

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 7th July, 2010

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

QUESTION BY PRIVATE NOTICE

CIRCUMSTANCES SURROUNDING RELEASE OF FUNDS TO COE

Mr. Jamleck Kamau: Mr. Deputy Speaker, Sir, I beg to ask the Deputy Prime Minister and Minister for Finance the following Question by Private Notice.

(a) Under what circumstances did the Government release Kshs553 million to the “Committee of Experts” for civic education?

(b) Could the Minister provide a detailed analysis of the source of the money, considering that Parliament has not approved the expenditure?

Mr. Deputy Speaker: Is the Deputy Prime Minister and Minister for Finance not here?

We will come back to this Question later.

Next Question.

ORAL ANSWERS TO QUESTIONS

Question No.244

MEASURES TO PROTECT KENYANS FROM INFLATION

Mr. Deputy Speaker: Is Ms. Chepchumba not here?

We will come back to this Question later.

Question No.049

FORMULATION/ENACTMENT OF WETLANDS POLICY

Dr. Otichilo asked the Minister for Environment and Mineral Resources:-

(a) why Kenya does not have a wetlands policy to date, yet the State is a signatory to the Ramsar International Convention on Wetlands, which was adopted on 2nd February, 1971;

(b) when Kenya will formulate and enact a National Wetlands Policy; and,

(c) whether there is a detailed inventory and status report on wetlands in the country and, if so, which department is responsible for the conservation.

The Assistant Minister for Environment and Mineral Resources (Mr. Kajembe): Mr. Deputy Speaker, Sir, I beg to reply.

(a) It is true that Kenya is a signatory to the Ramsar International Convention on Wetlands which was adopted on 2nd February, 1971. All issues pertaining to the convention in respect of Kenya have been well captured in the Environment Management and Co-ordination Act, EMCA, 1999, which is the supreme law on environment management in the country. My Ministry is currently at an advanced stage of finalizing the relevant regulations that will ensure sustainable management of the country's wetlands in line with the requirements of EMCA.

(b) As explained in "a" above the Government has already operationalised the Environment Management and Co-ordination Act, 1999, which has taken care of all issues related to environment management in the country, including wetlands.

(c) My Ministry has constituted a committee of experts on issues related to wetlands and mandated it to come up with a detailed inventory and status report on wetlands in the country, which will result in a comprehensive wetlands atlas covering all the wetlands in the country.

It may be noted that the Ministry of Environment and Mineral Resources has always been financially constrained. However, I have already reached out to international partners, including UNEP, to support the inventory and mapping of our wetlands and their bio-diversity resources. The conservation of the country's wetlands is led by the National Environment Management Authority (NEMA) in partnership with lead agencies, including KWS.

Dr. Otichilo: Mr. Deputy Speaker, Sir, while we appreciate the answer given by the Assistant Minister, I note with concern that the answer tries to portray that NEMA is the one that is responsible for the management of wetlands. If we read the EMCA, it is very clear. It says that NEMA is there to co-ordinate environmental issues and not to implement the issues. So, I would like to hear from the Assistant Minister whether this law has been amended and when it was amended. Further, I want the Assistant Minister to comment on the fact that Kenya Wildlife Service has been working on a wetlands policy for many years, and has been sponsored by the Government of Netherlands. Why is the KWS not mandated to manage wetlands in this country, which have drastically deteriorated leading to drying of most of our rivers?

Mr. Kajembe: Mr. Deputy Speaker, Sir, the 1999 EMCA does not have adequate muscle to handle wetlands issues. However, I agree with the hon. Member that we do not have a very concrete law to address the problems of wetlands. However, my Ministry has formed a committee to come up with a very comprehensive paper, which will enable the Ministry to come to this House and enact a law on wetlands. In the meantime, my Ministry, NEMA and the KWS are handling all the issues pertaining to wetlands. I promise this House that the committee is at a very advanced stage to come up with a report and we will come to this House to enact a law.

Mr. Affey: Mr. Deputy Speaker, Sir, I think the Assistant Minister could be misleading the House. Already in part “a” of the answer he has confirmed that Kenya is a signatory to the Ramsar Convention. So, it is a framework in which the Government is operating. Could the Assistant Minister give us a detailed survey of the wetlands in the country as requested by the hon. Member in part “c” of the Question? Could he table here a detailed inventory of the wetlands that we have in the country?

Mr. Kajembe: Mr. Deputy Speaker, Sir, that is a supplementary question. I would like to tell this House this committee will identify areas of wetlands.

Mr. Affey: On a point of order, Mr. Deputy Speaker, Sir. Clearly the Assistant Minister is misleading the House. It is either he does not have sufficient information and he is not well briefed about what is happening in the country or he is deliberately misleading us. I am not talking about the Committee he wants to set up. Since 1971, this country has been party to all the Ramsar Conventions. I attended one such conference as an Assistant Minister for Environment in Costa Rica. Therefore, there is already an inventory in the country. Could he table it and tell us in which parts of Kenya we have wetlands? If he does not have a sufficient answer, ask for more time. But he should not mislead the country.

Mr. Kajembe: Mr. Deputy Speaker, Sir, I am not misleading this House and the country. I have stated very clearly that we have the international treaty. But we are now taking steps to fully implement what we have signed at the international level. Currently, I am very clear to say that we are in the process of identifying these areas. We have set up a committee to come up with a very comprehensive report on wetlands. We will avail the report of that Committee before the House once it is ready.

Mr. Shakeel: On a point of order, Mr. Deputy Speaker, Sir. Could the Assistant Minister inform us one or two sites of wetlands that have been recorded? From 1971 to 2010 is nearly 30 years. Does he want to tell us in 30 years, nothing has been done? If nothing has been done, let him be honest and say so.

Mr. Kajembe: Mr. Deputy Speaker, Sir, areas around Lake Naivasha are classified as wetland areas. The hon. Member from Kisumu knows very well that areas around the shores of Lake Victoria are classified as wetlands. I will table a report before this House as soon as it is finalised.

Mr. Deputy Speaker: Order! Hon. Assistant Minister, part “c” of the Question says: “Is there a detailed inventory and status report on wetlands in the country and, if so, which department is responsible for the conservation? First of all, could you answer “yes” or “no” and then say which department is responsible because your answer is fairly vague?”

Mr. Kajembe: Mr. Deputy Speaker, Sir, the department handling this issue of wetlands is the National Environment Management Authority (NEMA).

Mr. Deputy Speaker: Order, Assistant Minister! Is there a detailed inventory? It is a very simple answer; “yes” or “no.” You have not answered that bit of the Question.

Mr. Kajembe: Mr. Deputy Speaker, Sir, I said in the preamble of my remarks I said “yes.”

Dr. Otichilo: On a point of order, Mr. Deputy Speaker, Sir. The NEMA is not an implementing agency. It is a co-ordinating agency. So how come the Assistant Minister says that wetlands are managed by NEMA?

Mr. Kajembe: Mr. Deputy Speaker, Sir, I said clearly that NEMA is handling wetlands issues and is co-ordinating---

Mr. Deputy Speaker: Co-ordinating who?

Mr. Kajembe: Mr. Deputy Speaker, Sir, co-ordinating lead agencies. One such agency is the Kenya Wildlife Service (KWS). This is in my answer.

Mr. Koech: Mr. Deputy Speaker, Sir, the issue of wetlands is a very serious matter in this country. In my own constituency we have a swamp where we have Sitatungas. But there has been a very serious conflict between the farmers and KWS. Could the Assistant Minister table the inventory, so that all of us in this House get to know, which are these wetlands that we have today in Kenya and give us the exact department because he was giving us confusion on whom to go to?

Mr. Kajembe: Mr. Deputy Speaker, Sir, I have already answered the Question. But I will repeat. Yes, the Ministry knows areas of wetlands. But in order to bring a comprehensive report we are saying that there is a committee to identify these areas. We will table the report of this Committee. The hon. Member who asked this Question knows this and said that KWS was given funds by NEMA. I agree with the hon. Member that I will bring to this House all the areas affected by wetlands after the Committee concludes its report.

Mr. Koech: On a point of order, Mr. Deputy Speaker, Sir. Earlier on, the Assistant Minister indicated that they have the inventory. All that they are doing is to make additions. My question was: Could he undertake to table the inventory that is in place today before we talk of the extras and when will he do it? This is from 1971.

Mr. Kajembe: Mr. Deputy Speaker, Sir, I still plead with hon. Members of Parliament. Let us give time to the Committee to conclude the findings, then we will come here with a very comprehensive report. If you are asking me when I would table this, I can say if we are given 90 days, we will be in a position to table this report. This is a technical issue which cannot be done overnight. I am pleading with hon. Members to give me 90 days.

Dr. Otichilo: Mr. Deputy Speaker, Sir, you can see a case in point where a Government signs a Convention in 1971 and today we are in 2010, it has not implemented what the convention says about wetlands.

I want to know from the Assistant Minister; while they are preparing the wetland policy, what mechanism has the Ministry put in place to ensure that our remaining wetlands are not destroyed? What budget do you have for the conservation of wetlands as we await the report of the Committee?

Mr. Kajembe: Mr. Deputy Speaker, Sir, my officers are on the ground in every area they have identified wetlands. That is why I am able to mention places like Kisumu, Naivasha and other areas. So, I can tell you that we are taking care of individual cases. But once the report is ready, we will table it before this House.

Dr. Otichilo: On a point of order, Mr. Deputy Speaker, Sir. What I want to know is what budget have you allocated for wetlands conservation in the current financial year?

Mr. Kajembe: Mr. Deputy Speaker, Sir, I said earlier on, NEMA is doing co-ordination. So, the budget we approved for NEMA will cater for this. My Ministry does not get adequate funds from this House. This is a very important Ministry and I request this House to give us adequate funds in future.

Mr. Ochieng: Mr. Deputy Speaker, Sir, I rise to ask Question No.158 for the third time.

Question No. 158

DISMISSAL OF RANGER PAUL OKUNGU
FROM TSAVO EAST NATIONAL PARK

Mr. Ochieng asked the Minister for Forestry and Wildlife: -

(a) why Mr. Paul O. Okungu (KWS No.8315), who was working as a Ranger at Tsavo East National Park, was dismissed from service in September 2009; and,

(b) if he could consider reinstating him.

The Minister for Forestry and Wildlife (Dr. Wekesa): Mr. Deputy Speaker, Sir, I would like to apologise for yesterday's inability by my Assistant Minister and myself to be in the House. I understand that my colleague had requested yesterday that the Question should be deferred because we had joined the President for a luncheon. However, I have done investigations about Question No.158. In fact, I do find that Mr. Peter Gicheha is still in employment. The information I have got is---

Mr. Abdirahman: On a point of order, Mr. Deputy Speaker, Sir. As legislators or Ministers, we need to be truthful to this House. It will be unfortunate for the Minister to say that he and his Assistant Minister attended the luncheon. He has gone further to mislead this House that he attended the luncheon with the President when, in fact, we saw on television that he led the "YES" campaign in his constituency. Could the Minister tell this House the truth? I am the one who asked the Question yesterday and it was deferred. I am also willing to get the response today. Is he in order to mislead this House?

Mr. Deputy Speaker: Mr. Minister, is it true that you were not at the luncheon with the President?

The Minister for Forestry and Wildlife (Dr. Wekesa): I was there, Mr. Deputy Speaker, Sir.

(Laughter)

I want to produce evidence that I was there.

*(Dr. Wekesa called out Mrs.Mugo's name
while pointing a finger at Dr. Kosgei)*

The Minister for Agriculture (Dr. Kosgei): Mr. Deputy Speaker, Sir, my name is Dr. Sally Kosgei and not Mrs. Beth Mugo. I saw him. He was seated at the table next to mine.

(Laughter)

The Minister for Forestry and Wildlife (Dr. Wekesa): Mr. Deputy Speaker, Sir, Dr. Sally Kosgei was there and so was Mrs. Beth Mugo who left to come to the House.

This is shared responsibility. As for being in the constituency, I was there on Monday and I met leaders in Trans Nzoia over the “YES” campaigns. The hon. Member must have seen the clip and thought that I was there on Tuesday.

I was saying that I am not very happy with the information I got from the ground. The document I am carrying suggests that Mr. Peter Gicheha was one of the nine people--
- Eight people were sent away.

Hon. Members: Is it really Mr. Peter Gicheha?

Mr. Deputy Speaker: Proceed, Mr. Minister! The Questioner knows and the House knows---

The Minister for Forestry and Wildlife (Dr. Wekesa): Mr Deputy Speaker, Sir, Mr. Peter Gicheha is the person in question.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. It is Mr. Paul Okungu!

Mr. K. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. You have heard the Minister say that he is unhappy with the answer he holds. However, he has proceeded to read the same answer. Is he in order---

Mr. Deputy Speaker: He is stating exactly why he is unhappy. Hold your horse!

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

Mr. Deputy Speaker: Order, Mr. Affey! Allow the Minister to conclude his statement.

Mr. Affey: On a point of procedure, Mr. Deputy Speaker, Sir.

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

Mr. Affey: Mr. Deputy Speaker, Sir, we have an Order Paper that talks about Mr. Paul Okungu and not Mr. Peter Gicheha.

Mr. Deputy Speaker: If the memory of the Chair serves it right, and if you were in the House the last time the Question was asked, you will know that the Questioner said that the person in question, Mr. Paul Okungu was in the company of seven others, including Mr. Peter Gicheha. He asked why the rest of them were sacked except Mr. Peter Gicheha. So, allow the Minister to state his case.

The Minister for Forestry and Wildlife (Dr. Wekesa): Mr. Deputy Speaker, Sir, from the face of the Questioner, I think he was very happy with the way I was going on. He had a problem with one Peter Gicheha who was one of the officers who were put under disciplinary action. The hon. Member wanted to know why Mr. Peter Gicheha is still in service. I will proceed from there.

I am not happy with the information that I have got from KWS. I have spoken to the Director and I have told him that I am not happy because I have been given the wrong information. Mr. Peter Gicheha is working. I want to promise the House that I will revisit this issue with the intention of reinstating Mr. Paul Okungu.

(Applause)

Mr. Ochieng: Mr. Deputy Speaker, Sir, that is quite in order. I am very happy with what the Minister has said that Mr. Paul Okungu will be reinstated. However, there were five other officers who were dismissed together with Mr. Paul Okungu. Why can he not consider reinstating all of them at the same time? When will he do that?

Dr. Wekesa: Mr. Deputy Speaker, Sir, indeed, that is what I intend to do. I want to revisit the issue with a view of looking at each case that is mentioned in this Question.

Mr. Mbugua: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order? He has not answered the question which is when he will do that.

Dr. Wekesa: Mr. Deputy Speaker, Sir, I have just said I will do that.

Mr. Mbugua: When will he do that, Mr. Deputy Speaker, Sir?

Dr. Wekesa: Mr. Deputy Speaker, Sir, I will revisit the issue and take the necessary action from today. Matters of this nature have gone through disciplinary action and I will look at the whole process. So, I cannot say that I will do that tomorrow.

Mr. Outa: Mr. Deputy Speaker, Sir, I want to thank the Minister. He is one of the best Ministers in this country. I want to thank him for what he has done because these Kenyans really deserve to be reinstated. If, indeed, the best Minister in this country will do that, could he do it as soon as possible so that Mr. Paul Okungu could feed his family?

Dr. Wekesa: The hon. Member is quite right, Mr. Deputy Speaker, Sir. I am one of the best Ministers and I want to thank him for those remarks.

(Laughter)

Mr. Koech: Mr. Deputy Speaker, Sir, from the answer given, we note with concern that certain officers are being victimized in various sectors in this country. Could the Minister consider instituting disciplinary action against those who acted wrongly in the case of Mr. Paul Okungu, as a lesson to the others who victimize members from certain places?

Dr. Wekesa: Mr. Deputy Speaker, Sir, that is a fair question and I want to look at the whole case and find out why there was discrimination in this matter.

Mr. Deputy Speaker: I presume, Mr. Ochieng, you are happy.

Mr. Ochieng: Mr. Deputy Speaker, Sir, I am quite happy.

Mr. Deputy Speaker: Let us move on to the next Question by Mr. Shakeel Shabir!

Question No.109

CAUSES OF DELAY IN CONSTRUCTION OF POLICE HOUSING UNITS

Mr. Shakeel asked the Minister of State for Provincial Administration and Internal Security:-

(a) what has caused the delay in completion of housing units which were being constructed at Kondole and Central Police Stations in Kisumu, and whose date of completion and handing over was scheduled for March 31, 2009; and,

(b) what plans he has to hasten the completion of the units.

Mr. Shakeel: Mr. Deputy Speaker, Sir, I do not have a written answer.

Mr. Deputy Speaker: Do you wish to proceed with the Question despite not having a written answer?

Mr. Shakeel: Yes, Mr. Deputy Speaker, Sir. I just want to report that I do not have a written answer.

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

(a) Following the post-election violence in early 2008 and the resultant destruction of property, the two contractors requested for extension of the contract period due to the following reasons:

(i) Building materials and construction vehicles were all destroyed and burnt by marauding gangs during post-election violence.

(ii) Internally displaced persons occupied the building site for a period of five months. (iii) Extra works and variations were to be done.

(iv) Inadequate funding towards Development Expenditure on housing and office accommodation during the just ended financial year was also a factor.

(b) Following the release of the funds, which we have done, the two contractors have been asked and directed to complete the works and as such, handing over and taking over of the projects has been rescheduled as follows---

(Loud consultations)

Mr. Deputy Speaker: Order! Order! Dr. Wekesa and hon. Ochieng, can you consult in very low tones, so that the Assistant Minister can be heard?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, the handing over and taking over of the projects has been rescheduled as follows:

Kondele Police Station housing units will be handed over on 6th August. I will make sure that I am there to take over the keys.

The Kisumu Police Station office block will be handed over on 23rd July, 2010. I hope the Questioner will be happy that we are going to take over the buildings in a month's time and two-weeks time respectively.

Mr. Shakeel: Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for his answer. Although late, I am pleased that the two police stations are going to be ready. I wonder whether they will be also furnished at the same time when they are being taken over.

Mr. Ojode: Mr. Deputy Speaker, Sir, ordinarily, the buildings belong to the police. We cannot just take over a building without furniture. So, definitely, there will be some kind of furniture for work to continue.

Mr. Waititu: Mr. Deputy Speaker, Sir, we have the same problem in Kayole Police Station, where a police station and police housing units have been completed but they have not been opened. Also in Dandora, we have another complete housing unit which has not been opened for the last one year. We have been wondering why the Ministry cannot open the houses for the police officers to start occupying them, yet there is a big problem of lack of enough housing units.

Mr. Ojode: Mr. Deputy Speaker, Sir, it is true that some of the housing units which have been completed have not been opened simply because the contractor who was given the contract to supply furniture has not supplied all the furniture up to date. We cannot just open those housing units when they do not have furniture. So, we are just waiting for the furniture to be supplied and then later on we will open all of them.

Mr. Ochieng: Mr. Deputy Speaker, Sir, the problem in Kisumu is very serious in terms of housing the police officers. We know that quite a number of them actually stay in the slums where a number of criminals also reside. When is the Assistant Minister considering putting up more houses for the police officers in Kisumu? At the same time, in my constituency, Pap Onditi Police Station has not had houses since 1964. When is he considering providing housing for these police officers?

Mr. Ojode: Mr. Deputy Speaker, Sir, you will agree with me that in this financial year, we have set aside some money for construction works in several other police stations. I will check whether Pap Onditi is a beneficiary on this particular one. If it is not a beneficiary, then we will find a way of factoring in some funds in the next financial year, in order for us to complete the construction works.

Mr. Waititu: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to say that they are waiting for the Ministry to buy furniture, yet when the housing units are complete, police officers come with their own furniture? Does the Government buy them furniture?

Mr. Ojode: Mr. Deputy Speaker, Sir, I said that we are going to open majority of the police stations which have already been completed, complete with furniture. In the event that the contractor has not supplied the furniture, we cannot open the housing units because they are not going to be used.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! Hon. Bett, Dr. Laboso, hon. Kones and, indeed, most of you who are in the House, the Chair will not hesitate to use as an example a senior Member of this House to be sent out for making a lot of noise in the House. Let the hon. Member be heard!

Next Question by Mr. K. Kilonzo!

Mr. Ruto: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Chair to refer to me as hon. Kones? Is it also in order to talk about “noise,” when it is not parliamentary language?

Mr. Deputy Speaker: Order! Order! You are not Dr. Laboso, but, indeed, you are making noise on the Floor of the House. Indeed, the Chair mistook hon. Kones for hon. Dr. Laboso.

Proceed, hon. K. Kilonzo!

Question No.215

CONSTRUCTION OF POLICE STATION IN CHULUNI TOWN

Mr. K. Kilonzo asked the Minister of State for Provincial Administration and Internal Security:-

(a) whether he is aware that the newly created Nzambani District Headquarters, Chuluni Town, has no police station; and,

(b) what action he is taking to ensure that funds are released for construction of a station.

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

(a) I am aware that the proposed Nzambani Divisional Police Office and station has not been constructed. This is due to budgetary constraints. It is scheduled for construction in the year 2011/2012 as per the police plan for construction of new police divisions and stations. However, if funds are availed, the station could be constructed during the current financial year.

Mr. K. Kilonzo: Mr. Deputy Speaker, I really want to appreciate and thank this very hardworking Assistant Minister who can even forego his lunches to come and answer questions here. However, having said that, could he consider, at least, to give part of that money in this financial year so that the police officers could have makeshift offices to operate from because of the high rate of crime in the area?

Mr. Ojode: Mr. Deputy Speaker, Sir, I sympathize with the situation being experienced by the hon. Member. However, if I realize some savings on other ongoing construction works, I will mobilize some funds and start some construction works. In the meantime, I will avail the uni-huts which can be used as a temporary measure while we look for funds.

Mr. Abdirahman: Thank you, Mr. Deputy Speaker, Sir. Honestly, what Kenyans need is not sympathy from the Government but good plans and action. Could the Assistant Minister give us an indication of the number of police stations that they are likely to construct? We just need an indication in terms of the numbers in the current financial year.

Mr. Ojode: Mr. Deputy Speaker, Sir, that is a very good question. However, it is different from what I was asked. I can avail that information tomorrow. I will avail the number of police stations that we are constructing. But what I know is that in all newly created districts, we shall construct new offices for OCPD's and their housing.

Mr. K. Kilonzo: Mr. Deputy Speaker, Sir, while I continue heaping praise on this good Assistant Minister, I just want him to confirm to this House when we will get those uni-huts in Chuluni Center so that the police can be posted there in the intervening period.

Mr. Ojode: Mr. Deputy Speaker, Sir, that is very simple. If the hon. Member visits my office tomorrow or this afternoon, I will avail the uni-huts to go and help the people in his constituency. That is a simple thing which I can do.

Question No.225

DISBURSEMENT OF SDL TO MUMIAS SUGAR ZONE

Mr. Washiali asked the Minister for Agriculture:-

(a) how much of the Sugar Development Levy the ministry has disbursed to the Mumias sugar zone to improve the road network; and,

(b) what mechanisms has the ministry has put in place to ensure efficient use of these funds.

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

(a) The Ministry, through the Kenya Sugar Board, has disbursed Kshs139 million for road network improvement within Mumias sugar zone. Another Kshs260 million will be disbursed to build bridges.

(b) Government procurement procedures and guidelines are followed to ensure efficient use of the funds. Regular audit is undertaken by the Kenya Sugar Board during the implementation process.

Mr. Washiali: Thank you, Mr. Deputy Speaker, Sir. I would like to thank the Assistant Minister for the answer, although it is brief and shallow. The Assistant Minister has talked about putting Government procurement procedures in place. How are you able to manage or administer the procedures when the company that is managing those funds is not a Government entity? It is a private company?

Mr. Ndambuki: Mr. Deputy Speaker, Sir, all the factories are audited by the Kenya Sugar Board. Once they are given a grant for research, roads or any other development, the Kenya Sugar Board does a follow up. They send their auditors to make sure that everything is done according to the procedures.

Mr. Wamalwa: Thank you, Mr. Deputy Speaker, Sir. Last weekend, I was in Mumias with hon. Washiali and the roads are really in a bad state. I also went to Runyenjes with hon. Mbarire and I noticed that the roads in the tea zones used to be tarmacked. With that amount of money, almost Kshs400 million that the Assistant Minister has told us, does the Government have any plans to tarmac roads in tea, sugar and coffee zones?

Mr. Ndambuki: Mr. Deputy Speaker, Sir, that is correct. That is why we have those levy funds. The funds are given to the factories to make sure that all the roads are motorable and in good condition. If it is true that the roads in Mumias are not in good condition, I will follow that up with the Kenya Sugar Board to find out why they are not in good condition.

Mr. Mbugua: Mr. Deputy Speaker, Sir, farmers in this country have suffered for so long, and yet funds are available. Since the Kenya Sugar Board does not have the expertise, could he consider diverting these funds to the CDF of the Kenya Roads Board so that they tarmac the roads.

Mr. Ndambuki: Mr. Deputy Speaker, Sir, that is a very good idea. However, at the moment, according to the Kenya Sugar Board Act, the funds supposed to be channelled through the factories to tarmac the roads within their areas.

Mr. Ogindo: Thank you, Mr. Deputy Speaker, Sir. Aware that the Ministry of Agriculture zero-rated the Sugar Development Levy on imported industrial sugar, which was supposed to supplement what the Kenya Sugar Board is collecting now, what is the Ministry doing to promote sugar-cane development in this country when, in actual sense, the Government is reducing the amount of money that is supposed to enhance sugar productivity?

Mr. Ndambuki: Mr. Deputy Speaker, Sir, we have percentages of what is given to each factory. For example, factory development and rehabilitation gets 17 per cent from Kenya Sugar Board. Research and Extension services gets 23 per cent. I think that is what the hon. Member is talking about. He is asking about the development of the sugar-cane industry in this country. The emphasis of Kenya Sugar Board is on research and extension services.

Mr. Deputy Speaker: Final supplementary question on the same! Hon. Washiali!

Mr. Washiali: Thank you, Mr. Deputy Speaker, Sir. The Assistant Minister may not know that the Kenya Sugar Board has bought equipment to maintain roads in that place. It is shocking that, over and above the equipment that they have put in that zone, they have allocated an amount of Kshs139 million. But, despite that, the condition of that road is very bad. The weight of the tractors that travel on those roads is the cause of the damage. What is the Assistant Minister going to do? I request him to send someone on the ground. What is he doing to make sure that the Kshs139 million is put to good use?

Mr. Ndambuki: Mr. Deputy Speaker, Sir, when hon. Wamalwa said that the roads are not in good shape, I promised to go back and talk to the Kenya Sugar Board and make sure that we get proper accounting on what has been done, how much money has been used and why the roads are impassable.

Question No.232

CONSTRUCTION OF LAW COURTS IN KABİYET

Mr. Koech asked the Minister for Justice, National Cohesion and Constitutional Affairs:-

(a) whether he is aware that Kabiyeṭ Town, the headquarters of Nandi North District, has no law courts;

(b) when the Government will construct a law court at Kabiyeṭ; and,

(c) whether he could consider providing mobile courts as a short term measure.

The Assistant Minister for Justice, National Cohesion and Constitutional Affairs (Mr. Cheptumo): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that there is no law court in Kabiyeṭ, the district headquarters of Nandi North.

(b) Plans are underway to construct courts in every district headquarters, including Kabiyeṭ, as soon as funding is availed to the Judiciary.

(c) Provision for a mobile court would be considered if funding is availed to the Judiciary.

Mr. Koech: Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for undertaking to ensure that there will be law courts in every district. He has promised that within this financial year, he will consider putting up this facility in Kabiyeṭ. We have a plot with a very old building and he can use it. Could he clarify how much has been factored in, in the year 2010/2011? When is this work likely to start?

Mr. Kipkorir: Mr. Deputy Speaker, Sir, I would like to confirm to my colleague that, indeed, the law court in Kabiyeṭ is among the very many courts that we are supposed to build during this financial year. At this point in time, I may not be able to give him the exact amount that has been allocated for that purpose. I can share this information with him later because I want to give him an accurate figure as to how much has been allocated in this financial year.

Mr. Shakeel: Mr. Deputy Speaker, Sir, at the same time, could the Assistant Minister kindly look at the progress of the law courts in Kisumu and see what can be done to complete it?

Mr. Kipkorir: Mr. Deputy Speaker, Sir, I will do some follow up on that. I know that we are doing very well and we are almost concluding the construction of the Kisumu High Court. In fact, this is a project that we gave Kshs70 million. Therefore, I am satisfied that the progress is on. I believe the construction will be completed very soon.

Mr. Koech: Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for confirming that he has provided for the construction of law courts in Kabiyet within this financial year. The last part of my Question asked him to consider at least providing mobile courts in Kabiyet while he is undertaking the construction. I am asking this because the purpose of having new districts is to take services closer to the people. Could he consider starting mobile courts in Kabiyet, even if it means twice in two months?

Mr. Kipkorir: Mr. Deputy Speaker, Sir, I have always said in this House and I would like to repeat today, that I want to give to my colleagues promises that the Ministry can fulfill. At this point in time, we may not be able to provide mobile courts for Kabiyet because it is among the courts that are to be constructed. There are more deserving cases and we would like to provide mobile courts in those hardship areas. I would like to appeal to my colleague to be patient. We will do our best to ensure that the people of Kabiyet have a law court as soon as possible.

Question No.237

NUMBER OF WOMEN ENTREPRENEURS ASSISTED THROUGH CWEFLC

Mr. Pesa asked the Minister for Gender, Children and Social Development:-

(a) whether she could provide per-location list of women entrepreneurs assisted through financial intermediaries and constituency women enterprises in Migori Constituency;

(b) what mechanisms are in place to ensure that “Constituency Women Enterprise Fund Loan Committees (CWEFLC)” reach the women entrepreneurs in the remote parts of constituencies; and,

(c) what role a Member of Parliament is supposed to play in ensuring that these funds reach the intended beneficiaries.

The Minister for Gender, Children and Social Development (Ms. Murugi):
Mr. Deputy Speaker, Sir, I beg to reply.

(a) To date, a total of Kshs2.2 million has been lent out to women entrepreneurs in Migori Constituency through the constituency component of the Fund. The list of the beneficiaries through the constituency component is available and I shall table it after this. As regards the micro-financial component, it is not possible to give it at a short notice, but this can also be available at a later date. Our data only gives names per financial intermediaries. The intermediaries operating in Migori region are Adoctimo, Small and Micro-Enterprises Programme, Finance Bank, Co-operative Bank, the Kenya Industrial Estates, K-Rep and Wakenya Pamoja.

It is emphasized that women from Migori Constituency may choose to access loans from these financial institutions or any others outside the constituency. Likewise, women from other parts of the country can access the funds through partner intermediary

institutions that are based in Migori. Proof of residence is not a pre-requisite of accessing the funds through the financial intermediaries. However, we are in the process of designing a data system that will give this information on request.

(Ms. Murugi laid the document on the Table)

(b) The Ministry has qualified and competent District Gender and Social Development Officers in all district headquarters in Kenya. We educate the women in those remote areas about the Fund and how to access it. The Ministry is continually also building capacities of its staff and the loan committees to increase their efficiency and effectiveness. Recently, we advertised for volunteers in order to reach the areas where we were having problems with either repayment or women accessing these funds. However, the result of the interview was very disappointing. Out of 64 jobs that we advertised, we got only 26 applications.

(c) The current legal framework and the structure of the Fund does not provide for mandatory involvement of the Members of Parliament. This is an issue that the Funds Advisory Board will address. However, as political leaders, we expect Members of Parliament to use every means or forum to mobilize women to come forward and borrow the money and utilize it wisely and repay it promptly. We have noted that where Members have been active, women have accessed these funds. Unfortunately, in some areas, Members of Parliament have also told women that this money belongs to the Government and, once they are given, they should not pay back. So, we are having issues in one or two constituencies where Members of Parliament actually told women not to repay the loans.

Mr. Ruto: On a point of order, Mr. Deputy Speaker, Sir. I am at a loss and I wanted to find out whether it is in order for the Minister for Gender, Children and Social Development to concentrate on women entirely, when her mandate is actually gender? She is on record as saying that there is a problem with men in Central Province.

Ms. Murugi: Mr. Deputy Speaker, Sir, the Question I am answering is about women Enterprise Fund and not gender enterprise fund. Men have title deeds and they can borrow from banks. Women do not have title deeds. That is why there is a Women Enterprise Fund.

Mr. Pesa: Mr. Deputy Speaker, Sir, the Minister has given me an answer, which is very reasonable. However, in part “c” of my Question, I wanted to know what she is doing about women who live in very remote areas. If you look at the statistics that she has given, you will find that the furthest ends of Migori Constituency, namely, Upper Suna Location and Raha on the other side, have not benefitted. In Upper Suna Location, out of 258, only one group has benefitted. In the lower part, which is another extreme area, only three out of 58 groups have benefitted.

Could she ensure that the officers who she has said are very competent in the constituency are enabled to reach the very remote areas where women need these funds?

Ms. Murugi: Mr. Deputy Speaker, Sir, the hon. Member can come to our office so that we can give him a volunteer officer who can reach the women who are not able to be reached by my officers.

Mr. Ethuro: Mr. Deputy Speaker, Sir, one of the reasons why this money is not reaching the intended beneficiaries is the structures the Ministry has put in place. The

intermediaries they are using are not the ones that can serve the local communities. What is the Minister doing to encourage the intermediaries that originate, and have the mandate, from the local people to access this money, so that they can reach the furthest and remotest corners of the constituencies?

Ms. Murugi: Mr. Deputy Speaker, Sir, the last time I was asked this question, I requested the Member of Parliament to form savings and credit co-operative societies (saccos) because we think saccos have a bigger outreach. But, again, you cannot form a sacco today and come tomorrow for money from the Women Enterprise Fund.

I also want to say that from the North Eastern Province, which is one of the areas we had classified as not accessing the money, we did not get even a single application for the volunteer scheme. So, short of me going to live there, I have no idea of what you want me to do.

Mr. Ogindo: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to give a solution and, in the same speech, negate the same solution? She said that we should form saccos and went ahead to say that we do not form a sacco and go with it to them tomorrow. When do we come with it?

Ms. Murugi: Mr. Deputy Speaker, Sir, a sacco has to be operational. There are conditions. You cannot form a sacco today and come for the money when you have not shown your ability to even lend. So, you have to have your own money. You cannot just form a sacco and expect to be given money from the Women Enterprise Fund the following day to disburse. You have to show that you are capable of disbursing the funds. Otherwise, you could just run away with it.

Mr. Mbadi: Mr. Deputy Speaker, Sir, I am convinced that the level of awareness about this Fund and how it is administered is still not satisfactory. The Minister talked of having officers at the district level. Is she convinced that his officers are doing a good job? Is she following up to ensure that the officers hold even sub-locational meetings? As far as I am concerned, if those officers are present, they sit in their offices and wait for the month end to get salaries.

Ms. Murugi: Mr. Deputy Speaker, Sir, we realise that, maybe, our officers were not having the outreach that we wanted. That is why we advertised for volunteers to help us do the outreach as well as Members of Parliament. In certain areas where the volunteers have already started working, and where Members of Parliament are active, we are doing very well.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, in Yatta Constituency, the officer from your Ministry has done a very good job. The challenge out there is that nobody wants to access the money from the banks for the same programme, because there is a phobia for taking loans from banks in Ukambani region. People there feel that they will eventually be auctioned. That is what has happened with some other micro-finance institutions, which were very active during the dry spell, auctioning *sufurias* and whatever else those women owned. What are you doing, as Government, to ensure these financial institutions lend out these funds on the same terms being offered through the Ministry?

Ms. Murugi: Mr. Deputy Speaker, Sir, if we realise that any micro-financier is lending at interest rates above 8 per cent, we no longer partner with them. That has been the order of the day. All the micro-financiers we are partnering with today are actually financing at 8 per cent. We also have modalities of asking the micro-financiers to go to the field and evaluate why some women are not repaying back the money, and encourage

them to give women some grace period because we always give them three months grace period. However, we are also saying that if women are not able to borrow from the micro-financiers, perhaps they should concentrate much more on the Constituency Women Enterprise Fund, which is interest-free.

Mr. Chanzu: Mr. Deputy Speaker, Sir, I want to thank the Minister because she has, at least, been giving us information on what is going on; how the money is being disbursed and how payments are being made. Since we are in the era of reforms, devolution, decentralisation and so on, could she consider working very seriously with Treasury, so that she could have more funding for this Ministry, particularly at the grassroots-level, so that the officers can have the capacity to address the problems we are raising about lack of awareness and lack of supervision on what the intermediaries are doing, rather than waiting for this question to arise every now and then? That way, the Ministry can be fully established in the constituencies or districts.

Ms. Murugi: Mr. Deputy Speaker, Sir, the Ministry has had a big handicap in terms of staff employment and mobility but this year, Treasury has facilitated the employment of additional staff. They have also given us extra funding for purchase of motor vehicles and motorcycles. So, you will see a bigger outreach within the next few months.

Mr. Ogindo: Mr. Deputy Speaker, Sir, what is the Ministry doing to ensure that each and every region gets its equitable quota of the money that is sent through the financial intermediaries?

Ms. Murugi: Mr. Deputy Speaker, Sir, it is difficult to do this through the intermediaries because some areas do not have micro-financiers. So, it is difficult to do this equally in all the areas. That is why we were saying that Members of Parliament should try and form sacco, so that we can pass the money through those sacco. However, every constituency has been allocated Kshs2 million of the Women Enterprise Fund. Additional money can be accessed through the available financial intermediaries. Where there are no intermediaries, I am sorry, there is not much we can do.

Mr. Deputy Speaker: Mr. Pesa, can you ask the last supplementary question on this Question?

Mr. Pesa: Mr. Deputy Speaker, Sir, the issue of mobility is very important for the officers in the field. Could I ask the Minister to undertake that when they get funds – she has promised that they will get funds from Treasury this financial year – she will get a vehicle for the officer in Migori to enable him reach those far areas I have been complaining about?

Ms. Murugi: Mr. Deputy Speaker, Sir, we shall do our best.

Question No.248

MANDATE OF MINISTRY OF DEVELOPMENT OF
NORTHERN KENYA AND OTHER ARID LANDS

Mr. Ekwee Ethuro asked the Minister for the Development of Northern Kenya and other Arid Lands:–

(a) to indicate the scope and mandate of the ministry and the measures the Minister is taking to ensure that the Ministry realizes its objectives in the shortest time possible;

(b) to provide details of (i) the programmes and projects it is running at the national level; (ii) specific programmes, projects and staffing levels per district, indicating budgetary allocations, disbursements and the timeframe for programme/projects completion; (iii) poverty indices and population figures for its mandated areas; (iv) allocation criteria of funds to the areas; and, (v) provide copies of performance contracts signed by the Minister and Permanent Secretary indicating performance/parastatals rankings; and,

(c) what is the current status of the Arid Lands Resource Management Programme?

The Assistant Minister for Development of Northern Kenya and other Arid Lands (Mr. Sasura): Mr. Deputy Speaker, Sir, I apologise for the absence of my Minister yesterday.

I beg to reply.

The Ministry covers the following 28 large Arid and Semi-Arid Lands (ASAL) districts: Baringo, Garissa, Ijara, Tana River, Mandera, Marsabit, Moyale, Samburu, Wajir, Isiolo, Turkana, West Pokot, Kajiado, Kitui, Laikipia, Makueni, Mbeere, Mwingi, Narok, Nyeri, Trans-Mara, Tharaka, Taita Taveta, Kwale, Malindi, Lamu, Kilifi and Meru North.

The policy documents have been submitted to the Cabinet vide the Cabinet Memo on accelerating development of northern Kenya and other arid lands. The following documents have been submitted to the Cabinet office for necessary action.

(i) Establishment of key institutions and ASAL transformation structures. In order to ensure effective co-ordination of activities in the ASAL, the Ministry in consultations with other stakeholders including the Office of the Prime Minister has proposed the establishment of ASAL transformation structures. At the helm of this will be the ASAL Cabinet Sub-committee chaired by the Prime Minister or a similar office. The ASAL Secretariat is being established within the Ministry to provide the necessary support to the transformation structures and be the nerve centre for the development of the region.

(ii) Drought Management Structures. The Ministry in collaboration with other stakeholders is also in the process of establishing the Drought Management Authority (DMA) and the National Drought Contingency Fund. This will ensure that drought management is fully institutionalized in Kenya. Other proposed institutions being discussed with other stakeholders are:-

(a) Livestock Marketing Board in collaboration with the Ministry of Livestock Development.

(b) National Commission on Nomadic Education in collaboration with the Ministry of Education.

(c) The Northern Kenya Medication Trust.

(d) Northern Kenya Investment Fund.

(iii) Expanding the technical capacity of the Ministry. To ensure effective discharge of its mandate, the Ministry with the approval of the Department of Personnel Management (DPM) has set up the directorates of infrastructural development, natural

resource, environment, livestock and food security and drought management initiative. Water projects have been implemented in various districts since 2008/2009. During the current financial year, another ten water projects are being implemented in selected districts at the cost of Kshs532 million. These projects are normally completed in one year, except for the Wajir Sewerage Project.

In education, projects worth Kshs202 million were implemented during the just ended Financial Year, 2009/2010 and more will be implemented in the current Financial Year, 2010/2011. These projects are normally completed in one year unless, funds are not available.

Mr. Deputy Speaker, Sir, hunger safety net programme funded by DFID and being are piloted in four districts in ASAL areas namely Mandera, Turkana, Wajir and Marsabit.

On the specific programmes/ projects and levels per district indicating budgetary allocation, disbursements and the time-frame for projects/programmes completion, my Ministry is currently using the Arid Lands Resource Management Project staff in the field to implement all its projects on the ground. Hence, the Arid Lands Management Project staff in the district are our staff members. The staffing level differs from district to district depending on the activities carried out. Hence there are more staff in the arid districts than in the semi-arid districts. Staffing levels average 19 in each of the arid districts and nine in the semi-arids---

The Deputy Speaker: Order, hon. Assistant Minister! You have a statement which is 21 pages. You need to summarise your answer.

The Assistant Minister for Development of Northern Kenya and other Arid Lands (Mr. Sasura): Mr. Deputy Speaker, Sir, to summarise it, we are using the Arid Land Management Project staff who are in the districts.

Mr. Deputy Speaker: You can also table the answer so that hon. Members can have access to that information and be able to interrogate you.

The Assistant Minister for Development of Northern Kenya and other Arid Lands (Mr. Sasura): I will do that, Mr. Deputy Speaker, Sir.

Mr. Ethuro: Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for a very comprehensive and detailed answer which is quite satisfactory, except for failure to comply with part b(v). I do not know why they do not want to give us the performance contracts but the Prime Minister will tell us that.

Mr. Deputy Speaker, Sir, this is one good outcome of a Coalition Government. It is difficult to consider the plight of Northern Kenya. That is why the Government created the Ministry of Development of Northern Kenya and other Arid Lands. The good intention is, however, being frustrated by the limited amount of money that is being allocated to this Ministry. In the last Financial Year, 2009/2010, the Development Vote was only Kshs3 billion. In 2010/2011 Financial Year, it has been reduced from Kshs3.45 billion to Kshs3.09 billion. If the design of this Ministry in terms of its scope and mandate is to develop northern Kenya and other Arid areas, why has the Government reduced the budgetary allocation instead of increasing it in order to enhance accelerated development in that region? What has the Assistant Minister done to get more money?

Mr. Sasura: Mr. Deputy Speaker, Sir, it is true that we got less allocation this financial year as compared to the previous financial year. We have made a request to be allocated more money in order to bring development to those forgotten areas. I request

the hon. Members who are here to allocate us more money during this financial year when approving the Budget, so that we can do more. We asked for more funds from the Deputy Prime Minister and Minister for Finance but we were allocated less funds.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for Ministers to persistently create a false impression to the country that it is Parliament which allocates money when it is the Treasury which does that? Parliament only approves what has been allocated to various Ministries. That is particularly the case with this Ministry. Where is the commitment by the President to the Treasury to allocate the Ministry Kshs5 billion which it has not received? We are aware that the President instructed the Treasury to release Kshs5 billion to this Ministry last year. That is the money that we should be looking for. Could the Assistant Minister table that, instead of misleading Kenyans that it is this House that has not allocated his Ministry the money?

Mr. Sasura: Mr. Deputy Speaker, Sir, I do agree that it is the Office of the Deputy Prime Minister and Ministry of Finance which allocates money and not Parliament. We made our request to the Deputy Prime Minister and Minister for Finance for more allocation. We have also made our request to the two principals. We had a workshop for all the hon. Members from the ASAL areas last December. The Prime Minister attended the workshop and we made a request to him and the President to be allocated more money. We made a request of Kshs5 billion and we are still waiting. We are “pushing” and we hope that we will get that money this time.

Mr. Letimalo: Mr. Deputy Speaker, Sir, one of the biggest challenges that this Ministry has is inadequate staff---

(Technical hitch)

Mr. Deputy Speaker: Order, Mr. Letimalo! Could you go to another microphone because that one has a problem?

Mr. Letimalo: Mr. Deputy Speaker, Sir, one of the biggest challenges this Ministry faces is the staffing levels in the ASAL districts. In the absence of adequate staff, how is the Ministry able to identify and prioritise projects in consultation with the existing structures like the District Development Offices so that they can be funded by the Ministry?

Mr. Sasura: Mr. Deputy Speaker, Sir, the Arid Lands Management Project staff are at the district level. The staff is well-equipped and is able to identify all the projects and implement them in the districts. So, we work through the Arid Lands Management Project which is very effective.

Mr. Warugongo: Mr. Deputy Speaker, Sir, in Nyeri, we have got Tetu, Mukurweini, Othaya, Kieni, Mathira and Nyeri Town. The Assistant Minister said that Nyeri is under Arid and Semi-Arid Lands (ASAL). Can he specify which area in Nyeri he referred to? Can he also lay on the Table, the projects that are in progress in that area?

Mr. Sasura: Mr. Deputy Speaker, Sir, would you allow me to look for the projects because the answer is very lengthy?

Mr. Deputy Speaker: Could you give an undertaking to the Member of Parliament that you will indeed, entertain him either here or in your office to acquaint him with exactly what projects you are doing in the constituency where he comes from, which I presume is also an ASAL Constituency?

Mr. Sasura: Thank you, Mr. Deputy Speaker, Sir. I will do that.

Mr. Mwathi: Thank you, Mr. Deputy Speaker, Sir. I would like the Assistant Minister to tell the House what criteria they use to classify areas as arid lands? I heard him say that Kajiado District is among the districts which are considered as ASAL areas while it borders my constituency of Limuru but he never mentioned it. We have civil servants who are getting hardship allowance. Could he tell this House the criteria that is considered in classifying certain districts as ASAL areas?

Mr. Sasura: Mr. Deputy Speaker, Sir, it is not my Ministry which classifies the aridity of the area. It is the KARI which falls under the Ministry of Agriculture which classifies those areas as ASAL. They consider the climatic conditions, the amount of rainfall and the soil. There are several other areas that they look at.

Dr. Nuh: Thank you, Mr. Deputy Speaker, Sir. With the understanding that this Ministry was created for the development of Northern Kenya and other Arid Lands, the budget Speech by hon. Kenyatta this year mentioned Northern Kenya and other Arid Lands more than 100 times and there were monies allocated for water, agriculture and livestock. Which Ministry is implementing these projects? How does the Ministry of Northern Kenya and other Arid Lands come in, in this aspect?

Mr. Sasura: As a Ministry we do not have all the capacities to undertake the projects which have been allocated for this region. The line Ministries are the ones which implement. If it is a water project, it is being undertaken by the Ministry of Water and Irrigation. If it is a livestock project, it is then done by the Ministry of Livestock. So it is the line Ministries which do the work. We only supervise and coordinate them.

Mr. Deputy Speaker: Yes, hon. Kigen!

Mr. Kigen: Mr. Deputy Speaker, Sir, I would like to know from the Assistant Minister what projects were undertaken in the last financial year in the semi arid areas with the funds that were given to them?

Mr. Sasura: Mr. Deputy Speaker, Sir there are several projects and I will hand them to the Deputy Speaker.

Chepkitony: Thank you, Mr. Deputy Speaker, Sir. I would like to know from the Assistant Minister why this programme was not expanded to all arid and semi arid areas, including Keiyo because 80 percent of Keiyo is semi-arid. He said that they are relying on the Ministry of Agriculture but they ought to revisit all the areas and inform the Ministry of Agriculture to advice them further.

Mr. Sasura: Mr. Deputy Speaker, Sir, the Arid Lands Management Project 2 has come to an end. We are negotiating with the development partners, the European Union, to see whether this project can be extended. If the time comes, then we will do re-assessment to see which other areas can still come under this project.

Mr. Ethuro: Thank you, Mr. Deputy Speaker, Sir. While appreciating the good work by the Ministry, you will notice that the mandate of the Ministry in (b) is prioritization of programmes and projects for fast tracking by the Government. Could the Assistant Minister consider, Turkana having the highest poverty indexes, 92 percent and having a few projects that have failed; we are talking about--- Not really failed, they are not operational. For example, the abattoir in Lockichoggio, the fisheries factory in Kalokol, the Teachers' Training College that the Norwegians built properly and has not been made operational; then if the Ministry has that mandate, what are they doing to

make sure that these particular projects become operational as per their mandate? Why have you not prioritized them as required?

Mr. Sasura: Mr. Deputy Speaker, Sir, we are doing our best. We are not getting a lot of funds as we expected but already in Turkana, we are putting up three classrooms and a dormitory in Turkana Kenya Medical Training Centre. I am sure when we get more money in the next budget, we will give them that consideration.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. I accept that the Ministry is building classrooms and a dormitory for the MTC, but MTC is a national facility. It is also a training facility. While appreciating that, could he respond to the specific areas, particularly the abattoir and the fisheries which will help the local people and alleviate that poverty they are now in?

Mr. Sasura: I do not see much difference between the national KMTC and the Fisheries. Last time, we went there to launch a policy for our Ministry and we visited all those areas and saw the priority was the KMTC which was lacking those facilities. They made the request and we gave them. For this other one, we will give them a consideration next time when we get the funding in the next budget.

Mr. Deputy Speaker: Fair enough! Order! Order, hon. Members! There is one Question at the back here, the hon. Cheruiyot!

Question No. 251

LIST OF PROJECTS UNDERTAKEN BY LBDA IN KURESOI

Mr. Cheruiyot asked the Minister for Regional Development Authorities:

(a) to provide a list of projects undertaken by the Lake Basin Development Authority in Kuresoi area since the inception of the Authority; and,

(b) what development plans the Ministry have to develop water resources in Kuresoi District, which forms part of the Mau Water Catchment Area.

The Assistant Minister for Regional Development Authorities (Mr. Ole Metito): Mr. Deputy Speaker, Sir, I beg the indulgence of the Chair and the House to defer this Question to give me more time. I have gone through the answer I have and consulted the hon. Questioner. We are not satisfied with the response and we are asking for more time to do more research in order to provide the House with a satisfactory answer.

Mr. Deputy Speaker: Are you satisfied with that, hon. Cheruiyot?

Mr. Cheruiyot: Mr. Deputy Speaker, Sir, in view of the fact that this calls for serious research, I have no objection.

Mr. Deputy Speaker: How much time do you need, hon. Assistant Minister, to come with a satisfactory answer?

The Assistant Minister for Regional Development Authorities (Mr. Ole Metito):: Mr. Deputy Speaker, Sir, a week will be enough. Wednesday next week will be okay.

Mr. Deputy Speaker: Fair enough! It is so directed. The Question will be on the Order Paper on Wednesday next week.

(Question Deferred)

Mr. Jamleck Kamau: Thank you, Mr. Deputy Speaker, Sir. For your information, previously, the Assistant Minister who is preparing to answer this Question said that he was not able to answer it, and that he wanted the Deputy Prime Minister and Minister for Finance to come and answer it. But, maybe, he is okay now to answer it and he can proceed.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: For purposes of this House, we have Ministers, not Assistant Ministers or Deputy Assistant Ministers. They are all Ministers; Assistant Ministers are Ministers.

Proceed, Dr. Oburu!

CIRCUMSTANCES SURROUNDING RELEASE OF FUNDS TO COE

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

(a) under what circumstances the Government released Kshs.553million to the “Committee of Experts” for civic education; and,

(b) whether he could provide a detailed analysis of the source of the money, considering that Parliament has not approved the expenditure.

The Assistant Minister for Finance (Dr. Oburu): Mr. Deputy Speaker, Sir first I apologize for coming late.

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

(a) The Government budgeted in the Financial Year 2010/2011 Kshs535 million for civic education to be carried out by the Committee of Experts (CoE). Following approval of the Vote on Account, the Treasury is in the process of releasing Kshs350 million before the end of this week to the CoE.

(b) In view of the answer “a” above, part “b” does not arise.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Jamleck Kamau: Mr. Deputy Speaker, Sir, you will recall, Kenyans will recall and the Assistant Minister will also recall that way back in May, long before the Budget was read, the Government clearly indicated that it had released Kshs535 million to the CoE for the purpose of civic education. According to the answer given by the Assistant Minister, this, apparently, is not so because not a single cent has actually been given. Why, Mr. Assistant Minister, did the Government lie to Kenyans that this money had been released to the CoE, while you knew very well that not a single cent had been released?

Mr. Deputy Speaker: Order, hon. Member! “Lie” is clearly not parliamentary language. You say “mislead”!

Mr. Jamleck Kamau: Mr. Deputy Speaker, Sir, I stand corrected. Of course, it will never be parliamentary, but the act is the same. Why did you mislead the House?

(Laughter)

Mr. Deputy Speaker: Proceed, hon. Assistant Minister!

Dr. Oburu: Thank you, Mr. Deputy Speaker, Sir. We did not mislead the public; we were directed as the Treasury, to release the money to the CoE. We cannot act illegally because Parliament had not approved the same amount of money to us. Therefore, we budgeted for that money and the Vote on Account has just been approved; therefore, we are releasing the money as directed. As the Treasury, we could not release money which we did not have in the Budget and without parliamentary approval.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Yes, hon. Sheikh Dor!

Mr. Yakub: Thank you, Mr. Deputy Speaker, Sir. The Assistant Minister has just answered that the amount which is supposed to be released is Kshs350 million. We have only four weeks to go before 4th of August. Can the Assistant Minister tell us the exact date when the money will be released to the CoE?

Dr. Oburu: Mr. Deputy Speaker, Sir, the first batch will be released between tomorrow and Friday. If required, or if the CoE sends another request, we will arrange next week to release the balance of the money.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Baiya: Mr. Deputy Speaker, Sir, can the Assistant Minister explain the rationale for releasing this money only three weeks to the actual referendum, when civic education is supposed to have been undertaken to ensure that the country gets value for that money? Why that delay?

Dr. Oburu: Mr. Deputy Speaker, Sir, we did not delay, as the Treasury. What we had in the Budget in the last financial year was only Kshs100 million. The Vote on Account has just been approved, and we are ready to release the money, which has now been approved to us by Parliament. At the Treasury, we only deal with money which is approved by Parliament as the law requires.

Mr. Lessonet: Mr. Deputy Speaker, Sir, as I stand here to ask a question to the Assistant Minister, I want to declare that I am one of those who are going to vote “No” to the proposed Constitution. I am also aware that senior Ministers and Assistant Ministers, the Prime Assistant Minister, who gave the instructions for the release of this kind of money, and also the CoE are all on the other side---

An hon. Member: Which side is that?

Mr. Lessonet: The “yes” side to the proposed Constitution.

Mr. Deputy Speaker, Sir, I want the Assistant Minister to guarantee this House that this money – the Kshs535 million, which is purported to be for civic education – is not the money which the “Yes” team has been waiting for, so that they could be on the campaign trail. We also want the Assistant Minister to go further and see to it that we even share this money per constituency.

Mrs. Odhiambo-Mabona: On a point or order, Mr. Deputy Speaker, Sir.

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

Mr. Lessonet: Why can we not share this money---

Mr. Deputy Speaker: Order! Order, hon. Lessonet!

Mrs. Odhiambo-Mabona: Mr. Deputy Speaker, Sir, I want to declare at the outset that I am one of the people who will vote “yes” to this proposed Constitution.

Is the hon. Member in order to impute improper motive on hon. Members on “yes” side?

Mr. Deputy Speaker: Hon. Member, you cannot make sweeping statements that you cannot essentially substantiate on the Floor of the House. As you have indicated you are going to vote “no”, the same right is extended to those ones who are going to vote “yes.” can you confine yourself to the substance of the Question itself? Every hon. Member in Parliament, and every national in this country, has a right to choose which side of the constitutional debate they want to be on. Now, confine yourself to the substance of the Question itself!

Mr. Lessonet: Thank you, Mr. Deputy Speaker, Sir. I said that I am going to vote “no” and it looks like the other hon. Member will vote “yes”---

Mr. Ethuro: I am voting “yes” also!

Mr. Lessonet: Mr. Deputy Speaker, Sir, my problem is that the Assistant Minister, the CoE and the Prime Minister, all of whom will vote “yes”, are in charge of these funds – the Kshs535 million. How is he going to make sure that those of us who will vote “no” also get part of this Kshs535 million?

Mr. Yakub: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to say that the CoE are going to vote “yes?”

Mr. Baiya: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to imply that the CoE is not going to use the money for the purpose for which it has been voted – civic education – and to imply that it is going to be used for other purposes, without availing evidence before this House?

(Applause)

(Mr. Ruto and Mr. Lessonet stood up in their places)

Mr. Deputy Speaker: Order! Order! The hon. Member was on a point of order! You cannot have a point of order on top of a point of order! Can you just hold your horse, hon. Isaac Ruto? You will have your time!

Hon. Lessonet, indeed, it is right that some hon. Members of the Government are in the “yes” team while others are in the “no” team. Similarly, some members of the public are on the “yes” side while others are on the “no” . We have not abdicated the duty to play fair. If you want a Question answered, ask it on the basis of fairness. But you cannot keep on repeating that somebody is voting “yes”, so how can I trust him! You are voting “no”; how can somebody from “yes” side trust you?

(Applause)

Let him respond to the point of order which was raised by the hon. Member and then we proceed on!

Mr. Lessonet: Mr. Deputy Speaker, Sir, we have even been told that in some quarters, this *Katiba* or this proposed Constitution, is actually a Government project. I am telling the Assistant Minister that we want this Kshs535 million to serve all of us; it should serve those in the “yes” team and those on the “no” team. I want him to tell us whether he is going accept my argument that this Kshs535 million should be equally--- We are also doing civic education as the “no” campaigners, just as you want to do civic

education as the “yes” campaigners! So, we also need this money, so that we all do civic education!

Mr. Deputy Speaker: Assistant Minister, can you answer that question? How do you ensure fairness?

Dr. Oburu: Mr. Deputy Speaker, Sir, the Committee of Experts (CoE) was appointed by this House. Their role was also well defined. The money which is there is for civic education. It is not for civic education for the “YES” or “NO” camps. It is meant for people to understand the contents of the Draft Constitution. If the hon. Member has any evidence to the contrary, something will be done. Otherwise that is another matter. As Treasury, that is outside our purview. Our role is to make sure that the CoE gets sufficient funds to carry out their mandate.

(Mr. Ruto stood up in his place)

Mr. Deputy Speaker: Mr. Isaac Ruto, are you on a point of order or you are asking a supplementary question?

Mr. Ruto: Mr. Deputy Speaker, Sir, I would like to ask the Assistant Minister to clarify to us how he intends to release money for civic education when he is aware that according to the law, the period for civic education has ended. The period remaining is for campaigns. Is he, therefore, releasing the money for campaigns or for what?

We need clarity also because apparently maybe this is the money they have said they are going to give Kshs500 million to every Member of Parliament. Some of them are already fighting because they received Kshs250, 000 last week and they have not received for the other week and this week. Is it part of this money that you intend to release?

Mrs. Odhiambo-Mabona: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Ruto: Mr. Deputy Speaker, Sir, the CoE, ---

Mr. Deputy Speaker: Order, Mr. Ruto! Mrs. Odhiambo-Mabona is on a point of order, can you allow her to ---

Mrs. Odhiambo-Mabona: Mr. Deputy Speaker, Sir, is the hon. Member in order to mislead this House when we know they raised Kshs8 million and we also raised Kshs6 million? They are using their Kshs8 million for their campaigns and we are using our Kshs6 million for our campaigns.

Mr. Deputy Speaker: Can you finish asking your question, Mr. Ruto?

Mr. Ruto: Mr. Deputy Speaker, Sir, I think I am just going to ignore this one.

Could the Assistant Minister tell us if he is releasing this money for campaigns or for civic education?

Secondly, do you understand that in a referendum there are two sides to the question? There is Yes and No. Is the CoE giving Kenyans civic education on the two sides of the question? As we see in their adverts, they are only saying “Yes”. Is that civic education?

Mr. Deputy Speaker: Dr. Oburu Odinga, can you answer the question?

Dr. Oburu: Mr. Deputy Speaker, Sir, as far as we are concerned, we are releasing money for civic education for Kenyans. Some of the monies which we are releasing are actually settling commitments which the CoE has broken down. Some of it goes to salaries which were delayed, allowances, operations and for works which have been

done. However, some work is in the process of being completed. We are giving money for civic education and not for campaigns.

If that is the assurance the hon. Member wanted, then I have given him the assurance.

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

Mr. Deputy Speaker: Are you sure you do not want to ask a supplementary question?

Mr. Ruto: No!

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

Mr. Ruto: Mr. Deputy Speaker, Sir, is it in order for the Assistant Minister to run away before telling us whether he is aware that the period for civic education is over according to the law? Does he intend to disobey the law and continue with civic education?

Dr. Oburu: Mr. Deputy Speaker, Sir, I have said that most of this money is going to sort out debts which the CoE has incurred.

(Mr. Njuguna stood up in his place)

Mr. Deputy Speaker: Yes, Mr. Mwangi!

Mr. Njuguna: Mr. Deputy Speaker, Sir, I am Mr. David Njuguna, the Member of Parliament for Lari and not Mr. Mwangi of Kiharu Constituency.

Mr. Deputy Speaker, Sir, I do acknowledge the very satisfactory reply that has been given by the Assistant Minister on the utilization of these funds that are to be released. However, my concern would be to ask him to indicate to this House the very clear steps the Ministry is taking with the CoE to make sure that these funds go to all the corners of this nation to make sure that the debts are cleared and the rest of the money goes to the intended use in terms of providing civic education as clearly indicated by the Minister?

Dr. Oburu: Mr. Deputy Speaker, Sir, the responsibility of ensuring that this money is properly used by the CoE is with the Ministry of Justice, National Cohesion and Constitutional Affairs. The Treasury is not an implementing Ministry in this particular respect. However, as the Government we expect that money to go to the intended purpose.

Mrs. Odhiambo-Mabona: Mr. Deputy Speaker, Sir, could the Assistant Minister clarify whether the Ministry is taking action to ensure that the country does not become a destination for monies from right wing fundamental Christian groups through the No team?

Dr. Oburu: Mr. Deputy Speaker, Sir, ensuring that the money does not reach those targets is not a very easy thing for the Treasury to do. This is because the Treasury can only monitor money which comes through the Treasury. There are many sources of funding for these campaigns including the ones the hon. Member has mentioned. We do not maintain records of such monies. Therefore, people using them have a moral obligation not to use dirty money if such dirty monies come to this country.

Mr. Ruto: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister confirming that indeed there are such groups which Mrs. Odhiambo-Mabona alluded to? Are there ultra-rightist fundamental Christian groups?

Why is he saying that he is going to make sure that the money does not reach there when he does not know that they exist? Could he confirm or deny that they exist? Otherwise, Mrs. Odhiambo-Mabona should prove the existence of such fundamentalist groups or withdraw the statement.

Mr. Deputy Speaker: Assistant Minister, the point of order raised is not for you! Mrs. Odhiambo-Mabona, please, proceed!

Dr. Oburu: Mr. Deputy Speaker, Sir, I have not said that---

Mr. Deputy Speaker: Order, Assistant Minister!

Mrs. Odhiambo-Mabona: Mr. Deputy Speaker, Sir, if you go to some of the websites of fundamentalist right wing Christian groups that were even fighting President Barack Obama, including that of Pat Robertson, they are saying that they are funding Kenyans. I am also informed by Kenyans in the United States of America (USA) that they are collecting money because the Kenyan church is under attack. I am part of that church but I am not under attack.

Mr. Deputy Speaker: Fair enough!

Last question, Mr. Jamleck Kamau!

Mr. Jamleck Kamau: Mr. Deputy Speaker, Sir, it is clear that the Government is playing to the public gallery. I want to ask the Assistant Minister one very important question. I know the Ministry of Finance is the one that keeps the purse. Is it in order for any entity to incur debts before approval of votes in this House? Is it practicable? In accounting, is it the standard procedure that any entity that you are providing money for in the Budget should incur a debt before that particular vote is passed by this House?

Dr. Oburu: Mr. Deputy Speaker, Sir, as I have said the money we have voted for is for specific purposes. It is for salaries, operations, maintenance and so on. That is the money we are giving to the CoE.

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

Dr. Oburu: Can I finish answering your question?

Mr. Deputy Speaker: Allow the Assistant Minister to conclude the answer!

Dr. Oburu: Mr. Deputy Speaker, Sir, what he is asking is whether an entity can incur debts in the course of carrying out their duties. Yes, they can incur a debt.

Mr. Ruto: How? You are a disaster!

Dr. Oburu: Mr. Deputy Speaker, Sir, in anticipation!

Mr. Deputy Speaker: Order, Mr. Ruto! Ministers cannot be a disaster on the Floor of the House!

(Laughter)

Order! We cannot turn this into a tyrant war between Ministers and hon. Members, where you keep on answering one another as if you are in another place other than the House. Allow the Assistant Minister to conclude and then you rise on your own supplementary questions.

Mr. Jamleck Kamau: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to avoid answering the question that I am asking? I am clearly asking---

Mr. Deputy Speaker: You did not allow him enough time to conclude his answer!

Mr. Jamleck Kamau: He finished, Mr. Deputy Speaker, Sir!

Mr. Deputy Speaker: He did not finish!

Mr. Jamleck Kamau: Can I repeat the question?

Mr. Deputy Speaker: Order, Mr. Jamleck Kamau! Dr. Oburu, did you finish answering the question? The Chair did not notice the Assistant Minister---

(Mr. Jamleck Kamau stood up in his place)

Sit down, Mr. Jamleck Kamau! This is an honourable House and it means that you allow the Assistant Minister to conclude. If you keep on rising on a point of order every time he makes one sentence, then how are you going to get anywhere? Can you allow the Assistant Minister to conclude?

(Mr. Ruto stood up in his place)

You are out of order, Mr. Ruto!

Dr. Oburu: Mr. Deputy Speaker, Sir, the Treasury always allows the Minister to spend money and gives authority in anticipation that, that money will be covered in the Supplementary Estimates. In this particular case, we did not vote enough money last year and the Treasury, within its discretion, gave authority to the Committee of Experts (CoE) to incur the debts, of course, knowing that Parliament, having passed the law to carry out that exercise, will definitely vote money to cover what has already been spent. Thank you.

Mr. Ruto: On a point of order, Mr. Deputy Speaker, Sir. Now that the Question has not been properly answered, would I be in order to request that either the Deputy Prime Minister and Minister for Finance himself or the Assistant Minister's senior brother comes here to explain more about this issue?

Mr. Deputy Speaker: Order, Mr. Ruto! There is no Assistant Minister's senior brother here!

(Mr. Ruto stood up in his place)

Order, Mr. Ruto! You are out of order!

Mr. Lessonet: On a point of order, Mr. Deputy Speaker, Sir. What has just taken place on the Floor of the House this morning---

Mr. Deputy Speaker: What is out of order? When you rise on a point of order, there is---

Mr. Lessonet: Mr. Deputy Speaker, Sir, I am rising on a point of order to request that before those monies are paid from tomorrow like the Assistant Minister has hinted---

Mr. Deputy Speaker: That cannot be a point of order! A request is not a point of order! You rise on a point of order when---

Mr. Lessonet: Mr. Deputy Speaker, Sir, my point of order is that I want this matter to be referred to the relevant Committee of the House for interrogation before the Minister pays the monies tomorrow. He has even indicated to us that this House has only approved 50 per cent of the Budget. We have only allowed him to incur 50 per cent but, out of the Kshs535 million, you have indicated that you want to pay out Kshs350 million.

Where are they getting more than 50 per cent of that Kshs535 million? Where is the authority for that? We have only given him authority to spend 50 per cent, but he has gone ahead to pay out more than 50 per cent.

(Applause)

I want to request that this matter, before they pay, be referred to the relevant Committee of the House for interrogation.

Dr. Oburu: Mr. Deputy Speaker, Sir, I want to educate the hon. Member that 50 per cent of what you have approved is 50 per cent of the total allocation of the Budget and, therefore, it does not mean that it is 50 per cent of each item.

Mr. Lessonet: It is!

Dr. Oburu: It is not 50 per cent of each item!

Mr. Lessonet: I know!

Dr. Oburu: You do not know because I am an expert on that!

Mr. Lessonet: I am an accountant!

Dr. Oburu: Mr. Deputy Speaker, Sir, it is 50 per cent of the total allocation of the Budget. How we spend that 50 per cent before we get the other 50 per cent is our business as the Treasury!

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order, hon. Members! This Question has had enough time. You must appreciate the fact the Chair has given a massive leeway. You have all been heard many times over!

Question No.244

MEASURES TO PROTECT KENYANS FROM INFLATION

Ms. Chepchumba asked the Deputy Prime Minister and Minister for Finance:-

(a) what precautions he has taken to ensure that Kenyans are not affected by inflation and high prices resulting from large amounts of money said to be circulating in the economy outside the official channels captured by Central Bank of Kenya;

(b) whether he could inform the House how those large sums of monies are getting into the economy and how it can be stopped; and,

(c) what mechanism the Ministry has to detect the problem and to ensure such money does not flood the market.

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

(a)The Government, through the Central Bank of Kenya (CBK), controls the amount of money circulating in the economy. The CBK has issued anti-money laundering guidelines which all commercial banks and non-banking financial institutions are observing. Those guidelines require commercial banks and forex bureaus to report to

the CBK all suspicious transactions and activities. Commercial banks are required to report on a weekly basis any transactions above US\$50,000 and forex bureaus report transactions above US\$10,000. However, any amount above US\$100,000 has to be reported to the CBK immediately. Commercial banks and forex bureaus have not seen any significant inflows of foreign currency outside the official channels. Further, the CBK has not brought to my attention any potential inflationary risks to the economy which might emanate outside the official channels.

(b) I wish to assure this House that Kenya's inflation rate has been on a downward trend since July 2009. In fact, from January 2010, inflation rate has been well below the target of 5 per cent, with May 2010 posting an inflation rate of 3.9 per cent.

(c) The reporting structure which the CBK has put in place is adequate to detect the problem of any money laundering and meets international best practice for reporting illegal and suspicious activities. All the commercial banks and non-banking financial institutions submit to the CBK their balance sheet monthly. That data is published in the CBK monthly economic reports for public information.

Ms. Chepchumba: Mr. Deputy Speaker, Sir, could the Assistant Minister confirm the genesis of that mysterious inflow of cash into the country and, more-so, justify whether it could be from pirates activities in the Indian Ocean?

Dr. Oburu: Mr. Deputy Speaker, Sir, as I have stated, no serious inflow of cash into the economy has been detected and, therefore, whether it is from pirates or not, if it is there, it is insignificant and, therefore, we have not been able to capture it in our monitoring systems.

Mr. Ogindo: Mr. Deputy Speaker, Sir, sometimes early this year, CBK was on record as having said that there was excess inflow of money into the country to the tune of about Kshs164 billion. Going through the Economic Survey, 2010, I have noted that under the Ministry of Agriculture, this country produced 27.1 million bags of maize and also imported 16.8 million bags of maize. That is a total of 43 million bags of maize. The domestic requirement for maize is about 33 million bags of maize. That means that we had an excess of 11 million bags of maize. Could the Assistant Minister confirm or deny that, that apparent trade in maize was one of the sources of the excess money that flowed into this country? What is he doing to ensure that we promote productivity rather than this merchandise economy?

Dr. Oburu: Mr. Deputy Speaker, Sir, the report which was given by the CBK was about monies which they could not detect the sources. But when we look at the indicators which tell us whether there is excess money flowing from outside, what we look at is the rate of the shilling against the dollar, for instance. If that money came in the form of dollars, it cannot be used in Kenya unless it is translated into shillings.

It is converted into shillings; what it will mean is that the shilling will strengthen against the dollar. If you have looked at the trends, the shilling has been weakening against the dollar; from Kshs75 it has now gone to Kshs82 to the dollar. That shows that we are short of foreign exchange. So, there is no excess money flowing into the market, otherwise it would be reflected in our exchange rate.

Mr. Ogindo: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to evade my question, which was and is: According to the Economic Survey, which is a Government publication, there are records that show that this country

imported in excess of 11 million bags of maize; the equivalent of that amount is Kshs26 billion at the exchange rate then, which was Kshs2,316 per bag. My question is---

Mr. Deputy Speaker: Your question has been answered by the Assistant Minister in the sense that there is no excess circulation of the money in the market. If there was excess circulation of money from outside, as you put it, then the shilling would have strengthened against the dollar; it is the reverse now.

Mr. Ogindo: Mr. Deputy Speaker, Sir, I hear you, but the Assistant Minister has confirmed that the CBK reported unidentified sources of money in the country. I am saying this could have been from this trade. Could he confirm or deny this?

Dr. Oburu: Mr. Deputy Speaker, Sir, I cannot confirm that because it may be just a question of capturing those monies correctly. That now settles itself when you take the balance in total. Those are the indicators which we use to see whether it was actually just an error in allocation or not. If it does not reflect in our exchange rate then it means that it is just something to do with accounting.

Mr. Chanzu: Mr. Deputy Speaker, Sir, with due respect to the Assistant Minister, I find some of the statements the Government gives us here rather theoretical or not well researched. When we talk about inflation being at around five percent, and we find that the prices of essential commodities like foodstuffs, fuel and so on, are very high--- I do not know what measures the Assistant Minister is putting in place to ensure that what we talk about here trickles down. I still find that it is very difficult for the ordinary people to afford some of the foodstuffs and commodities. Could the Assistant Minister tell us what he will do across the board to ensure that we do not just talk about inflation of five percent when people cannot even afford fuel now? Prices are going up every day and he is fueling inflation. I do not know what inflation we are talking about when he is talking about five per cent!

Mr. Deputy Speaker: Fair enough. You have made your point.

Dr. Oburu: Mr. Deputy Speaker, Sir, we are talking about two things. When you talk about the price of goods being high, it is a different thing from when you talk about the increases. Inflation is about the increases of prices and there are price indexes of essential commodities computed using Nairobi as the centre for selecting the primary goods used by the people. We look at it on a monthly basis to see whether the prices have gone up by more than five percent or not. This is how we calculate it. It is not whether the prices are high or not, but whether they are increasing at a high rate.

Mr. Deputy Speaker: Ms. Chepchumba, could you ask your last supplementary question?

Ms. Chepchumba: Mr. Deputy Speaker, Sir, I am satisfied with the answer the Assistant Minister has given.

Mr. Deputy Speaker: Fair enough. Next Order!

MINISTERIAL STATEMENT

MURDER OF ALI ABDUL BWANA

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, on Wednesday, 30th June, 2010, Mr. Sheikh Mohammed Dor, nominated MP, rose on a point of order seeking a

Ministerial Statement with regard to the murder of Ali Abdul Bwana, who until his death was an officer attached to the National Security Intelligence Service.

He wanted to know how many security officers from Coast Province have been killed since March, 2008 up to now, and if any arrests have been made so far, which type of bullets and guns were used in the assassination and what steps the police are taking to curb the rising cases of crime in Coast Province.

I want to respond as follows:- On Saturday, 26th June, 2010 Ali Bwana attended his brother's wedding in Kilifi where he also spent the night. The following day on 27th June, 2010 Ali Bwana drove to Mombasa where he was to spend the night before proceeding to his work station on 28th June, 2010.

Upon arrival in Mombasa, as he was driving his motor vehicle, registration Number KBH 778W, Toyota Caldina, he was allegedly blocked by another motor vehicle with four occupants, whose registration number was not taken. Three of the occupants came out brandishing firearms and shot the deceased from the driver's side and subsequently drove away.

The deceased was assisted by good Samaritans, taken to Mombasa hospital where he was pronounced dead on arrival. Police visited the scene and collected four empty cartridges of calibre 7.62 millimeters, special. Four bullet heads were also extracted from his car. The empty cartridges and bullet heads have been submitted to ballistics experts at the CID Headquarters for examination purposes. Investigations have been launched with a view to apprehending the perpetrators of this heinous crime.

Since March, 2008 two other security officers, Juma Yusuf and Badi Saidi, both Administration Police inspectors were killed in a shootout outside Toyota Kenya showroom in Mombasa in a botched robbery attempt on 27th June, 2009. Following the fatal shoot out an inquest file No.2/2009 was opened. No arrests have been made so far. The police have increased patrols within and around Mombasa. Further, we have upscaled policing through community policing initiatives. I want to assure the House that the Government is doing everything to ensure the security of people living in Coast Province and in the entire country.

Mr. Deputy Speaker, Sir, it is a sad affair but I want to assure this House that we are following good leads. There is information which I do not wish to divulge here on security grounds, and because it might jeopardize the investigations. Sooner or later we will be able to arrest those who murdered this young man.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Yakub: Mr. Deputy Speaker, Sir, I wish to thank the Assistant Minister for taking rapid action and opening a file for investigation for the late Ali Abdul Bwana? We are very disappointed by the death of Juma Yusuf and Baidi Said, who were murdered in June, 2009. However, according to the Assistant Minister's reply, no arrests have so far been made.

I wish to seek clarifications from him on the issue of late Badi Saidi and late Juma Yusuf. Will the families of these two young Kenyans who were working in the security agencies ever know the cause of the death of those two loved members? Could he also assure us that the families of the late Juma Yusuf, Badi Saidi and Ali Abdul Bwana will be taken care of?

Mrs. Shabesh: Mr. Deputy Speaker, Sir, in the last few months, there have been numerous cases of police officers being shot in mysterious circumstances while on line of

duty. This is becoming a very worrying trend. Has the Ministry seen the need to critically look at the issue of people targeting police officers, especially those who work in the Criminal Investigation Department (CID) and the National Security Intelligences Service (NSIS)?

Ms. A. Abdalla: Mr. Deputy Speaker, Sir, could the Assistant Minister confirm that the deaths of the three officers who have been mentioned by hon. Yakub are related to the trafficking of drugs in the Coast Province? What measures has he taken to provide insurance covers for those officers who are based in Coast Province, who are out fighting drug trafficking and are getting killed?

Ms. S. Abdalla: Mr. Deputy Speaker, Sir, the Assistant Minister has confirmed that they are conducting investigation on the bullets. Could he tell us when the outcome of the investigations will be out or if it is out, could he tell us the results of the same?

Mr. Chanzu: Mr. Deputy Speaker, Sir, I appreciate what the Ministry is doing. The Assistant Minister talked of what they are doing not only in Coast Province, but the rest of the country.

Mr. Deputy Speaker, Sir, there have been similar cases in Western Province. We are wondering whether it has to do with the headship of the police in Western Province because when Western PPO was transferred from Nairobi to Mombasa, the rate of crime here went down. When he moved from there to Western Province, the rate of crime has gone up. I do not know what he is considering to do on this matter. I understand the same PPO is being considered for a senior job in Government. They are considering making him the CID boss. We would like to request him to make changes, so that we can see whether there would be change in Western Province.

Secondly, the border between Emuhaya and Vihiga---

Mr. Deputy Speaker: Could you, please, seek a clarification?

Mr. Chanzu: Mr. Deputy Speaker, Sir, we are just trying to be a bit proactive in this matter. There is no point of averting an issue when it has happened. We are talking about Coast Province, tomorrow we will be talking about Nairobi. I just want to conclude by saying that similar things are happening between Vihiga and Emuhaya. Lastly, what is he doing about the issue of hate and threat message sent on phones?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, it is quite sad to have my officers being killed by thugs. This happens because of the presence of arms in private hands.

Mr. Deputy Speaker, Sir, you are aware that we have passed a Bill on the organized crime in order to contain the issue of misuse of guns. My officers have been killed on the line of duty. We, as a Ministry, are trying to equip our officers with the necessary equipment which can deter or reduce loss of life. For example, we are equipping the police officers with bullet proof vests in order to reduce killings.

Mr. Deputy Speaker, Sir, hon. A. Abdalla wondered whether these deaths are as a result of drug trafficking. We are also investigating whether it is because of drug trafficking. But it is a sad story. We have already sent detectives and they are in Mombasa investigating this particular matter and that of the AP officers. Soon you will see that some people will be apprehended to answer for this heinous act.

Mr. Deputy Speaker, Sir, I want to apologise for what has happened to these families. As a Government we are trying our level best and no stone will be left unturned.

We will arrest those who are in this game and they will be taken to court very soon. Investigations are ongoing. I have a lot of information, some of which I cannot diverge as I speak. The reason is that we may not come up with something positive once I give a lot of information in terms of what is happening on the ground.

Mr. Deputy Speaker, Sir, it is true that there are some isolated cases of murder in Western Province. Two days ago, In Matende Ward some thugs assaulted a daughter of a councillor. There were also lives lost. A daughter of an Assistant Chief was also killed.

I want to assure this House that crime rate has actually gone down in Western Province compared to last year. I am also aware that an Asian young man by the name of Shijayi was shot dead in Kakamega. Investigation is going on. This was an in-house arrangement because the house-help of the late Shijayi is the one who revealed to the thugs that he was keeping money in the house. We are investigating the matter and sooner than later, we will arrest those people.

Mr. Deputy Speaker, Sir, I want to say that the PPO of Western Province has done a good job. I would want to encourage him to continue doing that commendable job. Generally, in the entire country, crime rate has gone down. Apart from hue and cry here and there, we are trying. Crime rate in Nairobi has also gone down. Once we equip our police officers with new equipment, I believe that crime rate will actually go to negative one, if not zero,

Mr. Deputy Speaker: We do not have a negative one crime rate, Mr. Ojode!
Do you want to seek further clarification, Mr. Dor?

Mr. Yakub: Mr. Deputy Speaker, Sir, there are two clarifications I would like the Assistant Minister to address. One is about the security of officers who are alive. He has just told us that they are now being provided with bullet-proof vests. Could the Assistant Minister consider all the security officers who are working under very dangerous situations? Could he also consider assisting the families of the late Juma Yusuf, late Badi Saidi and the late Ali Abdul Bwana?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I have said that we are trying to provide our police officers with bullet-proof vests. We are also trying to insure them so that if something like this happens to them, at least, they have something to lay their hands on.

On the issue of assisting the families of the late Juma and his colleagues, if the request is put to the Government, we will consider it. However, I cannot say; "Yes, this is what we will do," because we have not received any requests from the family members of the late Juma and his colleagues.

I want to assure Kenyans that security is okay and they can go about their business as usual without any fear because the Government is doing everything possible to scale down incidences of insecurity.

Mr. Deputy Speaker: Fair enough! Let us move on to the next Order!

COMMITTEE OF THE WHOLE HOUSE

THE COUNTER-TRAFFICKING IN PERSONS BILL

Mr. Deputy Speaker: Order, hon. Members! On Order No.8, I am made to understand that there is still further consultation between the Minister and Mrs. Odhiambo-Mabona. So, the Committee of the whole House is deferred to tomorrow afternoon!

(Committee of the whole House deferred)

Let us move on to the next Order!

MOTION

ADOPTION OF REPORT ON 120TH IPU ASSEMBLY IN ADDIS ABABA

THAT this House adopts the Report of the Kenya Delegation to the 120th Assembly of the Inter-Parliamentary Union held in Addis Ababa, Ethiopia between 5th and 10th April, 2009 laid on the Table of the House on 7th April, 2010.

Mr. Deputy Speaker: Order, hon. Members! None other than the Deputy Speaker who is now on the Chair was the Leader of Delegation to the 120th IPU Assembly in Addis Ababa. Since he is on the Chair with no relief in sight, this Motion is deferred until next week.

(Motion deferred)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, that concludes the business on the Order Paper. Therefore, the House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 11.25 a.m.