

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 10th August, 2010

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

PRAYERS

### ORAL ANSWERS TO QUESTIONS

*Question No.058*

#### GAZETTED BOUNDARIES BETWEEN EMUHAYA/KISUMU WEST/KISUMU RURAL CONSTITUENCIES

**Dr. Otichilo** asked the Minister for Lands:-

(a) whether he could provide maps showing legally gazetted boundaries between Emuhaya, Kisumu West and Kisumu Rural constituencies; and,

(b) if he could clarify whether it is legal to demarcate boundaries using such structures as residential houses and state what justification the management of Maseno University had in constructing residential houses along the perceived boundary between Emuhaya and Kisumu Rural constituencies?

**The Assistant Minister for Lands** (Mr. Bifwoli): Mr. Speaker, Sir, I beg the indulgence of the Chair to postpone this Question to Tuesday next week.

**Mr. Speaker:** What are your reasons, Mr. Assistant Minister?

**The Assistant Minister for Lands** (Mr. Bifwoli): Mr. Speaker, Sir, the reason is that Mr. Rai was assigned to answer this Question but he is not available.

**Mr. Speaker:** The hon. Member for Emuhaya, what is your reaction?

**Dr. Otichilo:** Thank you, Mr. Speaker, Sir. Mr. Rai has talked to me and has indicated that he would like to answer this Question next week. So, I would like to agree with him.

**Mr. Speaker:** Very well! In those circumstances, I would like to defer this Question to Tuesday next week at 2.30 p.m.

*(Question deferred)*

*(Mr. Olago stood up in his place)*

Order, Member for Kisumu Town West! If what you want to raise pertains to Question No.058, then I am afraid I will not allow it!

*Question No.065*

CONTRIBUTION OF LIVESTOCK SECTOR  
TO KENYA'S GDP

**Mr. Bahari** asked the Minister for Livestock Development:-

(a) what is the potential and actual contribution of the livestock sector to the Kenyan GDP;

(b) how the Government has harnessed this potential with particular reference to ASALs; and,

(c) what percentage of the Government Budget is allocated to the livestock sector.

**The Assistant Minister for Livestock Development** (Mr. Duale): Mr. Speaker, Sir, I beg to reply.

(a) The potential contribution of the livestock sub-sector to the GDP cannot accurately be determined because the structure of the economy is bound to change as the country develops. However, taking the current structure of the economy into account, the potential contribution of the livestock sector to Kenya's GDP is about 20 per cent, while the actual contribution presently is 12 per cent. In the agricultural GDP, the livestock sector contributes about 47 per cent while, at the same time, supplying the domestic requirements of meat, milk and dairy products among other livestock products that account for 30 per cent of the total marketed agricultural produce. However, there are challenges which are being addressed by the Government and other players that hinder the sector from realizing its full potential. These include disease, climate change, insecurity in livestock producing areas, low levels of investments or under-funding both from the Government and the development partners, low adoption of appropriate technologies among many other factors.

(b) To harness the livestock sector in the ASAL areas, the Government has taken the following measures:-

(i) Collaboration with other stakeholders and other development partners in projects and programmes which offer important livestock extension services like training of farmers on livestock improvement, water and pasture development.

(ii) Resources have been channeled for research into suitable livestock breeding programmes and the development of the rangeland in an effort to increase productivity through innovation.

(iii) Further, the Government has developed a livestock marketing infrastructure that supports marketing of livestock and livestock products from the ASAL areas to the national and international markets.

(iv) My Ministry is currently rolling out a Disease Free Zoning Programme under the Vision 2030 that is expected to create two zones, mainly in the Coast and the Laikipia-Isiolo Complex. Those Disease Free Zones Programmes are also proposed in our Vision 2030 plan and are expected to ensure both sanitary and physiosanitary competitiveness of our livestock and livestock products, both locally and internationally.

(c) Finally, the current allocation of the Government budget to the livestock sector is slightly below 2 per cent with a recurrent budget at 0.6 per cent and the development budget at 1.3 per cent, totaling to 1.9 per cent.

**Mr. Bahari:** Thank you, Mr. Speaker, Sir. I want to thank the Assistant Minister for attempting to answer this Question. You will realize that the livestock sector

currently contributes 12 per cent to our GDP. At the same time, the sector contributes 47 per cent of the agricultural sector market produce. My issue is that this country seems to be investing in the wrong places all the time. This is a very classic example of a sector that contributes - even when it is under-developed - 12 per cent to the GDP and yet, the Government has only invested less than 2 per cent in it. What is the Assistant Minister doing to ensure that the Office of the Deputy Prime Minister and Ministry of Finance takes that sector very seriously and ensures that sufficient resources are allocated? That sector also contributes a lot in terms of employment in the ASAL.

**Mr. Duale:** Mr. Speaker, Sir, because of the poor and low investment in the livestock sector for many years, 98 per cent of the people of northern Kenya voted for the draft Constitution. That is an indication that for many years, the livestock sub-sector which is the backbone of the people of the ASAL region has been marginalized in this country. This is part of the solution to the new dispensation. I am sure that with the equitable distribution of resources in this country we will be able to cater for the livestock sector. Under-investment and under-funding in as late as in the 2010/2011 Budget is a clear indication that the livestock sector does not get what it contributes to the national economy.

**Mr. Ogindo:** Mr. Speaker, Sir, I understand that the Assistant Minister is working towards the provision of pasture. I wonder how he is doing so. But more fundamentally, could he tell this House what he is doing to ensure that there is adequate provision of extension services in the ASAL areas up to Rangwe Constituency?

**Mr. Duale:** Mr. Speaker, Sir, extension services have been enhanced in the last two years with the employment of more than 200 extension officers throughout the country. I am sure my colleague, hon. Ogindo's area does not fall under the ASAL region, but---

**Mr. Ogindo:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to exclude the people of Rangwe from enjoying the extension services and yet, they pay taxes just like any other Kenyans? We also deserve to get extension services.

**Mr. Duale:** Mr. Speaker, Sir, I was about to finish. The definition of ASAL is well documented. We have a Ministry of State for Development of Northern Kenya and other Arid Lands.

**Mr. Speaker:** Order, Mr. Assistant Minister! The word "ASAL" is an acronym. Could you give the House the full name?

**Mr. Duale:** Mr. Speaker, Sir, "ASAL" stands for Arid and Semi-Arid Lands in the Republic of Kenya. I can say categorically that the Ministry of Livestock Development serves the highlands, the arid areas and all parts of this country, but unfortunately, hon. Ogindo's constituency does not fall within the ASAL areas. In terms of extension services, there are extension officers in all constituencies, including Rangwe Constituency.

**Mr. Langat:** Mr. Speaker, Sir, the Assistant Minister has said the livestock sector contributes about 12 per cent of the Gross Domestic Product (GDP). In my opinion, that is a highly inflated figure. Could he tell this House the sources of his statistics? Maybe, he could table those statistics.

**Mr. Duale:** Mr. Speaker, Sir, the livestock sector contribution to the national economy is 12 per cent as per the Economic Survey. If the Member has a contrary figure, I want him to say it and defend it.

**Dr. Munyaka:** Mr. Speaker, Sir, sometime in 2008, the Assistant Minister said that Kenya had a shortage of veterinary professionals of 1,700. What has the Ministry done to reduce this shortage?

**Mr. Duale:** Mr. Speaker, Sir, that is a very good question. During the 2009/2010 Financial Year, we employed 200 veterinary doctors. In this financial year, we intend to employ another 200. In five years' time, we will have reduced that shortfall in terms of veterinary personnel.

**Dr. Nuh:** Mr. Speaker, Sir, the problem that bedevils the livestock sector at many times has not only been the provision of extension services, but the ravages of recurrent droughts that have become a problem for this country. Has the Ministry put in place measures to mitigate against these droughts either through the purchase of livestock or provision of adequate water in the ASAL areas, so that we do not have this problem anymore?

**Mr. Duale:** Mr. Speaker, Sir, we, as a Government, have plans to mitigate against the effects of the recurrent droughts in our country. We are going to bring a Bill to this House on the creation of the Kenya Livestock Development Fund. Specifically, this fund will cushion farmers from the effects of drought. At the same time, the Ministry of Development of Northern Kenya and Other Arid Lands is in the process of creating a Drought Management Authority, which has already been passed by this House.

**Dr. Monda:** Mr. Speaker, Sir, the Assistant Minister has talked about the disease-free zones, whose creation has been underway for a number of years now. Could he tell us when the creation of the disease-free zones will be complete, and when Kenya will be free of the livestock diseases?

**Mr. Duale:** Mr. Speaker, Sir, the disease-free zones project under the Vision 2030 has not been there for many years as the Member has alleged. It has been there since the formation of the Vision 2030 Programme. The Vision 2030 flagship project under the Ministry of Livestock Development---

**Dr. Monda:** On a point of order, Mr. Speaker, Sir. The creation of disease-free zones has been in place for more than ten years in this country. Is the Assistant Minister in order to say the creation of the free disease zones has not been in place for many years, yet over ten years is such a long time for the Government to plan and implement the programme to its fullness?

**Mr. Duale:** Mr. Speaker, Sir, the creation of the disease free-zones programme under the Ministry of Livestock Development, a flagship programme in Vision 2030 is barely three years old. This programme will be achieved in 2011/2012 Financial Year. This is a very expensive programme that will cost the Government and the donors close to Kshs10 billion. I want to report here that the African Development Bank has already committed US\$16 million. The Saudi Fund for Development is yet to commit a similar amount and the rest will be funded from the Exchequer. We need the hon. Members' support. As I said earlier, the first two disease-free zones, namely, the coastal disease-free zone and the Isiolo /Samburu Complex will be achieved as part of the Vision 2030. I hope by that time, the Kenyan livestock international market will be achieved.

**Mr. Lekuton:** Mr. Speaker, Sir, in the Ministry of Livestock Development website, there is a section known as emerging livestock. If I quote, it says:- "Emerging livestock are animals that have not received adequate attention in terms of research and development. These include ostriches, guinea fowls, donkeys, buffalos, crocodiles and

snakes". What is the Assistant Minister doing to make sure that these specific animals that are mentioned here get adequate attention and research funds are available to make sure that we have alternative source of livestock as opposed to cattle, camels and others?

**Mr. Duale:** Mr. Speaker, Sir, emerging livestock is a very important department in the Ministry of Livestock Development. I want to assure the hon. Member that now we have a fully fledged department in charge of that. I am sure that very soon, you will see a competition between the emerging livestock and our traditional livestock species.

**Mr. ole Lankas:** Mr. Speaker, Sir, one of the challenges faced in the livestock sector is marketing. Most of the livestock farmers drive their animals long distances to access market. What is the Ministry doing to make sure that the farmers do not subject their livestock to long distances in order to access the market?

**Mr. Duale:** Mr. Speaker, Sir, livestock infrastructure, in terms of marketing, has been a challenge to livestock farmers in this country; but I want to assure this House that in the Budget of 2010/2011, the Minister for Finance, under the Economic Stimulus Programme, has slated in a substantial amount of money for the construction of abattoirs in a number of pastoral areas, including Narok South.

Secondly, as a Ministry, we are trying to re-energise our livestock strategy. We want to create more livestock marketing centres across the ASALs. So, I want to assure you that once we put in place the Economic Stimulus Programme under the Ministry of Livestock Development, in terms of construction of satellite abattoirs, that problem will be solved. Under the same programme, with the help of development partners, we are building two export abattoirs – one in Garissa and one in Isiolo – for the international market.

Thank you, Mr. Speaker, Sir.

**Mr. Bahari:** Mr. Speaker, Sir, I want to assure the Member of Parliament for Ainamoi that the livestock sector contribution to the GDP is 12 per cent. If he bothers to read the Kenya Institute for Public Policy Research and Analysis (KIPPR) Report, which is in his pigeon hole, he will easily find that figure.

Going back to the issue, the problem with this Ministry is that they have good ideas and plans, but they hardly implement anything. The issue of disease-free zones has been with us since the year 2000. I recall that it captured headlines in 2000. Since then, the policy has been there but nothing has actually happened. The same is true for all the other issues that have been enumerated here in terms of support to the livestock sector. My question is: Could the Assistant Minister tell us the concrete steps he has taken, and give us specific timelines within which disease-free zones are going to be in place, so that the element of marketing and other issues relating to livestock marketing can be taken care of? This way, we can double this percentage.

**Mr. Duale:** Mr. Speaker, Sir, the creation of disease-free zones is a complex project. As a Government, we have already established the first Kenya-owed vaccine institute – the Kenya Veterinary Vaccine Production Institute (KEVEVAPI). It is part of the creation of the disease-free zones. Secondly, yes, the creation of disease-free zones, as a flagship project, will be achieved in the 2011/2012 financial year, now that the donors and the Government have confirmed their financial commitment to this project. I want to assure this House that the creation of disease-free zones is a flagship project in the Ministry of Livestock Development, under Vision 2030. We are there, as Government and as Ministry, to make sure that it is achieved within the time set.

*Question No.187*

NUMBER OF PERSONS KILLED BY WILD  
ANIMALS IN NAROK SOUTH

**Mr. ole Lankas** asked the Minister for Forestry and Wildlife whether he could provide a list of reported cases of persons killed by wild animals in Narok South in the last five years and confirm the Government action on each incident.

**The Assistant Minister for Forestry and Wildlife** (Mr. Nanok): Mr. Speaker, Sir, I beg to reply.

A total of 58 persons have lost their lives to wildlife in Narok area in the last five years. All these cases were reported to the Kenya Wildlife Service (KWS) office in Narok. Twenty-eight claims have been paid to the next of kin while 30 claims have not been paid. It is regrettable that their documentation was not handed over to us by the former Ministry of Tourism and Wildlife during the handing over and those cases could, therefore, not be discussed. However, my Ministry has taken the initiative of searching for the documents following inquiries by the Member of Parliament for Narok South. The claims have now been prioritised for payment immediately the Ministry's accounts are facilitated by the Exchequer during this financial year. I wish to assure the hon. Member that my Ministry will take up this matter promptly.

Mr. Speaker, Sir, I hereby table the list of the names of the victims and the payments made.

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

**Mr. ole Lankas:** Mr. Speaker, Sir, I would like to thank the Assistant Minister for the answer. However, looking at this answer, he has not given the time-frame within which he is going to conclude processing and payment of the claims in respect of the remaining victims.

**Mr. Nanok:** Mr. Speaker, Sir, one of the difficulties we have been experiencing with payment of claims is the amount of money that this House approved previously. You will realise that in the last financial year, we had an approval of Kshs40 million against pending claims amounting to Kshs82,095,000. So, my Ministry was able to pay only part of that amount of money.

However, in the current financial year, the amount has been enhanced to Kshs200 million, as shown in the Budget Estimates, which we will be presenting to this House soon. So, I believe that we will have a sufficient amount of money if this House approves the Kshs200 million, and we will be able to pay the pending amount of Kshs33,100,000, and any other cases that may come up during the financial year.

**Mr. Olago:** Mr. Speaker, Sir, the answer is understandable, but there are cases where wild animals have become very sophisticated. Baboons in Akingli Valley, Kisumu, can now open locked doors. What will happen if members of the public decide to kill those animals, instead of them killing human beings?

*(Loud consultations)*

**Mr. Speaker:** Yes, Assistant Minister!

**Mr. Nanok:** Mr. Speaker, Sir, hon. Members are discussing loudly. I did not hear what the hon. Member asked.

**Mr. Speaker:** Order! Order, hon. Members! Please, lower the level of your consultations!

Member of Parliament for Kisumu Town West, can you, please, repeat the question? The Assistant Minister did not hear you.

**Mr. Olago:** Mr. Speaker, Sir, my question is that there are cases where wild animals have become very sophisticated, like in Akingli Valley in Kisumu, where baboons can unlock house doors and eat food meant for human beings. What would happen if, in such cases, human beings decided to kill the animals, instead of waiting to be killed by the wild animals?

**Mr. Nanok:** Mr. Speaker, Sir, we are encouraging members of the public to report incidents involving wild animals to the nearest KWS stations. One of the things that we are doing is to retrain our wardens on new methods of handling problematic animals. I can only tell the hon. Member that if we have such incidents, let them be reported. We will see the best way to assist.

**Mr. Litole:** Mr. Speaker, Sir, wild animals have been destroying crops in Sigor Constituency. We have reported the matter to the KWS but they have not done anything to date and crops continue to be destroyed. What will the Assistant Minister do to ensure that these animals are returned to Kano South National Park?

**Mr. Nanok:** Mr. Speaker, Sir, I will, indeed, ask my neighbour, hon. Litole, to talk to me in detail about this matter, so that we can discuss with the relevant officers what can be done.

**Mr. Speaker:** Yes, Mr. Bahari!

**Mr. Bahari:** Mr. Speaker, Sir, losing 58 people over a period of five years is a very large number. That is losing nearly 12 people per year. That is a very sad situation. The focus should not be on compensation and other issues but on prevention. Could the Assistant Minister categorically spell out how they intend to prevent further deaths in Narok South because I am one of those affected and I know what it means?

**Mr. Nanok:** Mr. Speaker, Sir, you will realise that three-quarters of our wild animals live outside protected areas. The protected areas are not fenced off and people also live there. Due to population pressure, people have encroached on land where wildlife live. Drought does not only affect livestock and human beings but also wildlife. So far, we have taken action on all reported cases by trying to enhance surveillance in areas where attacks have been reported. We have also told communities to report the incidences and avoid venturing into certain areas. We have also mapped out the conflict hotspots and posted a rapid animal-problem control unit that can act as soon as the case is reported. In a number of areas, especially around protected areas, we have put up electric fences and created buffer zones between the areas where wild animals live and population settlements.

**Dr. Otichilo:** Mr. Speaker, Sir, you will note that all the Questions that come to this House about this Ministry concern human-wildlife conflict. When will the Ministry table the new Wildlife Bill and Wildlife Policy which the Ministry formulated in 2004

but have never been presented to this House? Otherwise, we will continue to receive the same Questions all the time.

**Mr. Nanok:** Mr. Speaker, Sir, I do appreciate that question. So, far we have finalized the new Wildlife Bill and it is pending before the Cabinet. Once the Cabinet finalizes it, we will not waste time other than table it before this House.

**Mr. Murgor:** Mr. Speaker, Sir, I do not know how fast the Government can cultivate a relationship with the people who live near national parks because some of the hostilities are as a result of a family member being killed by animals and yet the Government takes a long time to compensate them. What has the Government done to speed up compensation and also cultivate a good relationship with the people who live near national parks so that when a family member is killed by wild animals, the family does not kill the animals in the area?

**Mr. Nanok:** Mr. Speaker, Sir, as I said earlier on, budgetary provisions that have been approved by this House for compensation over the last three years have been very low compared to the number of cases raised for compensation. It is about Kshs40 million per year. In anticipation of this, we have been in dialogue with the Treasury who have enhanced the funds to Kshs200 million so that we can pay all the pending cases including the ones that can be anticipated in this financial year. Secondly, we encourage communities that live near national parks and game reserves to see the direct benefits of wildlife conservation. We have implemented various community projects which include provision of water, construction of classrooms, construction of health facilities and various enterprise projects among them eco-lodges and other income generating businesses. This has made the communities to appreciate the importance of conserving a resource that is our heritage.

**Mr. ole Lankas:** Mr. Speaker, Sir, what plans does the Ministry have to compensate farmers for livestock killed by wildlife?

**Mr. Speaker:** Mr. Assistant Minister, do you have plans to compensate farmers for the animals killed by wildlife?

**Mr. Nanok:** Mr. Speaker, Sir, the current law only allows for compensation for human beings who are injured or killed by wildlife. However, in the new Bill, we have looked at the other aspects of compensation to cater for crops destroyed and animals killed by wildlife. I hope that when the Bill is brought before this House, we will expedite it because it covers most of the issues that have been brought up, not only in this Question but also in the Questions raised in the last three years.

*Question No.260*

UPGRADING OF MARIGAT  
POLICE STATION

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

(a) whether he could consider upgrading Marigat Police Station to a fully-fledged Police Division; and,

(b) when he will post a senior officer to this station.



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

(a) The establishment of a police division in the newly created Marigat District is underway following the posting of a District Commissioner (DC) in that area. The Government is making plans for the construction of office blocks, equipment and logistical support for the same. Once these plans are complete, construction work will begin.

(b) At the moment, it will not be possible to post a senior officer at the station since the required structures including an office are not in place. However, I wish to assure the hon. Member that a senior officer will be posted to the division the moment the office block is in place.

**Mr. Mwaita:** Mr. Speaker, Sir, I wish to thank the Assistant Minister for the answer that he has given. He has assured this House that once the architectural plans are complete, the construction of the office block will begin. However, could he fast-track the drawing of the plan now that we have a District Architect in the district?

**Mr. Ojode:** Mr. Speaker, Sir, I want to assure the House and the hon. Member that I will fast-track the issue of architectural drawings in order for my officers to be stationed at his place.

**Mr. Nyamai:** Mr. Speaker, Sir, could the Assistant Minister tell us the criteria that is used to create police stations because in my constituency, I have one district where we have requested the Ministry to establish a police station, but one and a half years down the line, we have not had a response?

**Mr. Ojode:** Mr. Speaker, Sir, the security team within the division or the district must sit down and agree on the number of police posts and where they will be situated. Once they have agreed, then the Minutes will be forwarded to the headquarters. We will equally accept the Minutes which will be forwarded to us and now we implement it.

Mr. Speaker, Sir, I would request the hon. Member to make sure that the minutes which recommended the creation of other police posts or a police station or otherwise be forwarded to the headquarters in order for us to enforce. That is the criteria which we are using.

**Mr. Odhiambo:** Now that we have so many newly created districts, can the Assistant Minister assure this House that he will create a police division in all the newly created districts?

**Mr. Ojode:** Mr. Speaker, Sir, I agree with him that all created districts will have police divisions. Later, we will look for the funds in order for us to build the offices and some logistical components which go with it.

**Mr. James Maina Kamau:** Thank you, Mr. Speaker, Sir. Is the Assistant Minister aware that in the newly created district, the highest ranked police officer is that of a chief inspector? When is he going to post an Officer Commanding Police Division (OCPD) to Kandara District?

*(Loud consultations)*

**Mr. Ojode:** Mr. Speaker, Sir, I did not hear him properly. There is loud consultation.

**Mr. Speaker:** Order, hon. Members! Please, lower the level of your consultations. I am wondering what some Members have in common like hon. Mwau and the Member for Embakasi. What do you have in common after the referendum?

Would you, please, repeat the question?

*(Laughter)*

**Mr. James Maina Kamau:** Let me repeat the question again. Is the Assistant Minister aware that in the newly created districts like Kandara in the larger Murang'a, the most highly ranked police officer is an inspector? When is he going to post an OCPD to that district?

**Mr. Ojode:** Mr. Speaker, Sir, I have said here that all newly created districts will have OCPDs manning the divisions. If we are still having inspectors (OCS), those officers are still manning police stations.

There are loud consultations from the No side; those who were defeated---

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! Member for Lugari and the Member for Saboti, what do you have in common?

**An hon. Member:** They are in the "No"!

*(Laughter)*

**Mr. Speaker:** Anybody else interested in this Question?

**Mr. Mwaita:** Mr. Speaker, Sir, the Assistant Minister has said that he will post a senior officer after the construction of the office. Now that we have adequate housing and Marigat District is prone to cattle rustling, the latest being on the Referendum Day, could the Assistant Minister out of humanitarian grounds, post at least a senior officer in the rank of a Superintendent of Police (SP)?

**Mr. Ojode:** Mr. Speaker, Sir, I have confirmed to this House that we will post an officer to man that place but getting just the housing for living purposes does not necessarily mean that the place is fully utilized. We require an office block. If the hon. Member can avail a building which we can convert into an office block, in the meantime, I have no objection. I will post a divisional officer immediately.

**Mr. Speaker:** Next Question, the Member for Vihiga!

*Question No.324*

LACK OF SERVICEABLE VEHICLES FOR VIHIGA  
REGULAR/ADMINISTRATION POLICE STATIONS

**Mr. Chanzu** asked the Minister of State for Provincial Administration and Internal Security the steps he is taking to improve the transport problems being experienced by both the Regular and Administration Police in the discharge of their duties in Vihiga District due to lack of serviceable vehicles.

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

Mr. Speaker, Sir, the OCPD in Vihiga has a serviceable vehicle GK A915D and the Administration Police have been using the vehicle allocated to the District Commissioner. I realized that these vehicles may not be adequate to man all the stations and the administration police posts. But I wish to assure the Member that Vihiga Police Division and the Administration police in the district will be allocated a vehicle each from the first batch of vehicles that we are currently in the process of procuring. Indeed, it is also imperative to note that one of the key undertakings of the ongoing comprehensive police reforms will be to address, among other issues, provision of vehicles and modern equipment.

**Mr. Chanzu:** Mr. Speaker, Sir, I would like to thank the Assistant Minister for the answer he has given and the assurance that he is going to allocate us some vehicles once they are procured. But could he give an indication when this is likely to be?

**Mr. Ojode:** Mr. Speaker, Sir, we have prevailed upon Treasury to release the funds in order for us to procure these vehicles. There are positive indications that once the Treasury gets the money, they will release the funds. Once they are released, I want to assure the hon. Member that I will do exactly what I have said; I will give him a vehicle which can operate within his police division.

**Mr. Ochieng:** Thank you, Mr. Speaker, Sir. The Assistant Minister is talking about distributing vehicles to various places but he is not talking about the fuel that is allocated to these vehicles. As it is now, we understand that these vehicles are only allocated eight litres per vehicle, per day. Can he confirm that, that is sufficient to run these vehicles for their patrols in every place where they are allocated?

**Mr. Ojode:** Mr. Speaker, Sir, I do not wish to talk about fuel where there is no vehicle. It is the other way round. We talk about fuel after allocating the vehicle. I need to allocate the vehicles to all OCPDs in this country and then I will also allocate vehicles to all OCSs. Later on, we will talk about purchasing the fuel and distributing it, which, of course, I will enhance. In the same vein, I would also want to commend the work which was performed by the security teams during the period of the referendum. They did a wonderful job and I would want them to keep the tempo till we reach 2012.

**Mr. M'Mithiaru:** Thank you, Mr. Speaker, Sir. Since the Assistant Minister has said that the Ministry is in the process of acquiring vehicles for the police stations, could he confirm that as they allocate those vehicles, they will give priority to the very needy areas like my constituency which is a cattle rustling prone area? We do not have any police vehicle at all. Can he confirm that it will be given priority once those vehicles are procured?

**Mr. Ojode:** Mr. Speaker, Sir, I would not wish to discriminate against other Members' constituencies. But I want to assure this House that already, early this morning, we released 70 vehicles plus another 100 which are coming. We are distributing these vehicles to the District Commissioners, District Officers, APs as well as to the police officers. So for the constituencies which will not benefit from the ones we released today, I would ask them to hold their horses so that within a month or so, maybe we will get the funds from Treasury in order for me to purchase 1,000 vehicles so that they will take care of all hon. Members in their various constituencies.

**Mr. Chanzu:** Mr. Speaker, Sir, in the meantime, I would like the Assistant Minister to assure this House that because of the problem of *Msumbiji* that we have on the border between the Kisa and the Bunyore area, he is going to instruct the Officer Commanding Police Division (OCPD) Vihiga to intensify patrols on the border.

**Mr. Ojode:** Mr. Speaker, Sir, I do not even need to tell the OCPD to intensify the patrols. That is his duty. He knows that our officers should patrol all the divisions they are manning. For those officers who are not doing their job and those sleeping on their jobs, reforms are there and we will get rid of them. I want to assure Members that the security of our people is paramount in the whole country. I want to assure hon. Members that there will be no problem at all in terms of security.

**Mr. Speaker:** Next Question by Member for Mutito!

*Question No.310*

REHABILITATION OF BOREHOLE  
IN KIMANGAO AREA

The Member for Mutito is not here! Question dropped!

*(Question dropped)*

Next Question by the Member for Molo!

*Question No.321*

RESETTLEMENT OF IDPs IN GOOD HOPE KIBUNYA/  
TUINUANE MOLO SAW MILLS

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

(a) why the Internally Displaced Persons (IDPs) in Good Hope Kibunya and Tuinuane Molo Saw Mills have not been resettled; and,

(b) when the Government will buy land to resettle the IDPs.

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

(a)The IDPs in Good Hope Kibunya and Tuinuane Molo Saw Mills have not been resettled due to difficulties in acquiring viable land for resettlement. However, 93 households of the IDPs in Tuinuane Molo Saw Mills (self help group) are scheduled to be settled in Gakonye in Molo and the remaining 84 households will be settled in Asanyo/Kuresoi at the end of August this year. The IDPs in the Good Hope Self-Help Group in Kibunya will be resettled in the farms that are currently being assessed and valued by the Ministry of Lands in Molo and Kuresoi districts.

(b)The Government is in the process of acquiring land to resettle the IDPs. Currently, 50 farms have been recommended for inspection and assessment to determine the agricultural viability of the land by the Ministry of Lands.

**Mr. Kiuna:** Mr. Speaker, Sir, as I commend the Assistant Minister for answering this Question, I really do not agree with him when he says that it will take time to resettle

the remaining IDPs. It is three years since these people were evicted from their former farms. Could the Assistant Minister assure this House that by the end of this year, as he has said, all the IDPs in Molo and the larger Rift Valley will be resettled?

**Mr. M.M. Ali:** Mr. Speaker, Sir, I have just said and I want to repeat that the Government is making all efforts to resettle all the IDPs, in particular, the ones in Molo I have stated that the analysis of viable land is going on at the Ministry of Lands. Immediately this analysis is finished then the resettlement process will commence.

**Mr. Njuguna:** Mr. Speaker, Sir, because of the seriousness of the issue of resettlement of IDPs, and aware that the Assistant Minister has indicated that they have considered 50 farms, could he indicate to this House how much money the Ministry has set aside to make sure that this issue is settled once and for all?

**Mr. M.M. Ali:** Mr. Speaker, Sir, although the resettlement of IDPs is our responsibility as a Ministry, the business of buying land is for the Ministry of Lands. We are doing it together. I cannot comment on the money set aside for purchasing the land because it is the responsibility of that particular Ministry. However, for all the other requirements, we have made all the necessary arrangements. Should the land be available, the process will commence immediately.

**Mr. Warugongo:** Mr. Speaker, Sir, I would like to ask the Assistant Minister to tell us whether those IDPs who are in our constituencies--- Like in Kieni Constituency, there are about 3,000 IDPs or more who have not been considered. When is the Ministry going to consider them? These are those IDPs who are not in the camps.

**Mr. M.M. Ali:** Mr. Speaker, Sir, 6,802 households are being considered for resettlement. Out of this, 798 households have already been resettled. The rest, alongside the ones in Molo and the rest of the country will be resettled accordingly when, as I have just mentioned, the land becomes available.

**Mr. Wamalwa:** Mr. Speaker, Sir, we still have thousands of IDPs in Trans Nzoia who were affected in 1992, 1997 and 2008 Post-Election Violence. Is the Assistant Minister going to consider IDPs such as the Umoja Clash victims of 1997 and 1992 as well?

**Mr. M.M. Ali:** Mr. Speaker, Sir, I am sorry my brother Eugene, the Gazette Notice under which we operate strictly covers those affected by the Post-Election Violence of 2007. Until we are through with this group, we are not able to cover the 1992 group. Our mandate will be expanded once we are done with that.

**Mr. Chanzu:** Mr. Speaker, Sir, could the Assistant Minister tell this House whether there is a policy on resettlement of IDPs? If so, what acreage of land has the Government decided to give them when they resettle them?

**Mr. M.M. Ali:** Mr. Speaker, Sir, each household will be given two and a quarter acres of land.

**Mr. Kioni:** Mr. Speaker, Sir, the Assistant Minister has indicated that the households that are covered by his Ministry total about 6,000. If it is within the ability of the Assistant Minister, it would be very useful if he can tell us where these households are so that we know which ones in our constituencies fall under that programme. Could he tell us whether he can give us a distribution of where the 6,000 households are?

**Mr. M.M. Ali:** Mr. Speaker, Sir, I have the proposed acreages of land where we are supposed to settle these 6,000 households. We have documents showing the list of the

households all of whom need to be resettled. Unfortunately, I do not have it with me. If the hon. Member can come to my office, he will have a copy with him.

**Mr. Yakub:** Mr. Speaker, Sir, the Assistant Minister has just mentioned that 6,802 households are in the resettlement programme. Is he also considering the Mau Forest evictees who were displaced in different parts of the Rift Valley? Are they among the IDPs to be resettled?

**Mr. M.M. Ali:** Mr. Speaker, Sir, the Mau Forest evictees are in our register as IDPs, however, they are not all in our group to be resettled. Some have their own land and the Government is providing them with food, security and all other necessities. Those who do not have land have been considered.

**Mr. Kiuna:** Mr. Speaker, Sir, if you look at the history of settlement of IDPs since 2008, it was being tackled by the Ministry of State for Special Programmes. Then it was shifted to the Office of the President and then---

*(Loud consultations)*

**Mr. M.M. Ali:** On a point of order, Mr. Speaker, Sir. I am sorry I cannot hear what the hon. Member is saying!

**Mr. Speaker:** Order, hon. Members! Please lower the level of your consultations. I know you are comparing notes on percentages realized in the Referendum but, please, go easy.

*(Laughter)*

Can you repeat your question, Mr. Kiuna?

**Mr. Kiuna:** Mr. Speaker, Sir, the resettlement of IDPs since 2008 has been undertaken by the Ministry of State for Special Programmes. I do not know what happened because it was shifted back to the Provincial Administration. But now, again, it is back in the Ministry of State for Special Programmes. The Assistant Minister is now telling us that the issue of resettling and buying of land has been taken over by the Ministry of Lands. It seems as if there is laxity between the Ministry of State for Special Programmes and the Ministry of Lands. Could the Assistant Minister tell us which Ministry is in charge of resettling those people?

**Mr. M.M. Ali:** Mr. Speaker, Sir, I am sorry because the allegation that the resettlement exercise was taken away from the Ministry of State for Special Programmes to the Ministry of State for Provincial Administration and Internal Security and then to the Ministry of Lands is, indeed, misleading. At no one time has that exercise been taken away from our Ministry. It has always been complementary. Government Ministries work together to tackle such kinds of complex exercises. As for assurances, I have been assuring you, time and again, that we are going to tackle that issue. It is only that land has been difficult to acquire. Once the land is available, we will resettle the IDPs in Molo.

*Question No.327*

AMOUNT OF MAIZE HELD AT  
SGR STORES/SILOS

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

(a) what is the amount of maize currently held at the National Strategic Grain Reserve (SGR) stores and silos; and,

(b) how much maize the Ministry will purchase for the Strategic Grain Reserve and how much money has been set aside for that purpose in this year's cropping season.

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

(a) The amount of maize currently held as SGR is 3,082,397 bags each weighing 90 kilogrammes.

(b) In this financial year, the Ministry has a budgetary allocation of Kshs1 billion for the SGR. At the current price of Kshs1,500 per bag, that amount can purchase about 666,666 kilogrammes of a 90 kilogramme bag of maize.

**Mr. Chepkitony:** Mr. Speaker, Sir, I wish to thank the Assistant Minister for the answer. The amount of Kshs1 billion looks so small and I want to ask him to tell this House how much was spent in the last financial year to buy maize. What is the monthly consumption of maize from the SGR?

**Mr. M.M. Ali:** Mr. Speaker, Sir, I agree with the hon. Member that the amount is rather small compared to the need and level that we had initially targeted. But for the last financial year, although his Question was very specific - it was about this financial year! I did not quite look at it. However, we need 8,000,000 bags in the SGR stores at any one time. So, there is a clear shortfall of about 4,000,000 bags. But we have held discussions with the Treasury and we have been assured that more funds will be released so that we will be able to keep the level at the required amount. Otherwise, out of that SGR of 8,000,000 bags, we will make sure that 4,000,000 is physically available. The rest will be kept as Treasury Bonds. It will be consumed as the need arises.

**Mr. Sirma:** Mr. Speaker, Sir, given the drought that we have been experiencing, lack of food and how we have been looking for relief food for the last two years, is the Ministry serious? We need the SGR to be there physically. We cannot anticipate that since we have a good crop this year--- The farmers are getting very low prices because of lack of Government intervention. Could the Assistant Minister consider purchasing the maize now to protect farmers from incurring huge loses since they had been promised good prices and encourage them to do farming in the future?

**Mr. M.M. Ali:** Mr. Speaker, Sir, the Ministry and the Minister are very serious. The purchase of the number of bags that I have mentioned will commence immediately. I just want to assure you that a meeting was held only yesterday as far as this matter is concerned and the remaining funds are being arranged. So, no farmers will be stranded with the produce that they have! The buying has commenced and we will continue throughout the year.

**Dr. Nuh:** Mr. Speaker, Sir, the worry is not that our farmers are stuck with maize. The worry is whether, indeed, this country is ready for any eventuality, disaster or emergency. The Assistant Minister has said that the requirement as per the law is 4,000,000 bags in physical count and about the equivalent in terms of cash in reserve and we do not have that much. He is telling us of a commitment from the Minister with no timeline. Is the Ministry, indeed, serious to alleviate any emergencies in terms of SGR and when exactly are you expecting that money?

**Mr. M.M. Ali:** Mr. Speaker, Sir, the Ministry is, indeed - I repeat again - very serious.

**Mr. Speaker:** Order, Mr. M.M. Ali! You do not have to repeat that part; just answer the part about when the money is going to be available.

**Mr. M.M. Ali:** Mr. Speaker, Sir, as far as the money is concerned, we have been assured by the Treasury that the balance of the funds will be availed following a series of meetings. One of them was held just yesterday. When we meet again on Friday, we shall be given a firm commitment when the funds will be available.

**Mr. Chepkittony:** Mr. Speaker, Sir, I would like to ask the Assistant Minister whether he is aware that farmers who delivered maize to the National Cereals and Produce Board (NCPB) in the last season have not been paid to date. What is he doing about them?

**Mr. M.M. Ali:** Mr. Speaker, Sir, that has just come to my notice. I will immediately go back to the office, find out and let the hon. Member know. I will deal with whatever department is dealing with that matter so that farmers are paid immediately.

*Question No.323*

DISAPPEARANCE OF SAMMY MULAWA  
MUIA/PIUS KISILU IKUU

**Mr. Nyamai** asked the Minister of State for Defence:-

(a) whether he is aware that Sammy Mulawa Muia, a Senior Private with the Kenya Army Artillery Brigade (PN.13021), went missing on 8th June, 2004 in Athi River Ranch while on official duty and Pius Kisilu Ikuu, a Kenya Air Force Officer (No. 106730) also went missing on 26th April, 2004; and,

(b) what steps the Ministry has taken to ensure they are traced.

**The Minister of State for Defence** (Mr. Haji): Mr. Speaker, Sir, I beg to reply.

(a) The information about the missing soldiers is as follows:

(i) Number 13021, Senior Private Sammy Mulawa Muia, belonged to the Corps Transport Headquarters Company, and not to the Artillery Brigade as the Questioner has stated. He went missing from his place of duty on 6<sup>th</sup> June, 2005 while on attachment to the Kenya Rifle Association team at Athi River, Stony Athi Rifle Range, as a cook. Investigations were done to ascertain the circumstances under which the serviceman absented himself from duty without official leave and it was found that he did so for reasons best known to himself, because he had not communicated to anybody about his intentions.

The serviceman had a habit of being absent from duty without official leave; his record shows that he had previously done so on 31<sup>st</sup> January, 2003 to 19<sup>th</sup> May, 2003, a total of 108 days, when he was apprehended and taken to his unit for disciplinary action. He was thereafter allowed to continue in the service. On this second incident of his absence, he has never returned to duty to date; therefore, he was procedurally declared a deserter.

Senior Private Pius Kisilu Ikuu went absent on 3<sup>rd</sup> May, 2004 after failing also to report to his place of duty from an official off which he had been granted from 26<sup>th</sup> April,



2004 to 2<sup>nd</sup> May, 2004. Investigations were done by a board of inquiry. Various personalities were interviewed, including close relatives and friends. He had earlier absented himself from his place of duty for a total of 33 days. He was, however, apprehended and disciplinary action taken against him for the offence. It also emerged that he had been observed to be excessively taking alcohol, and had tremendously lost interest in his duties, a trend which, apparently, was aggravated by the death of his wife in 2001.

A search was conducted by his father and fellow soldiers in areas where he was suspected to be, including mortuaries but his whereabouts could not be ascertained. The serviceman was procedurally declared a deserter, which he is to date.

(b) The Ministry has continued to look for the servicemen, so that they can be treated in accordance with the Armed Forces Act for desertion. Anybody with information on their whereabouts can volunteer it for further action to be taken by the Ministry. It will be in order, therefore, if the relatives so wish, to file cases in court when the time comes, seeking orders to presume them dead in accordance with section 118A of the Evidence Act, Cap 80 Laws of Kenya. This Section provides:

“Where it is proved that a person has not been heard of for seven years by those who might be expected to have heard of him if he were alive, there shall be a reputable presumption that he is dead.”

*[Mr. Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Prof. Kaloki) took the Chair]*

**Mr. Nyamai:** Mr. Temporary Deputy Speaker, Sir, I want to thank the Minister for the lengthy answer he has given; I do appreciate it. However, is the Minister aware that one of the reasons why these people have not been found up to now, which is almost seven years, is because his senior officers, whom these officers were working under, have not been co-operating with the families of these officers in trying to look for the gentlemen? The families do have information touching on the missing officers but the senior officers have not been co-operating.

**Mr. Haji:** Mr. Temporary Deputy Speaker, Sir, I am not aware of that. It would be very strange for people to disappear for seven years. Even if the officers have not been co-operating, the lost officers have not been serving under them. I do not think that is the issue.

**The Temporary Deputy Speaker (Prof. Kaloki):** Mr. Nyamai, are you satisfied with the answer?

**Mr. Nyamai:** Mr. Temporary Deputy Speaker, Sir, I am not satisfied because we do have information which, if the Minister is willing, we can bring to his attention. That is why I asked him whether he is aware that the reason why there has not been any progress is because his people have not been co-operating.

**Mr. Haji:** Mr. Temporary Deputy Speaker, Sir, as I have said, I am not aware of that. The hon. Member can give me that information; I am prepared to deal with it. Forget about those officers he is talking about.

**Mr. Nyamai:** Mr. Temporary Deputy Speaker, Sir, all these gentlemen disappeared when they were on duty. Their families have been up and down trying to trace them. They were the sole breadwinners for their families. Their parents are very old and these officers left some dependants behind. Could the Minister consider, on compassionate grounds, when the next recruitment for the army comes, their sons for recruitment into the armed forces? They have left behind their offspring who are strong enough, and have all the qualities required for soldiers.

**The Temporary Deputy Speaker** (Prof. Kaloki): Mr. Minister, would you consider that request on humanitarian grounds?

**Mr. Haji:** Mr. Temporary Deputy Speaker, Sir, I cannot at this stage say that I will consider that. Suffice it to say that, if we follow the law, their families will ask the Attorney-General to presume that these soldiers are dead, and then they can claim compensation from the Government.

**The Temporary Deputy Speaker** (Prof. Kaloki): Fair enough. That rests the case.

Next Order!

## MOTION

### ADOPTION OF REPORT ON ACTIVITIES OF UNLAWFUL ORGANIZATIONS

**Mr. Kioni:** Mr. Temporary Deputy Speaker, Sir, I beg to move:-

THAT, this House adopts the Report of the Select Committee on the Activities of Unlawful Organizations laid on the Table of the House on Wednesday, 21 July, 2010.

Mr. Temporary Deputy Speaker, Sir, the select committee on the Activities of Unlawful Organizations was constituted by this House pursuant to the House resolution passed on 23<sup>rd</sup> of July, 2008. It had a clear mandate to inquire and establish:-

1. the membership, organization, structure and the operational mode of the unlawful organizations;
2. the reasons for the formation and existence of such organizations;
3. the underlying causes of their proliferation, including their motivation;
4. the role of the political elite and other organizations in the activities of these unlawful organizations.
5. the involvement and role of the youth in these organizations.
6. the magnitude and possible impacts of the activities of these organizations.

Mr. Temporary Deputy Speaker, Sir, the Committee was also to review the policy, legal and administrative framework governing the existence of these unlawful organizations. We were also mandated to carry a comparative study of similar organizations in other parts of the world. Finally, to report and make appropriate recommendations to the National Assembly. The Committee commenced its work, but it was necessary that its mandate be renewed. This was done in the month of May, 2009. The Committee was given a further three months because of the scope of work that continued expanding as the Committee continued to execute its mandate.

The Committee held a total of 32 sittings within the Parliament Building and also within the provinces. We also had opportunities to sit within prisons. This is all covered in the report. We had meetings with the security teams at the provincial level and also here at Nairobi. This happened during the months of February and March this year.

During the hearings, the Committee had many presentations from various stakeholders from Ministries. We had presentations from the Ministry of State for Provincial Administration and Internal Security, Ministry of Co-operative Development and Marketing. We also had other presentations from representatives from the Kenya National Youth Alliance, the civil society, including the Kenya Human Rights Commission, the Oscar Foundation, Release Political Prisoners and the International Centre for Policy and Conflict. We had an opportunity to hear views and opinions from the public sector, who enumerated the effects of the organized groups on their businesses. We also had representation from the Evangelicals Alliance of Kenya representing various religious groups. The Committee, having received those representations and memoranda, did consider them and came up with many observations as contained in the report.

Quite a number of the presentations came from areas that have suffered or had experiences with the unlawful organizations. We had public hearings in many regions. In Central Kenya, we had hearings in Muranga and Nyeri. In Eastern region, we had hearings in Embu and Meru. In the Rift Valley region, we had hearings in Nakuru and Kericho. We also had a sitting in Nyanza region in Kisumu and Kisii towns. Within the Coastal region, we were able to have public hearings in Mombasa and Kwale towns.

The Committee visited various prisons. We visited Kamiti Maximum Prison, where the alleged leader of the *Mungiki* group was then held. We had sittings in Kodiaga Prison in Kisumu. We had sittings in King'ong'o in Nyeri. We also had an opportunity to have a sitting in Kisii Prison where the majority of the youth had something to do with these unlawful organizations.

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

*[The Temporary Deputy Speaker  
(Mrs. Shabesh took the Chair)]*

A number of the members of the Committee had also an opportunity to travel to Brazil, where it was established that Brazil had similar difficulties like we have in this country. Brazil has a specific budget that it has set aside to deal with these groups. They have invested heavily in technological advancement to keep check of the borderline with the aim of neutralising the criminal activities. They also deliberately seize properties that are in any way associated with these groups. The Ministry of Justice in Brazil has created a programme known as *Pro Natzi*. That is a national programme for public security and citizenship with the sole aim of encouraging the young people who are involved in crime or are likely to be endeared to crime to engage in productive activities.

Madam Temporary Deputy Speaker, on page six of the report some of the factors that can be attributed to the genesis of these organized groups are: unprecedented levels of unemployment in some parts of this country and in our country in general. There is quite some marked level of political influence or political actors in it. We have

difficulties in housing, especially in the informal settlements. Some of these groups have been formed around some form of religious beliefs, levels of idleness which goes with unemployment in the country and lack of recreation facilities and social amenities in many parts of our country. We have peer influence, illiteracy and revenge for one reason or another. In essence, the social, economic and cultural forces also push the adolescents in the direction of illegal groups. When we were conducting our hearings, some researchers indicated to us that the under class status of the minority of youth do serve to push them into organized groups. For some groups, they take these unlawful groupings as a way of solving some of their social problems, given the many trials and tribulations that they go through at the age of adolescence. In some communities the youth are recruited through some form of coercion by those who are already members of the group. They coerce others, especially the young ones, to belong to their groups. Otherwise, they are also subjected to some form of punishment. Of course, given that these groups have been there for a while, we now have young people who are actually born by parents who belong to these unlawful groupings. They may not have much choice other than to belong to the groupings that have benefited their parents. So, from what we saw as a Committee, we can say that some of these groupings are out of circumstances surrounding a neighbourhood, but some have come forth from deliberate organizational structures or people who have come together with a clear intent of forming such groups.

Madam Temporary Deputy Speaker, it is not possible to exhaust the list of known groups of such nature in this country. The Committee has, however, mentioned a few of them. They are Sabaot Land Defence Force (SLDF), *Mungiki*, *Jeshi la Embakasi*, *Jeshi la King'ole*, *Baghdad Boys*, *Chinkororo*, *Amachuma*, *Sungusungu*, *Mulungunipa*, *Banyamlenge*, *Taliban*, *Kosovo Boys*, *Siafu* and *Iritongo* among others.

Some of the key observations that the Committee made from the hearings and many presentations that were made before it included the fact that the activities of these unlawful activities in Kenya are widespread. They are spread across the country. This was through an elaborate presentation made to us by the Minister of State for Provincial Administration and Internal Security and his team.

We were informed by the Ministry of Youth Affairs and Sports that the youth aged between 18 years and 35 years constituted about 14 million Kenyans and were the most affected by these unlawful groupings because they were the target group. Most of these groups are found within the low-income areas. These areas are also densely populated. The groups also offer security to those vulnerable low-income areas although more often than not, they eventually end up as extortion links.

Another observation that was made by the Committee was that when people are remanded in our prisons, they use that opportunity to recruit others into those groups within the prison precincts. The Committee observed that politicians – not necessarily Members of Parliament because politicians include those who vied for political positions but never succeeded – also play a critical role in the propagation of these groups. This is mainly so during the campaign periods.

One useful initiative that the Government has introduced is the Youth Enterprise Development Fund (YEDF). However, the Committee observed that the Fund has not managed to benefit the most vulnerable of the young and those who are likely to become candidates of these unlawful groupings. This is mainly because the Fund does not seem to benefit those who only have primary education or do not have any form of education.

The YEDF does not, therefore, help those who are being recruited easily into these unlawful groupings.

Madam Temporary Deputy Speaker, the Committee observed that the unlawful groups thrive heavily on the transport industry. Here, they have managed to take control of *matatu* stages and they extort daily levies. This was clearly demonstrated to the Committee by the Minister of State for Provincial Administration and Internal Security. I have mentioned that some of these groups thrive because of political patronage. The issue of land has also given force to these groups. For example, there is the SLDF in Mount Elgon. Land issues are the main reason for the formation of this group. Land ownership is a complex thing in this country and it has also given force to these groups. This is because whenever there have been conflicts, one of the ways to solve them has been through the formation of unlawful groupings.

I mentioned the issue of unemployment which was presented to us by the Ministry of Youth Affairs and Sports. However, these unlawful groups seem to serve as an engine for the poor to agitate for their rights and, perhaps, as a symbol of contempt for the rich or the system of governance that we have experienced in the past. They have been formed for purposes of expressing contempt against those who seem to have more than others in the country.

The groups began by extorting money from the public transport over 11 years ago. However, recently we established that they have expanded their operations to big companies like the Kenya Bus Service (KBS) and Citi Hopper. They ask for fees from those companies on a daily or monthly basis. This has been encouraged by lack of clear bus termini in some areas. The groups have exploited this. We got information that the unlawful organizations charge protection fees at the rate of Kshs500 per day. Some of them charge Kshs40 per trip in very busy places. If owners of *matatu* would like to join a given route, they would be asked to pay between Kshs50,000 and Kshs100,000.

The police, the City Council *askari* and the municipal *askari* were accused of undertaking extortion of some kind along the roads or within the bus termini. The unlawful groupings use this as a justification to extort money arguing that the police officers and the city council *askari* are on a payroll. If these officers extort money, why not them who are unemployed? Ex-police officers, ex-military officers or service men who have retired or have been sacked from the disciplined forces have also been useful in recruiting, training and offering logistical support to some of these groups in the country.

In Central Kenya and other places, the Committee observed that members of these unlawful groupings have been molested and killed. In the process, some youth who do not belong to those groups but have been suspected to be members have been tortured or killed.

Madam Temporary Deputy Speaker, there is an observation that the media has helped the growth of these groups. The reason we were given is that every time there is a heinous crime in some parts of this country, all those crimes have been assigned to those groups. The immediate blame is directed towards the unlawful groupings even before proper investigations have been carried out.

Madam Temporary Deputy Speaker, one of major setbacks in Central Province is the economic setback in the sense that in some trading centres, you cannot operate after 6.00 p.m. At 6.00 p.m., you will have already stretched your luck. Some of the trading centres have ceased to operate because of the existence of these unlawful groups. The

Oscar Foundation has been offering free legal services to the youth and poor families who have lost relatives in the hands of the police. We also observed that these groups receive some support from older people who think that they will help them fight for their land. Also in some slum areas, families have identified these unlawful groupings as the ones who will go out and look for something for them to eat.

The unequal resource distribution was also one of the reasons cited as causing dissent or resentment within the community and giving force to these unlawful groupings. There is also the thought that these groups could end up being useful as a fallback position in the event that, that continued.

Madam Temporary Deputy Speaker, finally, there was the issue of the girl child. In our country, the girl child has received a lot of attention but at times at the expense of the boy child. This was cited in quite a number of areas that we visited. There was a clear call that the boy child also should be given attention, but not at the expense of the girl child. There is need for attention to be shared equally among the two.

Madam Temporary Deputy Speaker, quite a number of things have happened to us, as Kenyans, because of the proliferation of these groups. We are all aware that we have had properties destroyed across the country. We have now an increase in abuse and trafficking of drugs and the rise in crime. We have also seen political abuse of power because one thinks that he has a fallback position on these unlawful groupings. We have stunted investments as I mentioned earlier, youth delinquency, school dropouts, kidnapping and rapes. Generally, we have insecurity rising in our country.

Collapse of the rule of law is something that was also observed by the Committee and the need to educate young people on the benefits of upholding the rule of law. There are benefits that will accrue to each and every member of the society when we appreciate what it means to uphold the rule of law. That was one of the things that the Committee thought was important and should be done.

Madam Temporary Deputy Speaker, the security agents also raised concern and complaints that the Judiciary has frustrated their efforts to fight these unlawful groupings because they have continued to release persons arrested on crimes that are related to these unlawful groupings. But it was also interesting to find that these unlawful groupings had their positive contribution to the society. One of the positive things that were cited by members of the public was provision of security services, especially in the low income areas and moreso, the slum areas where the security agents seem to have been absent. They have also been involved in resolution of disputes in some communities and especially on issues that revolve around land. In some cases, the groups have led to control of drugs and alcohol. It was cited that those strong adherents of *Mungiki* shun drugs or intake of alcohol. Those are some of the advantages or positive contributions that were cited by members of the public. It was also interesting to know that some of the groups have now mutated or moved away from criminal activities. For example, the *Bhagdad Boys* have formed a Non-Governmental Organization (NGO) that is now meant to help the young people engage in positive activities and not the negative activities that they were involved in before. In some areas, groupings of *Mungiki* have formed co-operative societies and, perhaps, moved away from what they have been known for in the past.

But dealing with organized groups requires a multi-pronged approach which should address the socio-economic, political, security, ideology and also legal aspects of

these groups. The Committee's recommendations are geared towards addressing the root causes of the problems and also transforming these groups for them to be able to have a positive contribution to the society. Some of the measures recommended by this Committee include the legal aspects. This involves the enactment of new laws. I want to commend the Ministry of State for Provincial Administration and Internal Security for having tabled the Prevention of Organized Crimes Bill which was debated and passed by this House. That was one of the things that we observed, as a Committee, would help us fight these unlawful organizations in a big way, on top of enforcing the existing laws and sealing other loopholes that exist. There are quite a number of them even in the Penal Code. We also need amendments in the Traffic Act. There is need to facilitate payment of traffic fines on the spot.

I have also mentioned the need to amend the Criminal Procedure Code to enhance sentences for offenders and enable the courts to send the youth to rehabilitation centres. There is also need to amend the Firearms Act, the Chiefs Act, the Evidence Act and also the National Security Intelligence Service (NSIS) Act, to ensure that the investigative arm has also some teeth, perhaps, as opposed to now.

Madam Temporary Deputy Speaker, from the political angle, the Committee established that politicians play a critical role in influencing the youth and should, therefore, use every opportunity to dissuade the youth from joining the unlawful groupings. Politicians have in the past used the youth during campaigns and then abandoned them thereafter. What came out clearly is that the orphaned groups naturally occupy themselves with activities which, unfortunately, tend to be criminal in nature after the campaigns.

Madam Temporary Deputy Speaker, the service providers have been faulted in many ways because they have failed to provide services to the slums and other densely populated areas, thereby creating a vacuum that is exploited by the unlawful groups. These groups proceed to provide services including water. They have also provided electricity and security to some of these slum areas. All these are done at a fee. The security forces are also complacent in dealing with these unlawful groupings. There is need for tough action to be taken against such officers who do not seem to perform as is expected of them.

Madam Temporary Deputy Speaker, what also came out clearly was that the security agents have found it very easy and convenient to explain their inefficiencies by blaming every of these criminal activities that happen within their areas, especially those with these unlawful groupings. The security agents blame the *Mungiki*, *Sungu Sungu* and *Chinkororo* for every other criminal activity that happens within their areas. In so doing, they do not go an extra mile to do a thorough investigation, so that they can establish exactly how the crime occurred and what caused it.

Madam Temporary Deputy Speaker, the poor management of bus and *matatu* termini also contributes a lot to the growth of these groupings.

The municipal councils, town councils, urban councils, city councils or even the county councils need to up their act in the management of the bus termini to deny those groups the ability to generate income from the termini. The ratio of police to citizens needs to improve and meet international standards. Currently, the ratio is at 1 to 450 as opposed to the recommended international standards.

What also came out in this Report is that some of those groups are very well trained. Unless there is a special unit that is constituted and trained to deal firmly with those groups, the security agents will continue to find it difficult to do so. If a special unit is trained to deal with those unlawful groups, we will not have indiscriminate killings of members of those groups and, perhaps, those who are suspected to be members. In essence, the Committee observed that, indeed, if a special unit is trained to deal with them, to investigate and apprehend them, then what we have experienced in the past where many youths and members of unlawful groups have been killed may be a thing of the past.

The Committee recommended that in rehabilitating members of those groups, it was important to involve the National Youth Service (NYS). Those who have abandoned organized groups can be trained to become members of the NYS. The NYS should also endeavour to keep in touch with those whom they have trained and, perhaps, try and offer them employment even in the civil works.

On the issue of land, the enquiry further established that land remains a major cause of friction among many communities in the country. The committee recommends land consolidation as opposed to sub-division where the concept of communal land is upheld. The Committee recommends that those who wish to bury their dead--- One of the reasons that was given for the formation of unlawful groups was the continued sub-division of land especially in Central Kenya. The people with half an acre are subdividing it further. They ask: "Where do we bury the dead when that time comes?" The Committee recommended that those wishing to bury their dead on their own land should be charged a fee so that, that is discouraged. Those who bury in communal land or a cemetery should do it for free. That should be the reverse of what is happening at the moment where we pay to bury the dead within the cemeteries. But when it is done on your own land, it is free of charge. If that is changed, then the pressure to have a piece of land may be eased.

With regard to education, the Committee recommends that there is need to have, within the educational curriculum, social values that would help change the attitude of the young people. There should also be civic education to help them appreciate themselves. There is need to develop art or other talent within the young people.

The Report also recommends something that is already in the draft Constitution; that basic education should be compulsory up to Form IV. The youth who drop out of school due to one reason or the other should be rehabilitated. They should also be availed an opportunity to have technical training even when they do not have education. That is done in other countries.

The need to have a national integrated transport policy is crucial and must be fast-tracked. That will address the problems posed by organized groups in the public sector as mentioned earlier.

It is important that where expansion is taking place in our prisons, there is clear segregation of prisoners according to the nature of offences to avoid some of them being recruited, as I mentioned earlier. Finally, the Report recognizes the crucial role that the media can play and, therefore, recommends that they engage in positive sensitization or coverage that educates the masses on the need to shun the illegal groups and their activities.

With those many remarks, I beg to move and ask Mr. Wamalwa to second.



**Mr. Wamalwa:** Thank you very much Madam Temporary Speaker. One French philosopher, Jean Rousseau once said that a man is born free but is everywhere in chains. Indeed, we thank this House for the privilege of having had time to investigate what bedevils the youth of this nation who form 70 per cent of our population. When our time ran out, we were given several extensions to allow us to complete our work. I also thank my colleagues, Members of this important Committee, led by my very able friend, the hon. Member for Ndaragwa, Jeremiah Kioni. We walked the length and breadth of this country. We went to many parts of the country and met many groups. What we found out, indeed, was shocking! We reached places like the maximum prison in Kamiti where we interviewed Maina Njenga. We met victims and members of such dreaded gangs such as the SLDF. We also went to the City Mortuary and met a horrific site of young people; teenagers who had been shot by the police. We also met young people who appeared before this Committee, one being Njuguna Gitau, the spokesman of the Kenya Youth Alliance who expressed fears for his life. He said that he was a walking dead man. Indeed, before this Committee completed its work, Njuguna Gitau was shot and killed. However, the case of Moses Irungu Mwangi and Boniface Mugo Mwangi, the two young people who were arrested by police and disappeared later only to be found in a mortuary in Narok--- Their bodies were later moved to the City Mortuary. When we visited there on 30<sup>th</sup> October, we were horrified to see what we saw.

This Report is a story of a country that, instead of realizing the full potential of its young people who are the greatest resource in any nation--- Very young people who have turned to crime because they face hopelessness. There are young people who have turned to criminal gangs and, out of bitterness, have become killing machines. They would not blink an eye before they kill. There are young people who belong to gangs that have influenced people to kill for as little as Kshs500 or Kshs1,000. There are young people who belong to gangs that have chopped off the ears and noses of their mothers and relatives. We have realized chains of tribalism that have made our young people look at others as *madoadoa* just because they are not of their tribe. There are young people who have turned against others because of the bitterness that poverty breeds. They have started a class war.

Madam Temporary Deputy Speaker, this is a real menace that we, as a nation, need to address and think about very carefully. However, these are not only chains of tribalism, but they are chains that limit our educational system that has been celebrated as one of the most successful ideas in introducing universal free primary education. We are a nation that still has limits to the potential of children born in this country, who because of the poverty of their parents cannot realize their God-given potential.

There are issues that we came across. We met young people in prison cells, some of those were in SLDF and many are school dropouts, who wished to pursue education and lead a decent life in this country. However, because of the poverty of their parents, they could not. There are those who went up to secondary schools and many dropped out in Form Two. Many whom we spoke to, who are in *Mungiki* and other gangs, expressed their interest in carrying on with their education, but they could not because of the limitations of the pockets of their parents. They dropped out of schools, yet this country never looked at them. We never followed up to know that over 40 per cent of those who sit for the Standard Eight exams drop out. They remain at home and we do not follow up to know where they go and what they do. Our entire education system is an issue that we

need to look at and review it. We want to see how the 40 per cent that drops out is followed up and taken to polytechnics and assisted to realize a decent and honest living, not out of extortion, killing or crime.

I was very surprised on 30<sup>th</sup> October, 2009, in Committee Room 9, to come face to face with the spokesman of the Kenya Youth Alliance, the so-called *Mungiki*. The late Njuguna Gitau was a well spoken young man who expressed himself to us and we were surprised to realize that he was not a graduate, yet his widely read achievement could be seen through his reasoning with the Committee. He said that him and many of his team would have wished to be university graduates. This gives us the feeling that, perhaps, we need to review our Higher Education Loans Board (HELB) to allow as many Kenyans as possible from truly poor backgrounds to access university education and realize their God-given potential. When we let them down as a country, what do they do? Out of bitterness, they fall back and move into these gangs. Instead of becoming an asset to this nation, they have become a great menace. But how have we dealt with them when we have found them? Indeed, we only need to look at the extra-judicial killings that have taken place. I have only mentioned a few like Njuguna Gitau. We have Moses Mwangi and Boniface Mwangi who were arrested and died in the hands of the police.

When we have had the United Nations Rapporteur visiting this country and raising the red flag about our Police Force and the need for reforms, we have been quick to defend our Police Force. But as we read this report, may we reflect and truly know what is happening. Perhaps, this report will bring to the fore the impunity and the extra-judicial killings that are going-on of many young people who disappear and whose bodies, like in the case of Boniface and Moses, are never found. We need to know how we can reform our Police Force, so that we are able to deal with this menace. It does not mean killing and killing. They are so many and even if we kill, we cannot kill all of them. We must find a system of carrying out reforms to ensure that we deal properly with this menace, not just from the point of arrest, but the entire criminal justice system of this country right to the courts; the Judiciary needs urgent reforms, to the correctional facilities like the jails where we take these young people. We mix them with hardcore criminals and when they come out, instead of having been rehabilitated, we have hardened them into hardcore criminals. When they come back, they still have no employment.

Madam Temporary Deputy Speaker, to all the groups that we came across, this is one message that we got from them, namely, lack of employment. In this country, we seriously need to think about unemployment because as they say, an idle mind is the devil's workshop. There are so many idle young people. We have been told that by 2012, we will have 16 million young people aged between 18 and 35 years. We are not even looking at the millions below the age of 18. That is why when you put together all this, you are talking of a population of about 70 per cent of young people. Unless we come up with proper policies that will address the issue of unemployment, we will still continue having these gangs. We must congratulate the Government for trying. For the first time since the NARC Government came to power, we saw changes that we had hoped and fought for, for many years. Indeed, there was a pledge of creating 500,000 jobs every year which did not come to pass. However, we are happy that in the Constitution that Kenyans passed on 4<sup>th</sup> August, there is a provision now that it will be among the rights of the young people of this country to be entitled to a job. It will be a legal duty of the Government to grow

our economy and create more jobs. Indeed, for the first time, we have the Ministry of Youth Affairs and Sports to particularly address issues touching on the youth. These are some of the achievements of the Grand Coalition Government that we must celebrate.

The Government has come up with the Youth Enterprise Development Fund (YEDF). We are saying that if only we realize the enormity of the menace; the problem that is facing this country, we will not give the Ministry of Youth Affairs and Sports, and hon. Wavinya is here, Kshs1 billion or so, but we would put more money to this Ministry. We would give them a bigger kitty that would help the youth of this country. The money given to the YEDF is a drop in the ocean. We have more groups than the money. For example, in my constituency, we had 1,000 groups and those who benefited were about 50 to 100 groups. Where do the rest go to if they cannot help themselves? We have come up with *Kazi kwa Vijana* initiative. Indeed, the Government set aside money, but this was a plan that was not properly thought through. It was half-baked. We went out and asked the youth to dig trenches and dams, get Kshs250 per day and after three weeks, the dams are done and the money is finished. After they used the money, then they went back to where they came from. This has not had the impact that was desired. But if we thought through properly and came up with proper policies and plans that would be more sustainable, we would be able to help the youth of this country.

We have also come up with a concept of jobs abroad where we have taken our young people to countries like Iraq and Afghanistan. Amongst the gangs that you have heard about like the Taliban, which has been known for the most terrible atrocities, you will find a story of a young lady called Aisha, who was only 18 years old. When she was drugged by her in-laws and her nose and ears chopped off because she was divorcing the husband. This does not only happen in Afghanistan.

That was happening in Kenya not many months ago, and not far from here. So, we need to look at what can be done. We send our young people to theatres of war like in Afghanistan and Baghdad – you have heard of the “Baghdad” Boys in this Report; they come back after a while, for those who are lucky to come back, and that is it! What will they do after getting training out there, having lived in theatres of violence and experienced it first hand as security guards in a short contract and coming back home?

We have heard of young men going to Somalia and getting recruited as fighters. We know what *Al Shabab* is doing across our borders. What happens when those Somali youths come back home? What happens when they do not stay in Mandera or Wajir but come right to Eastleigh, in the heart of Nairobi? These are some of the issues that, as Government and policy makers, we need to look into. We need to come up with a sustainable programme to create jobs in this country and get the youths of this country properly employed and engaged.

We have also heard of the land reforms that for a long time we have desired. We are happy that we now have a land policy in place. We have a Constitution that also provides a farm foundation for land reforms, police reforms, and reforms in the Judiciary. In the case of the Sabaot Land Defence Force (SLDF), there was a land problem in Chebyuk, and this is one of the areas we must address very quickly. The land issue is a time bomb. The problem of landlessness is still here with us.

We have not done much to settle the squatters of this country. The Mount Elgon District problem has had a spill over in Trans Nzoia District, where I come from. There have been killings in Trans Nzoia District over land. So, it is not only in Chebyuk where

there have been killings by the SLDF fighters, comprising of young people like the late Matakwei, who was shot and killed. He was a young man. He was the same age as Njuguna Gitau. This was a product of Kenya, and we must ask ourselves: How could we have produced Kenyans who turned into such killing machines?

It must still be our focal point to ensure that in areas like Mount Elgon and Trans Nzoia District--- Sub-division of land has not been completed in places like Chebyuk; therefore, title deeds are yet to be issued by the Government. Let us ensure that the process is speeded up to ensure that we have proper reforms and title deeds are issued, and that long-standing schemes like Chebyuk are concluded.

Amongst those I met from some of these groups, there was an issue of ideology, which was very worrying. To quote Njuguna Gitau, he did argue that when our founding fathers founded this nation, we had the concept of African socialism based on Sessional Paper No.10 of 1965. In those days, we had J.M. Kariuki, who once talked of a Kenya of 10 millionaires and 10 million beggars. Today, we speak of a Kenya of 40 billionaires and 40 million beggars. This is the basis of the ideology of most of these groups, where the gap between the rich and the poor continues to widen.

Indeed we speak of a tale of two Kenyans. Charles Dickens in his time spoke of a tale of two cities, but in Kenya today we talk of a tale of two Kenya – a Kenya for the superrich and a Kenya for the many poor. The gap continues to widen. Groups keep springing up and mushrooming in every town, driven by bitterness of poverty. What we are saying is that this issue is a time bomb. Our recommendations are clear in this Report. Hon. Kioni has very ably presented our Report. I just want to emphasise that time has come when, as a nation, we must come to terms with the reality of the youth menace. We have the greatest resource in the youth of this country.

With those few remarks, I beg to second.

*(Question proposed)*

*[The Temporary Deputy Speaker  
(Mrs. Shabesh left the Chair)*

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

**The Temporary Deputy Speaker** (Prof. Kamar): Hon. Members, is there anybody who would like to contribute to the Motion?

**Mr. Njuguna:** Madam Temporary Deputy Speaker, I rise to support this Report. First, let me indicate that the Chairman of this Committee, Mr. Kioni, did a commendable job. He led this Committee very bravely and made very fantastic recommendations that can improve the lives of our youth in this country.

I would also like to take the opportunity to thank the Members who assisted in this Committee by way of team working and giving co-operation.

Madam Temporary Deputy Speaker, one thing I have noted is the rate of school dropouts. The rate of dropouts from our schools has dramatically affected the entire education sector. What is happening to Kenya Certificate of Primary Education (KCPE) candidates is really serious. What is also happening to Kenya Certificate of Secondary

Education (KCSE) candidates is also of serious concern. The same is also true of those who join university after completing their under-graduate courses.

The entire community is affected by joblessness, hopelessness and doomed future, forcing the entire student community to indulge in various activities. It is also emerging that our community has not given adequate attention to street families in this country. What is happening to families in slums has not been given a thought. This is compounding itself into a major catastrophe in our nation.

Madam Temporary Deputy Speaker, national production in our country has also been affected, because farmers live in fear; when they go to their farms, they are likely to be attacked. Therefore, national production has dramatically been affected. The security of the nation has also been threatened by these groups of youths. The image of the nation outside is also tarnished. There is no investor or industrialist who would be willing to come and invest in a country where there is turmoil and insecurity.

Young girls, who would make very good mothers, have been affected by atrocities inflicted upon them by these youths, particularly when their ears are chopped off, their beauty and integrity are affected. This is a matter of serious concern. At times, unnecessary deaths have been caused by these groups. This is life that is terminated prematurely – life which would have promoted economic growth and social life in this country.

Madam Temporary Deputy Speaker, the country has been put into a very awkward position. We have seen unnecessary murders in villages – murders which are committed by the youths, and not by the old or the very young people. This is an area which has also been noted with great concern. Cattle rustling and drug peddling are also matters of major concern involving our youths. In the Coast region, youths have literally dropped out of school to peddle drugs because that is where they make money.

There are also cases of human trafficking. Those who have been taken to the Middle East and to the European capitals are the youth. This is because they are idle and some people have taken advantage of them. Our youth have become sexual objects. They have been misused in certain areas of this country. Therefore, it is very important that radical reforms should be taken to improve the quality and welfare of our youth. I note with appreciation the good work that is being done by the National Youth Service (NYS) which is headed by Mr. Mwanja. It has produced youths who have assisted in road construction and other sectors of our economy. The NYS should be expanded and be allocated more resources so that it can absorb more youths. I recall that we used to have “Approved Schools” like Wamumu in Murang’a. It used to train very many youths of this country. Those rehabilitation centres must be revived if we want to improve the quality of life of our people.

Madam Temporary Deputy Speaker, we noted that the *Kazi kwa Vijana* Programme (KKV) would have benefitted the youth of this country but it was mismanaged at the disadvantage of our youth. That programme is very important and must be well-managed and spread out to all the areas of this country. More money should be allocated to this programme. The resources should be well-managed, accounted for and distributed properly.

With regard to the Youth Enterprise Development Fund (YEDF), the terms and conditions attached to it must be reviewed if the youths of this country are to benefit. We have dams and irrigation schemes in this country where the youth could be engaged and

keep them away from unnecessary activities. The groups that we have noted in this Report total to 14 and this is a major concern. The Government must take its responsibilities seriously. It should even join with the church so that we can save the youth of this nation.

Madam Temporary Deputy Speaker, with those few remarks, I support the Report.

**Mrs. Shabesh:** Madam Temporary Deputy Speaker, I want to thank you for giving me this opportunity to support the Report. I was a Member of this Committee that went round this country taking the views of Kenyans and trying to understand why unlawful groupings have become such a big phenomenon in our country. I would like to say what many of the people we spoke to asked us questions. They said that we had taken their views, heard what they had said and they had also admitted that they were members of unlawful groups. They asked us what we will do about it. Most of the people that we spoke to are used to committees from the Government agencies going round asking for opinions but unfortunately most of their recommendations are never implemented. Therefore, as we lay this Report in the House, it is important for me to say categorically that in our recommendations lies a transformational agenda for the young people of this country. That is why we have mentioned very many Ministries and departments of Government including the Ministry of State for Provincial Administration and Internal Security, Ministry of Youth Affairs and Sports, Ministry of Transport and Ministry of Agriculture. When we went round the country we realized that those unlawful groupings engage in illegal activities in certain areas and the Ministries need to lead by example in those areas. It would be unfortunate today if, for example, we were to forget the death of the likes of that young man who was the spokesman of the Kenya Youth Alliance; Mr. Njuguna. It would be unfortunate, if we could forget the death of over 3,000 young people from Central Province and Nairobi who have either disappeared or died under mysterious circumstances, according to the Oscar Foundation records.

Madam Temporary Deputy Speaker, I believe that it is only one unlawful grouping that is over-publicized, and that is *Mungiki* which exists in the country. We noted that there are very many groupings. For example, in Kisii there is the *Sungu Sungu* and others. In Mt. Elgon there are is the Sabaot Land Defence Force (SLDF). We realized that these groupings are organized and effective, positively and negatively in their communities. The sole reason why they exist is that young people are left to be idle and restless. Therefore, they have to engage in something and unfortunately, it is to engage in unlawful acts which lead to criminality and have led to many deaths in this country.

My take would be that as we lay this on the Floor of the House today, the relevant Ministries headed by the Ministry of Youth Affairs and Sports would pick up this Report, not just as a report of this House, but as one of their tools as they go round trying to find out what they can do for the young people of this country. We have mentioned the Youth Enterprise Development Fund which we have given a lot of praise but is not yet addressing this issue. Why? This Report will show you where the gap is so that you are able to implement the youth policy in line with what is in reality today concerning what the young people do. When we spoke to those people, we realized that many of them want to reform. We met them in jail and in the community. We met their wives and children who have been left behind. All of them said one thing; that they do not do those things because they want to but because there has been a gap in security and they filled it,

it filled their pockets and they can no longer do away with it because it is their daily bread. The young people of this country do not want to be involved in illegal activities. What pushes them into those illegal groupings is very well expounded in our Report. There are various facts that if the Government does not come together, sit down and put their heads together as we did as a Committee--- I want to congratulate the Chairman who brought the issue of forming this Committee to look into this issue. As much as this Report opened our eyes, we believe that it would also open your eyes. We request the Ministry of Youth Affairs and Sports to even take this Report to the Cabinet. Let the Government know what it is dealing with. If we close our eyes to *Mungiki*, we are destroying the private sector on the other side. We are also destroying the transport industry. We are also destroying the security agencies in this country as we try to fight *Mungiki* as if it is just a monster and not a creation of our own inadequacies.

Madam Temporary Deputy Speaker, as I support this Motion we want to see action from that side of the Government. I believe that we are working on the same thing, that is, uplifting the status of the young people of this country.

I support this Motion.

**Mrs. Odhiambo-Mabona:** Thank you, Madam Temporary Deputy Speaker, for giving me this opportunity to support this Report. From the outset, I want to thank the Committee that came up with this Report. Even though I was a Member of the Committee, I was not a very faithful Member especially when they were going out of the country because I was incapacitated but I was there when we received various reports. I want to specifically remember the reports that we received from the civil society organizations like the Oscar Foundation.

Madam Temporary Deputy Speaker, I want to say at the outset that if we were in a developed country and we received reports of the nature we received from the Oscar Foundation, it would have brought the country to a standstill because the number of persons and young persons who were identifiable with faces and with names that have died was actually shocking even to me. It is just that we cannot open up the pages and show Members but I wish we could actually do that. Sometimes, as a country, we need to do that kind of shock therapy that people can actually see that we have thousands of young people who are dying and are undocumented. When they die, we do not even care and they are Kenyans. For me, that is one of the reasons why I am very happy that this Committee put as much energy and effort in looking at the issue of organized crime especially amongst the youth.

One of the things that is very evident is that the majority of the persons involved in these organized groups are youths. As a country, that is actually the heart of our resource and that is what moves any country. If we are investing in the negative in this country by letting our own people die, by letting our own people destroy themselves, then we are investing in a very wrong future. Nonetheless, I want to say there is hope with the passing of the Constitution and as a country, for as long as I have lived since I was a young person, every time you ask Kenyans a question, the answer is that we have poor laws. Now we have a Constitution that is very progressive and an organized Crimes Bill that is very progressive. I wonder what our question is now. Our question now should be: How do we focus on the resources we have in transforming our youth? I would just want to urge that as a Government and as a country that we must embrace a human rights-based approach to dealing with these issues. In a human rights-based approach, we do not

look at economic development as an end itself but we look at economic concurrently with human development. If we focus on economic development without developing our young people, then we will have generations of disempowered people who will stand against their own country that is seeking to develop. That is why we must concurrently develop our young people, invest in education, capacity building and economically empower our young people.

The only thing that I would want to take issue with in the Report is that it mentions that we have empowered the girls at the expense of the boy child. I think that would be true only to a very small part of the country especially Central Kenya. But if you look at the rest of the country, the empowerment of the girl child is still very low. We are, therefore, calling on the Government to ensure that the empowerment of the girl child gets at par with that of the boy child. That is why I would want to say still that I am indeed very happy that the proposed Constitution not only empowers women through representation but through other mechanisms; through principles that it enunciates and even through other mechanisms. For instance, in Government tendering, there shall be one third representation of women. In all facets of life in this country, there shall be one third representation of women.

Finally, in supporting this Report, I would want to encourage our church that with the same vigour that they opposed abortion, they should use that energy to fight the sort of malady that is destroying our youth and support a youth that is in the church and that their lives are changed and transformed by the Gospel that they preach in the church.

With those few remarks I support.

**The Temporary Deputy Speaker** (Prof. Kamar): The Assistant Minister for Youth Affairs and Sports, please, respond to some of the issues in your contribution.

**The Assistant Minister for Youth Affairs and Sports** (Ms. Ndeti): Thank you, Madam Temporary Deputy Speaker. I would like to take this opportunity to support the Report.

We, as a Ministry, will take this Report very seriously. We know you have put in a lot of work into it by going around the country and getting the views. Some of the views we have heard are very saddening. I can assure you, as a Ministry, we will be able to look into it and take into account most of the things that you have said.

I would also want to say that the Government should not be blamed alone. Here, we have three people to blame. We have the parents, the Government and the church. The three have got to work together in order to make sure that our young children, young men and women are taken care of. We saw what happened during the constitutional referendum. We should now put all that behind us because the Constitution has passed and ensure that whatever is in the Constitution is implemented in order to help our young people.

We, as the Ministry of Youth Affairs and Sports - I am the Assistant Minister in charge of the youth and I take some of the things that you have said here very seriously. But there are key issues that we as a whole; the parents, the Government and the church, should deal with. I want to thank God for the passage of the new Constitution because it has made education free and compulsory for every child; which means all of us will start at the same level. We are going to start on the same platform. I thank the people who supported the Constitution for that.



The other thing I would want to talk about is training. We have to train our young people because we can educate them as indicated in the new Constitution. But we must also train them. This is also taken care of on the part of the youth. Once we train them, we must provide access to employment. How are we going to provide access to that employment? We, as a Government, should be able to work with our corporate world to ensure that once our children complete university education or get training, they get access to get work experience in those companies just like it happens in most of the countries in Europe. I studied in the United Kingdom and after we completed university, we were given two years to work in any company in the UK in order to get experience. The Ministry of Youth Affairs and Sports is also working on that. We should create a partnership between us, the corporate world and the industries to ensure that our young children go into those companies and get experience. It is very difficult also to get employment without experience because when they go to ask for jobs, the first question they are asked is: Where were you working before? It is for us to ensure that they get the experience.

In our Ministry, we also have youth polytechnics. The youth who have dropped out of schools are able to join our youth polytechnics. We used to call them village polytechnics, but we do not call them that anymore. They are youth polytechnics where we have a curriculum which enables our young people to go in stages and even go up to university level and get a degree. The Government is doing something about that. We are also giving a subsidy of Kshs15,000 per child in the youth polytechnics. I want to urge those ones who have not registered their youth polytechnics with the Ministry of Youth Affairs and Sports to come to the Ministry and register them. Let us encourage our young men and women to go there so that they get training or skills and also take advantage of that subsidy of Kshs15,000 per child.

Let me comment on the Youth Enterprise Development Fund. We, as MPs, are getting money from the Government. I want to request my colleagues here to also help us in sourcing for more money because the money we have is not enough. The money is a drop in the ocean. If there is any Ministry that the Government needs to invest a lot of money in, it is the Ministry of Youth Affairs and Sports. If we have enough funds, we will be able to do that. So we should also look at the other Ministries and maybe reduce some budgets and try to push some of the monies, where it is not needed, into the this Ministry. I am sure most MPs will support me in that. The bottom line is that we need to invest in the youth by putting more money in the Ministry of Youth Affairs and Sports. We can stay here and talk about the youth until the kingdom comes but what are we doing about it? We want to thank the Government because we have a Ministry but this Ministry has got to be empowered more so that it can deal with the young people.

We also have the National Youth Service (NYS). We take our young men and women between the age of 18 years and 23 years there. We train them on discipline and also give them courses to provide them with skills. When most of them complete training at the NYS they are taken into other forces like the Administration Police (AP), the military and the police. So, the Government is doing something about it. We just need support from everyone to ensure that whatever we are putting in place works properly. We also need support from the other Ministries so that they can take our young people.

We also have youth development and youth training. This is to do with what I have told you about youth polytechnics.

Madam Temporary Deputy Speaker, if we are going to make change in the lives of our young people and make sure they are not lost--- We have lost so many lives. These are people's children. These children belong to mothers and fathers. Nobody wants to carry a child for nine months and then you lose that child because of people not taking up their responsibilities. We need to pay attention to our youth. We need to educate them. We need to train them and give them access to employment. The Constitution provides for all that.

If you look around here, the Members who are here today are young. We need to work together. We need to push the agenda for the young people of this country to make sure that they do not go through what we have gone through.

I beg to support.

**Dr. Laboso:** Thank you very much, Madam Temporary Deputy Speaker, for giving me this opportunity to contribute to this very important Motion.

I want to start by thanking the Committee that worked very tirelessly and have come up with a very comprehensive Report. It is a job well done.

Madam Temporary Deputy Speaker, I stand to support this Motion because this is a phenomenon that is very worrying in our society. From the number of organized groups that have been enumerated in the Report you can see it almost covers the whole country.

The fact that so many youth get involved in organized crime tells you that somewhere along the line, as a society, we seem to have lost our youth along the way without realizing that there was a big disconnect between the older generation and the youth. It is only beginning to dawn on us once these people have come out. I am sure this became very evident during the Post-Election Violence in 2008. We were swarmed by the number of youths who came into the streets and literally paralyzed the country.

Madam Temporary Deputy Speaker, like the Assistant Minister has just said, it is important that we look at the issue of the youth with a view to addressing some of the issues that have been raised in several fora; why they get into these organized groups. Of course, a major factor which has been brought out over and over is the question of unemployment. I would not want to overemphasize it but there is such a high rate of unemployment in this country. We are looking forward to the promulgation of the Constitution. When these resources start going down to the counties, I hope and believe this is going to be one of the ways we are going to address the very high unemployment rates and stop the many youth who keep coming to urban centres in search of jobs.

Madam Temporary Deputy Speaker, we must also not under-play the fact that these youth seem to be very disaffected. They seem to lack motivation. They seem not to have a clear vision of where they are going. Therefore, it is very easy for anybody who has ill motives to bring them into groups with very short term gains. I believe many of them just want instant gratification. They are given a few shillings and they are able to group and do something destructive. We need to address this phenomenon. We must use a multi pronged approach right from the home front and the political class which is often accused of using the youth to advance their various selfish agenda. They do this because they find the youth an easy target.

As a result of this disaffection and lack of motivation, you have seen many youth have gone into alcohol and substance abuse. This is a very common phenomenon which we have had across the country. We are told it is no longer just a question of the HIV/AIDS scourge, the thing that is killing the youth and which is even a concern in my

own constituency, is substance and alcohol abuse. I keep bringing it up over and over again. There are different forms of alcohol that have come into the market. We hope that the new Bill will address some of the problems we have had with those producing the alcohol that is literally killing our youth today. This is a very fertile ground for organized crime groups to be formed.

On security, as the Committee identified, these people are very organized. They look like they have some form of training. I would like to suggest that maybe it would be important at this point that in each location the chiefs should have a record of the people in the location. This should be specifically for the ex-servicemen from the police and the ex-military. Where could these youth be getting the level of training that some of them have? They should be able to monitor the people in their locations and ensure that they are not engaged in training these young men.

Madam Temporary Deputy Speaker, I would like to commend the work of the NYS but would also like to ask the Ministry of Sports and Youth Affairs to let the process of getting recruits to be more transparent. Can we have more transparent criteria of who and who joins them? I have tried to get a few of my young men to go to the NYS but it is a very difficult process. We do not really know who is eligible to attend the NYS. Let it be open to everybody and let us have a national programme where at some point the youth can attend the NYS. There are definitely very positive results once the youth have undergone that programme.

As I conclude, I want to say that since we now have the Organized Crimes Bill can we see it implemented? We know that the problem we have had with the Bills that have passed through the House is the implementation. This is where you begin to see nothing happening. There is a lot of effort going into bringing Bills here but when it comes to implementation stage--- Let us implement those Bills and let them work for us and the youth of this country so that we can move forward.

Before I end, I would like to say that the new Constitution that we have all very happily passed and endorsed overwhelmingly is also going to be a weapon or one of the instruments that will be used to address organized crime. We want our youth to be passionate about what they want to do. We want them to have direction and vision. We do not want them to get destroyed through organized crime.

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

**The Assistant Minister for Youth Affairs and Sports** (Ms. Ndeti): On a point of information, Madam Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Prof. Kamar): Whom do you want to inform?

**The Assistant Minister for Youth Affairs and Sports** (Ms. Ndeti): Dr. Laboso, Madam Temporary Deputy Speaker! I just want to inform her that for the National Youth Service, we recruit from every district. So, if you have a district, your people are recruited from your district. We do not give the positions from the Ministry of Youth Affairs and Sports. Our officers go on the ground and they recruit from there. Maybe, if she wants information on how many have been recruited from her constituency and district, we can provide that. But we do it as per the districts.

**The Assistant Minister for Industrialization** (Mr. Muriithi): Madam Temporary Deputy Speaker, thank you for giving me this opportunity to rise and support the adoption of this Report. I do so for four or five reasons and I want first to commend the Committee for the extensive work that they did. They went round the country and talked

to, not just the young people, but many members of the society to look into that phenomenon. Of course, we, as the Government, accept the fact that there is a big youth bulge in this country. More than 15 or 16 million people are somewhere between the ages of 14 and 35. Therefore, it is a very significant question for our country. So, we want to commend the Committee for the work that it has done.

I notice that in their recommendations, they have dealt at length with all the sectors. They have spoken about what should be done by the media, security organs, education institutions, politicians and in many spheres of our society. The question of young people and those groupings cut across all sectors. The Report talks about, for example, the need to reform or modernize our curriculum in schooling so that we also talk about social values and civic education. What is the responsibility of the individual, young or old, to the society? I would like to add that, in my view, we should look at the question of competencies. That is because in today's corporate world, even in the Government, when we are looking for people to hire, we are not only looking at whether they have gone to school, but we are primarily interested in the issue of competence. Do they have leadership skills? Can they communicate? Can they work in teams? For the competencies, there is no organized way in which the current education system addresses them. If I may just give you an example, my Ministry recently was in the process of recruiting clerical staff. When we put out the advertisements, we had over 50,000 applicants. We had to look for other people - consultants and task teams - to try and narrow on that large number of applicants. The advertisement was for clerical work. When we advertised for the Chief Executive officer of an organization in my Ministry, I think we had over 250 applicants and the minimum qualification - this is a specialized agency - is MBA plus some other technical specialization. Only 250 people applied. So, what am I saying? If you have a pool of 50,000 young people from which to choose from and we had only 50 openings, they all had diplomas, certificates and so on. How do you go about choosing? That is where the question of competencies arises.

Madam Temporary Deputy Speaker, up to now, it is presumed that the purpose of going to school is, in fact, for young people to get jobs. We would like to persuade citizens and all of us that getting a job is only one outcome of going to school. In fact, the bigger question is about making people effective as individuals, whether they are in the employment of somebody else or whether they are employing others. For us in my Ministry, the question of industrialization is very significant because it depends on expectations. The uptake of many Government programmes today is not what it should be. For example, we have, in my Ministry, a small programme to support small business. We are given Kshs500 million and we keep going up and down but we cannot get customers because people are looking for jobs. They are not looking for entrepreneurship opportunities. Just in this Budget, the Government has made provision for Kshs3.8 billion to support small business. But we must be able to build a pipeline of viable small businesses that are interested in growth so that they can access those resources.

If you look at the uptake of Youth Enterprise Development Fund (YEDF) and Women Enterprise Development Fund (WEDF), many constituencies up to now have balances. That question is linked to this issue of expectations. Do I go to polytechnic or Form IV in order to find a job? I know, and I am sure hon. Members will agree with me that, quite often, the kind of calls they receive from constituents say: "Look, hon. Member of Parliament, my son or daughter has finished school. She has a Form IV

certificate. Can you do something about it?” This is what we are talking about; how do we improve the question of competencies and expectations and say that, that old song that used to tell young people to read – I wish I was speaking in Swahili – go to school and if you finish, you will get a nice job, nothing can be further from the truth. The point of education is to make people competent and effective human beings, be it that they are employed by others or in fact, if they are really clever, they employ others and make a pile of cash.

Madam Temporary Deputy Speaker, if you look at the recommendations of this Committee, it is quite clear that they agree with many other people who have looked at this phenomenon to say that the solution lies in the broader opening up of economic opportunities. First of all, and I know other speakers have pointed out this question, how do we open up economic opportunities for more people; for the majority of Kenyans? I think the issues we have been grappling with are not just in the youth phenomenon, but how to reform politics and go about production and distribution. These are the questions. How we are going to expand economic opportunities for everybody?

For example, I want to state here that both my Ministry and Ministry for Youth Affairs and Sports have been running programmes like *Jitihada* and *Chora Bizna* whose purpose is to reach out to the bulk of the citizenry and look for people interested in the building industry and business. That is only one thing! I want to also state here the whole point about the procurement law--- We are saying in the procurement law that if the public sector entity is buying Kshs50 million or less in goods and services, the competition must be exclusively Kenyan. I hope that the private sector has noticed in the last few months that the Government has made a policy that, for example, on the question of furniture, the Government will only buy Kenyan furniture. If you drive around Nairobi, you cannot help but see all those many young men and women who are making fantastic furniture.

We, as the Government, have no business going out to buy furniture from elsewhere when we are making such products in our country.

Madam Temporary Deputy Speaker, the procurement law is supposed to be part of our strategy for expanding economic opportunities to all. I want to note with a bit of unhappiness that many business people out there do still take the opportunities to import products. Since they are Kenyan registered companies they then meet the legal requirement for Kenyan companies. The intention of the policy is to encourage local production to expand economic opportunities for everyone.

One issue, in terms of opening up of economic opportunities, that continues to be a challenge, and we, as a Government, need to look for ideas on how to deal with it, is the fact that traditionally in Kenya, wealth that existed with the first generation of Kenyans after Independence is held in fairly illiquid assets. These are assets that young people are not able to participate in. For example, when we have had Initial Public Offer (IPOs) in the last two or three years, whether it is KenGen, Safaricom or any company that has come to the Nairobi Stock Exchange, you have seen the enthusiasm with which Kenyans, the young, old, middle aged and students have come forward, because it affords them an opportunity to participate both in wealth creation and so on.

Madam Temporary Deputy Speaker, one area that we are grappling with, and that is truly ripe for ideas, is the whole question of how to expand participation in tradable assets in terms of the stock exchange, perhaps even an intermediate term. I know that my

colleagues here in the Government have called for the establishment of over-the-counter trading in order to have an intermediate position between the really small business and the larger corporate that is able to list on the stock exchange. These are ideas and questions that we are grappling with, and we hope that we will be able to find answers.

Madam Temporary Deputy Speaker, there has been debate during constitution-making about the so-called second generation economic and social rights. I want to state here that I feel that this is a really significant question. I was absolutely happy that they were included and that the citizens of Kenya saw it fit to ratify the Constitution. If you go back to why young people are involved in these issues--- The Committee Report talks about the contribution to this problem by unemployment, idleness and so on. If you accept that one critical way to deal with this, in the longer term, is expanding the economic opportunities available to young people, then entrenching economic and social rights in the fundamental law of the land is very critical.

The committee also talks about lack of housing, lack of access to health and other facilities. It talks about the contribution by these factors to the emergence of these unauthorized groups. Therefore, entrenching the positive or the reverse action--- We should ensure that we are expanding the availability and access to these critical services to young people; this is absolutely vital. I was quite pleased that this was done.

I want to close by saying the following: For a very long time, many of us grew up being told that we were the leaders of tomorrow. Many years down the line we still find that we are leaders of tomorrow. Hon. Members are agreeing with me is that we are leaders of today. It is our job to provide leadership, not just during this period of implementing the Constitution but also in the future. How will we be on time with Vision 2030? How will we ensure that we are a middle income country where everybody has equitable access to goods and services and to quality of life?

I think it is about time we put our thinking caps on and were able to move forward. I am sometimes saddened by those who continue to insist that we must look at decisions already made and continue to re-look at them instead of implementing the things we have agreed on, as a nation, and ensuring that we create programmes and processes that are useful to young people and that expand the opportunities for them.

Madam Temporary Deputy Speaker, I support.

**The Assistant Minister for Roads** (Mr. Kinyanjui): Thank you, Madam Temporary Deputy Speaker. I want to take this opportunity to contribute to this very important national matter. First, I would like to congratulate the team that went out of their way to ensure that this matter was properly researched, and that their Report was brought to this House so that we can adopt some of the good proposals that they have come up with.

It is worth noting that the issue of organized crime has not been with us for a long time. If you look at the chronology of events from the early 1980s to where we are today it becomes very clear that this is a problem that would have been foreseen earlier, and that we ought to have taken the necessary measures to forestall the trouble that we have today.

Madam Temporary Deputy Speaker, if you look at the population explosion of the 1980s when we were the country with the highest population growth rate, it was evident that the new born babies of the 1980s would one day be in their 20s and 30s. That time has come and this group finds itself in a time when there are many social challenges,

where students from the university no longer get jobs; those who come from middle level colleges have no place to go to work as was the case before. Therefore, they find themselves back in the estates and farms with no jobs while some of them have very good skills. This has led to some sense of hopelessness that has led to a grey area that has been exploited by some of these gangs.

Madam Temporary Deputy Speaker, in all the major towns in this country we have a corner where young men and women meet every day to prospect for jobs. Here in Nairobi, we have the Kenya Cinema where you have graduates and all manner of young people meeting every day; they call that place “a jobless corner”. If you go to Kisumu Nakuru and Mombasa, it is the same story.

When you have a critical mass of young qualified people who have nothing to do and who feel hopeless, then this is a very dangerous group. It is also worth noting that in the 1960s, 1970s and also early 1980s all university students who took the basic courses in education or medicine at, example, Nairobi University were posted to work for the Government. In fact, there was no time to “tarmac”, because the Government would enrol as many students as it had jobs for them. Today, you have a whole generation of students who have graduated in the last almost ten years and have not had the opportunity to work despite having the best qualifications in the courses that they have studied.

This has led to a state of hopelessness among the youth. Previously, you would tell your son or daughter to study so that they will be important people in life and be able to take care of themselves and their families. This is no longer the case. The advent of corruption has meant that we have people who come from nowhere and within no time, they are able to make it in life. But those who have been patient and who have done the right things continue to languish in poverty. Therefore, we need to seriously address the issue of role models. Our youth feel hopeless. They have no one to look up to for advice. The church has had no organized fora upon which they would be able to address the plight of youth in this country.

Madam Temporary Deputy Speaker, Sir, it is also worth noting that the Government’s effort in dealing with this particular generation has also been very haphazard. A lot of time as we have seen in recent years, we resorted to use of gun and force to be able to disband a group that was largely a creation of society. I agree with all these recommendations. One is to look at the root causes of these groups. How we can intervene and more importantly how we can ensure that in future these groups are not formed.

When you look at our economic structure, it is almost impossible for any young man today to be able to get any funding to start business. The capital that is required to start business includes land. Traditionally, title deed was in the hands of the parents or the father, for that particular matter. Therefore, access to credit becomes very difficult and sometimes impossible for them to start businesses. Therefore, they resort to some of these groups that have brought untold suffering to our people.

Madam Temporary Deputy Speaker, it is also worth noting that in the rural areas much of the agricultural produce is sold unprocessed to the local markets or international markets. For example, tea and coffee is sold unprocessed, unbranded and, therefore, the value addition that would have been done in the rural areas to offer employment to the young people does not take place. Therefore, the issue of unemployment in the rural areas must be addressed immediately. It is a big issue. Also, the land tenure system has been

such that we have huge tracts of land that are not in use. On the other hand, we have a huge population that would want to use the land, but has no access to it. The result of this system has been that the young people who would want to be involved actively in economic activities have nowhere to go and participate in economic activities.

Madam Temporary Deputy Speaker, this system has, therefore, allowed huge chunks of land to remain unutilized. So, many young people remain without any useful engagements. It is also worth noting that the education system that we have is such that every year after the release of the KCPE results, about 50 per cent of young people do not continue with their education due to the limited facilities. After Form Four, the same story is repeated. We have about 60 or 70 per cent who do not access tertiary college or university education. Our challenge must, therefore, be to ask ourselves what happens to the huge chunk that does not move to the next level. These young people easily join these groups which are not beneficial to our society.

It is must also be noted the HIV/AIDS scourge that has hit this country badly has also affected this particular group. If you look at the prevalence rates, especially in the late 1990s and early 2000, it was very high to the extent that the number of orphaned children was very high. Without any hope and anybody to take care of them, they become ready soldiers to be used in such ventures.

Madam Temporary Deputy Speaker, it has also been noted here before that the gap between the poor and rich has also been growing everyday. This has also meant that the possibility of one being able to make their life better is not there. Previously, all you needed to do was to pursue your books and be able to perform well. But today, a good education is no guarantee that you would be able to make your fortunes better tomorrow. Therefore, this has meant that the young people, because they do not see education as a means to be able to get to the next level, have not given education the serious attention it would deserve for them to be able to move forward and make better lives of what they have.

Madam Temporary Deputy Speaker, in conclusion, the Government has made some serious policies that are meant to address the plight of the youth in this country. It will be remembered that in the Ministry of Roads, we came up with a programme that we called the Roads 2000 that was geared towards improving infrastructure in the rural areas using human labour. The purpose of this particular project was to ensure that some of these people who have the energy and are ready to work would be able to have access to these jobs, so that they would be able to get the work ethics that is required for them to continue with their work. It must be noted also that although the intention of the Roads 200 Programme was to help largely the youth in the rural areas, it has had its challenges and more often than not has not benefited the people for who it was targeted. We, therefore, need to improve on this particular programme to be able to reach more of our young people and teach them the value of hard work and instil work ethics in them.

It will also be remembered that in the last Budget of 2009/2010 Financial Year, we had the *Kazi Kwa Vijana* Programme that was aimed at giving viable short term employment to the young people in this country. We pumped substantial amount money through Government Ministries. Through these efforts many of the youths in urban centres and rural areas have had the opportunity to work and earn from the work that they have done. Our hope is that some of these programmes will not be a one-off programme, but would be continuous to ensure that we support the young people of this country and



give them hope that they deserve now. It is also worth noting that at a time like now when we are looking at Vision 2030, it is important that we look at the infrastructure and where we want to be then. But we must also ask ourselves the people who will drive the Vision 2030. If the young people we see every other day who are engrossed in drinking illicit brews are the people who will drive the Vision 2030, then we have a lot to be worried about. I believe that this Report has very useful recommendation that will enable us to come up with the right policies to be able to address the bigger and wider problem of the youth and organized crime in this country. If adopted, I am sure we will be able to address the issue once and for all.

With those few remarks, I beg to support.

**Mr. Wambugu:** Madam Temporary Deputy Speaker, I stand to support the Report of this Committee. First and foremost, may I report that I was a Member of that Committee. I wish to commend the team for the good work it performed. It was quite a difficult task to go round the country picking all these information.

I note that there are very many committees in this country which have produced reports, but unfortunately after they have been presented before this House or the Government, very few of them are ever implemented. We request that the recommendations of this Committee be looked into and implemented to the letter. It was sad when we went round the country and met some of these groups to understand how they operate and why they operate like that.

One issue that came out clearly is that most boys get into these groups because of unemployment and political influence. I know that has been mentioned before. It is good to know why and when some of these things started. From my assessment, it looks like all these things happened between 1975 to 1978 and 1995 to 1999 especially in Central Province where we have areas termed as *Mungiki* areas. I do not believe that though. These groups came up because of the collapse of the economy around those areas.

If you remember, we used to have big companies and organizations such as the Uplands Company which used to provide a lot of employment to the youth. We had the pyrethrum and the coffee sub-sectors thriving in those early days and they used to employ most of the people. However, somehow along the way, some people ensured that those sub-sectors collapsed so that people in those areas do not get their livelihood. That is why most of the people ended up without employment.

Madam Temporary Deputy Speaker, there are groups like the *Mungiki* which are made up of boys who belong to the poor communities. Because of the gap that exists between the rich and the poor, anybody who does not belong to a particular class is branded *Mungiki*. That is very sad because most of these boys do not join these groups because of their own will.

Some of them within Nairobi were recruited by business operators to provide security. They were the ones who were manning the bus stops because there was a total breakdown of order within the police force especially the Traffic Department. Again, after most residents in various areas were faced with insecurity problems, they were forced to recruit some of those boys to provide the security that was badly needed in the country. When the Government realized that it could not provide the services that were required, it started branding these groups *Mungiki*. We request the Government to move with speed and provide the necessary services required by *wananchi* so that those boys do not continue to be branded like that.

With regard to the recruitment of the youth into the National Youth Service (NYS), those boys have not been able to join it because every time they go for recruitment, even though the Minister for Youth Affairs and Sports had indicated that they are recruited at the district level, because of the stigma that has been instilled in people in the villages, most of those boys are still not accepted in society. I request the Government to take up an affirmative action that the boys, especially those ones who are assumed to have been in those groups are taken positively. They need to be encouraged to join the NYS even without going through the normal process of recruitment. This is because as long as they are subjected to that, the Provincial Administration will not accept them. The communities have not been able to accept them and that is why they join these groups and are recruited by other people to provide other services that are required.

Madam Temporary Deputy Speaker, these young people fall under the Ministry of Youth Affairs and Sports. There is a big challenge for some of the officers who have been entrusted with those boys at the grassroots level. I think most of the youth officers who have been posted to various constituencies are not in touch with what happens on the ground. They still live in another world. If there are programmes that have been designed by the Government to help the young people, the youth officers only go to a few selected groups which they have interest in and leave out others. It is my request that this Ministry moves with speed to help design other programmes that will cater for the youth. If we do not do that we will continue getting into the same problem in future.

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

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

There is the programme of recruiting young people directly from the NYS into the military like the Navy and Army or the police. Because of corruption in this country, it is only a selected few or the ones who have people to take them on board who benefit. It would be good if everything is made open so that the youth we are talking about are recruited directly so that we can reduce the number of boys who loiter in the streets.

Mr. Temporary Deputy Speaker, Sir, we have the YEDF and the WEDF. Although these funds are supposed to be run with the help of Members of Parliament, they are still being held by officials in the Ministry. It will be good that some of these funds be run in consultation with Members of Parliament. I know the WEDF used to have Members of Parliament as patrons, but of late they have been pushed out. Some of the women groups that benefit are the ones known to Government officials.

We need to move fast and create a fund for the people who belong to the groups we are talking about, for example, the *Mungiki* or the *Chinkororo* so that they can benefit directly. The Government needs to design other programmes that will help these boys in a better way.

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

The Temporary Deputy Speaker (Mr. Ethuro): Hon. Members, since there seems to be no Member interested in contributing, I would like to call upon the Mover to reply.

**Mr. Kioni:** Mr. Temporary Deputy Speaker, Sir, I would like to thank all those hon. Members who have had time to make their contribution to this Motion. I have observed that most of the hon. Members who had an interest in this Motion had something to say about the youth. I do not know if it was by design or otherwise that most of them were youthful and they had the interest of the youth at heart.

Before I continue, I would like to donate a few minutes to Mr. Kabando wa Kabando and the Minister for Public Health and Sanitation, Mrs. Beth Mugo.

**The Temporary Deputy Speaker** (Mr. Ethuro): But Mr. Kabando wa Kabando you were here when we were looking for someone to contribute!

**The Assistant Minister for Youth Affairs and Sports** (Mr. Kabando wa Kabando): Thank you, Mr. Temporary Deputy Speaker, Sir. I note the contents of this Report. In general terms, the recommendations are very good. My Ministry will take into consideration these recommendations taking into cognizance the fact that there is also initiative from the Ministry in conjunction with the various other Government departments to mainstream some of these concerns.

Mr. Temporary Deputy Speaker, Sir, I also want to make the following observations with regard to the Committee. This is one of the most serious Committees set by this House to pick and highlight issues of the youth in the context of unlawful organizations. But I notice the attendance during the Committee meetings was not very encouraging. I am sure the Chairman of the Committee will agree with me on that. For instance, on 6<sup>th</sup> October, 2009, there were only three Members forming a quorum and a record 12 Members absent from that Committee meeting. Another instance is on 7<sup>th</sup> November where there were only four Members present and 11 Members absent. I think it is important that when Committees are dwelling on issues that are very critical, they endeavour to participate comprehensively. But that does not in any way downgrade the quality of the Report which is very concise and comprehensive.

Mr. Temporary Deputy Speaker, Sir, I am sure my colleague in the Ministry of Youth Affairs and Sports mentioned the interventions on the National Youth Council which is rolling out the National Youth Policy, which was actually the Bill of the National Youth Council which was passed by this House and approved. We know that we need to improve on the community sports so that it is not exclusively soccer for girls and boys. We should bring diversity so that the talent that exists on the ground can be harnessed, because we are sure and aware that the very quality of success that we see is almost a natural harvesting and not prepared. Therefore, these are some of the issues which we need to focus on.

Mr. Temporary Deputy Speaker, Sir, the recommendation here on basic education going up to Form Four---

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, hon. Kabando wa Kabando! I realize that the Mover of the Motion did not specify how many minutes he was donating and you seem to have taken that liberty to consume all the time. How many minutes are you donating to each of them?

**Mr. Kioni:** Mr. Temporary Deputy Speaker, Sir, I donated five minutes to hon. Kabando wa Kabando and another five minutes to the Minister for Public Health and Sanitation.

**The Temporary Deputy Speaker** (Mr. Ethuro): Proceed!

**The Assistant Minister for Youth Affairs and Sports** (Mr. Kabando wa Kabando): Mr. Temporary Deputy Speaker, Sir, I have a balance of three minutes. I will dwell on the need to emphasis on this Report. They have mentioned about basic education and the relevant Ministry picking up on elevating basic education to Form Four. This is because at Standard Eight, it is really not a good intervention for even joining the national or local polytechnics which are now introducing new curriculum which is testable by the Kenya National Examinations Council.

Mr. Temporary Deputy Speaker, Sir, there is need for the Minister for Finance to deal with the issue of family property, so that it is not dominated by a monopoly and when disaster happens by way of death there is no transition of that property. We find many families with millions of investments getting lost. There is need to gazette the rules that will govern the over the counter-trading, so that even small investments, hotels and residential buildings in rural townships are actually appropriated and invitations for competitive partnerships made in order to add value. I want to inform this House that we are doing some other interventions, for instance, the peace caravans happening in the areas of Laikipia and Samburu in order for the morans who are being targetted for peace promotion to be considered as a special category for adaption in the National Youth Service and also improvement of the *Kazi kwa Vijana* Programme, so that relevant Ministries are made to undertake their programmes through the designed youth officers in the districts.

Mr. Temporary Deputy Speaker, Sir, the 10 per cent contracts is also another way to ensure that the youth participate in large contracts that are formal in partnership with qualified professionals. Also, the cultural interventions are encouraging in various communities from the west, east, central to the coast, where elders are coming together in order to inculcate responsible and positive cultural practices that will ensure that responsibility particularly among male youth, becomes an advantage for the people that live in those areas.

Mr. Temporary Deputy Speaker, Sir, finally, taking pride in the passage of the new Constitution, the very fact that we are dealing with issues of corruption, let us agree that many people have gone into crime. I have just come from my constituency to bury a young teacher who got employed just three months ago. In fact, he was still on probation. He died out of alcohol consumption. There is another one who was in Form Three who died because of lack of facilities at the Kenyatta National Hospital. They could not intervene in time. So, in a day we are burying many youths like I have done today, because of the disadvantage coming from the exclusive ownership of property in this country. The very fact that the passage of the Constitution will deal firmly with the question of integrity in leadership, corruption in public and private service is a way that will give us light and assure that as we move forward, we will participate in more inclusive ways. That means that even property ownership, award and merit in jobs and other engagements will be recognized.

Mr. Temporary Deputy Speaker, Sir, I beg to support this very timely Report and congratulate hon. Kioni for the very bold and brilliant intervention.

**The Minister for Public Health and Sanitation** (Mrs. Mugo): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute on this Motion. I want to thank hon. Kioni and his Committee for a job well done and for their immense concern of the youth. We noticed how they traversed the country trying to get

views, especially of those who are mainly affected. I believe that in the process, they got the views of the parents and communities.

Mr. Temporary Deputy Speaker, Sir, I just want to add my voice to the many others of the great concern of the condition or situation of our youth in this country today. If you go to any township or village, the roads and streets are full of young people who are idle and do not really know what to do with their lives. Some are very well educated, others have some education while some do not possess education. In the planning or sorting out of the problem of the young people in this country, I think we have to put all those groupings in our minds because they all need a different approach. Of course, there are already strategies laid by the Government. We have the Ministry of Youth Affairs and Sports and National Youth Service. We had the rehabilitation of street families, especially the youth which seems to have collapsed. We need to revive that strategy because many of these kids who come from the streets are the same ones who are sometimes recruited into these criminal gangs. Even if we try very hard to finish these gangs, unless we have a programme to provide something tangible for them to do, we will not succeed. If we really want to solve insecurity and reduce poverty in this country, we have to start with our young people.

That is the largest segment of our population. We should plan well and involve all the stakeholders. This is not something that will be done by the Government alone. It is a responsibility of parents. It is also the responsibility of communities, the church and the mosque. It is the responsibility of everybody. However, the coordinating body must be the Ministry of Youth Affairs and Sports and the Ministry of Gender, Children and Social Development because that is where it all begins. I believe the Ministry of Gender, Children and Social Development has a lot to do with this because it deals with communities and families. I feel that we are not doing much to deal with this problem that affects the youth.

I recommend that the Government takes very seriously the recommendations that have been given forth in this Report. The Government must put money in youth programmes. The recruitment must be fair whether it is to the armed forces, police or National Youth Service. Every young person should be able to access those opportunities and not only the few who know somebody as it has been said. We know that that happens because the majority does not have anyone to speak for them. That hurts and, as the hon. Member said, the young people are concerned. Parents also get concerned. The grandparents are also concerned. We do not want to see our youth going to waste. If our youth go to waste, we will have no future at all. We must see that some of our youths confess and say that they joined those gangs through force. Some of them do not do it because they want to do it. It is due to peer pressure and others are threatened. As a Government and community, we must protect the youth and make sure that nobody joins those gangs under pressure. We should ensure that they are not recruited forcefully. That is what happens and we condemn the youth wholesale.

The terminology "*Mungiki*" is not written on one's forehead. We know that the police is killing many of those youths saying that they belong to the *Mungiki* sect. Being a member of the *Mungiki* sect does not mean that one should be killed. Those are children. Some of them are very young people who should be rehabilitated. Thank God we have a new Constitution that we hope we will follow and implement. It will stop the wanton killing of young people. As an MP in the city, this is something that bothers me a

great deal; that every young person is a member of the *Mungiki*. In Central Province, the youth who do not have anything else to do are presumed to belong to the *Mungiki* sect. We must do away with those terminologies which tend to harm young people than rehabilitate them.

I support.

**Mr. Kioni:** Mr. Temporary Deputy Speaker, Sir, I would like to donate another three minutes to the Minister of State for Provincial Administration and Internal Security, Prof. George Saitoti.

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Thank you very much, Mr. Temporary Deputy Speaker, Sir. On the outset, I would like to commend the Chairman of this Committee because it has come out with a lot of information, right from tracing the cause of organized criminal gangs all the way to the various measures that can be formulated to address the problem that we have.

I appeared before this Committee to explain the Government's position. I explained my Ministry's understanding of the nature of those problems. The key emphasis which I made is that those criminal gangs are not something which you can wish away. If we do not handle this situation carefully, it can undermine the stability of this country both politically and economically. That is the most important thing for us to do.

Mr. Temporary Deputy Speaker, Sir, one thing that I am extremely happy about this Report is that it explains how some of these criminal gangs are formed. It says many of our young people do not have gainful employment. They are not fully engaged and they end up drifting into criminal activities. We must appreciate that fact from the very beginning. The truth of the matter is that we have not for a very long time seriously looked into the welfare of the young people in this country. Yes, we have provided them with little education opportunities. We have built schools, colleges and universities. But the question that we should ask ourselves is: After these young people leave institutions of learning, what do they end up doing? We only assume that they will be employed. We also have a problem of those students who fail to join secondary schools after their primary level. Yes, we have started youth polytechnics. Of course, that is a very recent innovation. Quite a number of them do not proceed with their secondary education and they get involved in criminal activities. This is, indeed, what is happening.

I believe very strongly that even the political class, including Members of Parliament and councillors, have not assist these young people. As the Chairman of the Committee stated when he was moving this Motion, we, Members of Parliament, use these young people during campaigns. We use them to campaign for us. After they have helped us to come to Parliament, we forget them. This is a fact and we know it. So, what can we do to deal with the criminal part of it? That is why I am extremely happy that when we recently brought here the Organized Crimes Bill it was unanimously passed. It is fairly comprehensive in the manner it will deal with these criminal gangs right from identifying them and their activities. It also spells out the kind of punishment to be administered to those people who will be involved in these criminal gangs. That law was not there. There was a distinct legal vacuum.

The other thing is that we must understand that we have a huge problem with our youth. We must open up opportunities for them. The new Constitution spells out clearly that the youth have right to employment opportunities. They also have right to education.

I see a lot of hope in the new constitutional dispensation. I believe the new Constitution will address all these problems. I want to support fully this Report, which is very well prepared. It has exposed all the problems that we need to deal with. I am quite happy that once we adopt it, we will do the best we can with the support and the goodwill from all the Ministries to deal with this problem once and for all.

With those remarks, I beg to support.

**Mr. Kioni:** Mr. Temporary Deputy Speaker, Sir, I want to thank all the hon. Members who have had the opportunity to support this Report. I want to also thank the Minister of State for Provincial Administration and Internal Security for the Bill that was brought here and passed by this House.

It has come out very clearly from hon. Members that guns are not the solution. This is a problem of the youth that we need to look into. We need to, clearly, differentiate criminal elements in our society from young people who are looking for something to do. It is important that we look at some of the economic activities in some of the areas that are heavily affected by these unlawful groupings.

Mr. Temporary Deputy Speaker, Sir, it is good that security agencies fill in the gaps, so that we do not find people getting opportunities to provide for services that would otherwise be provided by the security agents. The recruitment process of our young people needs to be fair to all. As the Minister for Public Health and Sanitation has said, young people need to see that recruitment is done fairly, so that they do not get to levels of hopelessness. It is coming out clearly that many of us – parents, the Government, the church, the mosques – are actors and we are being called upon to come together and do our bit.

What is crucial is what becomes of a person who stops education at Form Four, and what becomes of a young man who stops education at Standard Eight. What are we doing, as a nation, to those people who are not able to carry with them a certificate along the corridors of power? What are we doing to families which are not able to take care of young people?

Mr. Temporary Deputy Speaker, Sir, what is clear from hon. Members' contributions is that this problem is our concern, as a nation. We are not going to attain Vision 2030, or the envisaged economic growth, without paying attention to the youthful population that we have. We have to avoid stigmatising and calling them by names that are not helpful. We need to reach out to them, while at the same time making sure that we have programmes that can take them on once they are out of those groups.

Mr. Temporary Deputy Speaker, Sir, I want to recognise the contributions that were made by the Members of Parliament for Mathioya and Lari, which were also mentioned by hon. Wamalwa – that, our disciplined forces need to reach out to these people. There is need to have a special programme for them. Just as we are creating special opportunities for orphans, we need to reach out to young people who have moved away from unlawful organisations. They have decided to come and get into the fold, of course, recognising the fact that they had not gotten into bad groups because of any criminal intent but due to lack of opportunities.

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

*(Question put and agreed to)*

## **ADJOURNMENT**

**The Temporary Deputy Speaker** (Mr. Ethuro): Hon. Members, having exhausted the business of the day, the House stands adjourned until tomorrow, Wednesday, 11<sup>th</sup> August, 2010, at 9.00 a.m.

The House rose at 6.25 p.m.