

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 12<sup>th</sup> August, 2009

The House met at 9.00 a.m.

*[The Temporary Deputy Speaker  
(Prof. Kamar) in the Chair]*

PRAYERS

PAPER LAID

The following Paper was laid on the Table:-

Report of the Government Task Force on the Conservation of Mau Forest Complex

*(By the Assistant Minister, Office of the Prime Minister  
(Mr. Khang'ati) on behalf of the Prime Minister)*

NOTICE OF MOTION

ADOPTION OF REPORT ON  
CONSERVATION OF MAU FOREST

**The Assistant Minister, Office of the Prime Minister** (Mr. Khang'ati): Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, this House adopts the Report of the Government Task Force on the Conservation of Mau Forest Complex laid on the Table of the House on 12<sup>th</sup> August, 2009.

QUESTIONS BY PRIVATE NOTICE

SALE OF MOLO ADC FARM

**Mr. Kiuna:** Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Agriculture the following Question by Private Notice.

(a) Could the Minister state the original acreage of the ADC Molo Farm, the acreage of the farm sold so far and the money made out of the sale?

(b) Could the Minister table the list of beneficiaries of the sale and explain how the sale has contributed positively towards agricultural development?

(c) How much did the Government spend on the purchase of 700 acres of Asante Farm in Kuresoi District?

**The Temporary Deputy Speaker** (Prof. Kamar): Is anyone here from the Ministry of Agriculture?

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): Madam Temporary Deputy Speaker, I request the Chair to revisit this Question in the second round.

**The Temporary Deputy Speaker** (Prof. Kamar): Let us move on to the Question by Mr. Olago!

NAMES OF CANDIDATES FOR TELEPHONE  
SUPERVISORS TRAINING AT G.T.I

**Mr. Olago:** Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State for Public Service the following Question by Private Notice.

(a) Could the Minister provide the names of all successful candidates advised by letter of 1<sup>st</sup> December, 2008 from the Permanent Secretary in his Ministry to the Permanent Secretaries of various Ministries to attend a Government Telephone Supervisors In-service Training at Government Training Institute (GTI) Mombasa from 6<sup>th</sup> September to 27<sup>th</sup> November, 2009?

(b) Is the Minister aware that the Assistant Director at Government Telephone Services in the Ministry unilaterally and in collusion with a course supervisor at the GTI Mombasa substituted the names of the original successful officers with names of others who were unprocedurally promoted without recourse to the scheme of service?

(c) What action is the Minister taking to rectify the anomaly before the commencement of the course on 6<sup>th</sup> September, 2009?

**The Minister of State for Public Service** (Mr. Otieno): Madam Temporary Deputy Speaker, first, I would like to thank the Member for Kisumu Town West for raising this matter, and thereby giving me the opportunity to clarify and resolve the issue that was at stake.

I beg to reply.

(a) The list labeled here "A" containing all the successful candidates to attend the Government Telephone Supervisors In-service Training Course at GTI Mombasa, as from 6<sup>th</sup> September, 2009 to 27<sup>th</sup> November, 2009, as per the Circular No.DPM/MD/4/6/2 Vol.XVII, letter No.132 dated 1<sup>st</sup> December, 2008, is hereby tabled.

*(Mr. Otieno laid the document on the Table)*

(b) On 16<sup>th</sup> April, 2009, the Director in charge of training in my Ministry approved a course for telephone supervisors to be conducted at the GTI Mombasa from 6<sup>th</sup> September, 2009 to 27<sup>th</sup> November, 2009. I also wish to table the list labeled "B" of the selected candidates for this course. This was an additional training course offered.

*(Mr. Otieno laid the document on the Table)*

(c) The telephone operators who applied and were advised on 1<sup>st</sup> December, 2008, that they would attend a Telephone Supervisors Course from 6<sup>th</sup> September, 2009 to 27<sup>th</sup> November, 2009, will now also proceed for the course starting on 6<sup>th</sup> September, 2009.

Joining instructions will be forwarded to all the selected candidates within the next one week. The confusion arose because it was necessary to separate the current telephone supervisors from the current telephone operators, whose course was to run concurrently. It would be noted that in the list labeled "A", telephone supervisors and telephone operators were listed to attend the same course. So, it became necessary thereafter to split the two categories of telephone operators and mount a course for supervisors, separate from the course for senior telephone operators. The only action I have taken which is different is that it was planned that the operators would have gone in January 2010, but now we have made a decision in the Ministry that both courses will start on 6<sup>th</sup> September, 2009. That should resolve the matter.

**Mr. Olago:** Madam Temporary Deputy Speaker, I would like to thank the hon. Minister for a frank exposition of the issues that were raised. However, the final explanation that the matter arose because of confusion cannot be true because the two ranks of Telephone Operator and Telephone Supervisor are different. What is happening is that an officer in the Ministry is trying to effect promotions of staff without going through the scheme of service. To this extent, what action has the Ministry taken to ensure that this "confusion" does not happen again?

**Mr. Otieno:** Madam Temporary Deputy Speaker, the first course was a response to applications submitted by those who were interested in attending the courses. When selection was done, all officers who qualified within the terms of the course applied. The few supervisors who applied were selected. To fill the full course of 25 officers, operators were included in the same list. When it came to admitting all the successful applicants, it was realised fairly enough that they should not put supervisors in the same course with operators, and they should be separated. So, a decision was made that supervisors go first on 6<sup>th</sup> September, 2009 and operators go in January, 2010. Because all the candidates had been advised that they would go on 6<sup>th</sup> September, it appeared that the officer removed officers who had been selected to go later on without even informing them of the date when they were to go for the same course. That is what generated the outcry. That is what we have resolved by saying that every person who was admitted should all now start at the same time. We will run the two courses concurrently at the GTI Mombasa.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Olago, are you satisfied?

**Mr. Olago:** Yes, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): Next Question by Mr. Shakeel!

**Mr. Olago:** On point of order, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): What is your point of order?

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): Madam Temporary Deputy Speaker, although Mr. Shakeel is not there to ask this Question---

**Mr. Olago:** On a point of order, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): The Question has been asked.

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): Madam Speaker it has not been asked.

**Mr. Olago:** Point of order, Madam Speaker.

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): I am on a point of order. You are now an experienced Member!

**The Temporary Deputy Speaker** (Prof. Kamar): I am calling on the name Shakeel, so hold on. Let us see whether he is around.

ALLOCATION OF ASK WATER SPRING LAND TO CHURCH

**(Mr. Shakeel)** to ask the Minister for Water and Irrigation:-

(a) Is the Minister aware that the large parcel of land which is a spring source of water flowing to the Nairobi ASK show ground water dam, previously occupied by the Ministry of Energy, has been allocated to a church?

(b) Could the Minister clarify whether the church had authority to construct the concrete barrier at the water source, resulting in the drying up of the dams serving the ASK show ground?

(c) What measures will the Minister take to remedy the situation?

**Mr. Olago:** On a point of order, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): We will move to the next Question and come back to it later.

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): On point of order, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): I have allowed Questions to go to round two, Mr. Assistant Minister!

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): On a point of order, Madam Temporary Deputy Speaker. For the convenience of the House, there is no point of waiting for the Question to be asked the second round. As you can see, this Question does not relate in any way to the Ministry of Water and Irrigation. We are not the custodians of land.

**The Temporary Deputy Speaker** (Prof. Kamar): We have skipped that Question. We will come back to it in round two and Mr. Assistant Minister will have an opportunity to tell us that.

Next question!

ORAL ANSWERS TO QUESTIONS

*Question No. QPM 014*

PROVISION OF CLEAN DRINKING WATER  
TO MWEA RESIDENTS

**Mr. Gitau** asked the Minister for Water and Irrigation what urgent measures the Ministry was taking to ensure that the residents of Mwea have access to clean drinking water, considering that Mwea GK Prison uses River Murubara for drainage and the villagers use the same water for domestic purposes.

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): Thank you, Madam Temporary Deputy Speaker. This Question was asked two weeks ago and my Ministry attempted to answer it. However, hon. Members were not satisfied. They

argued that it was cross-cutting. It had issues to do with the Ministry of Public Health and Sanitation, the Ministry of Environment and Mineral Resources and the Office of the Vice-President and Home Affairs. Therefore, it was referred to the Prime Minister's (PM) office.

However, Madam Temporary Deputy Speaker, I am aware that the PM can refer a Question back to any other Ministry. I was informed this morning that this question was referred back to our Ministry. It was not properly communicated to my Ministry. Even if it was done, it required a lot of consultation. Therefore, I seek the indulgence of this House that we be given one week to make sure that I properly consult with the Office of the Vice-President and Ministry of Home Affairs, the Ministry of Environment and Mineral Resources, and the Ministry Public Health and Sanitation.

**The Temporary Deputy Speaker** (Prof. Kamar): That is okay. If you got the communication this morning, we can defer the Question to Thursday next week. Mr. Gitau, are you okay with that?

**Mr. Gitau:** I am okay, Madam Temporary Deputy Speaker.

*(Question deferred)*

*Question No.068*

NON-PAYMENT OF TERMINAL BENEFITS TO  
RETIRED CHIEFS IN SAMBURU EAST

**Mr. Letimalo** asked the Minister of State for Provincial Administration and Internal Security:

(a) why Messrs David Lesadera Lekoloi (P/No.75077836), George Leariwala (P/No.92019134), Timothy Lekango (P/No.144515) and Kombera Lemiruni (P/No.820855230), who retired as Chiefs/Assistant Chiefs on diverse dates, have not been paid terminal benefits; and,

(b) when they will be paid

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Lesrima): Madam Temporary Deputy Speaker, I beg to reply.

(a) Mr. George Leariwala (P/No.92019134); his retirement benefit claim was processed and submitted to the Director of Pensions on 24<sup>th</sup> of November, 2008. He should, therefore, confirm with his local bank if payment has been made.

(b) Kombera Lemiruni (P/No.82085230), was written a letter reference number 82085220 /118 dated 28<sup>th</sup> April 2008, requesting him to complete and forward the following documents to our office to enable us process his retirement benefits. The documents are:- commutation of pension option form indicating his account and the bank branch, June 2000 payslip supporting last salary. Various payslips supporting women, children and pension scheme recoveries. However, Mr. Kombera has not responded to date and, therefore, it has not been possible to prepare his claim. I wish to request Mr. Letimalo to advise the retiree to forward the said documents to our office.

(c) Mr. David Lesadera Lekoloi (P/No.75077836), and Mr. Timothy Lekango (P/No.144515), should be advised to come to our office with the following documents to enable us open temporary files since the original files cannot be traced. The documents

are:- a copy of the identity card, copy of the appointment letter GP 24 revised, copy of confirmation letter, last pay slips to support last salary, commutation of pension option form to show bank particulars, various pay slips, at least five. to support widow, children pension scheme recoveries, promotion and upgrading letter. Once the retirees forward the said documents to us, our office will process the payments accordingly. Thank you.

**Mr. Letimalo:** Thank you, Madam Temporary Deputy Speaker. When the Assistant Minister says that the retirement benefits for George Leariwala have been processed and submitted to the Director of Pensions, up to date there has been no communication until this matter has been brought to the House. This is an indication that the retiree was not paid his pension. So that is the confirmation that Mr. Lesrima ought to know. In the case of Kombera, he has not received any letter from the Ministry to enable him to submit the required forms. With regard to the other two, the Assistant Minister is saying that the files are not available, and I do not know the files are kept in the office.

**The Temporary Deputy Speaker** (Prof. Kamar): Can you ask your question?

**Mr. Letimalo:** How do we help these people, because it is the responsibility of the Government to follow the records and be able to pay these retirees their pensions?

**Mr. Lesrima:** Madam Speaker, in the case of Leariwala whose pension has been processed, I have asked him to confirm because the matter is now in the hands of the Director of Pensions. I am willing to go and see the Director of Pensions although, really, that is the function of the Treasury. I will just confirm what is going on there. The other person you are telling us, he has not received the letter which is possible that he may not have received it. I can follow up with this one.

With regard to the other two whose files appear to have been misplaced, I have instructed the District Commissioner of the mother district, Samburu Central, where the files were kept in the Personnel Department to look for those files. At the same time, if I can get the documents I have requested, we will support these gentlemen.

**Mr. Lekuton:** Madam Temporary Deputy Speaker, in 2003, Mr. Musila moved a Motion to amend the Pensions Act. The Motion directed that retirees should remain in employment until the time when they are fully paid all their terminal dues. The retirees are still suffering today. Why is the Government not following the order that this House gave?

**Mr. Lesrima:** Madam Temporary Deputy Speaker, I am unable to answer that question. In fact, I am unable myself to comprehend why civil servants are not kind to one another. The civil servants who are left behind should be much more efficient in processing the pensions of their colleagues who have left. So, I am not able to comprehend or answer that one.

**Mr. C. Kilonzo:** Madam Temporary Deputy Speaker, you have heard what the Assistant Minister has said. It is actually the Government speaking. He has said that the Government is unable to understand itself; why they cannot perform a simple duty of paying retirees their benefits before they go home. Is he saying that the Government is totally incapable of performing? If so, then it could as well quit!

**Mr. Lesrima:** Madam Deputy Speaker, I am not the Government. That question should better be answered by the Treasury and more so, the Director of Pensions. I share your concerns. The implementation of the Musila Amendment should be followed. Since we have changed our Standing Orders and we now have an Implementation Committee, those who are supposed to implement it should be taken to task.

**The Temporary Deputy Speaker** (Prof. Kamar): Last question, Mr. Letimalo!

**Mr. Letimalo:** Madam Temporary Deputy Speaker, some of those retirees retired in 1992, 1997 and the last one in 2002 and they have really suffered after giving service to the Government. I do agree with the Assistant Minister when he says that he is going to follow up the matter. I want to suggest that this Question be deferred to give the Assistant Minister time to follow up the records. I will also work with him to get the retirees so that they can come and fill the necessary forms. After that, he will be able to bring the answer back to the House.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, will your inability to answer today improve tomorrow if we give you time?

**Mr. Lesrima:** Madam Temporary Deputy Speaker, even if you give me one year or ten years, it will not improve. I think I have been extremely helpful because these are my people. Some of them are my relatives. I will do what I said before, that they can come to my office and make a follow up. I will be very firm on personnel officers in my Ministry but Treasury should also wake up.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, can you bring back a solid answer within a week?

**Mr. Lesrima:** Madam Temporary Deputy Speaker, I do not understand your ruling.

**The Temporary Deputy Speaker** (Prof. Kamar): You said that you are not able to tell us about the inefficiency. The hon. Member is requesting that we defer the Question until you come back.

**Mr. Lesrima:** Madam Temporary Deputy Speaker, I do not understand what I am supposed to gain by deferring the Question. I have requested for documentation and for the chiefs to come and see me. I have requested them to bring the documents and I have also requested the District Commissioner (DC) to trace the file from the mother district. If you tell me to come next week, I will not have achieved much but if you give me two or three weeks, I can report back the progress on this matter.

**Mr. Letimalo:** On a point of order, Madam Temporary Deputy Speaker. I would like the Assistant Minister to commit himself that he is going to work on this matter and bring the answer to the House. Otherwise, it is just going to disappear and yet these people are suffering. You can imagine from 1992 to date, they have not been paid their pension.

**Dr. Khalwale:** On a point of order, Madam Temporary Deputy Speaker. The Assistant Minister is being disorderly. He knows very well that the Standing Orders require that he answers the Question. Could the Chair rule whether disciplinary action should be taken against this Minister by way of naming him?

**Mr. C. Kilonzo:** On a point of order, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): Order! Dr. Khalwale has stood on a point of order, so we need to address it first. Mr. Assistant Minister, you are being requested to come back in a week or two weeks time with an answer. Are you able to?

**Mr. Lesrima:** Madam Temporary Deputy Speaker, I am not sure whether I will trace some of these retired chiefs out there. But I can come back in three weeks. I am not being disorderly.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, we are going to give you one week so that you can come and tell us whether you have made progress. So, next Thursday let us get an answer for that Question.

*(Question deferred)*

Next Question by Mr. Lekuton!

*Question No.089*

EFFECTS OF GLOBAL ECONOMIC RECESSION ON KENYA

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

(a) to clarify the extent of the effect of the global economic recession on Kenya and whether the country has entered a recession period;

(b) to explain the effects of the recession on different sectors of the economy so far; and,

(c) to indicate whether the Government has formulated any scheme or set up any Commission to assess the effects of the recession.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance** (Dr. Oburu): Madam Temporary Deputy Speaker, I beg to reply.

(a) The extent of the effects of the global economic recession on Kenya is minimum and the country has not entered into a recession as a result of this economic crisis. Nevertheless, the country has begun to feel the impact of the economic meltdown of the major industrial countries.

(b) So, far the different sectors of the economy that have been affected by the recession in the major industrial countries that Kenya trades with include tourism and horticulture on account of reduced demand associated with lower purchasing power of consumers of these products. In addition, remittances by the diaspora have also been affected.

(c) The Government has set up a task force comprising of key players within the economy to closely monitor the unfolding events and their impact on the economy with a view to providing timely policy interventions and thereby safeguard our economy against any adversities.

**Mr. Lekuton:** Madam Temporary Deputy Speaker, I would like to thank the Assistant Minister for that answer. It looks like we are in a recession but since he has told us that we are not, then it is good news for us. Globalization capital investments tend to move the economies that offer less risk and this affects the inputs of capital---

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Lekuton, this is Question Time!

**Mr. Lekuton:** Madam Temporary Deputy Speaker, what is this country doing to make sure that we are more business friendly at this time when the rest of the world is going through a hard time economically?

**Dr. Oburu:** Madam Temporary Deputy Speaker, the Question we are dealing with is on the effects of the global economic crisis on the economy of the country. Regarding the question that he has asked about what we are doing to attract investments in this country, first of all, we have established an Investment Authority which is charged with the responsibility of attracting investors to this country. The Authority is at the moment working on measures to reduce the number of licences which discourage investment in this country.

In the past, we have had more than 1,500 levies for business coming to this country. Last year, we managed to reduce that to about 500. That was done by this Parliament. We also intend to remove another 300 from our system so that it becomes easier. We are also working on the system of one stop-shop where investors can have all the important departments making quick decisions so that people can start business in two or three weeks after making their application for investment in this country. Those are some of the measures we are making to attract investment. We know that we have not done as much as our neighbours but we are trying our best.

**Mr. Baiya:** Madam Temporary Deputy Speaker, could the Assistant Minister confirm that one of the major impacts of this economic recession is lack of investments especially bearing in mind that most would-be investors are no longer as ready as they were before because of the impact?

Secondly, could the Government also confirm that relative to those foreign investments, the most critical investment at this time would be local investors? Could he say what they are doing to motivate local investment?

**Dr. Oburu:** Madam Temporary Deputy Speaker, it is true and I agree with the hon. Member that there has been a slow inflow of capital investments from the major foreign investors and development partner countries. This is because of the global economic crisis. They are unable, themselves, to raise sufficient funds to bring to our country. However, as the economic recession improves worldwide and we expect it to start improving, at least, by next year, we shall have more investments coming into the country. We also recognize that public/private partnership is crucial to the development of our country and, therefore, we are working in partnership with the private sector, which does not necessarily mean foreigners. This also includes local investors and we have started by asking the local investors to contribute to Government bonds. Just in May in this year, you will recall we floated long term infrastructure bonds locally here and we wanted to raise Kshs18.5 billion because we believed that local investors in Kenya have money which has been untapped by the Government for local development. Therefore, we suspended the sovereign bonds which were meant for foreign investors and floated the local Kshs18.5 billion. We got an overwhelming response. We raised more than Kshs26 billion and we required only Kshs18.5 billion. Those are some of the things we are doing to try to tap the local resources which are in abundance.

**Mr. Olago:** Madam Temporary Deputy Speaker, we must thank the Assistant Minister for reassuring the country that despite the global meltdown, at least, we are still enjoying some nominal growth. But under these circumstances, what is the Ministry doing to ensure that employers do not lay off staff on the basis that we are having the effects of the global meltdown?

**Dr. Oburu:** Madam Temporary Deputy Speaker, I have explained that the meltdown has not had a very significant effect on our economy but we have had other

factors other than the global economic meltdown. You will recall last year's post-election violence. You will also recall the drought which adversely affected our country and, therefore, reduced our economic growth to 1.7 per cent last year compared to other East African countries which were, though affected a little by the global economic meltdown, theirs was around 5 per cent. We are, therefore, not in a position to say that the employers cannot lay off workers if the economic situation does not improve. However, we hope that this year, we are going to improve on our growth from 1.7 per cent to 3 per cent. This will gradually bring back the employment levels to where they were. But we are not able to force employers to keep people in employment when the situation does not warrant it.

**Mr. Mungatana:** Madam Temporary Deputy Speaker, the Assistant Minister mentioned two particular sectors that were affected by this global recession, particularly the tourism and the horticulture sector in Kenya. The Question that is before us is: What particular incentives has he given to revive the tourism sector? Just across the borders here, we saw President Kikwete giving a very elaborate interview on what he is doing to revive the tourism sector. In this country, it is like these issues are not being taken seriously by the political elite in this country. What I want to know is: What is it that the Assistant Minister is doing to prop up the tourism industry? Are there tax incentives or soft loans? What has he put on the table to make sure that this sector recovers?

**Dr. Oburu:** Madam Temporary Deputy Speaker, the reduction in the inflow of tourists to this country as a result of the global recession is because of their inability to spend on luxury when they themselves are in dire economic difficulty. The incentives we are giving is regardless of the economic recession in terms of tax incentives which we have given; in terms of people who want to build hotels, people who are bringing in the vehicles related to the tourism sector and people who are importing goods which are meant to improve on the tourism industry. We are still working with the Ministry of Tourism to do so. You will also notice that we have increased the amount of money for advertisement of our country abroad to attract more tourists to this country.

**Mr. Lekuton:** The Assistant Minister has told us that they have set up a taskforce that is comprised of key players to let us know what is happening. Could he assure this House that this taskforce will be able to give regular reports on the state of our economy or, at least, the state of recession, if we have any, so that people can properly plan their lives and businessmen can adjust their business plans?

**Dr. Oburu:** Madam Temporary Deputy Speaker, the taskforce which we have established is mainly within the Ministry of Finance. It is comprised of the Central Bank of Kenya (CBK), the Capital Markets Authority (CMA), the Retirement Benefits Authority (RBA) and the Insurance Regulatory Authority (IRA). The taskforce is remitting reports to the Ministry on a weekly basis. So, this is something we are monitoring very keenly and any measures to be taken to cushion our country against adverse effects of the global economic crisis will be taken.

*Question No.154*

REGISTERED CLASSIFIED ROADS  
IN CENTRAL POKOT

**Mr. Litole** asked the Minister for Roads:-

(a) whether he could lay on the Table the list of registered classified roads in Pokot Central District;

(b) what action is being taken to register more roads; and,

(c) when the Government will tarmac Kapenguria-Iten Road, which passes through the most fertile parts of Lelan Division, Pokot Central District.

**The Assistant Minister for Roads** (Mr. Kinyanjui): Madam Temporary Deputy Speaker, I beg to reply.

(a) I wish to table a list of classified roads in Pokot Central District, stretching a distance of 344 kilometres and a total of 12 roads.

*(Mr. Kinyanjui laid the document on the Table)*

(b) My Ministry has already engaged a consultant to review the classification criterion of roads in the country. The consultant's report is expected to be completed later this year and the recommendations will be used by the Ministry to review the classification of the road network in the country including Pokot Central District.

(c) The Ministry is currently preparing a five-year road sector investment plan which is scheduled to be completed in the course of this year. The plan will streamline and address the priorities for road maintenance, rehabilitation and upgrading to bitumen standards across the country. Nevertheless, my Ministry is currently graveling a combined length of 41 kilometres of the road (D327) that falls under the original West Pokot District in order to ensure that this road is in a good and motorable condition. I, therefore, wish to say that it will not be possible to give a specific date when we would be able to tarmac this road until the investment programme for the next five years is completed and tabled.

Thank you.

**Mr. Litole:** Madam Temporary Deputy Speaker, the Assistant Minister has given us about 344 kilometres which are already classified. How many are not classified?

**Mr. Kinyanjui:** Madam Temporary Deputy Speaker, it will not be possible to exactly specify how many kilometers are not classified. I think that will only come out once the report is complete. What we have now are the classified roads and those that are not classified have not been included in the report. Nevertheless, when the report is out, we will be able to share the information with hon. Members.

**Mr. Wamalwa:** Madam Temporary Deputy Speaker, the Government has neglected roads in that region and, particularly, the road from Eldoret, Kitale, West Pokot to Turkana. The Government has been promising to tarmac that road for a long time. What is the Minister planning to do about that road, which will open up business with Southern Sudan?

**Mr. Kinyanjui:** Madam Temporary Deputy Speaker, we recognize the importance of those roads. The Ministry has prioritized roads that link us up with Sudan, Tanzania, Uganda and all the other neighboring countries. We are still working on the funding and, as soon as we are able to do that, we will do that road.

Thank you, Madam Temporary Deputy Speaker,

**Mr. I. Muoki:** Madam Temporary Deputy Speaker, I would like to ask the Minister to tell us exactly what criteria is used to classify roads. That is because there are

important roads that connect our country with others. There is a road that passes through my place from Kibwezi and goes all the way to Ethiopia. It is classified as Class “B”.

Also, there are roads that have been done and up to now, they have not been classified. They are labeled “unclassified roads”. So, what criteria is used to classify roads? We tend to think, that classification leads to the wrong tarmacking of roads.

**Mr. Kinyanjui:** Madam Temporary Deputy Speaker, it is, indeed, true that the classification of roads affects the funding of the same roads and, therefore, sometimes, when a road is given a low classification, it may not attract the necessary funding. I wish to also admit that it has been many years since the roads were classified and the usage of those roads has changed over time. Previously, we had roads that linked the old districts. Those roads were previously under Category “C”. We had roads that linked Kenya to other countries and they were basically under category “A”. Then, we have the Class “B” roads that linked provincial headquarters.

However, Madam Temporary Deputy Speaker, a lot has changed and it is for that reason that we have engaged a consultant to do a thorough review of our roads. The consultant will inform us what we are going to do between now and the next five years. Once that report is completed, we will present it to this House for adoption.

Thank you, Madam Temporary Deputy Speaker.

**Mr. Wambugu:** Madam Temporary Deputy Speaker, there are very many stalled road projects in this country. One particular example is a road that starts from Murang’a to Gitugi. It is called Gitugi Road. It has stalled for over 20 years. What is the Ministry doing about that road in my constituency?

**Mr. Kinyanjui:** Madam Temporary Deputy Speaker, I think the reasons why different projects have stalled are as varied as the projects themselves. We do not have one blanket reason as to why they stall. But one of the main reasons is lack of funds to meet our needs. Yesterday, this House passed our budget. It was about Kshs71 billion. It will do something substantial, but it does not cover all the work that we would have liked to do.

Madam Temporary Deputy Speaker, our Ministry requires a total of about Kshs150 billion to do the entire road network in this country. But as it is right now, we will only be able to do what the funds allow us to do.

Thank you, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): Last question, Mr. Litole!

**Mr. Litole:** Madam Temporary Deputy Speaker, now that we are on roads, about three weeks ago, the bridge at Rumuiwe that connects Sigor and Cheseko divisions was in very bad shape. Relief food could not be taken through that bridge. What can the Ministry do, as an urgent measure, to repair that road before the short rains in September?

**Mr. Kinyanjui:** Madam Temporary Deputy Speaker, if there is any need for emergency repairs, I think the Ministry has funds to cater for that and, indeed, through the Provincial Roads Officer, we will liaise with the hon. Member and ensure that the road is repaired. That will enable food relief to reach the people concerned.

Thank you, Madam Temporary Deputy Speaker.

**Mr. Litole:** On a point of order, Madam Temporary Deputy Speaker. I want the Assistant Minister to give us the exact details. That is an emergency. He should not say that he will talk to the Provincial Roads Officer. He should tell us exactly when he will

repair that bridge. That is because by now, he should have been aware that the bridge is not being used!

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, when?

**Mr. Kinyanjui:** Madam Temporary Deputy Speaker, we have not received any formal request to repair that particular bridge. But I give an undertaking to this House that, as soon as that request is received, we will avail some funds because we will consider that as emergency repairs. I have said that funds are always available for emergency work.

Thank you, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): Let us proceed to the next Question. Question No.246 by hon. Kiilu!

*Question No.246*

NON-UTILIZATION OF LATF FUNDS  
ALLOCATED TO MWANYANI DISPENSARY

**Mr. Kiilu** asked the Deputy Prime Minister and Minister for Local Government:-

(a) why LATF funds allocated to Mwanyani Dispensary in Mulala Division by Makueni County Council in the 2005/2006 and 2006/2007 financial years for the construction of a female ward, a staff house and fencing the compound has not been utilized to date; and,

(b) when the project will commence.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government** (Mr. Nguyai): Madam Temporary Deputy Speaker, I beg to reply.

(a) It is not correct that LATF funds allocated to Mwanyani Dispensary in Mulala Division by the Makueni County Council in the financial years 2005/2006 and 2006/2007 for the construction of a female ward, a staff house and fencing the compound have not been utilized to date. The funds have been utilized as follows: For the period of 2005/2006, the allocation was Kshs360,000 to Mwanyani Dispensary Maternity Wing. The status of that project is that the wing is complete and there is a photo that I will table to show that it is complete. In the financial year 2006/2007, the allocation was Kshs400,000 for the supply of hospital beds, bed sheets and blankets. The status of the project is that it is complete and we have photos, again, to show that. The expenditure was Kshs283,720. In 2007/2008, the allocation was Kshs750,000 and the project was for the construction materials for doctor's quarters. Once again, we have photos 3 and 4 to show that that the project is ongoing and that the materials have been bought. We also have local purchase order forms and all the displays of the materials that have been bought.

(b) The project has already commenced, as indicated in the answer above. The actual construction of a staff house and fencing of the compound is scheduled to start within the month of August, and it will be completed within three months.

Thank you, Madam Temporary Deputy Speaker.

**Mr. Kiilu:** Madam Temporary Deputy Speaker, I want to thank the Assistant Minister for the answer that he has given. But I also want to confirm to him that I visited that facility on Saturday. He has said that some work is going on. I want to confirm that

there is no work going on. But now that he has confirmed that the contractor will be on site from this month, I would like him to give us the identity of the contractor and how much will be spent on the construction of the staff house and for fencing the facility.

**Mr. Nguyai:** Madam Temporary Deputy Speaker, first and foremost, I am presuming that the discussion is on the final part; that is, on the construction of the fence, as the others have been completed. In that sense, I do not have the identity of the contractor over here. All I have is information to show that all the materials are on site. But I can find out the identity of the contractor and I will be able to provide the information at a later date.

Thank you, Madam Temporary Deputy Speaker.

**Mr. Mbugua:** Madam Temporary Deputy Speaker, you will realise that money from the LATF has been misappropriated greatly. What has the Assistant Minister done to ensure that the LATF money, just like the CDF funds, are properly used in order to develop our constituencies?

**Mr. Nguyai:** Madam Temporary Deputy Speaker, the responsibility to ensure that funds are utilised correctly has been enormous. We have introduced a system of management. We have directed every local authority to have the system in place. The system is called “The Local Authority Integrated Financial Operated Management System (LAIFOMS)”. In the case of this contract, the materials we are talking about were purchased using the LAIFOMS. I hope that Members of Parliament who have local authorities within their jurisdictions emphasize and ensure that the councils get on to the LAIFOMS which will enhance accountability and transparency.

**Mr. Kiilu:** Madam Temporary Deputy Speaker, I would like the Assistant Minister to tell us the name of the contractor they have awarded this tender to, although he has said that he is not aware.

**The Temporary Deputy Speaker** (Prof. Kamar): He has answered that question. He has said that he does not have that information.

**Mr. Nguyai:** Madam Temporary Deputy Speaker, I would like the hon. Member to come to my office after this Sitting so that I can give him the appropriate details.

**The Temporary Deputy Speaker** (Prof. Kamar): That is okay.

*Question No.263*

MURDER OF WILLIAM KIMUTAI SOI  
ALONG SOTIK-BORABU BORDER

**Dr. Laboso** asked the Minister of State for Provincial Administration and Internal Security:-

(a) if he could state the circumstances under which William Kimutai Soi was brutally murdered and his body dismembered along the Sotik-Borabuu border near Saiyangina Primary School on 2<sup>nd</sup> April, 2009; and,

(b) what he has done to bring the culprits to book.

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): Madam Temporary Deputy Speaker, I beg to reply.

(a) On 1<sup>st</sup> April, 2009, it was reported to the police by the Assistant Chief of Isoge-Kenemi Sub location that there was a dead body lying near Saiyangina Primary School within Kenemi Settlement Scheme. The OCS, Manga Police Station visited the scene and found the body which had deep cuts. A national identity and voter's cards were recovered from the body bearing the name William Kimutai Soi. The body was removed and taken to Kisii, Level V Hospital Mortuary for post-mortem. After the post-mortem, the cause of the death was attributed to cardio-respiratory arrest, secondary to severe haemorrhage due to severed carotids. The circumstances surrounding the death of the said William Kimutai Soi were not immediately established. However, the circumstances form part of the subject of investigations which were immediately launched to that end.

(b) Nobody has been arrested in connection with this murder to date. However, investigations were commenced immediately after the incident. There are good leads to zero in on those who are supposedly connected to this heinous act. An Inquest File No.06/2009 was opened. Once investigations are complete, those involved will be arrested and arraigned in court.

**Dr. Laboso:** Madam Temporary Deputy Speaker, I thank the Assistant Minister for the answer. However, is he aware that the said person was found with missing body parts, and that to date, we do not know where the parts are?

**Hon. Members:** Which parts?

**Dr. Laboso:** Madam Temporary Deputy Speaker, the body was without some parts, including his private parts. To date, some of them have not been found. Is the Assistant Minister aware of that?

**Mr. Ojode:** Madam Temporary Deputy Speaker, I am being informed now that the deceased's body had some parts missing. However, once investigations are complete, I will ask the fellows who will be arrested where the body parts are and why they took them. As of now, this is an act that should be condemned by all of us. I promise the House that we will investigate and arrest the murderers of the old man.

**Mr. Olago:** Madam Temporary Deputy Speaker, the Assistant Minister has referred to the post-mortem that was carried out on the body of the deceased. When that is done, ordinarily, there would be a post-mortem form that is given. That form would show the condition of the body. If any parts of the body were missing, that would be indicated on the form. Did he see the form or not?

**Mr. Ojode:** Madam Temporary Deputy Speaker, the post-mortem was not to check whether some parts of the body were missing. Its purpose was to establish the cause of death. In any case, if the Questioner insists, I will ask for the post-mortem report so that I can check whether, indeed, vital body parts of the deceased were missing.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, did you see the post-mortem report or not? That is what the hon. Member is asking. If you saw it, then you would have known what she is asking you.

**Mr. Ojode:** Madam Temporary Deputy Speaker, I am not privy to the post-mortem report. However, the purpose of a post-mortem report is not to check whether some parts of the body are missing. Its purpose is to establish the cause of death.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, doctors are helping you here. You have been told that a post-mortem report will tell you whether the body parts were missing or not. However, you have said that you have not seen the report.

**Mr. Ojode:** Madam Temporary Deputy Speaker, I have not seen the post mortem report.

**Dr. Nuh:** Madam Temporary Deputy Speaker, the case where police officers in Chargende shot three men leading to the death of one of them in April, 2008 has not been concluded to date. How long does the Ministry take to conclude inquest cases of this nature?

**Mr. Ojode:** Madam Temporary Deputy Speaker, to investigate a murder case is not something that is easy because you can implicate those -who are innocent. That is why it takes us a bit of time to zero in on those who committed the murder. I request that we let the police do their work in order for us to zero in on the murders because this involves loss of life.

**Dr. Laboso:** Madam Temporary Deputy Speaker, will the case of William Soi be one of the many that will just be forgotten by the family because nothing will happen?

**Mr. Ojode:** Madam Temporary Deputy Speaker, I assure the House that the people who killed the old man will be arrested once investigations are complete. We do not allow murderers to escape the dragnet of the police. We will definitely arrest them.

**Mr. Yakub:** Madam Temporary Deputy Speaker, although I have not received a copy of the written answer, I beg to ask Question No.292.

*Question No.292*

RESETTLEMENT OF IDPS IN MOMBASA

**Mr. Yakub** asked the Minister of State for Special Programmes:

(a) whether he could state the number of IDPs registered in Mombasa District through the DC and PC's Office, indicating how many of them have been paid the family allowances of Kshs10,000 and the Kshs25,000 to those whose houses were burnt; and,

(b) what steps he is taking to pay the above amounts and resettle the IDPs.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, address the issue of providing the hon. Member with a copy of the written answer first!

**The Assistant Minister, Ministry of State for Special Programmes** (Mr. M.M. Ali): Madam Temporary Deputy Speaker, I am afraid I only have a copy of the written answer with me. Other copies have just been posted to the pigeon holes. I undertake to give him copies after this. However, if he is willing that I proceed and answer his Question, I am ready to do so.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, could you continue?

**The Assistant Minister, Ministry of State for Special Programmes** (Mr. M.M. Ali): Madam Temporary Deputy Speaker, I beg to reply.

(a) The District Commissioner, Mombasa submitted a list of 349 IDPs to be paid Kshs10,000 as a start-up capital fund. With regard to the burnt houses, the District Commissioner has not submitted any register of any burnt house for the 349 IDPs.

(b) The register for the 349 IDPs in Mombasa was received much later after the deadline for the submission of the registers. However, he has also submitted some

justification and, therefore, the Ministry has now considered paying these IDPs after verification. On the issue of re-settlement, the IDPs have already been re-settled back in their homes.

**Mr. Yakub** Madam Temporary Deputy Speaker, I wish to differ with the Assistant Minister on the figures that he has just announced here. Last year, in the month of June, officials from his Ministry went to Mombasa and registered 1,200 IDPs. I feel very sad that 16 months down the line, the Assistant Minister is saying that none of the IDPs in Mombasa has neither been paid the Kshs10,000 for re-settlement nor the Kshs25,000 compensation for the 42 houses that were burnt.

**The Temporary Deputy Speaker** (Prof. Kamar): Your question is clear.

Could you respond, Mr. Assistant Minister?

**Mr. M.M. Ali:** Madam Temporary Deputy Speaker, with all due respect to my brother, Sheikh Dor, the register was received in our offices on 14<sup>th</sup> July, 2009. The deadline for submission of those registered was supposed to have been 31<sup>st</sup> December, 2008 to cut out pretenders. However---

**Mr. Yakub:** On a point of order, Madam Temporary Deputy Speaker. Officials from his Ministry went to Mombasa in June, 2008. The Assistant Minister is saying that the report reached his Ministry after the deadline. Who is supposed to be blamed? Is it the IDPs or the officials from his Ministry?

**Mr. M.M. Ali:** Madam Temporary Deputy Speaker, all I am saying is that we deal with information from the DCs. Documents held in the Ministry show that this matter came to our offices on the date I have just stated. However, that is not the point anymore, because the DC justified the delay and we have considered paying the same IDPs. So, the delay is behind us at the moment.

**Mr. Mwathi:** Madam Temporary Deputy Speaker, the issue of IDPs has been a very big issue in this country. It is true that to date, some of them have not received this money. We have received lists, which we forwarded to the Ministry. The DCs have confirmed that these people have not been compensated. When are you likely to compensate those who lost their property, including those who were in businesses and were never considered?

**Mr. M.M. Ali:** Madam Temporary Deputy Speaker, the claim that the lists have been submitted to the Ministry and that the IDPs have not been paid, we have said time and again--- Hon. Members will agree with me that while we were addressing this issue last year, the requests were overwhelming. We ran out of finances. However, after the presentation of the Budget, we reported on the Floor of this House that we had enough provision in this year's Budget, and that all registered IDPs would be paid according to the laid down procedures, and be re-settled. That process is currently going on.

Madam Temporary Deputy Speaker, however, on the issue of businesses to be compensated, we have not been able to quantify what to pay to anybody. At the moment, the Government has no provision for compensation of the businesses that the hon. Member is asking about.

**Mr. Nyambati:** Madam Temporary Deputy Speaker, it is a big shame that almost two years after our people were displaced, we are still talking of IDPs. It is a big shame that this country has not taken seriously, the issue of our own people, who are refugees in our own country. I want to know from the Assistant Minister whether he could give us a

deadline as to when the Government will settle all the IDPs once and for all, including those in Kitutu Masaba, who are suffering?

**Mr. M.M. Ali:** Madam Temporary Deputy Speaker, I agree with the hon. Member that it is a shame to have these people in IDP camps, but he must agree with me on the challenges that go with it. We have explained this time and again. We have even addressed hon. Members, who come from the Rift Valley and Central and Nyanza provinces, where we have the majority of the IDPs. We explained to them the problems we were encountering the whole of last year, and they agreed with us on the problems that we have other than finances.

Madam Temporary Deputy Speaker, we need to appreciate the fact that we also have a lot of pretenders. You can have IDPs re-settled. Some of them will carry the tents with them, camp elsewhere and call photo journalists to say: "Look, we have not yet been re-settled." We must appreciate that problems are there, but we have to face them. We are doing everything possible to ensure that the remaining genuine IDPs are re-settled. Please, let us not give room to pretenders.

**Mr. Pesa:** Thank you, Madam Temporary Deputy Speaker, for giving me the opportunity to address the issue of IDPs. The Assistant Minister has made an undertaking that the Ministry will re-settle and pay these IDPs. Could he give us the list of the remaining IDPs, who are to be paid, so that this matter can be settled once and for all? Some of us are being blamed.

**Mr. M.M. Ali:** Madam Temporary Deputy Speaker, that is a substantive Question. I will be able to table the list when that Question comes to the House.

**Mr. Ngugi:** Madam Temporary Deputy Speaker, I want to ask the Minister whether he is aware that it is the primary duty of the Government to protect its citizens and their property. In that case, the Government is the insurer of its people. When this happened, and citizens lost property and became IDPs, it was the responsibility of the Government to compensate the people. Does the Ministry consider Kshs10,000, or Kshs25,000, enough compensation? The Assistant Minister has said that they are in the process of quantifying what was lost. Could he tell us at what stage of quantifying the Government or Ministry is?

**Mr. M.M. Ali:** Madam Temporary Deputy Speaker, I do not want to be mistaken here. I want to make it very clear. The process we are in at the moment is to ensure that the basic necessities are, first of all, met. That is to provide food, water and shelter for the IDPs. We are not yet through with that first phase.

Madam Temporary Deputy Speaker, as far as businesses are concerned, we have requests. We are also looking at those requests. The Government has not taken a position for me to say that we shall compensate all the businesses; we are not yet through with the exercise of re-settling the IDPs themselves. Once we are through with that exercise, we will be able to look at what we will be able to do.

**Mr. Ngugi:** On a point of order, Madam Temporary Deputy Speaker. Is the Assistant Minister in order to mislead the House that the Government is carrying out a first phase? Could he confirm to the House that there will be a second phase of compensation for the businesses lost?

**Mr. Ali:** Madam Temporary Deputy Speaker, when we have genuine cases and availability of finances, we shall be able to do everything that is possible to be done by the Government to protect its people.

**Mr. Yakub:** Madam Temporary Deputy Speaker, the Ministry of State for Special Programmes is the right Ministry to know issues to do with IDPs. Since 1962, we have had IDPs in Shangarubu, Shanga Shakani and Shanga Mafula in Lamu District. We have almost 580 families there. Could the Assistant Minister provide those people with seeds and fertilizers? He says his Ministry is more concerned with issues of food, water and shelter.

**Mr. Ali:** Madam Temporary Deputy Speaker, as I have said before in this House and I will repeat, the Government has been providing seeds and fertilizers to the IDPs and we will continue to do so.

**Mr. Mungatana:** On a point of order, Madam Temporary Deputy Speaker. Is the Assistant Minister in order to evade the actual question? The question here is about marginalization of the Coast Province by this Government. He has never visited those IDPs, particularly those in Mombasa. Other people are talking about compensating their businesses and second phase. Has he ever come to Mombasa to initiate the first phase---

**The Temporary Deputy Speaker** (Prof. Kamar): What is your point of order?

**Mr. Mungatana:** Madam Temporary Deputy Speaker, is he in order to evade telling this House when he will come to make the initial phase of the compensation in Mombasa?

**Mr. Ali:** Madam Temporary Deputy Speaker, I do not know whether the hon. Member was listening to me or whether he was in the House. From the outset, I said we have got a register of 349 IDPs from the District Commissioner. This register was submitted to us later. On justification, I have said the Ministry will compensate those people just like the rest of the IDPs in the country.

**Mr. Mungatana:** On a point of order, Madam Temporary Deputy Speaker. Is the Assistant Minister in order to evade the question? When will he come to compensate them? I was listening carefully. Could he answer the question?

**Mr. Ali:** Madam Temporary Deputy Speaker, I think we had better consider the merit of some of these points of order. I cannot say exactly when I will visit Mombasa. However, in the course of the month, we will be able to compensate the 349 IDPs in Mombasa, just like the rest of the IDPs in the country.

**The Temporary Deputy Speaker** (Prof. Kamar): Next Question, Mr. Lankas.

**Mr. Lankas:** Madam Temporary Deputy Speaker, although I have not received the written reply, I beg to ask my Question.

*Question No.317*

NUMBER OF TOURIST CIRCUITS IN KENYA

**Mr. Lankas** asked the Minister for Tourism:-

(a) To state how many tourist circuits exist in Kenya and indicate what packages they offer; and,

(b) What the Ministry is doing to ensure sufficient promotion and publicity for all of them.

**The Temporary Deputy Speaker** (Prof. Kamar): Is the Minister not here? We will come back to that Question later.

*Question No.325*BENEFICIARIES OF WEDF  
IN THE LAST TWO YEARS

**Ms. Noor** asked the Minister for Gender, Children and Social Development:-

(a) if she could provide a list of individuals and organizations that have benefitted from the Women Enterprise Development Fund in the last two years, showing distribution by region,

(b) how many among the beneficiaries are marginalized women, women with disabilities, female-headed households and pastoralist women; and,

(c) what measures she is putting in place to reach out to the categories mentioned in "b" above.

**The Assistant Minister for Gender, Children and Social Development (Mr. Keya):** Madam Temporary Deputy Speaker, I beg to reply.

(a) The Women Enterprise Development Fund (WEDF) targets all Kenyan women as individuals, registered groups or companies owned by women. The fund uses two distribution channels to reach the target clientele namely: Constituency women enterprise scheme through which only registered women's self help groups are targeted. Financial intermediaries who are free to lend money to individuals, groups or companies owned by women. Since under the Constituency Women Enterprise Scheme we lend the women self help groups, it is not possible to give names of individuals, but the number of groups funded per region is as indicated in the table below.

Nairobi Province with 152 registered women groups received Kshs7,598,000. In Coast Province, there were 489 groups who were given Kshs20,138,930. Eastern Province had 615 groups which were given Kshs28,786,000. In Western Province, there were 430 groups which were given Kshs20,763,000. In Central Province, there were 484 groups which were given a total of Kshs25,459,000. Nyanza Province had 663 groups which were given Kshs30,656,200. In Rift Valley, there were 914 groups which were given Kshs44,919,000. North Eastern Province had 166 groups which were given Kshs7,450,000. The total number of groups that benefitted was 3,913. They were all given Kshs185,768,130. The 3,913 groups are composed of 91,910 individual women members.

(b) The financial intermediaries have lent fund money to individual women as follows: Nairobi Province, 6,500 women beneficiaries; North Eastern Province, 50 women beneficiaries; Coast Province, 400 women beneficiaries; Rift Valley, 1,300 women beneficiaries; Nyanza, 850 women beneficiaries; Eastern Province, 500 women beneficiaries; Central Province, 1,400 women beneficiaries and Western Province, 1,000. The total number of women who benefitted was 12,000.

(c) Due to the confidentiality clauses in the loan agreement, it is not possible to give the names of individual borrowers---

**Mr. Olago:** On a point of order, Madam Temporary Deputy Speaker. You must have noticed that the hon. Assistant Minister avoided giving the names of the individual groups and he has now said that he is not able to give the names of the individual women

who received finances. This Question is very important and for us to interrogate it sufficiently, we need to know the names. Is it in order for the hon. Assistant Minister to claim confidentiality, when Standing Order No.81 is the only provision in the House that gives leeway for claiming confidentiality? This does not apply to *sub judice* rule or secret. Is it in order for the Assistant Minister not to give the names of the individual groups?

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, do you have a list that you can table? We do not expect you to read all the names.

**The Assistant Minister for Gender, Children and Social Development** (Mr. Keya): No, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): When are you able to table the names because you have not fully answered the Question? We can defer your Question to next week and we expect you to bring the list as requested in the Question.

**The Assistant Minister for Gender, Children and Social Development** (Mr. Keya): I shall do so, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): So, we defer the Question to Wednesday, next week. Please, bring the list as requested and table it.

**The Assistant Minister for Gender, Children and Social Development** (Mr. Keya): Obligated, Madam Temporary Deputy Speaker. The list of names is very long. I request to be given two weeks to do so.

**The Temporary Deputy Speaker** (Prof. Kamar): Hon. Members can consume very large documents. So, you bring the list and they will be happy to look at that.

So, we will defer Question 325 to Wednesday, next week. I expect the list to be here. The lists are already in the Ministry.

*(Question deferred)*

Hon. Members, because of lack of time, I would like to defer Question Nos. 337, 372 and 384. I will only address the two Questions by Private Notice.

*Question No.337*

PURCHASE OF CHEVRON OIL COMPANY  
OUTLETS BY TOTAL OUTRE'MER SA

*(Question deferred)*

*Question No.372*

CLEANING OF RIVERS IN NAIROBI

*(Question deferred)*

*Question No.384*

EXCLUSION OF KAMARA DIVISION CANDIDATES FROM

## NYS RECRUITMENT EXERCISE

*(Question deferred)*

**QUESTIONS BY PRIVATE NOTICE**

## SALE OF MOLO ADC FARM

**Mr. Kiuna:** Madam Temporary Deputy Speaker, I wish to ask the Minister for Agriculture the following Question by Private Notice.

(a) Could the Minister state the original acreage of the ADC Molo Farm, the acreage of the farm sold so far and money made out of the sale?

(b) Could the Minister table the list of beneficiaries of the sale and explain how the sale has contributed positively towards agricultural development?

(c) How much has the Government spent in the purchase of 700 acres of Asante Farm in Kuresoi District?

**The Assistant Minister for Agriculture** (Mr. Mbiuki): Madam Temporary Deputy Speaker, I beg to reply.

(a) The original acreage of ADC Molo Farm was 12,495 acres. 12,365 acres were sold and Kshs393, 833,049 was made from the sale.

I do hereby table the list of the beneficiaries of the Molo ADC Farm.

*(Mr. Mbiuki laid the document on the Table)*

(b) The contribution of the sale of the ADC Farm cannot be stated because it has not so far been assessed.

(c) The Government spent Kshs15 million to purchase 700 acres of Asante Farm in Kuresoi District.

**Mr. Kiuna:** Madam Temporary Deputy Speaker, I congratulate the Assistant Minister for answering this Question. However, I do not agree with him on the acreage he has stated. He stated that there are 12,495 but I have some information that the Minister is misleading this House. What is on the ground is above that figure. I would ask him---

**The Temporary Deputy Speaker** (Prof. Kamar): Can you direct a question to the Assistant Minister so that he can clarify?

**Mr. Kiuna:** Madam Temporary Deputy Speaker, does the Assistant Minister have the actual information? Is the acreage 12,495 acres or over 40,000 acres?

**Mr. Cheruiyot:** On a point of order, Madam Temporary Deputy Speaker. Is it in order for the Member of Parliament to ask a Question on an issue in my district without consulting me? What interest does he have in it?

**The Temporary Deputy Speaker** (Prof. Kamar): That is allowed! However, you will also have a chance to ask a question.

Mr. Assistant Minister, please, proceed!

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, I wish to clarify and confirm that the ADC Farms in Molo were as follows; ADC Nyota – 5,794 acres, ADC Total Three Farms – 1,913 acres and ADC Sirikwa – 4,656 acres. This is a total of 12,365

acres. The 40,000 acres the hon. Member is talking about is the total acreage of ADC Farms in the entire country.

**Mr. Kioni:** Madam Temporary Deputy Speaker, the Government sold this particular ADC Farm at a cost of Kshs5, 500 per acre. It has bought the Asante Farm at Kshs21, 000 per acre. The objectives of ADCs as we understand them to date, have not changed since 1965. Why and when was this land sold? What was the criteria used in identifying the beneficiaries? Who owned the 700 acres of the Asante Farm in Kuresoi? Why was it necessary for the Government to buy that land?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, I would like to start with the criteria of allocation. The former Government found it prudent to settle some squatters in the Rift Valley Province. Through the Settlement Trust Fund (STF), the ADC Farm was transferred to STF for onward allocation to needy cases. That is why it was found prudent to allocate these farms.

Madam Temporary Deputy Speaker, these farms were sold way back from 1995 all the way to 2000. The average price at that time was Kshs6, 600 per acre. As the Ministry of Agriculture, we are in the process of our potatoes multiplication programme in Molo. Since only 130 acres were left after the rest was sold, we are in the process of acquiring new land. The market rate as at now is Kshs21, 000 per acre. It was, therefore, found prudent to go ahead and buy it.

**Mr. Kioni:** On a point of order, Madam Temporary Deputy Speaker. The Assistant Minister has not answered the question on who owned the 700 acres Asante Farm in Kuresoi.

**The Temporary Deputy Speaker** (Prof. Kamar): Do you have the information?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, as at now, I do not know the original owner who sold the farm to ADC.

**The Temporary Deputy Speaker** (Prof. Kamar): That looks like a new Question.

Mr. Wamalwa, please, proceed!

**Mr. Wamalwa:** Madam Temporary Deputy Speaker, we have many squatters in Trans Nzoia who have been waiting for the Government to give them ADC farms to settle. The Government, however, has said these farms will be maintained for the sake of national food security. Why is it that the ADC farms in other parts of the country have been given out and not the ones in Trans Nzoia District? What criteria was used?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, during the last regime, there was massive problem in the Rift Valley Province. It was found prudent to settle some of these squatters. Molo ADC Farm was one of the areas identified for these settlement schemes.

The most unfortunate thing is that it was who-is-who who benefited from this farm. I have got the list---

**Madam Temporary Deputy Speaker** (Prof. Kamar): Are you answering his question?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, I am answering him.

**Madam Temporary Deputy Speaker** (Prof. Kamar): The hon. Member is asking you why the ADC farms in Trans Nzoia District are not given to squatters? I think that is the gist of the question. So, do not go round the question, answer him!

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, Molo ADC Farm was identified because it was found prudent to dispose of part of it to settle the people who were landless in central Rift Valley Province. So far, we have not received any request to settle squatters in Kitale area.

**Mr. Olago:** On a point of order, Madam Temporary Deputy Speaker. You saw the hon. Assistant Minister looking at the list that he referred to as containing the names of the “who-is-who”; could he table the list so that we know the who is who?

**The Temporary Deputy Speaker** (Prof. Kamar): That is a question. I rule you out of order because the Question was different!

Mr. Njuguna, please, proceed!

**Mr. Njuguna:** Madam Temporary Deputy Speaker, the Assistant Minister has given the implication that it has not been possible to give an assessment on the development already achieved on these pieces of land. Does he imply that the Government does not have the machinery or capacity to give an assessment on the developments?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, the time the Question was brought to our attention, we were unable to complete the assessment. However, I can promise this House that by next week, I can afford to give the assessment of the development of ADC farm. At the same time, I already tabled the list of the beneficiaries of the Molo ADC Farm.

**The Temporary Deputy Speaker** (Prof. Kamar): Last question, Mr. Kiuna!

**Mr. Kiuna:** Madam Temporary Deputy Speaker, I am not fully convinced because right now, we were launching Molo potato cold plant. The Assistant Minister was there and he was requested by the management to look for more funds to buy some land. If he goes to an extent of getting more funds to buy more land and yet the custodians of that farm are not---

**The Temporary Deputy Speaker** (Prof. Kamar): Can you ask your question, Mr. Kiuna?

**Mr. Kiuna:** Madam Temporary Deputy Speaker, what steps will the Government take to ensure that the farms they are intending to buy will be well protected and will not be disposed of to the grabbers?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, I would like to assure the hon. Member that under the current Government, we will protect any land that we will buy.

**Mr. Nyambati:** On a point of order, Madam Temporary Deputy Speaker. Is the Assistant Minister in order to mislead this House by saying that the ADC farm in Molo was allocated to squatters when the list he has laid on the Tabled shows one Saitoti with 221 acres? Is that a squatter being given 221 acres? There are many people who were allocated hundreds of acres. Is he in order to mislead this House that it was squatters who were given this land when G.K. Saitoti was given 221 acres?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, that was the intention of the Government. Unfortunately, some Government officials in the KANU regime took advantage of the situation. This was the responsibility of our leaders. I have also gone through the list. We have Cabinet Ministers who were allocated part of that land. We also have some current sitting judges who were also allocated that land. It is their responsibility to surrender that land back to the Government.

**Mr. Nyambati:** On a point of order, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): What is your point of order? I hope that you are using the right list because there is another list here that does not show the source of the information. It is like a photocopied document. Could we have the right document?

**Mr. Nyambati:** Madam Temporary Deputy Speaker, this document was laid on the Table by the Assistant Minister and we must assume that it is the right list. Is he in order---?

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Nyambati, you seem to have a different list from what the Chair has. I do not know where you got your list from.

**Mr. Nyambati:** Madam Temporary Deputy Speaker, the list was laid on the Table by the Assistant Minister.

**The Temporary Deputy Speaker** (Prof. Kamar): I have just received a document that is purported to have been laid on the Table. Did it come through you?

**Mr. Nyambati:** Madam Temporary Deputy Speaker, it came through the Clerk.

**The Temporary Deputy Speaker** (Prof. Kamar): The clerk-at-the-Table must verify the document. Could you get your point of order across?

**Mr. Nyambati:** Madam Temporary Deputy Speaker, I want to know when Mr. Saitoti became a squatter so as to warrant him being given more than 200 acres together with hon. Kones, among others.

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, the list I have laid on the Table is an extract from the famous Ndung'u Report and from the Managing Director, Agricultural Development Corporation (ADC).

**The Temporary Deputy Speaker** (Prof. Kamar): I want us to take the last question while I verify this document. I have not seen the name of hon. Saitoti in the document I have. I hope that hon. Members are not sneaking in wrong documents.

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): On a point of order, Madam Temporary Deputy Speaker. I thought that the Chair would know the source of that list. We should also be told if, indeed, it is true that my Minister became a squatter and benefitted from that list. As far as that list is concerned, the name of George Saitoti is not there. So, we want to know the source of that list.

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, I would like to clarify that the list I have laid on the Table is directly from the MD of ADC Farm, Mr. Kirwa, and an extract from the Ndung'u Report. The name of G.K. Saitoti is there!

*(Applause)*

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): On a point of order, Madam Temporary Deputy Speaker. I would want the indulgence of the Chair to clarify whether G.K. Saitoti is the same as George Saitoti.

**Hon. Members:** George Kinuthia!

**The Temporary Deputy Speaker** (Prof. Kamar): Hon. Members, I will defer this Question. We want the Assistant Minister to give us documents that are signed. The one we have is a page 893 and he has not even signed it himself. There is nothing like hon.

Saitoti here. So I do not know where hon. Members got that document from. Could we have the actual list?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, I can lay on the Table the actual list by the end of today.

**The Temporary Deputy Speaker** (Prof. Kamar): When you bring your own list, please, list who the squatter are because this one does not show anything?

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, according to the Minister for Agriculture, they were all squatters. That is why they were allocated those parcels of land at that particular time.

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Assistant Minister, we expect you to sign your own report and tell us that these are the squatters you are referring to. However, if you extract a photocopy of a document---

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, I am willing to sign it now.

**Hon. Members:** No!

**The Temporary Deputy Speaker** (Prof. Kamar): I have already ruled on that.

*(Loud consultations)*

Order! Order, hon. Members! I have deferred the Question to Wednesday next week. We will expect the Assistant Minister to give us a list and his own commitment that, this is his own list. When he gives us a document that does not show where he extracted the information from and he does not commit himself and no one has signed it, it cannot be laid on the Table.

**Mr. Mbiuki:** Madam Temporary Deputy Speaker, I wish to commit myself that on Wednesday next week, I will come with a complete dossier on ADC Farm allocation.

*(Question deferred)*

**The Temporary Deputy Speaker** (Prof. Kamar): Thank you very much. I have finished with that and we will move to the next one. Meanwhile, all names that are on record should be expunged and we move on.

**Dr. Khalwale:** On a point of order, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): Order! Dr. Khalwale, I have already ruled on that issue. We have deferred the Question. So, you cannot follow up what has been deferred.

Next Question, Mr. Shakeel!

#### ALLOCATION OF ASK WATER SPRING LAND TO CHURCH

**(Mr. Shakeel)** to ask the Minister for Water and Irrigation:-

(a) If the Minister is aware that the large parcel of land which is a spring source of water flowing to the Nairobi ASK show ground water dam, previously occupied by the Ministry of Energy, has been allocated to a church?

(b) If the Minister could clarify whether the church had authority to construct the concrete barrier at the water source, resulting in the drying up of the dams serving the ASK show ground?

(c) What measures the Minister will take to remedy the situation?

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Shakeel not here? That Question is dropped.

*(Question dropped)*

Questions Nos. 317 and 014 will also be deferred.

*Question No.317*

NUMBER OF TOURIST CIRCUITS IN KENYA

*(Question deferred)*

*Question No.014*

PROVISION OF CLEAN DRINKING  
WATER TO MWEA RESIDENTS

*(Question deferred)*

**The Temporary Deputy Speaker** (Prof. Kamar): Next Order!

### MINISTERIAL STATEMENT

CASES OF H1N1/SWINE FLU IN  
KAPRISIS PRIMARY SCHOOL

**The Minister for Public Health and Sanitation** (Mrs. Mugo): Madam Temporary Deputy Speaker, 250 pupils in Kaprasis Primary School were reported to have flu like illness on 31<sup>st</sup> July, last month. Samples were taken from them and sent to our laboratories at KEMRI. These samples tested positive for H1N1 in six out of the nine samples taken. They had presented headache fever and cough. Some of the teachers and parents reported the same and were treated for the same illnesses. They have been treated and are stable. No new cases so far have been reported.

The Ministry of Public Health and Sanitation medical officers have moved to the place. We are testing all the members in that school. We have put all those who showed signs of H1N1 or flu like symptoms in treatment.

I would like to urge the leadership in that area to inform the people not to panic. Medical officers are in place. People should avoid unnecessary contact with those who are being treated, so that the disease does not spread. We are following the cases to the homes where the patients come from. I would also like to urge Kenyans who are travelling to countries where this disease is spreading fast such as the United Kingdom to

get tested even for symptoms, so that we can avoid spread of this virus to the villages. But the matter is under control and citizens must not panic.

**Dr. Nuh:** Madam Temporary Deputy Speaker, one aspect of control is to get the lead as to what was the source of this outbreak or who was the individual source that might have contracted all these people. I would want to ask the Minister how far they have gone in trying to locate the source for this specific outbreak. When the Minister appeared before the committee sometimes back, she assured us that they would set up extra testing clinics to fight the H1N1 virus; how far have they gone with this programme?

**The Minister for Public Health and Sanitation (Mrs. Mugo):** Madam Temporary Deputy Speaker, the report affirming that it was, indeed, swine flu has just come out. My staff has moved in place and are following the cases to their homes. That is how we shall be able to know whether there are people who had travelled out of the country and came back with the virus. We shall establish the contacts these people have had. That is the only way we will be able to know exactly the source of the disease. We are now doing surveillance.

On extra testing clinics, right now, we have 26 such clinics in the country. We are looking for funds to add more clinics. As you aware, our surveillance department did not get extra money. We have requested to be given a little more to do surveillance all over the country. However, using the limited resources that we have, we intend to identify exactly which areas we need to add more clinics. We should appreciate if we are able to detect right in Keiyo District, then our surveillance is quite alert.

## POINT OF ORDER

### HARASSMENT OF REPORTERS BY POLICE

**Dr. Khalwale:** Madam Temporary Deputy Speaker, I rise to seek a Ministerial Statement from the Minister of State for Provincial Administration and Internal Security in respect of harassment by the police of two newspaper reporters; Mr. Andrew Tiyie, an investigation editor and Mr. Kamore Maina, a crime reporter with the *Star* newspaper.

I would like him to clarify the following: Is he aware that it is illegal and total abuse of institutional authority for the police to summon the two to appear in court when they are, in fact, neither witnesses nor persons accused in any case? Could he order for these harassments to stop with immediate effect?

Secondly, could he also clarify if in this particular incident, he would care to be guided by a ruling by Felix Kombo who was a magistrate in the case of one, Everlyne Kwambako of *The Standard* in the Deya Case of the so called miracle babies, where the ruling was that a reporter is under no obligation whatsoever to reveal the source of his or her information?

Finally, I would like the Minister to clarify to this House and assure the Republic that the following media houses will not be raided as a result of what is going on: *The Star* newspaper, *Kiss 100*, *Classic 105*, *Kiss television* and *Classic TV* in the same manner that the Government raided *the KTN* premises?

**The Temporary Deputy Speaker (Prof. Kamar):** Yes, the Minister will undertake to inform the Minister concerned.

**The Minister for Public Health and Sanitation** (Mrs. Mugo): Madam Temporary Deputy Speaker, I will pass the information to the Minister concerned.

**The Temporary Deputy Speaker** (Prof. Kamar): Can he do so, next week?

**The Minister for Public Health and Sanitation** (Mrs. Mugo): Madam Temporary Deputy Speaker, Wednesday, next week.

**Mr. Mbugua:** On a point of order, Madam Temporary Deputy Speaker. Could you tell us when we will elect the Chairman of the House Business Committee?

*(Laughter)*

Are we sure, this information will get to the concerned Minister?

**The Temporary Deputy Speaker** (Prof. Kamar): Mr. Mbugua, you are out of order! That is not right!

**The Minister for Public Health and Sanitation** (Mrs. Mugo): Madam Temporary Deputy Speaker, I would like to assure the hon. Member that the matter will be communicated to the Minister. He should not have any doubts about that.

**Mr. Jamleck Kamau:** Madam Temporary Deputy Speaker, I am seeking a clarification from the Minister of Public Health and Sanitation in connection with the swine flu that is spreading in this country.

**The Temporary Deputy Speaker** (Prof. Kamar): We have already passed that matter. You are a little bit too late. We are dealing with a different matter.

Next order.

## MOTION

### ENHANCEMENT OF BUDGETARY ALLOCATION TO NORTHERN KENYA AND OTHER ARID LANDS

THAT, noting the past and continued marginalization of the Northern Kenya; aware that because of the prolonged neglect, the entire region has lagged behind in development compared to other parts of Kenya; cognizant of the fact that the inhabitants of the region are tax payers with equal human and legal rights like other Kenyans entitled to all the services provided by the Government, including adequate security and infrastructural facilities such as road network to open up the region; appreciating the efforts of the Grand Coalition Government in establishing the Ministry for Development of Northern Kenya and other Arid Lands as a strategy to address these historical imbalances; this House urges the Minister for Finance to increase budgetary allocation to the Ministry for Development of Northern Kenya and other Arid Lands to at least 15 per cent per annum of the Development Budget for the next decade in line with the Government's recent positive approach towards the development and transformation of this region.

*(Mr. Affey on 5.8.2009)*

*(Resumption of Debate interrupted on 5.8.2009)*

**Mr. Affey:** Thank you, Madam Temporary Deputy Speaker, I have a few more minutes to conclude moving this Motion.

I just want to emphasize that there was Government desire to construct afresh, the whole of Northern Kenya and other Arid Lands of this country. That was why the Ministry of the Development of Northern Kenyan and other Arid Lands was established. We are asking the Government to minimize the period in which this Ministry is established in the books to not more than one decade, that is ten years, so that it does not become a permanent feature of our Government structure in order for those ten years to fast track development. In those ten years, the Government should provide not less than 15 per cent of our development Budget which comes to about Kshs30 billion.

**Mr. Bahari:** On a point of order, Madam Temporary Deputy Speaker. This is a very important Motion and the Ministry is not represented here.

**Hon. Members:** There is no Government listening!

**The Temporary Deputy Speaker** (Prof. Kamar): Thank you for drawing my attention. The Ministers will consult.

**Mr. Affey:** Madam Temporary Deputy Speaker, the Minister and the Government side must combine statements with concrete facts. I was saying that what we require is for this Ministry to exist for not more than ten years in order to reconstruct afresh the entire North Eastern Province and other Arid Lands.

Madam Temporary Deputy Speaker, in my Motion, I seek the Government to allocate Kshs30 billion every financial year for ten years. Alongside Government funding, the international community donors are requested to chip in so that this region does not become an eyesore in the country. If this is done, it will become a region in this country where people will be given an opportunity to participate fully in the economic development and realise their full potential. I have requested the Minister to make sure that Kshs30 billion is provided for the development of this part of the country, which is 75 per cent of the country's land mass in the next financial year. We know that the return to the economy will be four or five times the investment in this region.

Madam Temporary Deputy Speaker, I request Mr. Wamalwa to second this Motion.

I beg to move.

**Mr. Wamalwa:** Thank you, Madam Temporary Speaker. I would like to second this Motion by Mr. Affey. May I take this opportunity to congratulate my friend for bringing yet another wonderful Motion before this House. Recently, he brought a Motion for rotational sittings of Parliament. This involves Parliament sitting in other parts of the country, including the northern part of Kenya.

This Motion also brings to fore the situation in the northern part of Kenya. One of my favourite books by Charles Dickens is *A Tale of Two Cities*. In this book, Charles Dickens talks about the City of Paris and the City of London and the two worlds apart. In this country, we have a tale of two "Kenyas." If you visit northern Kenya, you will find our fellow Kenyans who live there saying that they are not in Kenya. They also say that they have come to Kenya when they come to Nairobi. If you look at what has happened since this country attained Independence, you will find that it is a tale of marginalization of northern Kenya. The region has been neglected and marginalized in terms of resource

allocation. As a result, it has been left behind in development. Indeed, if you look at the allocation that has been made to the Ministry of Development of Northern Kenya and other Arid Lands, you will realise that it is less than 1 per cent of our national Budget. This is the case and yet the Mover of this Motion has said that this region is composed of 75 per cent of the land mass of Kenya.

In supporting this Motion, we are saying that northern Kenya is like one who has been starved or has not had sufficient nutrition for over 46 years. We congratulate the Grand Coalition Government for establishing a Ministry to specifically address the needs and problems of northern Kenya. However, through this Motion, we are saying that if one has been starved for over 46 years, that person cannot be given the same amount or type of food as a normal human being who has been eating normally. Indeed, someone who has been starved for that period of time needs to be put on a special diet so that he or she can be brought to par with other normal human beings. This is what the story of northern Kenya is all about.

Madam Temporary Deputy Speaker, indeed, in moving this Motion, we urge that special attention be given to this part of Kenya through sufficient allocation of funds. Mr. Affey is saying that to undo the injustices of the last 40 years, this part of Kenya should be allocated up to 15 per cent of the national Budget for, at least, the next 10 years. This is not an unreasonable proposal. Indeed, we are saying that this part of Kenya needs to be put on a special diet in terms of resource allocation, so that it can catch up with the rest of the country.

Madam Temporary Deputy Speaker, northern Kenya is a vast region that faces many challenges. However, it is also a region that has great potential. Recently, Mr. Affey invited me to accompany him to northern Kenya and I was surprised at the beauty of this area in spite of the difficulties that the people face there. There are great opportunities of film-making in this country. As we overflow parts of northern Kenya, we saw great landscape and vast land un-occupied by human beings. However, if there was infrastructure, we would have what Hollywood dreams of as a perfect setting for film-making. We need proper infrastructure past Isiolo District. If sufficient funds are set aside for this region for infrastructure including proper roads and electricity, this region can be opened up into a great potential. We have had film makers going to South Africa to make films there. Millions of dollars have gone to that country. We would make a lot of money if we opened up northern Kenya, had infrastructure in place and film makers came to this country.

The other problem I noticed in northern Kenya is lack of water. Human beings and livestock face a lot of difficulties. This is the case and yet we are talking about 75 per cent of the land mass of Kenya. We know that having been marginalized for this period, there are prospects of oil being found in northern Kenya one day. I was happy to note that after a lull of over 20 years, for the first time, Kenya has started on-shore oil drilling in Isiolo North District. This is done at a place called "Marti". What will the people in northern Kenya say about this country if prospects of oil are found in that region one day and the entire country's attention turns to it? How will they receive the prospects of a gold rush towards northern Kenya? The people of that region will not accept it, having suffered all along and the country having turned a blind eye on them. We would be looking for chaos. This is because the people from northern Kenya will not welcome us

in that area. We will transform Kenya if we take this opportunity and right the wrongs of the past through adequate resource allocation to northern Kenya.

Madam Temporary Deputy Speaker, we have looked at his situation because it is a far-removed situation from us who come from other parts of Kenya. For example, I come from the grain basket of Kenya, where God has blessed us with plenty of food and rain. In fact, we have considered the issues Members of Parliament from northern Kenya say affect their region as their problem. We have heard Mr. Affey and Mr. Duale speak in this House, but we have said; “these people of the north with their problems---” We have been far-detached from them. When there were riots and people were killing each other in America, President Lennon Johnson said; “This is not a negro problem. This is not a southern or northern problem. This is an American problem.”

Madam Temporary Deputy Speaker, what we are discussing here is not a North Eastern Province problem but a Kenyan problem. It is not something that should be left to Mr. Affey and hon. Members from northern Kenya. This is a Kenyan problem and it is something that we must confront as a country to write the wrongs of the past. This being the National Assembly of Kenya, we want to support this Motion wholeheartedly by saying that time has come when, as a country, we must write the wrongs of the past.

Madam Temporary Deputy Speaker, I listened to Mr. Duale the other day speaking on a similar Motion. He said that there are young Kenyans who have lost hope because life has become unbearable in northern Kenya. So, they have decided to cross over to Somalia to go and fight there. How unbearable would life be that one would want to go to Somalia to fight with Al Shabaab or rather die fighting there than continue living in a life of hopelessness and the problems they are facing? This is not something that we should be laughing about. It is not something that we say that it will only affect the people of northern Kenya. What if these young men come back, battle-hardened killing machines that have fought alongside Al Qaeda and Al Shabaab in Somalia? They will return home armed. They will not stay in northern Kenya because nothing will prevent them from coming to Nairobi. When they come, we will not be talking about *Mungiki* cutting off people’s heads or people walking around in groups sniffing snuff but we would be talking about serious menace to our national security. Time has come for us to speak as one nation, support northern Kenya and write the wrong of the past. I do support this Motion and I also second it. I also urge the Government to support it.

With those few remarks, I beg to second.

*(Question proposed)*

**The Assistant Minister for Livestock Development** (Mr. Duale): Madam Temporary Deputy Speaker, I stand here to support this Motion. I want to take you and this country and the House to the road that led to the creation of the Ministry for Development of Northern Kenya and other Arid Lands. This Ministry was created as a result of a concrete need or due to deliberate marginalization of the people of northern Kenya. Prior to the 2007 General Elections, 45 years of Kenya’s Independence, the healthcare delivery system, education sector, infrastructure, livestock which is the livelihood of the people of northern Kenya, water and sanitation of that region and economic activity was far below that of the other regions in this country. During the 2007 General Election, the two major parties and moreso, the party that I represent in this

House, the Orange Democratic Movement (ODM) felt that the marginalization of northern Kenya was deliberate. They felt that the people of northern Kenya are part and parcel of this country and, therefore, the need to create a Ministry that will address the imbalances that the region was facing.

Madam Temporary Deputy Speaker, when the Grand Coalition Government was formed, His Excellency the President and the Prime Minister felt that it was time that the people of northern Kenya had a Ministry that will take care of their interests and bring them at par with the rest of the people in this country. Reality must be put on the table; 45 years down the line, it is only my constituency that has 20 kilometres of tarmac; 45 years down the line, the health delivery index in this country shows great disparities when you compare North Eastern Province and other parts of the country. If you compare the doctor/patient ratio, the mortality rate, the health delivery system and availability, northern Kenya is far below the country standards and the international standards. The same applies to education. Hardly does that region send less than 2 per cent of students from that region to the Kenyan universities. This is a region that does not even have a national secondary school. It is the only region in this country that does not have a university. It is the only region in this country where the girl-child is so much marginalized.

Madam Temporary Deputy Speaker, regarding the issue of water, yesterday there was a Cabinet crisis meeting on the food crisis in this country. Basically, that Cabinet was holding a meeting for the people of northern Kenya; 80 per cent of the people who are facing drought, water and food insecurity are the people of northern Kenya.

A Ministry was created in April, 2008: The Ministry for Development of Northern Kenya and other Arid Lands. In 2008/2009 Budget, that Ministry was given only Kshs400 million as Development Expenditure. Hon. Members from that region and the people of northern Kenya felt beyond reasonable doubt that the creation of the Ministry for Development of Northern Kenya and other Arid Lands was more political than to help the people of northern Kenya because a Ministry is a Ministry when it is given a budgetary allocation that will make it work for the people that it is intended for. Come 2009/2010 Budget, the Deputy Prime Minister and Minister for Finance, who is a good friend of mine, felt for the first time that resources must be devolved and deliberately felt that the Ministry for Development of Northern Kenya and other Arid Lands is not a priority when he was allocating the resources.

Madam Temporary Deputy Speaker, I stand here as a Government Minister and first and foremost as the hon. Member for Dujis. The Ministry for Development of Northern Kenya and other Arid Lands must be made clear. Its role must be defined because there are specific budgets for the people of northern Kenya in the Ministry of Livestock Development, Ministry of Medical Services, Ministry of Water and Irrigation, Ministry of Education and Ministry of Roads. We must be told that the Ministry for Development of Northern Kenya and other Arid Lands is a coordinating Ministry. That again will bring the question of what is the role of the Prime Minister because we know that he is the one who co-ordinates and supervises all Government functions in this country. So, the Minister for Development of Northern Kenya and other Arid Lands and the people of northern Kenya must be told clearly by the Government whether that Ministry is a coordinating Ministry that will follow the budgetary allocation in the

Ministry of Livestock Development, Ministry of Medical Services, Ministry of Water and Irrigation and the Ministry of Roads that are meant for the people of northern Kenya.

*[The Temporary Deputy Speaker  
(Prof. Kamar) left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, we have reached a stage where this country has done a lot of things in terms of governance, equity and devolution. That is why in this Parliament, for the first time, we have an equity committee and a Committee on Implementation. For us as hon. Members from northern Kenya and other arid areas, we do not see until today the relevance, importance or significance of creating the Ministry of State for Development of Northern Kenya and other Arid Lands if a budgetary allocation is not given to this Ministry that will make the people of northern Kenya walk faster and be at par with the rest of the country. The moral essence of creating the Ministry of State for Development of Northern Kenya and other Arid Lands was to make sure that the people of northern Kenya and other arid lands feel they are part and parcel of the people of Kenya; that the son who was born in northern Kenya can get equal opportunity and access to education, water, health and infrastructure as a child who is born in Western Province, the Rift Valley or the Central Province.

I want to say that when the Ministry of State for Development of Northern Kenya and other Arid Lands was created, I was one of the hon. Members who said: "Halleluia! The Grand Coalition Government has done a wonderful job for the first time!" But today, 18 months down the line, I am saying: "Yes, they created but they created a shallow. They created an institution that has no bearing on the lives of the people." But I stand here to remind the Deputy Prime Minister and Minister for Finance that he has three more years to read the Budget. He has a Supplementary Budget coming up so he should walk the talk and give funds to the Ministry of State for Development of Northern Kenyan and other Arid Lands.

With those few remarks, I beg to support.

**Mrs. Noor:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this very important Motion. The creation of the Ministry of State for Development of Northern Kenya and other Arid Lands is the first and only attempt by the Government of Kenya to acknowledge and address historical marginalization and continued under-development of the region. In this respect, I would like to take this golden opportunity to thank His Excellency the President, hon. Mwai Kibaki and the Rt. Hon. Prime Minister, Mr. Raila, for creating this Ministry.

This Ministry has historical significance to the people of northern Kenya and other arid lands. When the Ministry was created, we thanked God for making it a reality that the injustices that took place in northern Kenya and other arid lands was today being felt by the Kenyan community; and that injustice for northern Kenya is injustice to all Kenyans and Kenya as a whole. It was a step in the right direction. It was the first time in our history that we witnessed a sense of fairness and hope for the people of the region. The Ministry became a symbol of hope, fairness and equity platform. It symbolized the

fruit of Independence that we were denied and the past injustice that we can never forget as a region. Many said it was a new beginning for a new Kenya and hope was placed in the new generation of Kenya's leadership. We believed that history had been written and the promise of Kenya for equal rights and equal opportunity for all was finally with us. Although the older generation in our community was tired of false promises and they witnessed for many years under-development, marginalization, denial of basic needs and rights, police brutality and human rights abuses, they did not believe in the new initiative and in the new Ministry implementing anything. However, the younger generation celebrated. They felt there was light at the end of the tunnel.

The mandate of this Ministry is to address the under-development of the region. That is why it was created so that the region can be at par with the other regions in this country. The Ministry was required to open up and give opportunities of employment, development, education and infrastructure development for the region. It is supposed to open up the region and connect it with electricity, telecommunication and various other development initiatives. It was supposed to build industries that could employ our youth who were unemployed. But it is unfortunate that with that broad and huge mandate of the Ministry of State for Development of Northern Kenya and other Arid Lands, it has never been allocated adequate resources to accomplish its vision, mission, mandate and the commitment it had. The Ministry is ill funded. It cannot realize and develop its own potential. It has no functional ability because it was only given money for operational use; just for fuel, logistics and salaries. We have an able Minister who is committed, who has the vision and the heart to develop the region.

*(Applause)*

We have able civil servants, who have the capacity, who can work but they are not facilitated to implement anything. The Ministry is turning to be a department, in its operations. We feel that this is not the right way to do things.

Kenya is not the only country in the world that is struggling in addressing historical injustices among its citizens. Developed countries and nations like the USA, the UK, Canada and Australia had their own problems of racial disparities, injustices and inequalities in development but they have risen to the moment. The USA, for example, came up with the affirmative action and the famous Marshal Plan to address racial disparity. That affirmative action opened up doors for the under-represented children of colour, the marginalized and discriminated people in the USA. That is why today you see a man of colour becoming the President of the USA. Given that opportunity, women, children and the youth of northern Kenya are able to lead and transform this nation.

Coming back home to Africa, we have nations like Ghana and Rwanda that have tried their best to create equal opportunity and eliminated bias in employment, development and education. Kenya will be a great nation as long as it recognizes that all citizens no matter their background, region or tribe have a right and equal opportunity to own resources that are generated by Kenya.

But as long as we deny more than half of our population, then we will not have the status that we would like our country to have among the nations of the world.

Mr. Temporary Deputy Speaker, Sir, every generation in our country has some history that it leaves behind. We have our forefathers – the people who fought for the

Independence of this country. They had their history. What is the history that we are leaving back as a generation in leadership? We must question ourselves because this is the time that we need to rise up to the occasion. We need to look at the disparities and the injustices that took place in this country. We need to address issues of marginalization. We need to look at issues critically and balance them. That is when we will be judged. If we do not look at those things critically, we will be judged harshly as leaders of this Tenth Parliament. After 46 years of Independence, we still see children learning under trees. We see mothers who are trekking for 30 kilometers to look for a 20-litre jerrican of water. There are people without shelter and we see people who cannot afford basic needs in our country. It is a shame! We need to look at those issues critically.

In conclusion, Mr. Temporary Deputy Speaker, Sir, I want to support the Motion by hon. Affey, and congratulate him for bringing this Motion that seeks to increase the budgetary allocation to the Ministry of State for Development of Northern Kenya and Other Arid Lands to at least 15 per cent per annum for the next decade. I wish to support and beg hon. Members of this august House who have made history so far, to make another history by supporting this Motion.

*(Several hon. Members stood up in their places)*

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

**The Temporary Deputy Speaker** (Mr. Imanyara): Order! Why are you on your feet when the hon. Member is on her feet?

*(Laughter)*

Proceed, Dr. Mwiria!

**The Assistant Minister for Higher Education, Science and Technology** (Dr. Mwiria): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. I want to congratulate the hon. Member for bringing it up as a matter which we must see beyond just North Eastern Kenya, but also the whole country; if you consider that 70 per cent of this country is either semi-arid or arid. In fact, it is said that 70 per cent of the country is completely arid and, if you add the “semi-arid” component, it is 80 per cent. So, we are talking about virtually the whole of this country. That is why it is important that, even when we talk about 30 per cent of the Budget, let us appreciate the fact that we are saying 30 per cent for 80 per cent of the whole country. So, if you look at it in those terms, you will realize that even the proportion itself would ask for much more.

Mr. Temporary Deputy Speaker, Sir, we should not forget that in that 80 per cent of the country, lives Kenyans. They have been historically disadvantaged and it is important to do what we can - in real terms - by allocating resources and building infrastructure to develop those areas, so that they are able to benefit from whatever else is happening in the country. Similarly, that 80 per cent of the country has great potential, if you compare it to countries like Egypt, Sudan, Israel and other countries. Those countries have converted that arid climate or situation into a lot of resources and productivity. So, there is, clearly, potential and what has been lacking is not just the political will, but also

the actual resources to make development in those areas possible, so that we can see progress, just like we have seen progress in countries and areas that are much more arid than Kenya. But it is important that, as those resources are put aside, they are also monitored quite well in terms of how they are distributed to particular parts of this country, and in terms of how they are actually used to support programmes that will benefit a majority of the people.

Mr. Temporary Deputy Speaker, Sir, as we speak about marginalization of the Arid and Semi-Arid Lands (ASALs), I think we are also to blame for that marginalization, as politicians. It is not just that we have realized now that ASALs have been marginalized. As a matter of fact, the people and the politicians of ASALs have always supported systems that are oppressive and which did not care about the development of the whole country, and not just their own areas! So, it is partly the politicians of those ASALs that are to blame for supporting regimes that did not care.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, there are no people who were more pro-KANU than the people of North Eastern Kenya and other ASALs and yet, that political regime did not care about them. So, who is to blame? It is the people! As we blame the Government for forgetting, we should, also, ask: "What is it that we did ourselves to ensure that those disadvantages do not continue or why did we not put in place people who would actually bring the interests of those communities to the forefront?" Let us not forget that a few people from those communities were "bought". You know, they were given jobs here; they were given this or that and, in many ways, they were used to silence people from asking for what should have been done 20 or 30 years ago, and not now!

Mr. Temporary Deputy Speaker, Sir, we also need to appreciate that the issue about ASALs is, sometimes, just beyond a whole community; it is really a class issue. That is because if you go to ASALs of this country, you will find that there is a small proportion of people that are doing very well. Just like when you come to Central Province or go to Nyanza, you will find that there are elites who are doing extremely well. But the majority of people in this country, whether they come from North Eastern Province, Nyanza or Central Kenya, they are very poor. We have slums and large communities of people in Mathare and other places that are even more disadvantaged than small peasant farmers and pastoralist communities. So, it is an issue that cuts across the whole country, but targets certain unlucky people. If you go, historically, you find that even in Central Kenya, where you think it is so well advanced and is doing much better than everyone else, there are hundreds of thousands of families that have been displaced and have nothing! That is part of the reason why we see high crime rate.

Mr. Temporary Deputy Speaker, Sir, if you go to Nyanza Province, especially rural Nyanza, you will find that it experiences the highest poverty index in this country and yet, is not an ASAL! In other words, let us look at this issue in terms of how we can address other inequalities in development, even in those areas that are not ASALs. That is because if you just focus on certain communities in the 80 per cent of the country and forget those other majorities who are even more in terms of numbers, I think again, you will be creating a problem because you will really be forgetting the bigger majority in this country.

Mr. Temporary Deputy Speaker, Sir, I would also like to say that as we figure out this matter, we need to have an overall master plan on the development of those areas. But, more importantly, if possible, we need to support the Ministries. But that might take time. If the resources in specific Ministries are used the way they should be used, one thing we should have been doing is opening up those areas. That is because if those areas have infrastructure, development automatically follows. You do not, necessarily, have to target a specific area because the Ministry of Water and Irrigation will put the resources that are required in that area. The Ministry for Roads will open up those areas. Whoever is in the Ministry of Transport will open up those airports and so on. The same will apply to agriculture, pastoralism and the rest. It is just that those resources have not been targeted. So, if we could prioritize the use of resources that have already been allocated to the Ministries, we could be addressing some of those problems even as we vote for 30 per cent of the Budget to that Ministry. We need, therefore, to ask questions about what priorities are being put in place to address the specific problems facing the people who are living in ASALs with the resources that have already been voted in specific Ministries.

Mr. Temporary Deputy Speaker, Sir, there are, obviously, issues of politics and governance. The reason that we continue to have a majority of people in this country who are so poor has a lot to do with the extent to which we have regimes which have been sensitive to the needs of the majority of the people. Therefore, even as we talk about putting in so much money in that Ministry or even in other Ministries and going to North Eastern Province, parts of Rift Valley and Coast Province, we need to ask more fundamental questions about actual governance; about the people who are in positions of authority; and about the kind of people that we bring in to ask these kinds of questions.

This is because if you do not have the right people as councilors, Members of Parliament, Prime Ministers and Presidents, it will not be possible to implement some of the measures that will address the common problems the majority of Kenyans face. This is as opposed to supporting regimes that are composed of a limited group of elites across the country and not just specific parts of the country.

We also need to address issues of equity in our employment and everything else that we share as a nation. This is because as much as we are looking for fundamental change from the amount of money that will be allocated to a certain Ministry, there are other issues that we need to address to ensure that we have empowered those communities in terms of human resources that will be used to implement the reforms that are needed. We also need to be good representatives of those communities by making genuine "noise" on what is missing and what can be done.

Mr. Temporary Deputy Speaker, Sir, finally, we also need to ask questions about accounting of the resources that have already been allocated. If we go by the Constituencies Development Fund (CDF) and accept that 80 per cent of Kenya is arid or semi-arid, then it goes without saying that 80 per cent of those resources go to those constituencies. We also know that donor communities such as the United States Agency for International Development (USAID), the Department for International Development (DFID) and the European Union (EU) have been interested in arid and semi-arid areas. They have allocated a lot of resources to those communities. We, therefore, need to ask questions about accountability. As much as we have to allocate more money to those areas, is the money that has been available over the years through the CDF and the donor

communities been put to better use? If it has, are we seeing that difference? It is not like we do not have resources. There are resources, but there are questions as to whether they have been put to better use or not. We will see the benefit if the resources were put to better use.

If you take parts of North Eastern Province, for example, you will find that they have about Kshs50 million or Kshs60 million for the CDF and have three or four secondary schools in a constituency. We should see a difference in terms of good institutions because the resources are more there than in a constituency that has 40 or 50 secondary schools. So, those questions must be asked as much as we complain that we do not have resources. What have we done with what has been availed? What have we done with the resources that the donors have historically allocated those communities? This is because hon. Members are quick to appreciate the fact that these areas are disadvantaged.

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

**Mr. Chachu:** Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this Motion. I would like to congratulate Mr. Affey for bringing this Motion before this House. When we raise the issues and the problems of northern Kenya, we must appreciate the distinct marginalization of this region.

Early colonial legislation turned the Northern Frontier District (NFD) into a closed area allowing only for minimal contact with the rest of this Republic. At that time, northern Kenya only served as a buffer against expansionist Ethiopian empires. Beyond that, it was seen to be of no value. In terms of governance, the NFD at that time was characterized by restriction on movement, collective punishment, use of extensive and non-accountable executive powers and any view at the time symbolized the principal and practice of differential treatment of its citizens by the Kenyan State. Generally, the colonialists treated northern Kenya as a closed State from the rest of the Republic and by extension from the rest of the world.

Until 1990, different laws applied to northern Kenya. It was during this time that we had violation of human rights such as the Wagalla Massacre. In addition, minimal or very little investment was made in the area. Instead major investment was diverted to the so-called "high potential areas". This region was also subjected to emergency for a long period. I would like to quote what an administrator of the colonial government, Sir. Geoffrey Archer said in 1920. I would like to capture what they thought of northern Kenya:-

"There is only one way to treat the northern territories and that was to give them whatever protection one can under the British flag and otherwise leave them to their own customs. Anything else is certainly uneconomic."

Mr. Temporary Deputy Speaker, Sir, unfortunately, even after Independence, nothing much changed. Our public policies still target the so-called "high potential areas" at the expense of northern Kenya. To make my point further, I will underscore the highly celebrated Sessional Paper No.10 of 1965 which stated:-

"To make the economy as a whole to grow as faster as possible, development money should be invested where it will yield the largest increase in net output. This approach will clearly favour development of areas having abundant natural resources, good land and rainfall, transport and power facilities and people receptive to active development."

Mr. Temporary Deputy Speaker, Sir, from the colonial period and after we got Independence, 45 years later, the public policy of this nation favoured the so-called “high potential areas” against the rest - almost 80 per cent of Kenya who live in arid areas.

When the President of this Republic formed the Grand Coalition Government in April, 2008 he saw the need to create the Ministry of State for Development of Northern Kenya and Other Arid Areas. He realised that the arid and semi-arid areas of this Republic had suffered due to inadequate resources provisions and poor infrastructure. These realities are still with us. The development gap between northern Kenya and the rest of the country is too wide. While the incidence of poverty in Kenya as a whole fell from 52 per cent in 1997 to 46 per cent in 2006, this fall concealed significant disparities. I will just give a few examples.

During the same period, the number of people who lived in poverty in North Eastern Province rose from 68 per cent. Absolute poverty levels in Marsabit, Samburu and Moyale are all above 84 per cent. It is no wonder most of the poor constituencies fall within the arid and semi-arid areas. North Horr is the third poorest constituency in this Republic after two constituencies in Turkana.

In addition, about 30 per cent of children in northern Kenya aged between 6 years and 17 years have never been to school. Adult literacy is one-quarter of the national average. Maternal mortality rate is two-and-a-half times higher compared with the rest of this Republic. There is not a single High Court or university campus in the whole arid area. Again, it is only Garissa District that is connected to the national power grid.

If this nation has to prosper, this gap in opportunity and well being must be closed. That way, the people of northern Kenya will achieve their full potential. There is high potential in northern Kenya and that is why this Ministry is critical in addressing the problems that the people who live there face. The economic value of the livestock sub-sector in the ASAL areas is estimated to be worth Kshs70 billion. What has the Government done with that? If Botswana can do something with its livestock economy, why not the Kenyan State? I am sure we have oil and gas deposits in northern Kenya. Wind energy and livestock-related products can easily enable this region to prosper if the potential is utilised by the State. It is critical to note that northern Kenya is strategic in terms of location. It can also be a gateway to more than 100 million consumers in untapped markets in the neighbouring countries, for example, Somalia, Ethiopia, Sudan and Eriteria.

Mr. Temporary Deputy Speaker, Sir, we have to invest in education; human resource in this region. The rest of Kenya had the famous “airlift” while northern Kenya never benefitted. Maybe this is the time the Government should do something about the development of human resource in this region.

With regard to drought management, we do not have to deal with emergencies. We can save all the resources including livestock and human life in northern Kenya if we prepare and plan for drought. All that we need is to do the right thing at the right time. What have we done to enable pastoralists access markets for their livestock? Could a Government Minister tell me of a single market for goats in this country other than the informal Kariobangi Market where our people go? This market is being managed by cartels or brokers. This shows that this country has never tapped the potential of the arid region.

Mr. Temporary Deputy Speaker, Sir, it is critical that we address northern Kenya's problems, if this country is to prosper. It needs a marshal plan, and nothing short of that. Until the problems affecting the people of northern Kenya, from insecurity to drought, are addressed, this nation will pretend to prosper but will never prosper.

With those few remarks, I support the Motion.

**The Temporary Deputy Speaker** (Mr. Imanyara): Hon. Members, I have received notice of a proposed amendment. So, I think I better permit Dr. Oburu to move it and then we can continue.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance** (Dr. Oburu): Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to support this Motion and propose amendments to it. However, the amendments that I have are not major, because the intention of the Motion is noble. It is in line with the Government policy of developing northern Kenya. That is why the Government established the Ministry of State for Development of Northern Kenya and Other Arid Lands.

Mr. Temporary Deputy Speaker, Sir, I hope that you will allow me to make my contribution and then move the amendments.

**The Temporary Deputy Speaker** (Mr. Imanyara): Sure!

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance** (Dr. Oburu): Mr. Temporary Deputy Speaker, Sir, as I support this Motion, I know that the history of this country is such that the northern Kenya region was neglected. The approach to the economic development of this country was based on the returns on investment. That approach meant that monies were being put into the high potential areas, where return on investment was very high. However, return on investment can only go up certain limits. Beyond those limits, the returns will be negative. Therefore, we have what we call in Economics "The Law of Diminishing Returns".

The Law of Diminishing Returns has already crept into 25 per cent of land in this country. Therefore, it is high time that Kenya turned to Arid and Semi-Arid Lands (ASAL). When we talk of ASAL we are not talking about northern Kenya alone. There are many other parts of this country that are also arid or semi-arid. Even some areas in Nyanza Province, where I come from, we have rainfall of below 300 millimetres per annum. This matter has actually been discussed and agreed on in this House, that those areas also fall within the policies of ASAL development.

Mr. Temporary Deputy Speaker, Sir, investment in those areas need not necessarily come from the Government. I was an employee of the Government. I used to be a civil servant. I used to work in the Ministry of Planning, where I was in charge of the Department of Arid and Semi-Arid Lands development. At that time, we attracted a lot of funds from donors, because donors are very keen on the development of ASAL areas. In fact, in Turkana District, the Norwegians were funding almost all departments of Government Ministries to the extent that the Government became negligent.

The Government was not allocating any funds to that district. It was not supporting a scheme where donor funding was sustaining it. Government departments were responsible for implementation and providing counterpart funds, so that when the donors left, the Government could easily take over the programmes. This almost led to a collapse of projects when the Norwegians withdrew, or were chased away, from Turkana District.

Mr. Temporary Deputy Speaker, Sir, I think ASAL areas in this country cannot be regarded as poor. They are only poor because we do not invest sufficiently in those areas. Botswana is almost an ASAL country, but they do not even go for donor support. They are self-sufficient. Of course, they are lucky. Apart from livestock, they have some diamonds but livestock contributes more or less 50 per cent, in terms of revenue generation for the Budget.

So, if we invest properly in the North Eastern Province and other parts of the country that are ASAL, we can actually have them as some of the most important economic resources for this country. Countries like Egypt depend on us. The Nile flows from Lake Victoria, which is fed by Kenyan rivers. Egypt is arid land but she is exporting food to Kenya. Israel imports water, but she also exports food. We do not have any excuse not to invest sufficiently in our ASAL, because there are examples of countries that have used dry areas through rain harvesting and irrigation to develop themselves.

We do not have to allow so much water flowing through River Nzoia, River Yala and River Nyando to be killing people. We then treat them as emergencies every year and allocate money for medicine, when that water can be harvested and used for irrigation, so that we can be self-sufficient in food production and even export food.

Mr. Temporary Deputy Speaker, Sir, because this Motion is brought here in very good faith, I do not want to dwell so much on it.

Therefore, the first amendment I want to move is deletion of the word “marginalization” on the first line of the Motion and replacing it with the words “under-development”.

The word “marginalization” looks quite innocent, but it has other connotations. So, we thought that using the word “under-development” would be more appropriate and less controversial.

Mr. Temporary Deputy Speaker, Sir, the second amendment I would like to move is insertion of the words “and other relevant Ministries” between the words “Lands” and “to” appearing on the twelfth line of the Motion.

The importance of the amendments we are proposing is such that the Ministry---

**The Temporary Deputy Speaker** (Mr. Imanyara): Mr. Assistant Minister, just read the entire Motion with your proposed amendments.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance** (Mr. Oburu): Mr. Temporary Deputy Speaker, Sir, if amended as proposed by me, the Motion will read as follows:-

THAT, noting the past and continued under-development of the Northern Kenya; aware that because of the prolonged neglect, the entire region has lagged behind in development compared to other parts of Kenya; cognizant of the fact that the inhabitants of the region are taxpayers with equal human and legal rights like other Kenyans entitled to all the services provided by the Government, including adequate security and infrastructural facilities such as road network to open up the region; appreciating the efforts of the Grand Coalition Government in establishing the Ministry for Development of Northern Kenya and Other Arid Lands as a strategy to address these historical imbalances; this House urges the Minister for Finance to increase budgetary allocation to the Ministry for Development of Northern Kenya and Other Arid Lands and other relevant Ministries to at least 15 per cent per annum of the development budget for next

decade in line with the Government's recent positive approach towards development and transformation of this region.

The reason why we have moved this proposal is because the Ministry does not have the capacity to implement water projects, build roads, oversee education and health projects, *et cetera*.

It will, therefore, be wrong for us to urge the Government to increase money to the Ministry when we know that it is not in a position to use that money since the Ministry does not have the capacity do so.

What we want is to give capacity to the Government and allocate sufficient funds for the development of northern Kenya.

Mr. Temporary Deputy Speaker, Sir, this is the importance of the amendments which I am proposing. We have discussed with the hon. Member. I hope the House will agree with these amendments.

With those few remarks, I wish to propose the amendment.

**The Temporary Deputy Speaker** (Mr. Imanyara): Who is seconding you?

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Lesrima): Thank you, Mr. Temporary Deputy Speaker, Sir. I want to support the amendments. I think they are basically harmless.

**The Temporary Deputy Speaker** (Mr. Imanyara): No. you are seconding the proposed amendments.

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Lesrima): Mr. Temporary Deputy Speaker, Sir, I am seconding the proposed amendments to remove the word "marginalization" and replace it with "under-development" and also to recognize the contribution of other departments that support the Ministry of State for Development of Northern Kenya and Other Arid Lands.

I would say that the capacity can always be outsourced. The driving engine for this Ministry is the capable Minister and his staff.

Mr. Temporary Deputy Speaker, Sir, they have already started doing some good work. I am aware that they are already doing some huge dams and they can outsource capacity. If you are doing dams, you get capacity from the Ministry and the parastatals in the Ministry of Water and Irrigation and other organizations.

I want to congratulate the hon. Member who brought this Motion because we want to continuously push for affirmative action. I do not want to put too much emphasis on previous Governments because they were also run by people from ASAL areas. The top leadership of previous governments constituted people from ASAL areas.

We want to see this change come as soon as possible. We want to see the modifications in the next Supplementary Estimates. I am happy that the Minister for Finance is here to support this Motion. We want to see real change in the next Budget.

Mr. Temporary Deputy Speaker, Sir, in the Ninth Parliament, parliamentarians from the Pastoralist Parliamentary Group together with the Ministry of State for Special Programmes then headed by Mr. Munyes worked very hard on the policy on arid lands. That policy has been ready for the last three years. We were able to look at the strategic plans and the budget that we came up with was for Kshs30 billion annually to be pumped into the ASAL areas for development.

It is a bit unfortunate that although the President, while opening this session of Parliament did mention that 24 policies will come to the House, I expect this particular

policy on ASAL to take priority. Since you are the temporary Chairman of the House Business Committee, I want to urge you to consider bringing this policy in the agenda of the House.

The northern part of Kenya and other ASAL areas have high potential, particularly in natural-based resources. There is potential for oil which has not been exploited. There is potential for mineral exploration. There is potential for wildlife. The northern part of Kenya has not been fully exploited in terms of tourism. It is much more beautiful with fantastic landscapes and unique speeches of wildlife. It is much more beautiful than the Masai Mara which is getting a little tired. Once we begin to look at what is available in the north, we can attract more tourism.

Lake Turkana is the biggest lake in Kenya. It is surrounded by five constituencies: North Horr, Laisamis, Samburu West, Turkana South, Turkana Central and Turkana North. It is 700 square kilometers while Lake Victoria is only 300 square kilometers. Lake Victoria is half of Lake Turkana. You can harvest fish worth Kshs3 billion annually in Lake Turkana. That is a lot of food. We would have no reason at all to line up for famine relief if we were all fish eaters.

Mr. Temporary Deputy Speaker, Sir, if we were to develop that potential, Kenya would be a richer country. Kenya is poorer for neglecting that potential. It is very sad because the funding is extremely low. When you fund a Ministry with Kshs700 million, what are you trying to say? You are actually saying that the people of northern Kenya and ASAL people were given a shell. The Government used to come out clearly, did we really get a Ministry or a shell?

When you look at Vision 2030, the first implementation says: "It is contained in development plan 2008/2012." Did you know that in the first phase of implementation of the development plan 2008/2012, in fact, this Ministry does not feature anywhere? Even if you look at the last page, on the matrix of implementation, which Ministry will implement the first phase and what resources will be required? This Ministry does not feature? When you talk about northern Kenya and what the Government will do in implementing Vision 2030, just give one example. There is a very narrow target. It is mentioned that a boarding school will be done for every constituency in the next five years. Surely, I can do five using my allocation of CDF funds alone. Our CDF allocation is much more than the funds allocated to this Ministry.

The Government should put in more resources based on the contributions of Members of Parliament and their constituents. We held meetings in various constituencies and we polished even what you think should come through Vision 2030. I believe the Minister has input. We hope he will call us soon to put numbers in those requirements added by our people.

Finally, as we talk about the Ministry of State for Development of Northern Kenya and other Arid Lands, let us remember the dry areas of Ukambani and Kikuyu. It is not just a Ministry for a few of us in the north. Whereas I agree that we should have the face of Kenya, I think more persons from those areas will be more sympathetic and have empathy in terms of implementation. It is true that we had a lot of money from donors in the past but it must also be recognized that two-thirds of that money went back through administrative costs. It must also be recognized that the people who were implementing in the Public Service did not have the people of the north and ASAL areas at heart.

With those few remarks, I beg to second.

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

**Mr. Kigen:** Mr. Temporary Deputy Speaker, Sir, this Motion is timely because it is addressing a very pertinent issue of development of our country. We have already understood that about 80 per cent of our country falls within the ASAL. This is represented by the Ministry of State for the Development of Northern Kenya and other Arid Lands.

Mr. Temporary Deputy Speaker, Sir, when we talk of 80 per cent of the country being underdeveloped, one would wonder where we lost sight and only concentrated on only a small fraction of the country. Explanations have been given to the effect that allocation of funds was targeting potential areas because of returns. This is, however, not enough reason for us to continue to ignore areas with equal potential for over 40 years. These areas would have taken this country to a different level of development and achievement.

The Government did very well by creating the Ministry of State for Development of Northern Kenya and other Arid Lands. However, I still believe that the Government never had the intention to address the shortfalls. It should have empowered or increased funding for developing various sectors of the economy in this area. This includes provision of water. If you travel to the north after rainy season, you will find it very green. This means that if sufficient water was available, if the rain water was tapped and kept, it would be used during dry season. This way, we would not be spending the kind of money we spend on buying food to feed people. We would not be struggling to find a way of disposing livestock threatened today by drought and famine.

The Government should, indeed, think of putting in more money in the relevant Ministries targeting the semi-arid areas. This should be put in the Budget. It should not just be the responsibility of this Ministry but of the Government.

Mr. Temporary Deputy Speaker, Sir, we have given examples of countries like Sudan, Egypt and Israel. These are countries which have produced enough food and export to other countries yet they do not rely, at all, on rain-fed agriculture. If we could look at the Nile Basin Treaty which was entered between the Kenyan Government and the Ethiopian Government before Independence and is operational up to date--- We should change that treaty to allow for the usage of water from Lake Victoria through the River Nile in areas like Turkana. It should be used for irrigation. I can tell you that if we do this, the sights we see in the media of people starving and dying would be history.

I think for a long time the Government has been very short-sighted. We cannot apportion blame today on the past leadership because it came from developed areas. People from the north and semi-arid lands were sending representatives to this House. However, they did not raise these concerns. Today, what we are doing is so important. We have come up with this Motion with a view to correcting the errors of the past. We hope that the Government is going to empower and put in more resources into the relevant Ministries like the Ministry of Roads. The Ministry should be able to open up the roads in northern Kenya and other arid areas. If the areas were opened, trade would flourish. Accessibility would be made easier and development will follow.

Mr. Temporary Deputy Speaker, Sir, we have a lot of land problems in cities like Nairobi. I think we should build another Parliament in a place like Marsabit. With that, a lot of development will follow. More money should be availed and directed to those places. I know that there are employment opportunities extended and confined to certain regions and depriving people expertise in those areas. Trained people who come from the said places would give us value for money and development.

With those few remarks, I beg to support.

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

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

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

*(Question of the Motion as amended proposed)*

**The Temporary Deputy Speaker** (Mr. Imanyara): There are still a few minutes left before I can call the Mover to reply. Therefore, I will call Mr. Bahari.

**Mr. Bahari:** Mr. Temporary Deputy Speaker, Sir, I want to thank Mr. Affey for moving this Motion because it addresses one of the key challenges of this country for the next few years to come. I must emphasize that this is nothing new. I can refer to the records of this House. One nationalist in this House, in 1975, had gone on record to say that when Kenyans from northern Kenya come to Nairobi or go to the central part of this Republic, they say that they are going to Kenya. He was very categorical and stated very clearly that the reason for this is because the Government had not developed that part of the Republic. This was in 1975. The hon. Member, in 1975, urged the Government, through this House, to start investing in that part of the country. This was 34 years ago and even today, we are still talking about the same issue. In fact, we are worse off now relatively than it was at that time. This is the era in which we must talk the truth. I believe that some of these issues will come up in the Truth Justice and Reconciliation Commission (TJRC) agenda. It was a deliberate Government policy in terms of investment in accordance to Sessional Paper No.10 of 1966 that we invest in what was considered to be a high potential area. I do not know who made the assessment of which areas were high potential. That should have been preceded by an assessment of the high potential areas.

Thirty four years is a long time and we have not yet acted. Today, we are still talking about it. This is a very serious matter and the Government needs to look at it with the seriousness it deserves. Indeed, like one of the hon. Members said, we would like to see in the Supplementary Estimates, this issue addressed. I can assure you that we will mobilize this House. If the Ministry will not address this issue in the Supplementary Budget, we will take it upon ourselves to ensure that the Ministry includes this in the

Supplementary Budget. Otherwise they will not see their next Supplementary Budget go through this House again.

In Bomas, the Committee that was responsible for Finance had clearly indicated and passed through their proposals that a specific figure which was meant to ensure that northern Kenya, catches up with the rest of the country be set aside. It was a non-controversial issue. So, as the constitutional review comes, even if this matter will not be addressed, I have no doubt that, that will come up as one of the non-controversial issues to compel the Office of the Deputy Prime Minister and Ministry of Finance to set aside some percentage of our annual Budget to ensure that northern Kenya catches up with the rest of the country. I want to give notice to the Ministry that if they do not do it; this will come through a constitutional amendment given the kind of support that this House has given to his Motion. One of the earliest things that this Ministry can do and they should, if they are really serious about this issue, and not take it to be a routine matter, is to quickly bring a Sessional Paper to formalize what the Minister said that he agrees to do.

An hon. Member was talking about gold being found in Botswana, Namibia and in Kalahari Desert, among other places. I had an opportunity to go to Namibia and I found, along with others, a prosperous meat company because of the way the Government has invested in livestock. Not only that, even in the furthest end of the country, tourism was booming in one of the very remote parts of that country. This is basically because the Government has invested in infrastructure in that place. The area is a complete desert! In fact, you will be lucky to see grass. The number of tourists who fly to that place are unbelievable.

Since I know that there are many hon. Members who still want to contribute to this Motion, I want to say that livestock which is the mainstay of the economy of northern Kenya and other arid areas is the gold that this country has refused to exploit to the advantage of the whole country.

Although this matter went through this House, I have a problem with the issue of under-development. However, I will say it in passing. The right word should have been “marginalization” because it is a deliberate effort on the part of the Government to ensure that this is entrenched. It is not because it was by error but it was a policy decision. A time has come when we must realize that as a country, we have the same future. We cannot afford to neglect any part of this country. It is extremely important that when these issues are addressed, they are not addressed as matters of favour but matters of right.

With those few remarks, I beg to support.

**Mr. Affey:** Thank you, Mr. Temporary Deputy Speaker, Sir. Before I make my remarks, I would like to donate two minutes to the Minister of State for Development of Northern Kenya and other Arid Lands, two minutes to Mr. Abdikadir and two minutes to Mr. ole Lankas and I will remain with four minutes.

**The Minister of State for Development of Northern Kenya and other Arid Lands (Mr. E.I Mohamed):** Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to thank Mr. Affey for bringing this Motion and the Deputy Prime Minister and Minister for Finance for allowing the Motion to pass with minor amendments. I think a lot has been said about under-development of this area. I am sure that there are some figures that many hon. Members may not be aware about. For example, the human index of ten districts of northern Kenya is lower than the population of Sierra Leone. In many of those districts there is less than 30 per cent enrolment in schools. The infrastructure and the

whole of that area has less than 700 kilometers of paved road. Let me say that there are five reasons why this Motion should be implemented. The first speaker said that equity is the thing that will bring down this country or take it to the Vision 2030. For this country to develop, either in terms of energy or in terms of food or anything you can think of, we will need that area to be developed very fast.

Finally, the national security of this country will be critical if the issues of northern Kenya are not addressed. This country will be like Pakistan with frontier districts.

With that I support the Motion.

**Mr. Abdikadir:** Mr. Temporary Deputy Speaker, Sir, I just want to answer one question, why there is under-development by Government policy. It was structural because in terms of development discourse, we actually have differentiation between under-development and marginalization. It was structural starting from the construction of the Ugandan Railway; the Government policy was to develop those areas surrounding the railways line. Two, there was the myth of high potential areas, essentially agricultural view points of the world. Three, constitutional, as a result of secessionist, constitutional policies focused on securities. Section 127, actually had the Constitution vacated in those areas. So, indeed, the under-development was Government policy. This ought to be addressed by the Government policy.

Mr. Temporary Deputy Speaker, Sir, 40 years ago this country and South Korea were on the same path of development. Nothing has changed in those two countries other than policies and practices. They are where they are today because of Government policies. This under-development is Government policy based and it must get government policy intervention.

Thank you.

**Mr. ole Lankas:** Mr. Temporary Deputy Speaker, Sir, I also wish to support this Motion as amended.

I just wish to point out a few issues on the Ministry's functions and roles. This is the Ministry of State for Development of Northern Kenya and other Arid Lands. Which are these other arid lands? This should be clearly defined, so that they are all brought on board. The image of northern Kenya needs to be redeemed. These areas are taken as hardship areas. This has contributed to the underdevelopment of this area. This Government tends to operate geographically. If there is a way that we can move the seat of the Government to an area like Isiolo, I believe all these we are talking about would be solved. That is one of the things that I need to recommend.

These areas are rich in resources. They have high potential. For record purposes, there was an Assistant Minister who talked of the Mara being tired; I think that should not be taken because Mara is an area which is also under these other arid areas. It should never be used as an example of an area which is tired.

With those few remarks, I support the Motion.

**Mr. Affey:** Mr. Temporary Deputy Speaker, Sir, I just want to donate just one minute to hon. Sofia for record purposes.

**Mrs. Noor:** Mr. Temporary Deputy Speaker, Sir, for record purposes, I want to oppose the Motion as amended by the Assistant Minister, Office of the Deputy Prime Minister and Minister for Finance by removing the word "marginalisation". He is running away from responsibility. I want it to be recorded because this was historical

marginalization. This history is documented. It was systematic; policy and constitutional marginalization. What do we say when a child in North Eastern Province and northern Kenya, especially Turkana is learning under a tree up to today? Is that not marginalization? That is why I want to oppose the deletion of the word “marginalization”

Thank you.

**Mr. Affey:** Mr. Temporary Deputy Speaker, Sir, as we conclude this Motion, first of all, I want to thank my Seconder to this Motion, hon. Wamalwa. I just want to tell him that he has all our support in whatever he is doing.

The intention of this Motion is to acknowledge the Government efforts in trying to focus on development of northern Kenya and other Arid Lands by the fact that the Government established a Ministry. We do not want that Ministry to be just a political gimmick. We want it to translate into real activities for the people who live in this part of the country which is about 80 per cent of the Kenya’s land mass. This Ministry, must, therefore, be strengthened. It should not be taken as a co-ordinating Ministry. It must be taken as a Ministry for development of northern Kenyan and Other Arid Lands. When you look at the word “development” the assumption is to construct this region afresh. There were policies of marginalization which were pursued in this country by the colonial Government and then implemented to the letter by the subsequent Government. This has contributed to this part of the country going down the drain economically. As Members have said, we require human resource development and development of infrastructure in this region. Therefore, the obsession with the 50 kilometre railway line established by the colonial Government must stop with the establishment of this Ministry.

I just want to thank the Minister and hon. Members who supported this Motion. With those few remarks, I beg to move.

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

*Resolved accordingly:*

THAT, noting the past and continued under-development of the Northern Kenya; aware that because of the prolonged neglect, the entire region has lagged behind in development compared to other parts of Kenya; cognizant of the fact that the inhabitants of the region are taxpayers with equal human and legal rights like other Kenyans entitled to all the services provided by the Government, including adequate security and infrastructural facilities such as road network to open up the region; appreciating the efforts of the Grand Coalition Government in establishing the Ministry for Development of Northern Kenya and Other Arid Lands as a strategy to address these historical imbalances; this House urges the Minister for Finance to increase budgetary allocation to the Ministry for Development of Northern Kenya and Other Arid Lands and other relevant Ministries to at least 15 per cent per annum of the development Budget for the next decade in line with the Government’s recent positive approach towards the development and transformation of this region

LIFTING OF RESTRICTIONS UNDER RBA  
ON RETIREMENT BENEFITS

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

THAT, in view of the suffering occasioned by the retirement benefits law to employees by prohibiting them from accessing their contributions and those of their employers upon leaving employment before the mandatory retirement age and in view of the fact that the Government has now extended the retirement age of its employees to sixty years and those who have left employment before the mandatory retirement age will have to wait for an even longer period before accessing their contributions; this House resolves that the Government lifts the restriction under the Retirement Benefits Act in respect of occupational schemes to enable a member leaving employment after three years of membership to be entitled thereupon to a refund of his or her contribution together with investment income accrued thereon and payment of the employer's contribution together with investment income accrued thereon, and for matters incidental thereto and connected therewith.

Mr. Temporary Deputy Speaker, Sir, this Motion is brought at a time when there are many Kenyans who have lost their employment before reaching their retirement age. It has also been brought at a time when the retirement age has been extended from the previous 55 years to 60 years. It is brought during a time when there is a global financial crisis where millions of people have lost jobs. Recently, in Geneva, it was indicated that in the world over 50 million people have lost jobs. In Kenya, the Kenyan delegation that was represented in Geneva during the International Labour Organization Conference led by His Excellency the Vice-President and Minister for Home Affairs confirmed that over 10,000 people have lost their jobs before attaining the retirement age.

This Motion was prompted by what was brought by way of an amendment to the Retirement Benefits Act in 2005

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Mr. Imanyara): Mr. Wamalwa, you will have 18 minutes to complete your Motion next Wednesday. On that note, Hon. Members it now time for interruption of the business of the House. The House, therefore, stands adjourned until this afternoon, 12<sup>th</sup> August, 2009 at 2.30 p.m.

The House rose at 12.30 p.m.