Mt. Kenya, River Tana and the rest of the rivers which I do not want to mention. Again in the towns, we have other water sources that are waste water. Talk of Kisumu, Nairobi, Mombasa and other small towns. We have a lot of waste water. Above Kenya, we have rains and underground we have water. I, therefore, would not agree with anybody who would try to convince me that Kenya has scarcity of water.

Mr. Temporary Deputy Speaker, Sir, what is lacking in this country is a cohesive way of harnessing all the waters I have talked about. After that, it is for us to manage the water to support our population. I have keenly looked at the way we manage our resources and I see a mismatch in our institutions of management of resources. Even if we talked to the Minister for Water and Irrigation to harness all the waters we are talking about and the Ministry of Environment and Mineral Resources messes up with the environment by allowing logging, then the effort by the Minister will not move far. If the Minister for Lands issues title deeds in the water towers, then the efforts of the Minister for Water and Irrigation are meaningless. If the Minister for Energy allows over-exploitation of water resources to produce increment in energy levels, the effort of the Minister for Water and Irrigation will be meaningless.

So, I am really concerned with the laws that manage these resources. Are these laws coherent? We should revisit our laws so that the unity of purpose in the management of resources can be realised. This is critical. Tana River is a major river that can supply water and bring many benefits to the people of this country. However, over-exploitation of water by the Ministry of Energy has led to a big imbalance in the way---

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

The Assistant Minister for Information and Communications (Mr. Godhana): Mr. Temporary Deputy Speaker, Sir, I beg to support the Motion.

Mr. Ethuro: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to make my contribution on this Ministry. First, I thank the Minister and, indeed, the able Assistant Minister, the Permanent Secretary and all the officials in the Ministry for the excellent effort in trying to realise that something is happening about water. I think the Minister has the passion for the job. Whichever Ministry you take her, she has the energy and determination. I would like to see this going on in all the corners of this Republic.

Mr. Temporary Deputy Speaker, Sir, I am saying this because yesterday, her Cabinet colleague, Mrs. Mugo, while responding to my request for a Ministerial Statement on the outbreak of polio confirmed that the reason why seven cases of polio have been reported in northern Kenya, particularly in Turkana, is because of lack of drinking water.

I also want the Minister of State for Special Programmes to know this, because unless there is a collaborative effort between her, the Minister for Water and Irrigation and Minister for Public Health and Sanitation, Turkanas will continue to suffer from diseases the whole country has declared non-existent. It is a shame that 46 years down the road, some areas of this country can still live like in the Stone Age era. You do not just owe this to Turkanas but the Republic. You owe this to the founding fathers of the

Republic. The first founding President of the Republic said “Water is the only viable source---“ In other words, he summed it as; “water is life.” If you cannot do it for any of us, you owe it to the Republic.

As we complain that the Kshs8 billion allocated to the Ministry is little, and we would like her Ministry to be allocated more money, if they can allocate each of us a particular amount of money out of the Kshs8 billion, because this is the only Ministry that does not think about constituencies, but the centralized money--- We all know that Anglo Leasing and the Goldenberg scandals were as a result of corruption because money remained at the Treasury. This is the only Ministry that does not realise that some pastoralists in the Republic are considered nomadic because they pursue two things; namely, water and pasture. The Minister should help us to settle our people by ensuring that the more critical of the two, which is water, is available to the pastoralists who do not necessarily have to be nomadic. Nomadism is not an inherent character of a people known as “pastoralists”. “Nomadism” is a result of looking for pasture and water in order to put the soul and the body together.

Time and again, I have raised Questions to the Minister about the damming of River Omo. The Minister has a good department that deals with the Nile Treaty on the Arid and Semi arid Lands (ASALs) source of River Nile. However, I have not heard any response from the Ministry on the state of River Omo and its damming by Ethiopians. The damming of this river will cause economic extermination of our people. Everybody is talking about Mau Forest because there are powerful interests.

It is the docket of the Prime Minister, but this one cannot even have a paragraph in the Ministry of Water and Irrigation. Madam Minister, I know you can do it; I have a lot of faith in you and that is why it pains me that you cannot share a bit of that with the good people of the republic of the other side.

Mr. Temporary Deputy Speaker, Sir, let me talk about the Rift Valley Water Services Board (RVWSB). As usual, the Rift Valley Province is so big that we need the Minister to consider splitting RWSB into two – with North Rift Water Services Board placed in none other place than, of course, Lodwar.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to support and encourage you to come and help our people to exterminate polio and dysentery.

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

Hon. Members, you have got only four minutes left before the Minister responds. Maj-Gen. Nkaisserry, you will share those minutes with Ms. Murugi, two minutes each. We will start with Mrs. Mirugi.

The Minister for Gender, Children Affairs and Social Development (Ms. Mathenge): Thank you, Mr. Temporary Deputy Speaker, Sir. Mine is very brief. First, I want to commend the Minister and state that a budget of Kshs8 billion for the whole of Kenya is too little. The reason why I am saying that is because there is no substitute for water. When you look at the statistics in three provinces in Kenya, over 6.6 per cent of the people spend, at least, over one hour looking for water – that is the Rift Valley, North Eastern and Eastern provinces. That population is made up of women and girls. So, if we should aim to bring water to the households in Nairobi, Central or Western Kenya, where only 1 per cent spend less than one hour looking for water, then we would achieve what we had aimed in the 1970s when the song was: “Tapped water for every household by the year 2000”.

Mr. Temporary Deputy Speaker, Sir, I would also urge the Minister to look at NYEWASCO. Indeed, as I stand here today, I think NYEWASCO is the best water body in Kenya. We are the only ones who can boast of good, clean water. But it is not affordable to many households. We were given a loan of Kshs1.2 billion by the German Government at 6.5 per cent. Unfortunately, when they lowered the interest rate to 2.5 per cent, it did not translate to lower tariffs to the consumers.

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

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

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

The Assistant Minister for Defence (Maj-Gen. Nkaiserry): Thank you, Mr. Temporary Deputy Speaker, Sir. First and foremost, within two minutes, it is difficult for a person like me, whose constituency starts from Masimba to Lake Natron, and which is very dry, to say everything that I want. Nevertheless, let me take this opportunity to thank the Minister and the technocrats in that Ministry for trying to save Kenyans from thirst.

Mr. Temporary Deputy Speaker, Sir, I would just like to comment on two things. One, we need to harness rain water. For this country to conduct irrigation effectively, we really need to target all the seasonal streams. We need to put money and spillways on those seasonal streams!

Secondly, Mr. Temporary Deputy Speaker, Sir, we must have equity. When you look at the distribution of resources, especially in Kajiado; you will see that Kajiado North has been given the lion's share and yet, it is not even as dry as Kajiado Central. So, you need to look into that to ensure that equity prevails. If you lump all the money into Kajiado District without indicating precisely which goes to which district--- We now have two districts – Kajiado Central and Kajiado North.

My third point, Mr. Temporary Deputy Speaker, Sir, is that the water from Nol Turesh is not benefitting the people who actually gave that water. 75 per cent of the pipeline passes through my constituency and what I get is a raw deal. It is unfair! The Ministry needs to look into that. To mitigate that, then give us more boreholes and dams.

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

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! It time for the Minister to respond.

The Minister for Water and Irrigation (Mrs. Ngilu): Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Temporary Deputy Speaker, Sir, hon. Dr. Shaban has asked me to donate two minutes to her and I wish to do so. Also, I allow me to donate two minutes to hon. Ndeti!

The Minister of State for Special Programmes (Dr. Shaban): Asante sana, Bw. Naibu Spika wa Muda. Kwanza ningependa kutoa shukrani zangu kwa Waziri, dada yangu, Bi. Charity Ngilu kwa kunipa nafasi hii.

Bw. Naibu Spika wa Muda, maji ni uhai. Bila maji hakuna uhai. Afya njema hutegemea maji. Chakula cha kutosha hutegemea maji. Kuna jambo moja ambalo ningependa Waziri kulizingatia sana. Maji yakiwa yanatokea eneo fulani, kwa mfano,

maji ya Mzima Spring, ni heri kwanza watu wa eneo hilo wapate maji kabla ya kuenezwa maeneo mengine.

Pili, Wakenya tumezoea kupoteza maji mengine sana. Mvua hunyesha lakini maji mengi hupotea. Ni lazima tuwe na njia mwafaka za kuweza kuhifadhi maji ya mvua hapa nchini. Sisi kama Wakenya tutafanya nini ili tuelekane na janga la njaa. Ingawa nchi ya Wayahudi ni jangwa, wao hukuza chakula kingi cha kujitosheleza na pia kuuza katika masoko ya nchi zingine. Sisi tuna nchi yenye rutuba na maji mengi lakini tunalia njaa. Ni jukumu letu kuhakikisha kuwa tutaweza kuyatumia maji yetu vizuri.

Pesa ambazo zimetengewa Wizara hii hazitoshi. Serikali inatuhimiza kutotegea kilimo cha mvua. Ni lazima tutegemee kilimo cha kunyunyizia maji mimea yetu. Je, pesa hizi zinatoshia kufanya hivyo? Hilo ndilo swali ningependa Waziri na waheshimiwa Wabunge wezangu kuzingatia, ili tupige hatua za kimaendeleo pamoja.

Kwa hayo machache, ninaunga mkono.

The Assistant Minister for Youth Affairs and Sports (Ms. Ndeti): Thank you, Mr. Temporary Deputy Speaker, Sir.

I would like to take this opportunity to congratulate the Minister, Assistant Minister, Permanent Secretary and the entire Ministry's team. I stand here to support the Vote of the Ministry of Water and Irrigation. I would really like to urge the Ministry to concentrate on conservation of rain water or rain harvesting. As you know, the sea level has been rising because of waste going into sea. We need to find out the best ways to conserve water in our country using dams and also creating gabions on our rivers. We should also look into the issue of harvesting water by giving water tanks to all schools and also provide affordable water tanks for women.

I wonder how the Ministry is prepared to tackle *El nino* rains. As we have been told by the weather people, *El nino* rain is on its way. We should try ways of conserving rain water.

It is important for the Ministry to look at irrigation. We need to have large irrigation schemes so as to have food security. We should also look at green houses where we do not have land and provide water.

I would also like to say kudos to the Ministry on *Kazi Kwa Vijana* programme. In my constituency, we have young people who have started working on water projects. You are the first Ministry to start projects in my constituency through *Kazi kwa Vijana* initiative.

With those few remarks, I beg to support.

The Minister for Water and Irrigation (Mrs. Ngilu): Mr. Temporary Deputy Speaker, Sir, I wish to thank all the hon. Members who have supported this Motion. I have noted all the issues that they raised. I may not be able to address all of them because of the time.

The Chair of the Departmental Committee on Lands and Natural Resources talked about issues of governance, transparency and accountability in the management of water delivery services within the board. I want to assure the House that we will continue to address this issue using the water sector reforms that we have put in place.

Mr. Temporary Deputy Speaker, Sir, on the issues of water tariffs, it is true that we have increased the tariffs but this is as per some of the boards that made applications to get their tariffs reviewed. Urban tariff is differentiated, based on consumption. It is low in consumption areas and informal settlements. This is different from other areas

although I know that at the moment, informal settlements are experiencing high cost of water at the moment due to where they are getting it from; from those who are selling it to them. Some of the projects like Busia Water Project which is funded by the World Bank will be covered and it is also going to cover the other side of Amagoro of the Busia Town.

On the issue of incomplete projects, I want to say that we have studied all the incomplete projects and we are now starting to complete all of them. We have put money into these projects. We have been able to identify most of them. I agree that district allocations are still very low and I am happy that all hon. Members have noted that. On funding, some of the projects like Mombasa, coastal area, we now have the World Bank putting money in some of the projects and the Mzima Phase II is soon going to be started. We have not completed that one.

Mr. Temporary Deputy Speaker, Sir, we have also noted that water has been a source of conflict in this country and it will continue to be so like you rightly noted because we do not have water that is adequate for everybody. We have noted that Kenya is a water scarce country and it is going to continue to be like this as long as we are not going to fund adequately, most of the water programmes. We have truly spent very little in investing in water. This has caused the problem that we are seeing today. We all know what has happened in the country today. However, I want to say that we have started increasing the water storage in the country, including the five dams that are ongoing. We did not get enough funds from the Treasury for this but we will use what we have been given. I hope that things will change because the reason we were given is lack of funds which are being shared, of course, competing in different Ministries.

We talked about sometimes poor workmanship and the capacity in the Ministry of Water and Irrigation. I want to say that we will continue to improve on this. I hope that with the resources that we have, we will make a difference. Other projects that have been mentioned by some of the hon. Members are like Rarieda and like I said, Asembo Ndori is ongoing. It is being funded by the Italian Government. Mr. Letimalo talked about problems of outbreaks due to lack of water and we have noted that. It cannot be an issue of public health. I agree that this is the issue of sometimes people not getting water. But I want to say here, it is not about people not getting clean water or contaminated water. It is the issue of people getting water from other sources. So, that has to be dealt with by other Ministries.

I want to thank all hon. Members who have supported this Vote of the Ministry of Water and Irrigation.

With those few remarks, I beg to move.

(Question put and agreed to)

The Temporary Deputy Speaker (Mr. Ethuro): We will not go straight into the Committee until we take Vote 21 - Ministry of Environment and Mineral Resources.

MOTION

THAT THE SPEAKER DO NOW LEAVE THE CHAIR

Vote 21 – Ministry of Environment and Mineral Resources

The Minister for Environment and Mineral Resources (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

First, I would like to point out that my Ministry's mandate is - and I seek the indulgence of hon. Members to follow what I will say - to monitor, protect, conserve, manage the environment and mineral resources through sustainable exploitation of resources for socio-economic development aimed at eradication of poverty, improving living standards and ensuring that a clean environment is sustained now and in future. That is the mandate of the Ministry that I head.

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

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

Towards this end, the Ministry aims to ensure:-

1. Catchment areas are adequately protected. I urge hon. Members to refer themselves to Section 42 of the Environment Management and Co-ordination Act which spells out exactly what the Ministry is expected to do in respect of water catchment areas.
2. Environmental issues are well co-ordinated and funded.
3. Issues of desertification and climate change effects are thoroughly addressed.
4. Ministry staff get the necessary skills to respond to emerging environmental challenges and give the required awareness to the public and other stakeholders.
5. National Environmental Authority (NEMA) formulates the necessary environmental regulations and guidelines and together with stakeholders enforce them.
6. Department of Mines and Geology provides the requisite information to enable investments in the mining sector.

My Ministry will implement these measures through four main departments and one parastatal. These departments are General Administration and Planning; Mines and Geology Department; Survey and Remote Sensing Department; Kenya Meteorological Department and the National Environment Management Authority (NEMA).

As hon. Members are aware, environment and economic development are inter-dependent. Environmental issues of growing concern in the world today include climate change, sustainable land management, pollution and waste management which constitute a direct threat to the quality of life particularly, among the poor.

My Ministry will continue to effectively address these challenges through programmes and activities to be undertaken by the respective departments and parastatals that I have just mentioned.

Mr. Temporary Deputy Speaker, Sir, in the same vein, allow me to enumerate some of the key achievements that my Ministry has made in the just ended financial year. One is the rehabilitation and restoration of Nairobi River, including removal of all the

solid waste that has been pending in the various estates in the City of Nairobi. We have not completed that undertaking. We are still ongoing.

The other achievement is development and gazettement of regulations and standards. For instance, we have already issued guidelines about wetlands. We are now gathering information on wetlands, which will then be gazetted, so that the law can then be applied. Before then, whether there are demonstrations or not, there is nothing we can do until the law is available to facilitate that action.

We have also done the publication of the Atlas of our changed environment. I believe that the Atlas itself should be available to Members of the Departmental Committee and all the hon. Members of this House. It is our duty to also publish what we call "State of the Environment Report". We also deal with development of the Mining and Minerals Act, 2009, which should come before this House before the end of this calendar year.

Mr. Temporary Deputy Speaker, Sir, we also do maize and wheat focus. The estimation of food in the country is done by us. The mapping of Mau Forest and other water towers is what we have been doing. We have been undertaking livestock survey in Marsabit, Laikipia and Narok Districts.

We have undertaken installation of ten hydrometric stations in Nzoia and Tana catchments, as well as installation of earth FM stations for vulnerable communities. We have also undertaken installation of a tide gauge for Tsunami early warning at the Coast, of course, after inaugurating the National Environmental Education and Awareness Institute initiative, which is an on-going exercise. We find it very important that information is spread throughout the country.

Mr. Temporary Deputy Speaker, Sir, I now turn to the activities that my Ministry proposes to fund in the current financial year, starting with the provision made under Sub-Vote 210, General Administration and Planning. Through the Department of General Administration and Planning, my Ministry provides administrative support and co-ordination services to all other technical and service departments, including the parastatals within the Ministry.

To enable me finance these support services and meet the personnel costs for the staff involved, I am requesting this honourable House to approve a gross allocation of Kshs345,646,962 under the Ministry's Recurrent Vote, of which Kshs323,817,546, Kshs10,503,000 and Kshs11,326,416 will be spent under Heads 670, 749 and 885, respectively.

Mr. Temporary Deputy Speaker, Sir, Head 698 Under Development Vote, my Ministry has been preparing the modalities for the implementation of Lake Victoria Environmental Management Project Phase II whose proposed gross expenditure is Kshs552,853,000 from the World Bank and the remainder from the Kenya Government.

The Lake Victoria Management Project II will mainly focus on introduction of investments with the aim of achieving a sustainable healthy Lake Victoria Basin Environment and reduce poverty in the East African partner States.

Under Head 885, Kshs184,808,440 will be spent to undertake a survey on water weeds infestations in the lakes, rivers and dams and monitoring evaluation projects and programmes. Towards this end, the governments of Denmark and Sweden, through DANIDA and SIDA, respectively, will provide Kshs149,178,190 under the Environmental Programme Support (EPS).

Mr. Temporary Deputy Speaker, Sir, I will now proceed to discuss my proposals for the mining sector and that is under Sub-Vote 212, Department of Mines and Geology. Through the Department of Mines and Geology, we will address the big challenge of making the mining sector contribute effectively in the country's economy by increasing its contribution to the GDP to more than the current 2 per cent.

The main activities planned by the Ministry in this sector include:

1. Conducting systematic geological mapping and mineral exploration.
2. Assessment and evaluation of mineral resources
3. Maintaining an elaborate mineral data base
4. Supervision and regulation of mining activities
5. Trade in gemstones, precious metals and non-precious metals
6. Geohazard mapping; that is to say mapping areas where landslides and loose rocks might be harmful to inhabitants below
7. Development of the Mining and Mineral Act, 2009.

Kenya has a high potential for both metallic and non-metallic industrial minerals as evidenced by the survey already undertaken in the country. The sector's objective is to promote mineral resources development through private sector participation.

Mr. Temporary Deputy Speaker Sir, I want to invite the House to an advancement which came out last week in which the Commissioner of Mines, using the existing law has required all dealers in precious metals and minerals to make returns and to declare all that they have dealt with in the last three years. I want to support this initiative by the Commissioner. Those dealing in the commodities mentioned in that advertisement must note that we are not joking.

There has been increase in instances of loss of property and life through geological hazards across the country. In view of this, the Department of Mines and Geology has been mapping such areas in the country most likely to be affected by such geological hazards. The Department will also carry out extensive surveys on environmental effects of mercury on the gold mining areas of Lake Victoria Basin where small miners continue to benefit, although not very much. The total trade in a year is about Kshs60 million. I, therefore, request the House to approve an allocation of Kshs208, 267,247 in the Recurrent Vote and Kshs85, 719,804 in the Development Vote for the Department of Mines and Geology.

Mr. Temporary Deputy Speaker, Sir, I now wish to address myself to the financial needs of the Department of Resource Survey and Remote Sensing. The department is mandated to collect, store, analyze and disseminate data on natural resources to facilitate informal decision making for sustainable management of resources. Through advanced information technology, the department will undertake accurate and timely geospatial data with the aim of increasing efficiency in the management of natural resources. The data collected is used for planning purposes by the districts, Government Ministries and parastatals with the aim of alleviating poverty and conserving the environment.

In the current financial year, the department will acquire a new aircraft and endeavour to provide natural resources information on:-

- (i) Status and trends of wildlife and livestock in the Kenya range lands.
- (ii) Land use, land cover and forest cover changes.
- (iii) Early warning information on crop production, plant biomass and vegetation status.

(iv) Biodiversity status in Kenya.

Mr. Temporary Deputy Speaker, Sir, I therefore, request this House to approve an allocation of Kshs159,044,690 in the Recurrent Expenditure and Kshs177,400,000 in the Development Expenditure to enable the Department undertake the above planned activities.

Mr. Temporary Deputy Speaker, Sir, our country is faced with a wide range of environmental challenges such as degradation, loss of biodiversity, pollution, waste management and inadequate public awareness on environment---

The Temporary Deputy Speaker (Mr. Baiya): Order, Mr. Minister! Your time is up!

The Minister for Environment and Mineral Resources (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I beg to move.

The Minister of State for Planning, National Development and Vision 2030 (Mr. Oparanya): Mr. Temporary Deputy Speaker, Sir, I beg to second my colleague, Mr. Michuki. First of all, I want to congratulate him for having eloquently moved the Vote for the Ministry of Environment and Mineral Resources. I have decided to second the Motion because I know the Minister is a no-nonsense man and he means what he says. I know that he will do what he has said in his Ministry.

I would also like to thank the Minister for cleaning Nairobi River. This was a very important project and initiative that he came up with. I hope that he will get more funds. It is important that the Minister approaches the private sector to support the initiative of cleaning Nairobi River. Obviously, this is being done by the Ministry because the City Council of Nairobi (NCC), which is the lead agent that is supposed to be cleaning the City of Nairobi, including Nairobi River, has failed. I do not know whether there is a law that will enable this Ministry get the money that goes to the NCC for cleaning Nairobi River. This Ministry has shown that it can do a better job than the NCC.

Mr. Temporary Deputy Speaker, Sir, the other day, I passed through Dandora and came across a garbage dumping site which is ugly. I hope after the Minister's initiative to clean Nairobi River is over, he will look into the possibility of managing the Dandora garbage dumping site or relocating it to another place far from the City.

I have heard the Minister talk about the NEMA which has all the powers that it requires through its Act, to assist in the management of the environment. Unfortunately, I do not think NEMA has done its job as required. This is because the other day, we heard about some youths who tried to attack a contractor in Spring Valley. Someone has just built some houses near the river, which means that it will dry up. I do not know how the contractor or developer came up with the project without the approval of NEMA.

Mr. Temporary Deputy Speaker, Sir, while I appreciate that now, the City centre looks clean, that initiative should also be extended to the estates. The estates have been left to the agents. I think it is important for the initiatives of the Ministry to extend to the estates.

Obviously, Mr. Temporary Deputy Speaker, Sir, if you have looked at Vision 2030, we are committed that by 2030, Kenyans will live a quality life in a clean and secure environment. I want to congratulate the officials of the Ministry because they are just doing that. I hope that they will continue doing that, so that Kenyans can enjoy quality life within a clean environment. Obviously, with a clean environment, the airborne diseases will be reduced and Kenyans will live a longer life.

Mr. Temporary Deputy Speaker, Sir, the issue of climate change is now a reality. That is an area that the Ministry has to look into because climate change, as mentioned by the Minister, is part of your responsibility. We should be looking for early warning signs.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to second the Motion.

(Question proposed)

Mr. Musyimi: Mr. Temporary Deputy Speaker, Sir, may I, on behalf of the Members of the Departmental Committee on Lands and Natural Resources, express our appreciation to the Minister for Environment and Mineral Resources, hon. Michuki, his Assistant Minister, Mr. Kiptanui and his staff who are also with us today. We wish to present to this House the Committee's findings on the scrutiny of the Annual Estimates for the Financial Year 2009/2010 for Vote 21, pursuant to provisions of Standing Order No.152(1) (2).

But before I proceed, Mr. Temporary Deputy Speaker, Sir, this being the last presentation that we are having, let me take this opportunity to thank the four Ministers – the Minister for Land, hon. James Orengo; the Minister for Forestry and Wildlife, Dr. Wekesa; the Minister for Water and Irrigation, hon. Ngilu and now the Minister for Environment and Mineral Resources, hon. John Michuki, for responding promptly to the issues that were raised by my Committee during the examination of the 2009/2010 Estimates. I want to thank you for your keenness and also to thank your staff.

May I also take this opportunity, Mr. Temporary Deputy Speaker, Sir, to thank all the Members of my Committee for their patience and sacrifice. I remember that, one day, we were meeting at 10.00 o'clock and it occurred that the previous day, an hon. Member had driven himself for seven hours, having left home at about 7.00 p.m. and arrived here at 1.00 a.m. to be present for a meeting that was due at 10.00 o'clock with the Minister and the staff. That is the kind of sacrifice, commitment, endurance, hard work and long sitting hours that my Committee demonstrated. I want to thank them and state their names. They are hon. Peris S. Chepchumba the Vice-Chair of the Committee who is here with us, hon. George Thuo, hon. Benjamin J. Washiali, hon. S. R. Muriuki, hon. B.F. Gunda, hon. M. Ogindo, hon. P.N. Gitau, hon. Amb. Mohamed Affey, hon. Omar Zonga and hon. K. Kilonzo. To these colleagues, please, accept my sincere gratitude.

Mr. Temporary Deputy Speaker, Sir, the Committee also wishes to record its appreciation to the services rendered by the Clerk of the National Assembly for his support to enable us execute our mandate and also for the staff of the National Assembly attached to my Committee. Their efforts made the work of my Committee and the production of this Report possible.

Coming back to the Report, I wish to share our observations. We met on Thursday, 9th July, for one sitting and it was very helpful. In that meeting, we made the following observations. First of all, we noticed a number of projects that have been left out of the estimates of this financial year. These include Integrated Meteorological Information System estimated to cost Kshs220 million, which would enhance the collection, data processing, archival and retrieval of metrological information and products. We also noted that the acquisition of drilling rig estimated to cost Kshs150 million for geological survey and mineral exploration was left out. Left out as well was

the acquisition for modern aircraft for the Department of Resource Survey and Remote Sensing estimated to cost Kshs300 million. Finally, also left out was staffing and operation for the National Environment Management Authority (NEMA) estimated to cost Kshs518 million.

We noticed too that the strategic plan for the Ministry has not exactly incorporated the Vision 2030. That is where the surprise starts. The Medium term plan and the restructuring of the Ministries of the Government were also not factored into the discussions that we held. We observed that the allocation for the A-in-A for NEMA will reduce drastically this financial year from Kshs170 million to Kshs30 million.

Mr. Temporary Deputy Speaker, Sir, the Department of Mines and Geology, as we know, is facing a number of challenges. Among them, the outdated mining Act which as we have been told today was enacted in the 1940s during the colonial era. It does not exactly give the department the opportunity to exploit the mining subsector. We also noticed that the Ministry is holding pending bills amounting to Kshs160,268,768.40. The payment for this has not been provided for. We fear, therefore, that in the process of handling of this, some allocations could be diverted.

Mr. Temporary Deputy Speaker, Sir, we noticed too that climate change issues have not been well addressed in the budgetary allocation despite the climate change being one of the very critical issues facing us today, as we have been reminded by the Minister. We were also surprised that the Ministry is contributing large sums of money to international organizations that deal with climate change. We suppose this is because of the various conventions and protocols that have been signed. But it seems to us rather interesting that so much money should be set aside for membership issues when in fact very little has been set aside to address climate change matters.

We also noticed that the A-in-A for the Kenya Meteorological Department institutional houses is collected by the Ministry of Housing. This is despite the fact that these houses were actually built and are maintained by the Kenya Meteorological Department.

We wish to make the following recommendations: One, that the funds to be allocated to NEMA be enhanced to enable it to carry out its mandate. It has lost considerable funds through reduction in A-in-A, as we said earlier. We also wish to recommend that this being the Ministry charged with the responsibility of protection of catchment areas and dealing particularly with climate change, that funds should be allocated on this issue to educate our people and create awareness as a matter of priority. We notice that a lot of times, the issue of education has been left to the media to pick up and report to the people. We feel that sufficient civic competence in this area needs to be maintained, so that our people know what it is that awaits them. We know that there has been shortage of water.

We know that we have abused our environment but I think we also need to realize that there has been a population explosion. The population in Kenya has not exactly helped on this matter. We have more people with an economy that has not grown proportionate to the population that we now have. We also have global climate change issues that go beyond our boundaries. There are issues legitimately that our people need to be educated on. So, we are asking the Ministry to enhance this capacity in our people so that they know the dangers and are informed of what climate issues are.

Mr. Temporary Deputy Speaker, Sir, we are also recommending that the Mining Act be reviewed before the end of the current financial year as a matter of urgency so that the Ministry, the Government and our people can exploit the opportunities in the mining sub-sector. We are also recommending that the rent accruing from the KMD institutional houses be collected and used by the KMD to finance its operations and that the Ministry of Housing transfers collections of the rent accruing from the KMD institutional houses to the department.

As I conclude, we got rather surprising news yesterday from the Minister for Forestry and Wildlife, that in the 1930s, the gazetted forests in this country were in the region of 93,000 hectares. Between 1930 and as of today, we lost about 63,000 hectares in one year; in 2001. I do not think we should be surprised today that we are going through what we are going through in terms of the implications of the abuse of our environment. I mention that because the issues that we have been dealing with in my Committee are cross-cutting: The issues of land, relationship of land to forests, wildlife, water, climate change and the environment. We want to ask the sectoral Ministries to do all they can to help preserve our environment and help our people understand the dangers of an environment that has been abused; whether it has been abused by those in power as has happened before or it has been abused by our people. One of the greatest shocks I heard during the campaign was going round and seeing a constituency I thought I knew only to discover the amount of trees that had been cut. We can all see the implications of that in terms of the livelihood of people as you meet them; the poverty on their faces! Even the fact that they do not have enough water can be seen on their faces. There is a sense of dryness on the body as you look at people's skins. We have been told that water is life!

Forests are life. Land is also life. All these sub-sectors are key to development. A study done not many years ago revealed that the next battle in the globe that we live in today will revolve around water. I think we have started seeing that happen. We support every position that we have taken that more money be allocated to the Ministry of Water and Irrigation, the Ministry of Environment and Mineral Resources and the Ministry of Lands. The Ministry of Lands produces Kshs6 billion, but it gets from the Treasury about Kshs2.5 billion. This Ministry needs this money so that it can adopt the land policy and implement it.

Mr. Temporary Deputy Speaker, Sir, the issues in this sector are our life and future. The National Assembly and our people have a duty to make sure that we understand the implications of these Ministries we have been discussing in my Committee. We want to work closely with the Ministers and Assistant Ministers and their staff. Next week, we will have a strategic plan. We hope to see as many of them as we can. We have committed ourselves, as a Committee, to be as professional as possible and put our best effort to try and help our people through our role in the National Assembly by supporting the work of the Ministries. We also need to play our role in this House.

As I end my contribution, again, I thank all those who have been concerned. I would also like to thank Mr. Michuki and his team for the submissions that they have made. I rise here on behalf of the Committee to support the Motion.

The Minister for Gender, Children Affairs and Social Development (Ms. Mathenge): Thank you, Mr. Temporary Deputy Speaker, Sir. I think we are talking too

much, too late and doing too little. If we had taken care of our environment 15 years or 20 years ago, we would not be talking about water shortage in this country.

Conservation of the environment is a must. We must introduce this as a syllabus in our schools right from primary school. We want our children to learn about the environment. Indeed, if we do not take care of our environment, it will harm our health and cause many problems.

I urge the Minister whom I know is capable to agitate for a much higher budget so that he can introduce environmental education in our schools and collaborate with other Ministries. We know the Ministry of Lands is responsible for the allocation of land. In most cases, it allocates wetlands and catchment areas. We hope that the Minister for Lands he will cancel all title deeds for wetlands and catchment areas. If that is not done, we will just talk and that will not help in the conservation of our environment.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Environment should be in charge of waste collection in all urban areas. Indeed, we see the mountains of garbage in Dandora as waste, but I see it as a gold mine. I am sure if the Minister is given this responsibility, he will turn it into a gold mine. I urge the Minister to look at that garbage and others in other urban areas and ensure that he meets the shortfall in his budget from the garbage he will turn into gold.

If we had taken care of our environment, I do not think the Minister would be complaining. He would be satisfied with the budget that he has today. However, in Kenya, we have learnt to be abusers of the environment. I want the Minister, as we go for the conference in December, 2009, to involve women in the conservation of our environment. This is because when we endanger the environment, we, as women, take longer to look for water and take care of both our men and children.

So, please, incorporate as many women and as possible into that conference, because we are the keepers of the environment.

With those few remarks, I beg to support.

Mr. C. Kilonzo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. On the outset, allow me to thank the good Minister and his entire team of staff for the passion they have shown in doing their job.

This particular Ministry and, indeed, the country, are faced with three major challenges. The first challenge is the destruction of our water catchment areas or our forests. The second challenge is the pollution of our environment and water resources. The third challenge is the climate change. Finally, the Ministry has the challenge of having very limited resources to deal with the three major challenges.

Mr. Temporary Deputy Speaker, Sir, we, as Kenyans, time has come when we must not put the blame on the Government. We should not be blaming the Government for everything. The issue of water catchment areas has been spoken about day after day, be it the Mau Forest, the Cherengany Hills or many others; but what are we doing? This time round, the Government needs to appear to be a Government. A government is supposed to make decisions that are not necessarily popular.

We want to hear that the Mau Forest has been repossessed, whether you compensate the evictees or not, that will be your problem. We want to hear that there are no more squatters in Cherengany Hills. You will be surprised. In some areas like Mbooni, where Mrs. Charity Ngilu comes from, people should be compensated and moved out. That is a water catchment area. A good example was in the 1990s, when the then Head of

State decided that the squatters on Kyulu Hills should be moved out, and they were moved out. Today, if you go to Kyulu Hills, you will see that there is water.

Mr. Temporary Deputy Speaker, Sir, another problem we have, in respect of which we need the assistance of the National Environment Management Authority (NEMA), is pollution of our water resources. We have a serious problem with local authorities. They are releasing sewage directly into our rivers. We need funding of the local authorities to ensure that we have proper water treatment plants, and that rivers are not polluted.

A few months back, when Mr. Michuki took over the leadership of the Ministry of Environment and Mineral Resources, he said that he was going to clean the rivers in Nairobi. Now you only need to visit some of the rivers. You will not believe it. They have very clean flowing water. The biggest challenge to the Minister now is to ensure that we maintain that status. We do not want a repeat of what happened in the transport sector. We want systems now. Make sure that you leave systems in place in that Ministry.

When I was a small boy, my grandmother used to tell me that a river that used to pass through our *shamba* was a permanent river. Today, it is not. I grew up in another village where there was a permanent river – Thika River. I now tell my own son: “This used to be a permanent river.” Time has come when we have to take the issue of environmental conservation seriously.

Mr. Temporary Deputy Speaker, Sir, allow me to also just wonder. When it comes to the Ministers, they have to demonstrate commitment by dealing with the issue of wetlands. The Minister for Water and Irrigation has to demonstrate commitment. Is it that the Minister talks to the Government and the Government does not listen? Why can the Government not decree that all developments on wetlands be demolished and the land repossessed? Whether you compensate the owners or not, that would be your problem, but repossess them. Next time, the Minister might break her leg. Is that when the Government will take action?

With those few remarks, I beg to support.

Mr. Muthama: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

I want to start by saying that I am very much involved in this Ministry, because my business is regulated by the Ministry of Environment and Natural Resources. Looking at the Vote of the Ministry, there is no provision that caters for exploration of minerals in this country.

Tanzania is building its economy through exploration of minerals. This is one area which the Government of Kenya has forgotten. It is high time the Government considered allocating more funds to this Ministry. The Ministry should assist small scale miners in terms of geological information and establishment of proper mining. By so doing, jobs will be created through that Ministry. It has happened in all other countries in Africa, except in Kenya.

Turning to the environment, the problem in our country is lack of capacity to obey the laws of the land. Currently, we are witnessing the worst drought. It will cause problems to us because we have messed up the environment. It is time the Ministry took action against those people who are destroying our environment. This can be done by the Provincial Administration; assistant chiefs, chiefs, the District Officers and District Commissioners. We can use them to make sure that our people plant trees. It should be

made mandatory for one assistant chief to be held accountable at the end of the year, how many trees he or she has initiated to be planted in his area. An Assistant chief must initiate planting of more than 1,000 trees in his sub-location. Chiefs must make sure that they plant between 2,000 and 3,000 trees in their locations.

Members of Parliament can use some of their CDF money to plant trees in their constituencies. The Government must fund primary and secondary school teachers to initiate planting of trees in their compounds. If we do so, in five years time, our country will be looking green. But if we sit here and keep on talking about the need to protect our environment and yet we are not planting trees, we will be wasting time.

Mr. Temporary Deputy Speaker, Sir, I want to congratulate the people of Central Province for one thing. This country has been getting water from Ndakaini Dam and Sasumua Dam. The environment around those dams has been preserved without the Government using force to prevent people from destroying the water sources there.

Today, we want to protect the Mau Forest. It is the largest water tower in this country. The Government must move with speed to protect this water tower. We should not waste more time talking about title deeds and compensation because our lives are under threat.

The lives of Kenyans have been compromised. Laws must be put in place and obeyed. The provincial administration can act on that issue and people should stop bothering the Ministry.

I beg to support.

Mr. Mwathi: Mr. Temporary Deputy Speaker, Sir, I stand to support this Motion. I also want to congratulate the Minister for the presentation that he has given which was quite eloquent. In so doing, I want to associate myself with the sentiments of the Member for Nyeri Town, that it is time this idea was taken to our schools. From primary school level, we should teach environmental studies so that our children grow up knowing it just like we did knowing what the national anthem was. They would be singing, just like the national anthem, that planting trees or conserving environmental is a matter of course.

That being the case, I think it is important to know that if we started that programme now, we have so many Kenyans who do not have that information or knowledge. Therefore, in that connection, I think the Minister should start awareness campaigns to sensitize people on the need to conserve the environment. This could be done through radio programmes, holding seminars or whatever forum. We need that programme very much so that those who are not going to go to school will still know about the need to conserve the environment.

Mr. Temporary Deputy Speaker, Sir, let me congratulate the Minister for what he did when he was the Minister for Transport. I never managed to congratulate him that time. He introduced seat belts and that was the in-thing. He really controlled the *matatu* industry. Today, if you go out there in the world, you will find countries which are very keen on emission control. If you went to Japan and Europe, emission control is a must. It is a very vital aspect of their lives. However, here if you follow any lorry, *matatu* or car, it has all manner of emissions. This in turn is detrimental to the health of Kenyans. That translates into a huge health bill for the country. It is time the Minister took control of this situation and put in place standards for emission control. It should not be that vehicles would be coming to be checked at the end of the year because they are going to

comply just about the time they are coming for inspection. We should do instant and random checks so that we reduce these emissions and our people reduce their health bills.

Mr. Temporary Deputy Speaker, Sir, I would like to commend the Minister for the work he is doing on Nairobi River. However, I still do not think it is clean. He needs more money. I sympathize with him because I do not know what it is that he will do to get more money. However, take that route, bring it here and we are going to support you so that we can clean our environment, particularly the Nairobi River which is a big shame.

On the issue of waste management, you will find all manner of waste everywhere. Come to my constituency, the Assistant Minister knows that there is one industry which produces rubber and plastics but then it burns them carelessly. Yes, Bata Shoe Company produces very nice shoes. However, look at the people living opposite the factory, they always complain of chest congestion. This affects those in primary schools, secondary schools and even grown ups. When are we going to regulate this? Where is the National Environment Management Authority (NEMA)? Where are these environmental auditors? Let them come and find out and give Members of Parliament the key areas affecting the various constituencies we come from. We can then see whether they are complying. If they are not, they should be made to comply even as they do their business. They should ensure that waste disposal from factories is properly managed.

Let me end by talking about the directive to have gum trees cut along river banks. That was a very good directive. However, as a campaign to restore water which has been very strong from the Prime Minister, and which I think the whole Cabinet subscribes to, we need not just ban gum tree along the rivers. I think that tree is not doing any good; it should be banned from being grown in this country forever.

With those remarks, I beg to support.

Mr. Affey: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also support this important Vote. As I support this Vote, I will also comment briefly on the Ministry of Water and Irrigation, because I happened not to have been here when that Vote was being discussed.

The environment is very important to all of us. The starting point is to request the President and the Coalition Government to give this Ministry all the political and material support. The President should enhance the mandate of this Ministry. We have the Minister for Environment and Mineral Resources and another one for the Ministry of Forestry and Wildlife. Therefore, they cannot co-ordinate issues to do with the environment. There is always an overlap of mandates between the two Ministries. Since I know Mr. Michuki, I would like him to use his office to ensure that this is refined further, so that the Minister for Environment has a mandate including that of forests, which now falls under another docket.

Mr. Temporary Deputy Speaker, Sir, the destruction of our environment has been spoken about. As a Member of the Departmental Committee, we assessed this Ministry's Vote in detail. We were satisfied with the management of both the Minister and the Permanent Secretary. However, they require more resources as hon. Members have said.

The issue of Mau Forest is equivalent to the issue of Uaso Nyiro River which has dried down stream. There is a lot of cultivation going on upstream. Because the people up stream believe that the water belongs to them, Kenyans who live downstream in Uaso Nyiro and Isiolo continue to suffer. That river used to be permanent, but now, there is not

a single season we can have water downstream. So, as the Minister cracks the whip in Mau Forest, there is need to extend the same to all water catchment areas, particularly, Uaso Nyiro.

Mr. Temporary Deputy Speaker, Sir, the National Environment Management Authority (NEMA) which is one of the principal agencies working in this Ministry has done substantial work. However, we were disturbed, as a Committee, to note that the revenue in the form of Appropriation-in-Aid collected by the NEMA has dropped from Kshs170 million to about Kshs30 million because of Government's desire to respond to pressure. The Government has reduced the penalty charged on people who destroy the environment. I do not understand why the Government is requesting for money from the Treasury, when the other monies that NEMA could secure have been reduced deliberately by its policies. The Minister has the resolve to counter-check this and do something. Let us give the NEMA budgetary support. We should facilitate it to collect money in the form of Appropriation-in-Aid. This has been reduced deliberately by Government policies.

Water is critical. I am glad that the two Ministers whose Votes we are discussing today are here. I just want to talk a bit on the challenges we are facing in northern Kenya with regard to water. Almost all constituencies in North Eastern Province now depend on boreholes. The boreholes are now managed not by the Government officials, but by the communities because of the reforms carried out in the water sector. However, I think they never thought seriously about these reforms. It is high time we reviewed these policies, because the management of the boreholes is left in the hands of villagers who do not understand how an engine functions. As a result most of the engines have broken down.

So, there is need to rely on the engineers and not only on the Board because the district water engineers are the ones who live with the community. You will be surprised that in the whole of Wajir District, for instance, there is only one electrician for nearly 60 or 70 boreholes! Now, if one borehole collapses, that electrician will move there. If another borehole collapses, it can wait for days before he comes there. So, there is need, even as we know that there is a ban on the recruitment, to see whether, through the district water engineers, even on casual basis, electricians and general technical managers can be recruited. That is because we have a real challenge there. During that period, in spite of all the problems that the Ministry is facing, please, respond more critically to the drought, particularly in the area of drilling more boreholes and the supply of fuel. That is because the animals can no longer fetch any amount of money and the communities are expected to purchase their fuel in order to service the boreholes.

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

Mr. Letimalo: Thank you so much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Vote for the Ministry of Environment and Mineral Resources.

Mr. Temporary Deputy Speaker, Sir, I really do appreciate the efforts of the Minister and the Ministry officials in protecting and conserving our water catchment areas. In fact, I only have two concerns and, one has already been mentioned by my colleague, hon. Affey, about the Ewaso Nyiro River.

Mr. Temporary Deputy Speaker, Sir, just as he has said, the Ewaso Nyiro River used to be the only permanent river that traverses across many districts, starting from Nyandarua, through Laikipia, Samburu up to those sides of Isiolo. The water used to flow

throughout the year. It is for the same reason, Mr. Minister, that so many tourist hotels and lodges have been built on both sides of the river. That is in Samburu and also in Isiolo. There was an assurance of water to the communities living along the river and also the wildlife. There was a lot of conservation of wildlife and that is why many tourists were attracted to the area. But for now, just as my colleague has said, even for a short dry spell, the river runs dry. So, the wildlife suffers, just as the people who live around that area! The main reason, and I think that is an issue that even came up through a Parliamentary Question, is because there is a lot of diversion of water upstream. There is also destruction of the springs that feed that river. I know that because I have been there. Then, of course, there are farming activities on the river banks. So, Mr. Minister, we would like to request you to intervene.

My other concern, Mr. Temporary Deputy Speaker, Sir, is that communities in Arid and Semi-Arid Lands (ASALs) have now embraced community based conservancies, besides livestock rearing. They have turned to that as an alternative economic activity. That has created employment for many people. The local community also conserves the environment. They have now been taught how to manage their grazing lands and even protect their water sources. My request to the Minister and the Ministry officials is that, through the creation of those community based conservancies--- We have got so many people who are really interested, particularly expatriates. There are *wazungus* who operate around that area. They have got connections with the donors and, therefore, they really have a lot of interest in those conservancies. My request to the Minister is that, through the creation of those conservancies, the local communities must be involved so that, for any benefits accrued, the community should get their rightful share.

Secondly, Mr. Minister, you also know that it is a requirement that, before any conservancy operates, National Environmental Management Authority (NEMA) has to issue an environmental impact assessment report, which is very, very important to all of us.

I wish the process can be hastened so that certificates can be issued to the conservancies. Therefore, the reports should be taken by the community and those who are concerned. At this juncture, I want to say a very big “thank you” to the Minister and his PS for taking action on Kalama. My people are still waiting for the environmental assessment report. I am happy that the PS has already taken action.

I also want to request the Minister to liaise with the Ministry of Lands so that these community based conservancies are registered. There is a tendency where those who are concerned, construct community lodges, but nothing goes to the community. There is also extension of land from what was initially given. I think it will be important if the Ministry steps in to ensure that an area earmarked as a conservancy is registered, so that its boundaries are determined.

With those few remarks, I beg to support.

Prof. Kamar: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to join my colleagues in congratulating the Minister for a well articulated Budget.

I would only touch on Head 162 which touches on institutional strengthening ozone depletion substance. I want to raise a few concerns. This is the year when the Kyoto Protocol will be revised. This will be done in November. We, as Parliament, do

not seem to be sure of the Government preparations on this. I looked at that Head and I am wondering how the Minister will address the road map to Copenhagen. There are a few things that are of concern, in particular, the issue of what we do with such protocols. Kenya is known to be very good at signing protocols. We signed the Kyoto Protocol. What have we done? What have we implemented? What is on the ground? Do we know about it?

The other issue is; what exactly are we doing about the environment as Kenya, as far as that Kyoto Protocol is concerned? Before it is revised in November, what is the current status and what are we doing about it? There are issues that other countries will report. I am wondering how the report of Kenya will be. People will report on their adaptation mechanisms and how they have funded it. Either the Minister was not given enough funding or I did not read the Budget properly. I do not see anything on adaptation or anything that will mitigate the climate change. We know that we are victims as the Third World. We have not emitted as much as the rest of the world. But if we have signed, the Kyoto Protocol, then we must be seen to be part of clean development.

In the Vote of the Ministry, I expected to see clean development mechanisms; funding a budget that will enable the Ministry to either do research. Unless research has been handed over to a different department, I am not seeing how that will be taken care of. We are supposed to be approaching clean development differently. I know we have talked about Nairobi River so many times. It is as if the environment is around Nairobi River. There are so many areas that are degraded. There are areas that are very vulnerable in the drier parts of Kenya. About 80 per cent of Kenya is arid and semi arid. What are we doing about it? What are the effects of the management of those fragile areas on environmental degradation?

In the 1980s, Kenya was used as one of the pilot areas when desertification was being mapped and we were mapped. I do not know whether that information is being used by the environment ministry in any way because we do not see any link between protocols, what has been done and what is currently going on if you read the budget.

Mr. Temporary Deputy Speaker, Sir, the other thing that I am wondering about is extension services of the Ministry. Maybe I did not read the budget well but if the Minister can highlight our extension services--- We know there is a difference between the district forest officer and the district environmental officer because they do not deal with the same issues. What are our environmental officers doing currently in the various sectors and what are they addressing? Maybe we have a problem of policy and we need to start addressing the policy issue. I hear that the Ministry of Agriculture has adopted something called demand driven. I hope the Ministry of Environment and Mineral Resources has not adopted the same because the environment is something that is not easily seen by those who are messing it up. So, unless we have a very strong environmental network, nobody knows when they are degrading the environment or alleviating it. So, there is need for a strong environmental network, but that part of the budget is not there I would really wish that we strengthen that aspect and support the Ministry to have a very strong environmental extension unit so that people can be sensitized. We did not create plastics, we ended up using them because we thought they were the easiest ways of doing things but we do not know what to do with them after we are through with them.

We have heard of companies that have come into this country that are ready to recycle these plastics. We do not know what the Ministry is doing. We do not see pilot projects in his budget. I do not know whether he was unable to do that because we know the kind of Minister he is; that he is an implementer but when you look at the budget, it is like he has a lot in travel votes and very little on training and extension. It makes one wonder!

With those few remarks, I beg to support but the challenges are with the Minister on how we will reach Copenhagen when we are ready as a country.

The Assistant Minister for Information and Communications (Mr. Godhana): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving this chance to contribute to this Motion.

The environment and man have never been separable because the environment is not just a resource but a valuable asset. One thing I have learnt is that economic development or what I may call economic dynamic balance cannot be achieved if the interaction between the human dynamic balance and the natural resource dynamic balance are not proper. The human dynamic balance has three very critical components; the social, spiritual and the political. Basically, you cannot disconnect these three components. If you are looking at it from that angle, you can never disconnect the dynamics of man and the dynamics of the environment to bring about sustainable economic development.

The failure of man is aligning himself with resources. That is the biggest failure and that is why we are not arriving anywhere towards economic development. Every day we think the economy is the main thing and even in Vision 2030, the focus is economics. All countries are looking at economics, they are not thinking about the interaction between the man and the resources. Allow me to say that we have failed as leaders. The leadership has failed because they have failed to align resources and the man.

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

*[The Temporary deputy Speaker
(Prof. Kamar) took the Chair]*

Having said that, Madam Temporary Deputy Speaker, I have observed very clearly that there is a disconnect between the Government, the institution of governance and the local man. The person being seen as between the two is the hon. Member. If we look at the institutions that are out there connecting the activities of the local people and the Ministry, there is none. There is no link between the Government, the Ministry and the person; that individual in the village.

You only see a District Forest Officer and his security personnel. All they do is to arrest loggers and people who grow their crops. Those officers do not tell them what they would like them to do to contribute to the efforts of the Ministry. Allow me, therefore, to agree with a friend of mine here that we need to institutionalize the Ministry from the top down to the village.

Mr. Temporary Deputy Speaker, Sir, there is no community that does not have the aspect of the conservation of the environment in this country. I have not seen one. In

many traditional customs, there are institutions that are charged with the responsibility of conserving the environment and forests. The law recognises the unwritten part of law which is culture and traditional values that take care of the environment. What is the link between the institution of governance and traditional customs? We try to make laws every day that are aimed at the strategic level without looking at the link between the Government's effort and those of the communities.

In Coast Province we had – and they are recognized under the law – traditional forest reserves. This is because the communities were allowed to protect those forests for traditional purposes. That is why we talk about the Kaya Bombo, Kaya Fungo and Kaya Chinondo which are forest reserves conserved by the communities. Today, the Ministry wants to take over all forest reserves and put up hotels there without encouraging the local people, through tourism activities to conserve forests. We need to look at our laws afresh.

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

Mr. Kathuri: Madam Temporary Deputy Speaker, I would also like to join my colleagues in supporting this Motion in respect of the Vote for the Ministry of Environment and Mineral Resources.

It is worth commending the Minister because we know that given resources, he will achieve what we want. Lack of a clean environment is one of the problems which we encounter. It is true that as much as one can fall sick because of body weakness, if the environment has a problem, we expect the sickness to be more rampant than it would be if the environment was clean. A good example is some of our colleagues who went to work in the cement industry. Even the ones at senior levels, few of them wanted to stick there. This is because every other time we breath, we breath in cement. As much as the salaries were good, many of them were not keen on staying there.

Madam Temporary Deputy Speaker, Sir, I note with a lot of concern that the Ministry has unpaid bills running to the tune of hundreds of millions. I sympathise with the Minister because this can easily derail him. However, I would also like to say with bitterness that if the Ministry officials surrendered any money to the Treasury then for heaven's sake, the Minister should not sympathise with them. He should deal with them seriously.

If the Ministry does not have enough funds and some Ministries were surrendering back money to the Treasury, surely, it will be very bad for us not to castigate that behaviour, more so when it comes from officers of the Ministry, who are supposed to have paid bills for the Minister to start on a clean plate.

Madam Temporary Deputy Speaker, Sir, I would like to comment about the FM radio weather stations, which are being installed in every region. Embu, which is the headquarters of Eastern Province, and the areas within its periphery, survive on rain water. There is very little that is taking place. There is very little we can achieve if we do not know the weather pattern. We cannot know about the weather pattern if we do not have a station that will be able to broadcast in the local languages that are understood by farmers.

The Government is trying to create food reserves through agricultural activities. This means a lot to the Government in trying to ensure that people are able to sustain themselves in food-related issues. It is very important for the Minister to, at least, ensure that one is operational as soon as possible, just like in Kangema, which is a bit far away,

or Narok for that matter. That would be a very good move for the people within that region, so that we can also say that we are going to utilise it properly. Besides that, I believe that there will be adverts and a few other things that can also make you earn some Appropriations-In-Aid (A-I-A).

Madam Temporary Deputy Speaker, Sir, I would like to mention that it is unfortunate that sewage management and sewage disposal services fall under the Ministry of Water and Irrigation. A lot has to be done by the Ministry of Environment and Mineral Resources. The Ministry of Water and Irrigation, through the water companies, charges for water, which bills include an element of sewage disposal, yet they are not constructing any sewerage systems. They are pocketing this money and diverting it to other uses. You are battling with the issue of environmental conservation, yet they are not assisting us to sort out that problem. I wish the Minister could use her wisdom and the force that we know she has, so that she ensures that whatever they collect, they channel it to the right purpose. Let them construct sewerage systems so that, at least, we can manage the sewerage, or the liquid waste, in the right way. The solid waste is really not a serious issue, but I also imagine that there is a lot we can do about it. Even the way it is disposed of leaves a lot to be desired. In Embu, I can tell you that the community living around the disposal site is complaining every other day, because it is interfering with their activities.

With those remarks, I beg to support the Motion.

The Assistant Minister for Tourism (Ms. Mbarire): On a point of order, Madam Temporary Deputy Speaker. Since we seem to have almost exhausted the debate, would I be in order to ask you to call upon the Mover to reply?

The Temporary Deputy Speaker (Prof. Kamar): I can see a few hon. Members who want to speak. Are you all happy over there?

An hon. Member: No!

The Temporary Deputy Speaker (Prof. Kamar): They are not happy. I will give a chance to about three more hon. Members and then we will all be happy.

Ms. Chepchumba!

Ms. Chepchumba: Thank you very much, Madam Temporary Deputy Speaker. I appreciate what hon. Mbarire has said, but all the same I need to speak because we are here to speak on behalf of our people.

First and foremost, I want to thank the Minister for Water and Irrigation, Mrs. Ngilu, the Permanent Secretary (PS) and other officials of the Ministry for the good work they have done.

As I was seated here I asked the Chair: "Which Ministry is the most important?" of course, we have the Ministry of Lands, Ministry of Water and Irrigation and Ministry of Environment. The Chair agreed with me that the Ministry of Water is important.

Madam Temporary Deputy Speaker, the Government should allocate more resources to this Ministry because water is life. Let me come to the Ministry of Environment and Mineral Resources. We all require a clean environment. I also want to appreciate the work done by the Minister, the Assistant Minister, the PS and all the officials in this Ministry. We need to walk the talk.

We, as Members of Parliament, need to support the Ministry, especially at the constituency level. We need to be at the forefront of using any forum to pass the message of a clean environment to the constituents. We should not only leave this matter to the

Minister or Ministry officials. We need to be at the forefront of planting trees. We need a clean environment. If there is garbage scattered all over, as the area MP, we need to educate our people on garbage management. Let us not allow dumpsites in our areas.

We need a clean city. We do not want to see garbage all over. All of us should work together to ensure that Nairobi is clean. The campaign to collect garbage should start from the top. Environment is very important to all of us.

I just want to talk about NEMA. NEMA should be allocated more funds. We do not have NEMA officials at the district or provincial level. How can people get information on how to conserve the environment if they do not have the NEMA staff at the grassroots level? We need to have them at the district level, so that they can educate our people on the need to have a clean environment. The Minister should count on our support. We will push this Government to allocate more funds to this Ministry.

On climate change, we have been talking much about Mau Forest. We need really to conserve our water towers. Let us not only focus on Mau Forest. We also have other forests that need to be conserved. Climate change is here with us. We cannot run away from. What are we to do? We all need to put all our efforts to ensure that we conserve the environment. We all need to plant trees. As MPs, how many trees have we planted? It is not enough to always look at other people to do it. We need to lead from the front and plant many trees. Let us educate our people on the importance of trees. We can urge school children to plant trees. We can also urge women to plant trees. Women are the majority. Women in the rural areas walk for long distances to get this fuel. If we use them to plant trees, they will change our environment.

Madam Temporary Deputy Speaker, I beg to support.

Mr. Mututho: Madam Temporary Deputy Speaker, I rise to support this Motion. I want to inform my colleagues that as we stand here without even being religious, we are now treading towards the zero hour. When I was in the university, Prof. Nzuki who has six nobel prizes in Biology was my lecturer. In Canada, he turned a broadcaster. One day, he told me this: Looking at everything and the world per se, you can compare it with a model. A model in which you look at a container and its nutrients, that can hold those microbes for a certain time limit. These microbes multiply after every given time. I want us to understand that every minute, day or every six hours they multiply and one becomes two, two becomes four and so forth. That is called exponential growth. One growth tells another one: "When this food has been consumed ten per cent, we have a problem. We have a very big population problem. The resources are getting diminished and we cannot survive." The other one says: "We have been here for over ten years now and we have only taken 10 per cent.

It takes us about six months to double, so we are okay. He comes back after six months and says: "Boss, we have a very serious problem because we are going to perish". Then what happens? Now, we are already at 20 per cent and so forth and so on. You just need to calculate that within the next 18 months all the resources would be finished, although it took ten years to do the first 10 per cent. What am I saying? It has taken us after the birth of Christ and about six million years, depending on which school you went, to destroy the forests we have like the Mau.

Now, within these last few years between 2001 and now, we have faced the Mau situation. This is all about the environment. Given the world we live in, for these things to be with us, it is going to take another 6,000,000 years. That is not possible. We are

now in the D-hour. We have very heavy pollution in the air. We just need to go through space and look at Africa; it is truly a dark continent. You cannot see because of smoke, even when you project from the satellite.

Madam Temporary Deputy Speaker, we support this Ministry strongly because the next war, if ever, will be about the environment. It will be about water and the air we breathe. If we do not take very strong measures and decisions to clear the dollar rubbish-- - Those who live in Lavington do not know that Dandora is only five minutes away by wind. In five minutes you will have the spores and that is why most of us have breathing problems.

This budget, which is shamefully lean, will affect everybody else. You are going to have conflicts over water, security and cattle rusting. All these aspects have to do with the environment and the diminishing resources, particularly agriculture and water. A good budgeting environment; management and inspectorate, will make us have a more peaceful country. That is what we are looking for. So, we have a choice. If we refuse to fund and finance them, the Ministry of Health will have a very heavy bill because people cannot breath properly and have their own problems.

In conclusion, I want to talk about Uganda. They discovered minerals the other day. They have a very good policy. Their Minister presented to us, that land owners get 3 per cent of the proceeds, the community gets 17 per cent and the Government gets 80 per cent. Out of the 80 per cent, 25 per cent can be exported by the foreigners. That is what we should also do for all our resources.

I beg to support.

The Minister of State for Special Programmes (Dr. Shaban): Ahsante sana, Mhe. Naibu Spika wa Muda, kwa kunipatia nafasi hii niweze kuzungumzia juu ya mazingira na haswa kumuunga mkono Waziri anayesimamia maswala haya ya mazingira.

Mazingira mazuri ndio uti wa mgongo. Bila mazingira mazuri, hauwezi kupata hayo mambo mengine yote kama vile maswala ya maji na afya tunayoyazungumzia. Yote haya yanategemea mazingira mazuri. Jambo la kusikitisha ni kwamba hela ambayo Waziri amepewa afanyie kazi ni tone la maji kwenye bahari Hindi. Ninasema hivi kwa sababu matatizo ya mazingira ndio yametuweka katika hali tuliyo nayo hivi leo. Hatuna chakula kwa sababu tumeharibu mazingira yetu. Ningependa kumukumbusha Waziri na pia kumpongeza kwamba katika zile hela nyembamba alizopatiwa, ameweza kusafisha Mto Nairobi. Kumbe inawezekana!

Tumekuwa tukisafiri kwenda nchi zingine na kila mahali tunaposafiri, watu wanatuambia kwamba unaweza kuchota maji mtoni na uyanywe bila wasi wasi. Hapa Kenya tumekuwa tukichafua mito yetu. Kwa hivyo nataka kumpongeza Waziri Michuki ambaye ni chapa kazi. Angepewa pesa za kutosha ili aweze kuhakikisha kuwa ametimiza kazi yake.

Bi Naibu Spika wa Muda, sisi Wakenya tunakata kuwachia Serikali jukumu la kusafisha mazingira yetu. Jukumu hili sio la Waziri peke yake na wafanyakazi wake na Serikali. Ni jukumu la wananchi wote wa Kenya. Ni lazima tuwe na makusudio ya kuwa na mazingira mazuri.

Vile vile, ningependa kuzungumzia juu ya swala la madini nchini. Madina haya ni rasilimali ambayo Mwenyezi Mungu ametupatia nchini Kenya. Madini haya yanatakikana kuweza kusaidia wenyeji wa maeneo hayo na Serikali kwa ujumla. Jambo la kusikitisha ni kuwa tumeona mara kwa mara watu wakitajirika na madini hayo.

Serikali wala wananchi ambao ni wenyeji wa mahali pale hawapati chochote. Umefika wakati ambao tunafaa tuangalie sheria zetu ili tuweza kuzirekebisha ili wananchi na Serikali ifaidike kutokana na rasilimali hii ambayo Mwenyezi Mungu ametupatia.

Bi Naibu Spika wa Muda, maswala yote tukiyazungumzia; sio Mau peke yake, bali kila mahali, imefika wakati ambapo Waziri anayehusika na maswala ya mazingira, haswa Waziri Michuki--- Najua kwamba kwa vile yeye ni chapa kazi, ataweza kulitenda jambo hili. Ni muhimu apewe pesa za kutosha ili aweze kuhakikisha kuwa mazingira yetu yanazidi kuwa mazuri na yaache kuzoroteka.

Tumekuwa wananchi ambao wanapenda kuharibu na kukatakata miti ovyo ovyo. Ni lazima sisi kama Serikali tufanye bidii ya kuhakikisha kuwa kuna sheria ya kuwa mti usikatwe bila sababu. Mtu asikae tu na kwenda kwa chifu na kuamua kuwa wanakata miti. Kuwe na sheria ya kukata miti. Mtu akikata miti ovyo ovyo ni lazima apelekwe kortini na atozwe faini ngumu ambayo itawaogopesha hata wale wengine wanaoharibu mazingira. Ni lazima tuwajibike kama Wakenya. Ni lazima tushikane na kusaidiana na Waziri wa Mazingira ili tuweze kufanya kazi pamoja na tuwe na makusudi ya kupanda miti. Serikali yetu inafaa kushikana na wananchi wetu na kulazimisha kupanda miti ambayo itaweza kurekebisha shida tulio nayo.

Wakenya wengi wanatumia makaa kupikia kwa sababu hali imekuwa duni. Pesa na chakula hazipo na matatizo ni mengi. Lakini tukitengeneza mazingira ili kuwe na maji ya kutosha, watu watapata chakula cha kutosha na kuweza kutumia njia na mbinu mpya za kupikia ili tuwache kuharibu miti yetu.

Bi Naibu Spika wa Muda, maswala hayo yote hayatawezekana kama pesa hazitoshi. Waziri Michuki amepewa pesa kidogo mno. Ingefaa apewe pesa za kutosha ili aweze kuchapa kazi. Nataka kumpongeza kwa kazi nzuri aliyoifanya isipokuwa bado kuna kazi kubwa sana ya kufanywa.

Bi Naibu Spika wa Muda, nikimalizia, nataka kuunga mkono Hoja hii.

Mr. ole Lankas: Madam Temporary Deputy Speaker, I also rise to support the Motion. First of all, I support the two Ministers, namely, the Minister for Water and Irrigation and the Minister for Environment and Mineral Resources who are here. I am saying this because it is on record that the two Ministers who are here are people who are decisive in this Government. We have seen their achievements. These are Ministers who do not play politics with the lives of Kenyans. They do what is right.

In fact, I served under the Minister for Environment and Mineral Resources sometime back when I was a District Commissioner and, actually, he went through so many challenges. That is why we are here now. So, I just want to tell the Minister that I am one of his secret admirers. Maybe, he does not know this because I do not visit him in his office. But I know quietly that he is one of the Ministers who is making this Government to move. I want to thank him for that.

Madam Temporary Deputy Speaker, it is a pity that the money that has been allocated to the Ministry is not enough. We know what the Minister for Environment and Mineral Resources has done for this country when he was the Minister for Transport and Communications. We are still waking up to the reality that what we are going through now in the Ministry of Transport is a problem. When he was in the Ministry of State for Provincial Administration and Internal Security, I am a witness. I do not know why his Ministry was not allocated a budget that is enough. I want to tell the Treasury that, this is one Ministry that is deserving because I know what it means to all Kenyans.

Madam Temporary Deputy Speaker, as I stand here, the Ministry of Environment and Mineral Resources has got a lot of challenges. There are so many that I cannot mention all of them because of time. We have a problem of climate change in this country. It is a big challenge and it falls squarely under this Ministry. Right now, the topic under discussion is that of conservation of forests. I have observed some ignorance from some quarters--- Or some hon. Members displaying a lot of ignorance, that forests do not fall under the Ministry of Environment and Mineral Resources. The lead Ministry on the issues of environment, forests included, is the Ministry of Environment and Mineral Resources. So, when people go out there, as some of us do, saying that the work of the Ministry of Environment and Mineral Resources is garbage collection in Nairobi, I do not share that view!

Madam Temporary Deputy Speaker, we now have the issue of the Mau Forest. I am one of those who are directly affected by this issue. I want to urge the Minister to take the lead, to save and conserve our forests. It is a pity that this debate is still with us. I want to encourage the Minister by telling him that he and the Prime Minister, who is leading the process, are not in conflict. In fact, I request the Prime Minister to give the onus of taking action on the Mau Forest to the Minister for Environment and Mineral Resources who, as all Kenyans know, is very decisive. That problem will be solved immediately! So, that is one of the problems that I am talking about. I want to inform the Minister that we are together. I am urging him to move on.

Madam Temporary Deputy Speaker, Mau Forest is not about tribal politics. It is a pity that some people are trying to play to the galleries by making the Mau issue a tribal issue. It is not a tribal issue; it is a Kenyan issue; it is an international issue and that is why I am saying that the relevant Ministry should lead the way. This country is going to suffer a lot unless we take action! When people go round talking saying: "We want more time", the Mau Complex cannot wait any more, Mr. Minister! It is not about tribal politics. I want to assure the Minister that we are behind him in his decision to conserve, not only the Mau Forest, but all water towers.

The Temporary Deputy Speaker (Prof. Kamar): Your time is up!

Mr. ole Lankas: I beg to support.

Thank you, Madam Temporary Deputy Speaker.

The Temporary Deputy Speaker (Prof. Kamar): Hon. Members, it is time for the Minister to respond

The Minister for Environment and Mineral Resources (Mr. Michuki): Thank you, Madam Temporary Deputy for giving me the opportunity to address these matters and also thank all the hon. Members who have contributed to this debate.

From the debate itself, it is quite clear that there is very serious and genuine concern about the condition in which our environment happens to be. Soon, I and the Minister for Forestry and Wildlife, will brief this House on the measures that we are putting in place in order to mitigate against the adverse effects of climate change. But briefly put, it is trees, trees, trees and trees to be planted. It is the trees that will bring us water. It is the trees that will produce that fertility that is required in degraded areas. It is the trees that will cool the air to bring rains. It is the trees that provide rain. It is the trees that provide this economy with our requirements such as timber, firewood, you name it. It is trees and trees. The programme we have which is just waiting to be approved by the Cabinet is that in the next 20 years, by the year 2030, this country must plant 7.6 billion

trees on 4.1 million hectares of land. We have to plant indigenous trees; whether they are shrubs, avocado or other types of fruits. Please, for heaven's sake, do plant trees. In collaboration with the Ministry of Agriculture, we will make sure every land owner in Kenya plants trees at least on ten per cent of the land he owns. So, it is trees and trees and trees.

An issue has been raised about the road to Copenhagen, we are preparing very seriously. We will soon be meeting the Committee of this House. We will soon be involving this Parliament. We will soon be involving some Ministries and stakeholders in our preparation. We must go to Copenhagen and speak with one voice. Whether we are in the private sector, Government or just citizens interested in the welfare of Kenya, we must speak with one voice. Within the policy that we are devising, if anybody from any part of the world wants to help us, it will be within our policies, but not side issues. Therefore, we expect over that period, we shall be spending roughly 20 billion dollars over 20 years.

Madam Temporary Deputy Speaker, yesterday morning, I was visited by the current British High Commissioner in Kenya to exchange views on these matters. I was very happy to learn from him that the British Prime Minister will be coming to Copenhagen with a proposal that the world must spend not less 100 billion dollars a year in the next 20 years to ameliorate the dangers that arise from the path that the environment has taken.

So, we too want to be there with our programmes. We shall also incorporate other Ministries; the Ministry of Energy with the wind power, geothermal and all those other initiatives that will help to reverse the trends that are now being witnessed all over the world.

Madam Temporary Deputy Speaker, I would have liked to say more, particularly about the National Environmental Management Authority (NEMA). It can be a highly efficient organization. It has very qualified but very few people. We need more people. It is quite true that we do not have enough staff in the districts and yet that is where the services of NEMA and this Ministry are required much more than elsewhere. I want to appreciate the interventions that hon. Members have brought into this debate regarding the lack of resources, particularly money. We need more to employ inspectors, enforcement officers and to educate. Maybe what we have done so far; to incorporate environmental issues into the curriculum together with the Ministry of Education--- That, obviously, is not enough but it will help.

Therefore, I want to say that we appreciate this and everyday is a new day. Every day is a challenge! There are a lot of challenges but we can also turn these challenges into opportunities. Many people did not believe that we can clean Nairobi River and yet we are just about there because there is determination; not only on the part of Mr. Michuki but all the staff I have. All of them are dedicated but they need more resources and hopefully, we shall contribute to that welfare for which we are charged as I read in my introductory remarks about the duties that are imposed on us.

With those few remarks, I beg to move.

(Question put and agreed to)

[The Temporary Deputy Speaker

(Prof. Kamar) left the Chair]

IN THE COMMITTEE

*[The Temporary Deputy Chairman
(Mr. Baiya) took the Chair]*

Vote 20 – The Ministry of Water and Irrigation

The Minister for Water and Irrigation (Mrs. Ngilu): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, a sum not exceeding Kshs8,530,545,218 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2010, in respect of:-

Vote 20 – The Ministry of Water and Irrigation

(Question proposed)

(Question proposed)

VOTE R20 - RECURRENT EXPENDITURE

SUB-VOTE 200 – GENERAL PLANNING AND ADMINISTRATION

*(Heads 567, 628, 714,716, 886,
888, 899 and 991 agreed to)*

(Sub-Vote 200 agreed to)

SUB-VOTE 207 – RURAL URBAN SPECIAL WATER PROGRAMMES

*(Heads 887,889,890,892,
893,894 and 895 agreed to)*

(Sub-Vote 207 agreed to)

SUB –VOTE 208 – FLOOD CONTROL AND LAND RECLAMATION

*(Heads 250, 944, 945
and 995 agreed to)*

(Sub-Vote 208 agreed to)

SUB VOTE 209 – NATIONAL WATER CONSERVATION AND PIPELINE

(Heads 785 and 897 agreed to)

(Sub-Vote 209 agreed to)

(Vote R20 agreed to)

VOTE D20 - DEVELOPMENT EXPENDITURE

SUB VOTE 200 – GENERAL ADMINISTRATION AND PLANNING

*(Heads 282, 567, 714, 716, 886,
899 and 991 agreed to)*

(Sub-Vote 200 agreed to)

SUB VOTE 207 – RURAL-URBAN SPECIAL WATER PROGRAMMES

*(Heads 511, 524, 560, 563,
889 and 893 agreed to)*

(Sub-Vote 207 agreed to)

SUB-VOTE 208 – FLOOD CONTROL AND LAND RECLAMATION

(Heads 250, 944, 945 and 995 agreed to)

(Sub-Vote 208 agreed to)

SUB-VOTE 209 – NATIONAL WATER CONSERVATION AND PIPELINE

(Heads 784, 785 and 896 agreed to)

(Sub-Vote 209 agreed to)

(Vote D20 agreed to)

(Question put and agreed to)

(Resolution to be reported without amendment)

The Temporary Deputy Chairman (Mr. Baiya): Hon. Members, we will now proceed to the Vote of the Ministry of Environment and Mineral Resources.

Vote 21 – Ministry of Environment and Mineral Resources

The Minister for Environment and Mineral Resources (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, a sum not exceeding Kshs1,784,059,460 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2010 in respect of:-

Vote 21- Ministry of Environment and Mineral Resources

(Question proposed)

VOTE R24 - RECURRENT EXPENDITURE

SUB-VOTE 210 – GENERAL ADMINISTRATION AND PLANNING

(Heads 670, 749 and 885 agreed to)

(Sub-Vote 210 agreed to)

SUB-VOTE 212 – MINERAL DEVELOPMENT

(Heads 690, 691 and 692 agreed to)

(Sub-Vote 212 agreed to)

SUB-VOTE 214 – DEPARTMENT OF RESOURCE SURVEY AND REMOTE SENSING

(Head 219 agreed to)

(Sub-Vote 214 agreed to)

SUB-VOTE 215 – ENVIRONMENTAL MANAGEMENT AND PROTECTION

(Heads 702, 736, 762 and 766 agreed to)

(Sub-Vote 215 agreed to)

SUB-VOTE 216 – METEOROLOGICAL SERVICES

(Head 442 agreed to)

(Sub-Vote 216 agreed to)

(Vote R24 agreed to)

VOTE D24 – DEVELOPMENT EXPENDITURE

SUB-VOTE 210 – GENERAL ADMINISTRATION AND PLANNING

(Heads 670, 698 and 885 agreed to)

(Sub-Vote 210 agreed to)

SUB-VOTE 212 - MINERAL DEVELOPMENT

(Head 692 agreed to)

(Sub-Vote 212 agreed to)

SUB-VOTE 214 – DEPARTMENT OF RESOURCE SURVEY AND REMOTE SENSING

(Head 219 agreed to)

Sub-Vote 214 agreed to)

SUB-VOTE 215 – ENVIRONMENTAL MANAGEMENT AND PROTECTION

(Heads 612, 702 and 736 agreed to)

(Sub-Vote 215 agreed to)

SUB-VOTE 216 – METROLOGICAL SERVICES

(Head 442 agreed to)

(Sub-Vote 216 agreed to)

(Vote D21 agreed to)

(Question put and agreed to)

(Resolution to be reported without amendment)

(The House resumed)

[The Temporary Deputy Speaker

(Prof. Kamar) in the Chair]

REPORTS

Vote 20 – Ministry of Water and Irrigation

Mr. Baiya: Madam Temporary Deputy Speaker, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding

Kshs8,530,545,218 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2010 in respect of Vote 20 – Ministry of Water and Irrigation and has approved the same without amendment.

The Minister for Water and Irrigation (Mrs. Ngilu): Madam Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister of Lands (Mr. Orengo) seconded.

(Question proposed)

(Question put and agreed to)

Vote 21 – Ministry of Environment and Mineral Resources

Mr. Baiya: Madam Temporary Deputy Speaker, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs1,784,059,460 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2010 in respect of Vote 21 – Ministry of Environment and Mineral Resources and has approved the same without amendment.

The Minister for Environment and Mineral Resources (Mr. Michuki): Madam Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Lands (Mr. Orengo) seconded.

(Question proposed)

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kamar): Hon. Members, that concludes the business on the Order Paper. Therefore, the House stands adjourned until tomorrow, 6th August, 2009, at 2.30 p.m.

The House rose at 8.17 p.m.