

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 5th May, 1999

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### NOTICES OF MOTIONS

#### LEAVE TO INTRODUCE FAMILY PROTECTION BILL

**Ms. Karua:** Mr. Deputy Speaker, Sir, I beg to give notices of the following Motions:-  
THAT, this House do grant leave to introduce a Bill entitled The Family Protection Act to consolidate the law relating to maintenance and protection against all forms of domestic violence and distribution of matrimonial property.

#### LEAVE TO INTRODUCE EQUALITY BILL

THAT, this House do grant leave to introduce a Bill entitled The Equality Act to make provision for equal treatment of citizens of this country irrespective of gender and end all forms of discrimination.

### ORAL ANSWERS TO QUESTIONS

#### *Question No.068*

#### RETURN OF CONFISCATED LIVESTOCK

**Mr. Deputy Speaker:** Is Dr. Ali not here? The Question is stood over for the time being. Next Question, Mr. Muihia.

#### *Question No.076*

#### UTILIZATION OF STABEX FUNDS

**Mr. Deputy Speaker:** Is Mr. Muihia not here? The Question is stood over for the time being. Next Question, Mr. Ayacko.

#### *Question No.077*

#### LOSS OF CANE BY SONY OUTGROWERS

**Mr. Ayacko** asked the Minister for Agriculture:-

- (a) if he is aware that sugarcane outgrowers of South Nyanza Sugar Factory (SONY) lose a lot of cane due to fire outbreaks during the dry season; and,
- (b) what measures he is taking to ensure that such losses do not arise and that the farmers are compensated in the event of such losses.

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

(a) I am aware that SONY Sugar Company just like other sugarcane growers experience sugarcane fires during the dry season.

(b) According to cane agreement contract entered into by SONY Sugar Company and the sugarcane farmers, the Company is not bound to harvest or compensate for burnt cane. Despite this agreement, however, the company has been assisting farmers by harvesting their burnt cane.

**Mr. Ayacko:** Thank you, Mr. Deputy Speaker, Sir. SONY Sugar Company is almost 100 per cent owned by the Government. Can the Assistant Minister consider instructing SONY Sugar Company to insure this sugarcane so that farmers do not suffer a total loss?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, although the company is owned by the Government, it is still a company and the outgrowers can negotiate, maybe, for an insurance cover or any other way of circumventing that problem.

**Dr. Ochuodho:** Mr. Deputy Speaker, Sir, the issue of sugarcane being burnt and not being harvested and compensated for is a very serious one. In Muhoroni, the Kenya Sugar Authority (KSA) has been implicated as being behind the burning of sugarcane as a punishment to the Muhoroni sugarcane farmers as a result of their total rejection of the Pakistanis. Can the Assistant Minister confirm or deny that the KSA has been implicated, and even in the case of Muhoroni, can he tell us if they are going to consider compensation and insurance?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, could the hon. Member repeat his question? I did not get it.

**Dr. Ochuodho:** Mr. Deputy Speaker, Sir, I would request the Assistant Minister next time to be more attentive.

The Kenya Sugar Authority has been implicated to be behind the burning of sugarcane in Muhoroni area as a punishment to the sugarcane farmers for having totally rejected the Pakistanis. Can he deny or confirm that, that is true? Can he tell us if the same remedy that is being requested for SONY that the sugarcane be insured and the farmers be compensated is going to be considered for Muhoroni as well?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, what the hon. Member has said cannot be true because it would not be in the interest of the Kenya Sugar Authority to burn sugarcane. On the contrary, we suspect that farmers occasionally would burn their own cane when they want it to be harvested because when the factories are shut down there is no burning.

**Mr. Kombo:** On a point of order, Mr. Deputy Speaker, Sir. I think the Assistant Minister should be a bit serious. The Government exists to look after its people. The sugar-cane farmers, after waiting for a long time, many times through arson, have had their canes burnt and no compensation is awarded to them. The factory later on even deducts the monies that they lend to these farmers, despite the canes having been burnt and nothing gained out of them. Could this Government, together with the sugar factories and the farmers, sit together so that they can come up with a programme that could help farmers when their canes are burnt?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, I have already said that the outgrowers have their own organisation. This organisation should sit down with the company to negotiate the way forward and how they can stop this burning of canes. At the same time, I would like to call upon the hon. Members to try and tell the farmers not to burn the canes, even if they have not been harvested.

**Dr. Ochuodho:** On a point of order, Mr. Deputy Speaker, Sir. You heard the Assistant Minister repeatedly claim that it is the farmers who burn their canes. Any person in his or her normal mind, in my own opinion, will not burn---

**Mr. Deputy Speaker:** What is your point of order!

**Dr. Ochuodho:** Mr. Deputy Speaker, Sir, is the Assistant Minister in order to mislead this House? Does he have evidence that farmers have been burning their canes?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, if the hon. Member knows who burns sugarcanes--- But I am saying that, it is generally suspected that farmers---

*(A number of hon. Members  
stood up in their places)*

**Mr. Deputy Speaker:** Order! Order, hon. Members!

**Mr. Karauri:** Mr. Deputy Speaker, Sir, you know, these canes are not burnt anytime when the factories are shut down, because the factories assist in harvesting the burnt canes. The canes that are not harvested, after burning, are immature ones. For the mature canes that have been burnt, the factories do their best to harvest it. That is why it is suspected that farmers may want to burn some of the canes, so that they can be harvested.

**Hon. Members:** On a point of order, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Mr. Omamba.

**Mr. Omamba:** Mr. Deputy Speaker, Sir, my area is a sugarcane zone. I witnessed from a distance, so many hectares of sugarcanes which had been burnt. When the information reached Sony Sugar Factory, they sent their people investigated and found out that the fire came from outside. They came for two days to harvest and then, they left the whole thing. Could the Assistant Minister now consider compensating such farmers for the loss of their canes?

*(Applause)*

**Mr. Karauri:** Mr. Deputy Speaker, Sir, if the canes are burnt by arsonists who are known, then they should be reported to the police and charged in a court of law. If they are not known, I appeal to the members of the public and all the sugarcane growers to try to prevent fire break out by either arresting the arsonists and having them charged in court, or telling those arsonists to stop.

**Ms. Karua:** Mr. Deputy Speaker, Sir, it appears that the Assistant Minister is avoiding responsibility. If it is suspected that it is farmers who are burning the canes, what investigations have been carried out and have any prosecutions been sorted? Secondly, the Government must lead the way in the farming industry. Can the Government consider instituting a policy for farmers which will enable compensation?

**Mr. Karauri:** Yes, Mr. Deputy Speaker, Sir. The Government is very much willing to assist the farmers, and that is why I have said that the outgrowers should now seize the opportunity. The Government on its part will encourage the company to negotiate for a possible solution with the outgrowers.

**Mr. Ayacko:** Mr. Deputy Speaker, Sir, the Assistant Minister can be pardoned because he is not a sugarcane farmer and he does not know that farmers do not burn their canes. Farmers, particularly from Sony Sugar Company, experience the problem of over-mature cane; over 50 months old. Then again, when these canes gets burnt, they are not harvested and the farmers do not get compensated. This arises from the belligerence of the sugar companies. Can the Assistant Minister consider instructing Sony Sugar Company, because it is a fully owned Government sugar company, to initiate this meeting that he is advocating for so that a policy framework can be arrived at in which farmers can be compensated for the burnt canes?

**Mr. Karauri:** Yes, Mr. Deputy Speaker, Sir. I will tell the company to initiate the negotiations. But I cannot tell them to compensate until they have discussed the method on how to do it. This is because we could at the same time encourage burning of canes by announcing compensation arbitrarily.

**Mr. Osundwa:** Mr. Deputy Speaker, Sir, the Assistant Minister has admitted that Sony Sugar Company and farmers have a contract. Obviously, this contract has an expiry period. Could he explain to this House what will happen to burnt canes after the time they are supposed to be in the shamba has expired? Could he consider compensating the farmers if the canes are burnt beyond the time they are supposed to be harvested?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, it is the same question I am answering all over again. I said that when the outgrowers discuss the method of compensation, or no compensation, or insurance for burnt canes, that will be contained in the agreement.

*(A number of hon. Members stood  
up in their places)*

**Mr. Deputy Speaker:** Order! Hon. Assistant Minister, they are telling you that the farmers have a direct contract with the companies. The Kenya Sugarcane Outgrowers Association is not involved at all. What does the company intend to do if the canes are burnt after the period in which they are supposed to be harvested?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, but I

have said that most of the burnt canes are harvested. In fact, in the current Financial Year, out of the 105,000 tonnes of canes that were burnt, 86,000.

**Mr. Kajwang:** Mr. Deputy Speaker, Sir, we want the Assistant Minister to tell us about the following. If the contract says that canes should be harvested within 24 months after the planting - that means it has matured - and it burns after 36 months, or even 60 months, can they consider compensation because he has not done his job with insight?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, I will not order for compensation until this matter is discussed with the company and agreed upon.

**Mr. Deputy Speaker:** Next Question! Mr. Wambua.

*Question No. 069*

AMBULANCE FOR KATANGI HEALTH CENTRE

**Mr. Wambua** asked the Minister for Health:

(a) whether the Minister is aware that an ambulance was given to Katangi Health Centre by the Government but it has been used as a private vehicle by the Father in-charge of Katangi Catholic Mission; and,

(b) if the answer to "a" above is in the affirmative, what steps the Minister will take to ensure that the ambulance is given back to Katangi Dispensary for public use.

**Mr. Deputy Speaker:** Is there any one from the Ministry of Health? We will come back to it. Next Question, Mrs. Mugo!

*Question No. 075*

IMPLEMENTATION OF BEIJING  
RECOMMENDATIONS

**Mr. Deputy Speaker:** She is not there? For the second time, Question No. 068. Dr. Ali.

*Question No. 068*

RETURN OF CONFISCATED LIVESTOCK

*(Question dropped)*

**Mr. Deputy Speaker:** For the second time, Mr. Muihia!

*Question No. 076*

UTILISATION OF STABEX FUNDS

*(Question dropped)*

**Mr. Deputy Speaker:** For the second time, Mr. Wambua!

**Mr. Wambua** asked the Minister of Health:

(a) whether the Minister is aware that an ambulance was given to Katangi Health Centre by the Government but it has been used as a private vehicle by the Father in-charge of Katangi Catholic Mission; and,

(b) if the answer to "a" above is in the affirmative, what steps the Minister will take to ensure that the ambulance is given back to Katangi Dispensary for public use.

**The Assistant Minister for Health** (Mr. Criticos): Mr. Deputy Speaker, Sir, I apologise to the House and the hon. Member for coming late. I have gone through the answer and I am not satisfied with it. I would request that I be given some more time may be until this afternoon so that I can bring a detailed answer.

**Mr. Deputy Speaker:** Well, I do not think it is possible this afternoon. If you cannot satisfy yourself in 10 days, what are the chances of you satisfying yourself in one day?

*(Laughter)*

**Mr. Criticos:** Mr. Deputy Speaker, Sir, I will not like to come to this honourable House and give untruth. I am not satisfied with my people in the Ministry of Health.

**Mr. Deputy Speaker:** Mr. Wambua, is tomorrow okay?

**Mr. Wambua:** Mr. Deputy Speaker, Sir, it will be okay for me. But it should be tomorrow.

**Mr. Deputy Speaker:** Well, Mr. Criticos, bring the answer tomorrow afternoon.

*(Question deferred)*

Mrs. Mugo for the second time!

*Question No. 075*

#### IMPLEMENTATION OF BEIJING RECOMMENDATIONS

*(Question dropped)*

#### MINISTERIAL STATEMENT

##### REHABILITATED ROADS IN NYAMIRA TOWN COUNCIL

**The Assistant Minister for Local Authorities** (Mr. Sasura): Mr. Deputy Speaker, Sir, last week, the Chair ordered me to lay on the Table of the House a map showing roads in Nyamira Town Council which were rehabilitated but disowned by hon. Obwocha. I hereby table that map.

*(Mr. Sasura laid the map on the Table)*

#### POINTS OF ORDER

##### MINISTERIAL STATEMENT ON DEMOLITION OF GODOWN IN DANDORA

**Mr. Munyao:** Mr. Deputy Speaker, Sir, I wish to request for a Ministerial Statement from the Minister for Local Authorities on a very serious issue which is happening at Dandora to one of our citizens. A company called Cartron Auctioneers was given a plot by the City Council along the Komorock Road of two acres On 31st December, 1995. This developer has already put up some godowns, very expensive offices, he has even fixed power, telephones and all other amenities. He was using this particular plot to keep some property of tenants who are waiting to bail it out. Due to the demolitions by the City Council and other threats, the owner, a Mr. Peter Katu, went to court and there is a Civil Suit No.1457 of 1995, pending in court. There have been threats of demolishing the same structures and this same individual went to court and he got a court order on 19th April, 1999. He presented that court order to the OCPD Buru Buru who refused to take it because it was addressed to the City Council. He got another court order dated 30th April, 1999 and he served the OCPD on that day.

Mr. Deputy Speaker, Sir, it is now surprising that on 23rd April, the same structure was demolished at around 1.00 a.m. and when he came to report to the OCPD, nothing was done. In that godown, there was property of over Kshs19,642,030. The property which was in that godown does not belong to the owner of Cartron but to the public and the whole thing has been vandalised! Could the Minister issue a Ministerial Statement, telling this House why the City authorities went and vandalised somebody's property who had obtained a court order? It appears as if there is an arrangement between the City Council and the police in this matter!

**The Assistant Minister for Local Authorities** (Mr. Sasura): Mr. Deputy Speaker, Sir, that is a rather detailed query and I would request that I have a statement issued about the same after two weeks. Unless I am ruled otherwise by the Chair.

**Mr. Deputy Speaker:** Order, hon. Sasura! You will have to issue that statement next week.

**The Assistant Minister for Local Authorities** (Mr. Sasura): I will issue it next week on Thursday, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** You will issue it next week on Tuesday. That is the ruling of the Chair.

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

**Mr. Deputy Speaker:** Order, hon. Munyao, the Assistant Minister will come with the Statement on

Tuesday next week.

#### WITHDRAWAL OF DANISH AID

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, two weeks ago, I asked the Minister for Health to come before this House and give a comprehensive statement on the conditions under which the Danish Government had withdrawn Kshs600 million for financing the Ministry of Health; the imminent collapse of the Kenya Expanded Programme on Immunization which was seen as the most successful child immunization programme in the Third World and what can be done by the Ministry, with the assistance of Parliament, to salvage whatever remains of the Danish supported Health Programmes in the country. Two weeks later, there has never been any statement from the Minister. Could the Chair oblige him to give us a definite commitment on when he will come to this House with that reply?

**The Assistant Minister for Health (Mr. Criticos):** Mr. Deputy Speaker, Sir, I must really apologise to the Member. I think my other colleagues were there during that time. But what I am aware of is that there are discussions between the donor the hon. Member is talking about and the Government.

**Mr. Deputy Speaker:** When are you bringing that statement?

**The Assistant Minister for Health (Mr. Criticos):** I will bring it next week on Tuesday, Mr. Deputy Speaker, Sir.

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

**Mr. Deputy Speaker:** Order, Mr. Kajwang! You cannot "ambush" the Chair with points of Order. I am not aware of what you want to raise! Next Order!

#### MOTIONS

##### ESTABLISHMENT OF COAST DEVELOPMENT FUND

THAT, in view of the significant economic role supposed to be played by the Coast Development Authority (CDA) as a prime mover of regional development; being aware that the Authority is operating on scanty financial resources making it difficult to meet its objectives, this House urges the Government to:-

- (i) Establish a Coast Development Fund to generate revenue for the Authority; and,
- (ii) Give the Fund statutory powers under the ambit of the Coast Development Authority Act to source revenue from established institutions in both public and private sectors operating in the region.

*(Mr. Maitha on 28.4.99)*

*(Resumption of Debate interrupted on 28.4.99)*

**Mr. Maitha:** Mr. Deputy Speaker, Sir, when I talked of public institutions, I do not mean to say that the CDA is going to tax public institutions like schools and colleges, but there are institutions in the region which are getting money and CDA should be given the authority to source funds from these institutions; that is the main objective of part (i) of the Motion.

Mr. Deputy Speaker, Sir, today, I have managed to bring into this House a report on the CDA's scattered plan and vision on key sectors of its area of jurisdiction. It is a report that I want to lay in this House and hon. Members will agree with me that CDA has made a thorough study of the region and what is lacking at this moment is money. Last week, I told this House that by bringing this Motion, I did not want to give the impression that I am agitating for regionalism. I also told this House that in other regions, there are many authorities which are given the authority to source funds from institutions in that area. It is my wish also to see that the CDA is given the powers to collect some little percentage of revenue from those institutions in the region so that we can make our own budget at the region and approve development activities in that region.

Mr. Deputy Speaker, Sir, Coast people have been branded to be lazy, but that has not been a true picture of the people at the Coast. They are not lazy! They are hardworking and they have all the resources, but you will find that the Government officers at the Coast think that working there is a license to reap everything at the Coast. I want to emphasize that all the seven districts at the Coast have a great potential where CDA can always go and

do a lot of development. The Government has started a lot of development projects in that region, but you will find that most of them have stalled. If you go to the same district, you will find that they have put in a lot of money, but the rice project for example, has stalled. When you go to Lamu, the mangroves or the horticultural area which has got all the fruits we need to export or feed the whole country, has no factory where the farmers can sell their crops. We cannot even export mangroves. We cannot do deep-sea fishing. Our fishermen only use canoes and small boats which cannot fish enough. This is an area where the CDA can go and exploit the fishing there. In Malindi where we have fishing and large areas for farming, if the people living there can be helped, we can make a lot of money. In Kwale District where titanium was found recently, foreigners have invaded that area. They want to take everything out of that area, leaving the coastal people to suffer. We have a sugar factory in that area which has stopped operating. In Taita Taveta, we have mining areas where a lot of gemstones and other things are being taken out of the district and we do not get anything.

Mr. Deputy Speaker, Sir, we have wildlife which is not earning us anything. So, you find that even the tourism sector, if the CDA is allowed to tax a little money from the hotels, we can easily bring development to our areas. Coastal people have suffered a lot for many years. Because of the sufferings, we cannot sit back and watch our resources coming to Treasury, leaving nothing at that area. That is why I brought this Motion to this House so that it can be approved and the coastal people can be allowed a certain percentage of the revenue earned from our institutions down there. This is not a sin because it has been done in other areas. It has been seen in other areas and the people are benefiting. They are doing development in other areas, like roads and schools. The people living in coffee, pyrethrum and tea areas have good schools because they source for funds from those authorities.

It is so bad to find that in Coast Province, the people are made beggars. When you go there on Friday, you will find very many people in the town begging. They beg because they are poor. They come from the rural areas where there are no projects or any other development. If the CDA is given that power, we are very sure that industries will be started in that region.

We are also thinking of making Mombasa an industrial port so that we do not have to bring all industrial materials to Nairobi. What we need to do is to bring some engineers and other people who can be employed in the industrial areas. When we bring materials for making sugar from abroad, a ship comes to Kilindini to bring the materials. The cargo is taken to Nairobi by huge trucks which damage our roads. You will find that the sugar will be brought again to the port when it is exported to the other countries. If we could have an industrial port in Mombasa, all these things would be made in Mombasa. We have the Indian Ocean there where ships can pick the sugar and we will not damage our roads again. This is a way by which the coastal people could get a lot of money by taxing such industries. This will bring development at the coast.

Mr. Deputy Speaker, Sir, as I have said, I wanted to lay this book, which is a pilot of the Coast development projects in that region. It also gives the reasons why we need this fund so that we can implement all those projects which we have decided. We do not see any sin to tap some little money from the port and other areas. I am sure that this House will agree and support this Motion so that the coastal people can be happy. This will bring development and when you come to the coast, you will find that everything is alright.

I wish to call upon hon. Galgalo to second this Motion, so that other hon. Members can debate it.

**Mr. M. Galgalo:** Mr. Deputy Speaker, Sir, I rise to second this Motion. I am equally surprised and I am not sure whether there is a representative of the Ministry of Rural Development in the House. This Motion is discussing about the CDA and issues affecting the people of the Coast Province. Since the Ministry of Rural Development will be called upon to reply to this Motion, we wanted the Minister to be here so that he can get the opinions that we are expressing. Since the Ministry has failed to send a representative here, it seems that the Minister and most of them, are not taking their responsibilities seriously. We do not want to be seen as parrots. We are talking issues of substance. We are talking about the issues affecting the people of this country. I am very much concerned and I would like to express that through the Chair, that one of the Ministries that is failing this country is that of Rural Development.

**Mr. Mutahi:** On a point of order, Mr. Deputy Speaker, Sir. Could you please give a ruling on this? As my colleague is complaining, we are discussing a Motion and the Ministry concerned is not here.

**Mr. Deputy Speaker:** I would like to say that our business is to inform them of the impending Motions relating to their Ministries; which we have already done. But I do hope that the Ministers who are here are taking notes so that even if the Minister is not here, on the basis of collective responsibility, [**Mr. Deputy Speaker**]

they would inform him on what transpired. Proceed, hon. Galgalo!

**Mr. M. Galgalo:** Mr. Deputy Speaker, Sir, it is good that one of them is here. But the purpose of this

Motion is basically to enable the CDA to raise enough funds for purposes of developing both infrastructure and services to the people who fall under this region of Kenya. Most of our development authorities were created in order to fulfil certain services. However, what I have noted in the past is that the Government deliberately funded some authorities and abandoned others. The only development authority that functions properly is Kerio Valley Development Authority (KVDA) which falls under the Office of the President. The rest of these development authorities are non-performers because they do not have finances.

Mr. Deputy Speaker, Sir, let the objectives of creating these authorities not be seen as political, the way they appear. For example, the Coast Development Authority, Uwaso Nyiro South and North Development Authority and Lake Basin Development Authority have no funds. They are just there by name. What were the purposes of creating them? In fact, they were supposed to advance development in those regions. We are, therefore, saying that since the Government may not have enough funds to support those authorities, then those authorities should be empowered to go out and raise money by whatever means they deem necessary in order to develop their regions of jurisdiction.

Mr. Deputy Speaker, Sir, we have witnessed over the years that all Government initiated projects in Coast Province have failed. For example, Bixa in Kwale, Mariakani milk scheme, Kilifi Cashewnuts, Mereleli Settlement, Bura irrigation scheme and the Cold Storage at Mokowe. All those projects might have collapsed due to mismanagement or other unforeseeable factors. If we authorise the CDA to raise enough funds, it will be able to sustain itself. That is briefly what we are asking for in this Motion. Let the CDA raise funds whether internally or externally to be able to develop, rehabilitate projects that are already in place and initiate new ones where possible so that this country can develop together rather than realising development in one area while other areas are abandoned.

Secondly, Mr. Deputy Speaker, Sir, we must express our appreciation for what the Government has done over the years. For instance, tarmacking of Malindi-Garsen Road. We salute the Government because that project is good. At the same time, we would like the Government to ensure that a conducive environment for development is put in place. The Malindi-Garsen Road project was supposed to proceed from Garsen to Hola, but because of banditry and insecurity, it was abandoned. I am happy to see the Minister of State, Office of the President in charge of internal security here. Opening up of districts is what we call development. We are interested in creating a tourism circuit in the northern corridor, starting from Malindi to other parts of Coast region and in northern Kenya because those areas have not been served properly.

Mr. Deputy Speaker, Sir, we are looking forward to the strengthening of the CDA because it covers whole areas in the Coast Province and Ijara Constituency of Garissa district. I plead with hon. Members to support this Motion whole heartedly because we need this development in those areas. Most of the areas in the northern coast are untapped. We believe that we have enough resources and the only agency body that can develop this area is the CDA. We are, therefore, pleading that the CDA be authorised to collect revenue for purposes of initiating development projects in Coast Province.

At the moment, Mr. Deputy Speaker, Sir, we are aware that there is a serious shortage of funds. We will not blame the Government for not having enough funds because this is due to several factors. But in our case, it is just to empower the CDA to raise funds. The CDA, if headed by professionals and good researchers, would certainly be able to raise enough funds to development of Taita Taveta, Kwale, Kilifi, Malindi and Lamu districts.

In future, I am looking forward for the creation of Bura District. All that this Motion is asking for is empowerment of the CDA so that it will initiate development projects in Coast Province. With those remarks, Mr. Deputy Speaker, Sir, I beg to second the Motion.

*(Question proposed)*

**Mr. Shidie:** Thank you, Mr. Deputy Speaker, Sir, for allowing me to contribute to this Motion. The CDA is a big institution by name. It has a big billboard. If you go to Mombasa, you will only see a very big billboard bearing the name of this authority. Apart from that big billboard, the rest of the authority is a very unfortunate story. You will realise that CDA is given a meagre amount of money in each financial year. For instance, they are given some money for the Recurrent Expenditure to cater for salaries of its bosses and other workers. They are only given about Kshs15 million per year. This money is not even enough to pay the workers. But what is the need of having professional engineers, lawyers and architects and yet there is no money for them to put their knowledge to use. They cannot develop at all.

Mr. Deputy Speaker, Sir, you will realise that apart from authority's offices which are operational, the rest is a sad story. There is no work going on in CDA. As a matter of fact, I would advise the Minister for Agriculture to recall those workers to the Ministry where they can be more useful. What is the need of employing



an engineer, agriculturalist when there is no single penny to enable him work?

Mr. Deputy Speaker, Sir, those workers have been reduced to pensioners at the prime age of 30 years. That is the sad story about CDA. However, it is not only CDA which is faced with the same problem in this country. If you go to the Lake Basin Development Authority (LBDA), you will find that they have not even completed the headquarters. The crane that was holding the building stones five years ago, is still in that position as if it is a cricketer. Something very fundamental must be done about the Ministry. The Ministry should wound up or be allocated funds to run it. Where is the Ministry of Rural Development represented in my constituency or in the other districts? We have never seen departments of the Ministry of Rural Development at the district level. It is high time that the Ministry was allocated funds, or if it is not given the funds it should become another department in another Ministry. It cannot be called the "Ministry of Rural Development", and yet there is no single penny that is allocated to it.

**An hon. Member:** It should be a department in another Ministry!

**Mr. Shidie:** Mr. Deputy Speaker, Sir, I would like to take another case of Ewaso Nyiro Irrigation Scheme. We have been told that they gave out Kshs200,000 for the development of Garissa District. What will one do with Kshs200,000 for development in a district? Why do they not invite us for a Harambee and we give them a higher amount of money than that?

*(Applause)*

The time has come when we released more money for development in this country. We want to rationalise, cut down expenditure and retrench so that Kenyans can have enough money for development activities.

Mr. Deputy Speaker, Sir, Coast Province has the potential to develop in this country. It can do very well in tourism and other sectors such as horticulture and agriculture. This can be harnessed for the benefit of the Coastal people. It can also be harnessed to create employment opportunities, but where is the money to develop the area? The time has come for the big parastatals which are guzzling tax-payers' money were cut down. We are happy with what the Government is doing. We are happy that these parastatals are being sold out, but there must be transparency when that is being done. For example, the Executive Secretariat Technical Unit (ESTU) and Parastatal Reform Programme (PRP) are not doing the right thing. We want that Bill to be tabled in this House so that it can be debated. We should be told how these parastatals are being sold. Are there clandestine activities involved when they are being sold? Are we making losses? How much money are we generating from these parastatals? We must be accountable to Kenyans, who should be told the truth.

Mr. Deputy Speaker, Sir, fishing alone can feed this country. Fish can be exported to other countries and thus earn us foreign revenue. It can also be an alternative source of protein. Are we doing the right thing? Do we have a marine university in Coast Province? Does CDA have the funds to establish a university in Coast Province? It is high time that Coast people had a university there, so that the resources that are available in that region can be exploited using human skills. How do you create employment opportunities in this country when those people who are working are not fully utilised and are underpaid? We are in a situation where people are underpaid and they provide lip services to the Government. Who suffers? It is the tax-payer who suffers.

Mr. Deputy Speaker, Sir, in other countries people are going for full employment. For instance, the British, the Americans and the Germans are thinking in terms of creating wealth and full employment, whereas the International Monetary Fund (IMF) and the World Bank are telling us not to employ more people. We do not want double standards in this country, because we want Kenyans to be comfortable. This is the way forward.

If the Ministry does not have money to develop the CDA, then it should be allowed to look for money elsewhere. A Bill should be passed in this House to allow the Authority to solicit money from donors. Time has changed in the world and we have people who can give out loans. The CDA can be a very powerful institution if, and when it is funded. If it is not funded it will remain as dead as a dodo. If you go to Mombasa you will see a big billboard which reads; "Coast Development Authority" and think that it is a very successful Authority, whereas behind that, there is nothing. That is very unfortunate.

When I was in the PIC and the CDA officials appeared before us, we told the Ministry either to give them enough money or let them go back to the Ministry. This is so because they are required in other fields. Why do you have Prof. Lugogo at the CDA? He should have been very useful at the university because he is a renowned scientist. It is very unfortunate to keep him at the CDA when there is no money to be used for "development". The money that he is paid can be used to develop infrastructure in Coast Province. For example, the road between Garissa District and Mombasa Town can be tarmacked, if we are spending about Kshs50 or 15 million on him.

With those few remarks, we want the Ministry to be very serious. It should be allocated enough funds for development purposes. I know that the Minister and his Assistant Minister are capable people. Therefore, they

should be given enough funds to run the Ministry. I support this Motion.

**Mr. Mwakiringo:** Ahsante Bw. Naibu Spika. Leo nitazungumza kwa Kiswahili.

Nimesimama kuunga mkono Hoja hii kwa sababu halmashauri nyingi ziliundwa kwa sababu ya maendeleo ya nchi hii huku zikisimamiwa na Wizara mbali mbali. Ajabu ni kwamba halmashauri nyingi hazijatimiza malengo yao kwa sababu ya ukosefu wa fedha. Hiyo ndiyo maana Hoja hii ni muhimu, na ni vizuri kuiunga mkono kwa sababu Halmashauri hii ya Maendeleo ya Mkoa wa Pwani imefanya utafiti mwingi sana lakini haijaendeleza chochote kwa sababu ya ukosefu wa fedha kutoka kwa Wizara inayohusika. Halmashauri hii imefanya utafiti juu ya maji kutoka Taveta hadi nyanda za chini za Wilaya ya Taita Taveta. Pia, imefanya utafiti juu ya matunda katika Mkoa wa Pwani; jinsi ya kuendeleza kilimo cha matunda hayo, imefanya utafiti juu ya ufugaji wa ng'ombe, mbuzi na kondoo. Pia imefanya utafiti jinsi ya kufunga maji kutoka kwa mito ambayo inapeleka maji katika bahari.

Sitaki niamini msemu wa watu wa Pwani sasa hivi kwamba halmashauri hii haipatiwi fedha kwa sababu inataka miradi hiyo ianguke ili wanyakuzi wa ardhi waweze kuenda huko na kunyakua ardhi za halmashauri hiyo. Tunaomba kwamba halmashauri hii ipatiwe uhuru wa kukopa pesa kutoka nje ya nchi hii au hapa nchini, kutoka kwa mashirika yasiyo yakiserikali na kutoka mahali popote ambapo inaweza kupata usaidizi ili iweze kuendeleza miradi hiyo. Kwa wakati huu katika idara inayohusika, hakuna chochote kinachukuliwa kwa sababu sisi watu wa Pwani tumedharauliwa kwa muda mrefu sana. Na wakati umefika sasa mageuzi yawepo, maendeleo yaje Pwani. Waswahili wanasema kwamba achekae, mwisho hucheka sana. Ninyi mmetukalia sana na sasa tumeerevuka na ninyi mlioerevuka mapema, mmeingia kwa taabu sasa. Maendeleo ni ya wakati huu. Sisi watu wa Pwani tunataka sana kuona kwamba umaskini umetuondokea. Na kuondoka kwa umaskini ni kuona kwamba ule utafiti ambao ulifanywa na halmashauri hii umetokeleza. Tunasikitika kwamba hata Mkurugenzi wa halmashauri na Mwenyekiti wake, hawana gari hata la kutumia mpaka sasa. Yeye na Mwenyekiti wake wanatumia pick-up mmoja nambari KZA mpaka sasa. Hawawezi kuenda popote kufanya utafiti wowote, ingawa wameajiri watu ambao wana ujuzi wa kutosha. Ni sikitiko kuona kwamba ni mwaka moja na zaidi sasa tangu majumba yajengwe ya kutengeneza mpunga kule sehemu za Tana River, lakini yamekaa hivyo bila kumalizwa na hayajaisha, na wizi umeanza kuendelea kwa sababu hakuna matumizi ya majengo hayo.

Bw. Naibu Spika, Pwani ina rutuba na rasili mali nyingi sana za madini na wanyama wa porini. Lakini hayo yote hayawezi kutekelezwa wakati halmashauri hii haijapatiwa uwezo wa kutafuta pesa za kuendeleza mambo hayo. Ndio tunasema kwamba halmashauri hiyo ipatiwe uwezo wa kuweza kukopa pesa na kuendeleza miradi hiyo ya utafiti ambayo imefanya, ili watu wa Pwani kwa jumla waweze kuondoa umaskini na kuona kwamba nchi hii imeinuka kiuchumi.

Kwa upande wa elimu pia, halmashauri hii ipatiwe uwezo wa kuweza kutafuta pesa, za kuweza kufungua na kuendeleza Chuo Kikuu ambacho kitakuwa katika sehemu za Pwani ambapo majumba yako tayari, ili pia isaidiane na halmashauri hii katika utafiti wa madini, misitu na mambo ya porini wakisaidiana na halmashauri ya wanyama wa porini (Kenya Wildlife Service). Kule sehemu za Pwani, kuna mito mingi sana ambayo sisi tunaachilia maji yake kuingia kwa bahari. Kutokana na utafiti ambao umefanywa na halmashauri hii, kuna uwezo wa kufunga maji hayo na yaweze kutumika katika unyunyizaji wa mashamba ambayo yako na ukame ekari nyingi sana, ili tuweze kupanda mimea ambayo inaweza kuinua hali ya maisha ya wananchi wa sehemu hiyo na nchi hii kwa jumla. Tunaomba pia katika halmashauri hii inapopatiwa uwezo huu, iweze pia kuona kwamba imeweka vizuri uvuaji na uuzaji wa samaki hapa nchini na hata nchi za nje. Hali kadhalika, halmashauri hii inapopatiwa uwezo huo iweze kuona kwamba imesaidia watu wa Lamu katika uvunaji na upelekaji hapa nchini na nje wa mikoko ambayo watu wa Lamu wanategemea zaidi. Nikija kwa upande wa Taita/Taveta, pia inapopatiwa uwezo huo, halmashauri hiyo iweze kusaidia vijana wetu katika uendelezaji wa uchimbaji wa madini ambayo yako kwa wingi katika Taita/Taveta, na Titanium ambayo imepatikana katika sehemu ya Kwale, ili wakaaji wa huko wapate uwezo wa kupata mazao kutokana na uchimbaji wa madini hayo katika sehemu zao. Ni katika halmashauri hii kupatiwa uwezo ambapo pia, itakuwa na uwezo wa kuelimisha wananchi katika malengo yao; kuona kwamba ukulima wa mseto umeimarika Pwani. Hii ni kwa sababu, kwa wakati huu, utaona kwamba kama ni sehemu za Kwale, utaona ni Korosho na maembe peke yake, ukija sehemu za Taita/Taveta, utaona kwamba ni mahindi. Lakini katika utafiti wao, wanataka kuona kwamba mkulima anapanda mahindi, pojo, matomoko au pilipili ili aweze kujiimarisha katika hali ya uchumi wake na kuona kwamba mahitaji ya kila siku ameweza kuyakamilisha bila kuomba usaidizi kutoka kwa serikali.

Kwa hivyo, sisi watu wa Pwani tusije tukaamini kwamba halmashauri hii haipatiwi uwezo kwa sababu ya malengo ya watu binafsi, ambao wanataka kunyakua ardhi ambazo ziko huko. Hii ni kwa sababu ni halmashauri chache sana ambazo zina uwezo wa kutekeleza malengo yake. Na moja ya hizo ni kama hiyo tulisikia kutoka kwa msemaji wa kwanza, ambayo ni Kerio Valley Development Authority, kwa sababu iko sehemu ya watu wenye uzito katika serikali hii. Lakini kwa sababu sisi hatuna uzito katika sehemu ya Pwani, basi tumekanyagiwa chini.

Bw. Naibu Spika, sitaki niongezee mambo mengi zaidi ya hayo ambayo nimesema, lakini yangu ni kuomba wenzangu waunge mkono Mswada huu, ili halmashauri hii iweze kupatiwa uwezo wa kutafuta pesa za kuendeleza malengo yake. Kwa hayo machache, ninaomba kuunga mkono Hoja hii.

**Mr. Kombe:** Ahsante sana Bw. Naibu Spika kwa kunipatia nafasi ya kusema machache kuunga mkono Mswada huu wa halmashauri za maendeleo. Kwa kweli, mengi yamesemwa na singetaka kuyarudia. Lakini jambo ambalo tunalizungumzia hapa ni jambo muhimu; nalo ndilo linahusu pesa. Kama vile wasemaji wa mwanzo walivyosema, halmashauri za maendeleo ziko kadhaa hapa Kenya na haziwezi kufanya ile kazi ambazo zinatakikana zifanye kwa sababu ya ukosefu wa vitu muhimu. Vitu hivi muhimu, nimeona viko mara tatu. La kwanza ni lile ambalo limesemwa tayari, ambalo ni pesa. La pili ni ukosefu wa wataalam, na kwa kimombo wanaitwa professional workforce, na la tatu ni la transport au hali ya usafirishaji. Zile mbili za mwisho zinategemea sana lile jambo la kwanza ambalo ni pesa. Kwa hivyo, tunaona kwamba, pesa katika halmashauri za maendeleo zetu za hapa Kenya ni muhimu ndio sababu tunasema kwamba lazima serikali iangalie sana halmashauri zetu, na haswa ile ya Pwani ambayo kwa kimombo ni Coast Development Authority. Tushasikia tayari ile kazi nzuri ambayo halmashauri hii ya maendeleo inafanya kule Pwani. Tatizo kubwa ambalo halmashauri hii inapambana nayo, kama vile ilivyosemwa pale mwanzo ni ya pesa.

Bw. Naibu Spika, mara nyingi tunasikia kwamba Serikali haina pesa. Kuna ukweli hapo. Lakini tukiangalia kule nyuma tunaona kwamba Serikali imetoa mkono kusaidia vipindi au mipango fulani. Kwa mfano, miaka michache iliyopita Serikali ilitoa Shs.200 milioni kwa mpango wa vijana ambao sasa nafikiri haujafaulu katika sehemu nyingi na pesa hizo zimepotea. Ikiwa basi Serikali ina pesa haba za kutoa ifikirie sasa kwamba kama pesa hizi zilizotolewa pale mwanzoni kama zingeenda kwa halmashauri ya maendeleo hata hawa vijana leo wangukuwa wamepata msaada mkubwa sana. Lakini pesa hizo zilipotea. Tunaona kwamba kwa upande mwingine Serikali inaweka juhudi kubwa sana ya kuhifadhi wanyama wa porini na imepatia uwezo Kenya Wildlife Services kutafuta pesa kila mahali kwa kuhifadhi wanyama. Ninajuliza hivi: Binadamu na mnyama ni nani bora ukilinganisha? Nafikiri jibu in: Binadamu ni bora maana yake tangu mwanzo wa ulimwengu Mungu aliumba wanyama na akawapatia kama chakula kwa mwanadamu lakini katika juhudi zetu za leo tunahifadhi wanyama wa porini au tunajali zaidi juu ya wanyama wa pori kuliko binadamu.

Mipango ambayo Serikali inafanya kwa kuhifadhi wanyama wa porini ni mizuri sana lakini ningepuliza zaidi waweke mkono au pesa ambazo zitaweza kusaidia wananchi wa nchi hii. Itafanya hivyo kupitia kwa hizi halmashauri za maendeleo ambazo hiyo Serikali yenyewe iliziunda. Nikirudi kule pwani kuna mambo mengi sana ambayo halmashauri ya maendeleo ya pwani ingeweza kufanya. Wenzangu hapo mwanzoni wamesema tayari katika sehemu ya utafiti iko kazi kubwa ambayo halmashauri ya maendeleo inaweza kufanya. Nikichukuwa sehemu chache kwa mfano huu mti ambao unamea kule Pwani - mnazi. Siku chache zilizopita tulikuwa na Hoja kuhusu mnazi na tulikuwa hatutetei pombe iwekwe huru ili watu waweze kuinywa. Kuna mambo mengi ambayo mnazi unaweza kutoa. Hauwezi kutoa kama haujafanyiwa utafiti wa kutosha maana yake tunajua mnazi unaweza kutoa mbaa, kambaa, makuti na vitu vingine. Haya yanaweza kuja ikiwa mnazi unafanyiwa utafiti wa kutosha. Utafiti utafanywa wa kutosha ikiwa halmashauri hii itakuwa na pesa za kutosha.

Tukiangalia upande mwingine wa mazingara, tunafaa tuhifadhi mazingara yetu. Ninataka kusema hivi: Halmashauri ya maendeleo ya Pwani imejaribu sana kutoa ripoti za mazingara na uharibifu wa mazingara ya kule pwani. Mimi ninatoka sehemu moja ambayo inavunwa chumvi kutoka kwa maji ya bahari. Chumvi hii huwa inaharibu sana mazingara. Inaumiza wananchi kwa sababu hakujakuwa na ripoti kamili ijapokuwa halmashauri ya Pwani imejaribu kutoa ripoti lakini utafiti wake haujatoshwa wa kufikia kupata jawabu la kuhifadhi haya yote ambayo yanathuriwa na uvunaji wa chumvi kule magari. Singetaka kusema mengi maana yake mengi yameshasemwa na wenzangu lakini ningetaka kusema hivi: Ningetaka kuuliza Serikali yetu itoe pesa za kutosha kwa halmashauri yetu ya maendeleo ya Pwani na hata zile nyingine pia. Kama tulivyosikia pale mwanzo inapata Ksh15 million peke yake kwa mwaka na hizo pesa hazitoshi kufanya kazi ambayo inatakikana. Ningetaka kuuliza pia Serikali itoe guarantee ya pesa za miradi ambayo ni mingi kule Pwani na ambayo itafanywa chini ya halmashauri ya maendeleo ya Pwani.

Wenzangu wametaja utalii, uvuaju wa samaki, kuchimba madini na mifugo. Haya yote kuendelezwa yanahitaji pesa. Kitu ambacho tunaitisha katika mswada huu ni pesa. Serikali inafaa itoe njia ya kuanzisha Coast Development Fund na ipatie CDA uwezo wa kutafuta pesa za kusaidia maendeleo ya huko Pwani. Kama ningepulizwa ni kiasi gani pengine kingetosha kuendeleza maendeleo yale ambayo yametajwa---

**Dr. Oburu:** Thank you, Mr. Deputy Speaker Sir, for giving me this opportunity to contribute on this very important Motion.

The Coast Province is a very rich region in our country with great potential in tourism, agriculture, natural resources and even in human resources. The Coast Province pays taxes to the national kit more than any other region in this country and yet it has not been given the seriousness, in allocation of Government resources,

which it rightfully deserves. Looking at the Ministry of Rural Development which is taking care of this CDA this used to be a department in the Ministry of Planning and National Development. The reason why it was not made as a Ministry with more powers and more authority than when it was just a department within the Ministry of Planning and National Development is completely mysterious to me. The department of rural development in the Ministry of Planning and National Development used to look after what is called ASAL programmes which are very vast programmes covering almost all aspects of development, water, education, agriculture, afforestation and so on. Yet when this Ministry was formed most of those powers remained with the Ministry of Planning and National Development. Why should a Ministry be created just to look after few authorities which have no money and resources?

Mr. Deputy Speaker, Sir, the problem of CDA is not unique to the Coast people. This problem engulfs all the development authorities in this country, particularly, the LBDA which is supposed to stimulate development in Nyanza, where I come from. The authorities have become completely ineffective. Looking at the Coast Province, one of the programmes funded by IFAD is covering all the six districts of the Coast Province. It is implementing projects in agriculture, water development, forestry and all other aspects of development in the Coast region. The amount of money they use is colossal and yet it is not channelled through the CDA which is supposed to deal with rural development. What rural development are we talking about when they do not have funds to tackle the real issues affecting the people?

Most of the speakers who have spoken here, have been talking about research. But research should be action-oriented. We do not want empty research which is kept in shelves. Some of these research projects have been done over and over again by many donors. Those who come to do research spend money doing what is already there in store and which they can easily retrieve and use to implement the projects. What the coast people want is not just research, because a lot of research has been done in Coast Province and most of the materials required for financing and implementation of the projects are already there. So, I do not think that most of these authorities should be given a lot of money to do research which is not action-oriented and which is just kept in shelves, when the people are suffering, going hungry, becoming poorer and poorer because they cannot meet their basic needs.

What we require in the Coast Province is not just to give the CDA the right to collect more taxes from institutions such as the Kenya Ports Authority (KPA). While it is quite prudent to give the CDA powers to tax institutions such as the KPA, we should be careful not to overtax. This is because if we overtax KPA, we will make our port inaccessible by making it too expensive for ships coming from other countries to use it. The ships which come to Mombasa have alternative routes like Dar es salaam where they can go and off load their cargo instead of using our port and then the country shall have lost totally. The KPA is already being taxed by the local authorities like the Mombasa Municipal Council which---

**Mr. Shakombo:** On a point of information, Mr. Deputy Speaker, Sir. Kenya Ports Authority---

**Mr. Deputy Speaker:** Order! He has to accept your point of information!

**Dr. Oburu:** Mr. Deputy Speaker, Sir, if they have not started taxing them, I know there were intentions to tax them in order to finance the running of the Mombasa Municipal Council. I am not opposing taxation of the KPA. But what I am saying is that, the authority should be careful not to overtax which will make the port more expensive and inaccessible to other users of this very important facility.

Mr. Deputy Speaker, Sir, I would like to conclude here by saying that, all authorities should be given the same things that we are demanding for CDA. This is because the disease which is ailing the CDA is ailing all the other authorities. I want to say that these so-called authorities are authorities without authority. You cannot be an authority when you do not have sources of finance. You must be an authority with sources of finance. I am saying here that CDA should deal with those rural development projects at the Coast funded by the donors so that they can use the resources already here. For instance, IFAD has so much money which should be channelled through CDA instead of being spread thinly to the Ministries, for example, the Ministry of Water, Health, Agriculture and so on with very little impact. This is because, looking at the amount of money which the ASAL project is spending at the Coast Province, most of it is under the Development Vote. If you look at that Development Vote carefully, it entails just expenditure for Government officers; travelling and accommodation expenses, telephone expenses, equipment and so on which is not being translated into benefits for the Coast people. The ordinary person in the Coast Province is not benefitting from those funds the way he would if they were channelled through an authority like CDA. This authority should not be just a planning body but actually an implementation, monitoring and evaluation body. It should be able to involve itself in development and the monitoring of development projects so that people in the Coast Province will see the difference. Otherwise, CDA is just like any other Government department which is doing very little. If it is given Ksh200 million, what can that amount do for development of a vast region like Coast Province which is contributing enormously in terms of tourism, mineral resources and

human resources?

People in Coast Province are very energetic and they can do a lot for the development of that region if they were given empowerment through proper funding of their development programmes. As usual, CDA was supposed to stimulate that development, it was supposed to push that development ahead, but I am sorry to say that because of lack of funds, this authority has very little impact and unless we take immediate steps to revitalise it, it will continue to be just a name of an authority without authority.

With those few words, I beg to support.

**Mr. Shakombo:** Asante sana, Bw. Naibu Spika kwa kunapatia nafasi hii niunge mkono Hoja hii. Kwanza, ningependa kuishukuru Serikali yetu kwa kuanzisha Shirika la Maendeleo kule Pwani. Vile vile, ningependa kuishukuru Serikali kwa kupatia nafasi vijana ambao wamesoma vizuri na wana bidii sana kusimamia Shirika hili. Sisi kama wawakilishi wao katika Bunge, tuna imani sana na mkuu wa Shirika hili na wale wafanyakazi wenzake kwa sababu wanafanya kazi nzuri sana.

Bw. Naibu Spika, taabu tuko nayo ni kwamba kazi nzuri ya utafiti ambayo hawa vijana hufanya katika hili shirika, yaonekana ni kama waandishi wa vitabu vya historia. Wanaandika vitabu vya historia, tunavisoma na kujua mambo yaliyoko na yale ambayo yangefanyika, lakini hakuna jambo linalofanyika. Inaonekana kwamba vijana hao ambao wana bidii mwishowe wataonekana kwamba hawana chochote wanachokifanya kwa sababu Shirika hili halifanyi jambo linaloonekana.

Nchini Kenya tulipata Uhuru kabla ya nchi kama vile Indonesia na Malaysia. Kabla nchi hizi hajipata uhuru, sisi tulikuwa mbele yao hata kwa uchumi na tulikuwa tukijivunia kuwa na nchi tajiri. Nchi hizi mbili sasa zimetupita ingawaje zilipata uhuru nyuma sana kuliko sisi. Sababu ni kwamba, tuna mimea ambayo kule zimefanya nchi hizo kutajirika sana. Na ni ule mmea unaitwa palm tree. Hapa kwetu Pwani ya kaskazini na Pwani ya kusini, mmea huu unaweza kukuzwa kule, kwa sababu, utafiti umefanywa na ikagunduliwa kwamba miti ya mafuta ya nazi zinaweza kukuwa na kufanya uchumi wa Mkoa wa Pwani na nchi nzima kukuwa. Shirika hili letu, pia, baada ya utafiti huu waliweza kutafuta wale wanaoweza kugharamia mradi huu. Kwa sababu Shirika hili halina uwezo wa kuweza kuzungumza na wale wanaoweza kuleta mali ili mashamba haya yakuze mmea huu. Utafiti ulifanywa, lakini hakuna faida yoyote.

Bw. Naibu Spika, hili Shirika vile vile, limefanya utafiti kutafuta njia ya pili ya kuja sehemu ya South Coast, kama vile taraja. Ukisoma katika vitabu vyao utaona kwamba, wameeleza faida inayoweza kupatikana kule pwani ikiwa kutakuwa na njia nyingine ya kuelekea kule South Coast, katika kuimarisha ukulima, usafirishaji na kuwawezesha wenye viwanda kuenda kule. Hivi sasa wanaogopa kuenda kule kwa sababu ya ugumu wa kuvuka ferry. Kwa hivyo, kila mtu ana uoga wa kuenda South Coast. Mambo haya yote ambayo tunasoma katika vitabu vya hili shirika letu yengikuwa yanafanyika, basi Pwani ingekuwa sehemu moja tofauti kwa kimaendeleo kuliko vile ilivyo sasa.

Bw. Naibu Spika, kudhalilishwa kwa watu wa Pwani ndio kuliofanya chama changu cha Shirikisho kikawa na msimamo wa kuuliza Serikali ya majimbo. Nikisema hivyo, watu wengine wa bara ama maadui wa watu wa Pwani hufikiria kwamba, tunataka kufukuza watu wa bara kule Pwani. Hilo silo lengo letu. Ni kwa sababu ya unyonge na pia kwamba, hakuna mtu anayeziangalia shida zetu. Tunaona kwamba, kuna mali, lakini hii Serikali ya umoja haishughulikii maslahi yetu. Kwa hivyo, tuliona kwamba, hiyo ndio njia moja itakayotwezesha kupata faida maradufu kutoka kwa mali yetu ya asili.

Najua mwenye kuleta Mswada huu, mhe. Maitha, alisema hapo mbeleni ya kwamba, haungi mkono hoja kwamba tunataka serikali za majimbo. Mimi sitaki kusema kwamba hivyo ni vibaya, kwa sababu, hata kile chama ambacho kimemfanya aje hapa Bungeni ni chama ambacho kina shabaa zake ambazo kila mwanachama wake lazima afuate. Lakini mimi ninamuomba na hawa wenzangu ambao tunatoka nao huko Pwani, na marafiki wa Pwani, watafute njia za kutuwezesha kuendelea kielimu, kibiashara, hali ya barabara, utamaduni na usalama wetu. Inafaa tupewe nafasi ya kuweza kusimamia mambo kama haya. Hiyo ndio sababu kubwa chama cha Shirikisho kinasema kwamba, nchi ya Kenya itakuwa na amani ya kudumu ikiwa kila jamii itapewa nafasi ya kusimamia maendeleo katika sehemu yao, halafu Nairobi iwe ni yetu sote.

Bw. Naibu Spika, sisi hatusemi kwamba hili Shirika lianze kuwatoza wananchi kodi nyingine. Tunasema kwamba, ile faida inayopatikana, Serikali iruhusu Shirika hili kubakisha kiwango fulani kule Pwani badala ya kuchukuliwa kama kodi, ambayo ikishaletwa Nairobi, basi haimsaidii mwananchi wa Pwani. Huko bandarini, nafikiri mlisoma kwa magazeti kwamba, kuna kampuni ambayo imekuja kusimamia zile Wizara za Serikali ambazo zinahakikisha ushuru unalipwa kwa kila mali inayoingia nchini. Shirika hilo hata lilikuwa na kesi kortini. Ingekuwa pesa ambazo shirika hilo linachukua zinabaki kule Pwani, basi bila shaka, kazi yake ingeonekana. Kwa hivyo, ningetaka wenzetu walio na mapenzi na imani na sisi watu wa Pwani, wasifikirie kwamba tunasema kuwe na ushuru mpya zaidi ya ule unaotozwa bandarini ama katika viwanda vingine vyovyote. Tungependa ile faida inayopatikana katika viwanda vilivyo kule Pwani itoe kiwango fulani cha faida yao na

kupeana kwa Shirika hili ili lionekane linafanya kazi badala ya kufanya utafiti peke yake ambao haumsaidii mwananchi wa kawaida kule Pwani.

Kwa hayo machache, naunga mkono Hoja hii.

**The Assistant Minister for Rural Development** (Mr. Sirma): Mr. Deputy Speaker, Sir, I rise to support this Motion. I am obliged by the hon. Member for Kisauni who has recognized the significant role expected to be played by the Coast Development Authority as a prime mover of regional development and the financial constraints in which it operates, making it difficult to achieve its objectives.

Mr. Deputy Speaker, Sir, CDA is established under an Act of Parliament, Cap.449. Unlike the other five-sister regional bodies, it is charged with planning, co-ordination, implementation and development of projects in the whole of Coast Province and the exclusive economic zone for connected purposes. In this regard, I would like to correct what hon. Galgallo said in seconding this Motion, that the Kerio- Valley Development Authority is under the Office of the President. This is not correct, because Kerio-Valley Development Authority is under the Ministry of Rural Development like any other regional bodies in this country. Its roles and treatments are the same. Therefore the sentiments expressed by other hon. Members who have contributed to this Motion, that it is being given more say or more funding than other Authorities is not true. All the Authorities are facing the same financial constraints. As a Ministry we support the move taken by the hon. Member who brought this Motion, so that we may be able to get more funds for development purposes in the Authorities other than for salaries only.

Mr. Deputy Speaker, Sir, CDA is a corporate body whose powers include suing and being sued; taking, purchasing, or otherwise acquiring, holding, charging and disposing of movable and immovable properties; borrowing and lending of money; entering into contracts; doing or performing all such other things or acts necessary for the proper performance of its functions under the Act, which may lawfully be done, or performed, by the body corporate.

Due to budgetary constraints, the Government has been unable to give regional development authorities sufficient funds to implement development projects. There are many development projects which the authority has been undertaking. However, due to inadequate funding of the authority, some of the projects have not been able to progress well. As we are all aware, donor funding to the country was frozen in 1992. This has affected all regional development authorities in the country, CDA inclusive. That is why most of its projects have stalled.

The scarce funding we have been giving to authorities have mainly been for salaries to maintain the staff since we solely depend on the Exchequer for recurrent and development budgets of all development authorities. The area covered by CDA has immense natural resource bases which, if properly developed, could make the region one of the richest regions in the country. The region has resources such as forestry, water, wildlife, marine life, mineral-rich soils as well as human life. It is these resources that the authority is mandated to exploit for the benefit of local residents in particular, and the country at large. I am glad to note that despite its financial constraints, the authority has done its best towards meeting its development objectives. The following income generating micro-projects are worth mentioning although they have not been satisfactorily done:-

Bee Keeping Project, Taita-Taveta; Integrated Poultry Development; Manyala Citrus Project, which has been mentioned by hon. Members from that area; Community Participatory Programmes in Water Education, Health and Environmental Conservation; Formulation of short-term and long-term development plans for the region, including initiating project proposals geared towards external fund sourcing. Some of them are the Mwache Dam, which is being financed by the Africa Development Bank (ADB); the Private Initiative, examples of which are Shimoni Cement Factory, Rabai Power Station, Kwale Sugar Factory, and Moi Airport Cold Storage.

These are some of the workable projects which the communities in that region have been able to initiate. Recently, CDA organised a tour to Pakistan, during which a hon. Member accompanied the authority on behalf of the coastal communities. The trip to Pakistan by CDA officials was in relation to the Kwale Sugar Factory. The factory is one of the resources which, if funded, will enable CDA to have a proper financial base. It is in this light that the Government would wish to support any measure within the law that may help to boost the financial capabilities of CDA. In this regard, the Government undertakes to accept the Motion, subject to the following amendment.

I beg to move that the Motion be amended by deleting the words "to source revenue from established institutions in both public and private sectors operating in the region", appearing in paragraph (ii) of the Motion immediately after the word "Act", and putting in place thereof the words "and in consultation with Treasury, to develop revenue raising mechanism for improvement of the coastal region".

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

**The Minister for Agriculture** (Mr. Mudavadi): Mr. Speaker, Sir, I would like to second the proposed amendment that has been moved by the Assistant Minister. I would like to say that we have consulted on the same with the initiator of the Motion, hon. Maitha. The basis of this is, first of all, to accept that CDA requires

additional funding. Since it is clear that it is not possible to get this money from the Exchequer, judging from the figures that the authority has been getting in terms of subvention, clearly, it requires to generate other ways of getting revenue. In order to make sure that whatever is being done is being done in a manner that is also friendly to the people of the region--- The process of raising revenue may involve an element of taxation. Therefore, it is important for the House to take note of the fact that it is always important to consult the Treasury whenever revenue raising issues arise, so that whatever is being proposed becomes a policy position that is friendly to those who will be generating that revenue. So, the proposed amendment is just more of a refinement of the Motion, and not a negation of the general principle and spirit of the Motion. I hope that the House will adopt the amendment, so that we can all support the establishment of the Fund.

With those few remarks, I beg to second the amendment.

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

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

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

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

*(Question of the Motion as amended proposed)*

**Dr. Omamo:** Thank you, Mr. Deputy Speaker, Sir. I would like to support the Motion as amended. I would like to thank hon. Maitha, for bringing this Motion and also to thank the Government for accepting the direction and spirit of the Motion. I would like to say that this Motion has come at the right time. What is happening at the Coast is happening elsewhere. It is good that the Government did recognise that the Coast is peculiar in its own way and needed a development authority.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, this is the same way that the Kerio Valley Development Authority was designed to develop that area. This is the same consideration that made the Government come up with the Lake Basin Development Authority. What is more important, however, is for the Government to make sure that these development authorities become authoritative. They are not authoritative, and when an authority is not authoritative, it is like a toothless bulldog. I hope the Minister is hearing. When a bulldog becomes toothless, only the tail is remaining. I like the amended Motion because it introduces a new dimension into this, that the Treasury now be involved actively to help in finding more funds to help the Coast Development Authority become authoritative.

The Coast, as a region, is peculiar and Kenya should be proud of the Coast Province. It has its own peculiar climatical conditions, its own peculiar culture and history. The Coast has a very important historical background to make Kenya very proud. We would like to see the Coast develop and prosper just as any other part of Kenya. I would like to suggest particularly, when it comes to agriculture, there is a lot that can be done to make the Coast produce those peculiar crops that cannot grow in other parts of the country. I want to mention just a [**Dr. Omamo**]

few; take this crop called bixa. Why should bixa industry be allowed to die unnatural death? Why should we not promote the coconut industry? Surely, when one is given cashewnut as a nut to chew and he is also given groundnuts, he will definitely know the difference in the taste. The cashewnut is much superior to the groundnuts

and this is coming from the Coast.

Sir, I would really like the Ministry to take this Motion seriously. Let us find more money and give more "live" to the Development Authority. I do not want to dilute this matter by talking about Lake Basin Development Authority; Lake Basin will have its own day. What I am saying is that CDA has a "sister" at the lake and if the CDA has "life", the same technic will make the Lake Basin Development Authority also have "live".

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

**Mr. Kamolleh:** Thank you very much, Mr. Temporary Deputy Speaker, Sir. I would like to support the Motion in that given amendment. First of all, it is very interesting that there is capitalism, but then in that capitalism there is capitalism without capital. It is also interesting that there is CDA, and like my colleague, Dr. Omamo says, it is not authoritative. I want to say that CDA is without "authority". The Authority is just there by name. Why? This body has done quite a lot of work without the right amount of money given to it. But with the little amount of money, with that scanty funding, they have been able to do research, get some information on cashewnuts, oranges, fishing and many others, even to the extent of going further down to look at the possibilities of bringing down certain factories like cement factory, sugar factory and even coconut factories for various kinds of production of materials from coconut; for example, cushions, roping and carpets. But all that is just on paper. The CDA has used the very scanty amount in the past to do all these. What will it now do if there is implementation? How can that be done?

Sir, amendment to this Motion gives us some kind of lee-way - I hope - that the Government will not interfere even when, for example, leaders from the Coast work through those strains to make sure that monies that are sent down to this country to assist CDA are not channelled to Kerio Valley Development Authority or some other authorities. This is very important because other monies for roads and other projects for the Coast have been diverted. We have evidence to this and we do not want to hit back, but we need just to remind that when these monies are channelled to CDA, they should actually work for the Authority.

Mr. Temporary Deputy Speaker, Sir, we do very much thank the Government for even having thought of bringing down the idea of forming the CDA. That the idea of wanting a child and when the child is born you do not feed or clothe it, it is not enough. The idea has been born, but the idea has not been nurtured well. It is high time that the Government, not only gave enough money to the Rural Development Ministry, but also to see that those projects that have been already planned by CDA can be given some kind of "life" and resuscitation so that we can start, at least, one or two projects which can be implemented.

Mr. Temporary Deputy Speaker, Sir, there is no use of saying that it is the Government by the people, for the people and by the people, when the people of the Coast are not seeing that kind of thing; that, that Government is for the people and by them and for them. Look at tourism! Most of the Coast people are not involved in tourism directly. Because of that capitalism without capital, we notice that all and in fact, 99 per cent of the hotels, the land used for lodgings and what-have-you is owned by other people who only think of going to collect cash from the Coast and go elsewhere. If CDA were to be given the chance to be able to fund some of the projects and perhaps even own some of the hotels and lodges, then we would be starting a new chapter.

Mr. Temporary Deputy Speaker, Sir, there have been a lot of grumblings, misconceptions and even complaints from the Coast. The people have kept quiet for a long time. They have been told several things and they have kept quiet. Maybe they have been given a little bit of an injection to say that they have woken up; I do not want to go deep into that but that was a reminder that we are not asleep as people are saying. This is because CDA should be given that chance not only by consulting the Treasury but also by being given money by the same Ministry to be able to run some of those projects that we have. We have oranges in Mkongani in Kwale District or even in Mwaluramba or wherever and we can actually produce these oranges without having to import any more oranges from Israel. We have cashewnuts; but cashewnuts in Mozambique and Tanzania have been given a lot of attention to the extent that, when you are in France or Germany, you are eating cashewnuts; not from Kenya and yet, we grow a lot of them, but from Mozambique, Comoros Islands and other places. It is high time that we produced our own cashewnuts for export. The people of the Coast are not lazy but it is because they have not been given the potential. They have been told that they are in a country which is a capitalist country but they have no capital. How can they be capitalists? So, *laissez faire* or let's do, has been left only to those people who have been let to do. Now, we want to be let also to do the necessary. We can only be left to do with Kenya if they were to be given enough authority and guidance to have funds to be able to guide and counsel, so that those projects at the Coast be they of coconuts, cashewnuts, oranges, fishing, tourism, cement, sugar in Ramisi, mining of tin and what-have-you, we need to have all those things. But how can citizens do anything if they do not have money?

Mr. Temporary Deputy Speaker, Sir, in the words of hon. Omamo, we are left with CDA as a toothless bulldog which cannot bite but bark. We would like to stop barking and start biting. By so doing, the people of the Coast will now know they have been remembered by their very good Government which they accept to run.



Mr. Temporary Deputy Speaker, Sir, there are other bodies like CDA which have been given leeway to the extent that they now run their own projects. For example, the Kerio Valley Development Authority is running the Turkwell Gorge. Do you know that? And therefore they are even generating some cash out of that. They are also generating some employment out of that and they are also involved in the science of environment of that area. To the point, CDA at the moment is only an office body where paperwork is done and people just sit and in the evening they go home. Salaries are being paid and that is about all. That was not the idea of CDA. The idea of CDA is to bring development which means the economy of the people and the doings of the people changes from one point to another. I feel time has come to give CDA that chance not only to ask but also to counsel and advice the people of the Coast on how to run the affairs of agriculture, industry, education or even to run affairs in terms of their own culture. This is a possibility if CDA was to be given enough teeth to do that.

Mr. Temporary Deputy Speaker, Sir, I would like also to say that the employment position of the Coast would be greatly improved if CDA was to be given that chance of having enough funds to run those projects. It would lessen the unemployment at the Coast which at present is running at almost 88 per cent. You will be surprised that even though the hotels that I am mentioning are owned by people other than those coming from the Coast, they do not employ Coastal people and if they do, it is only the sweepers and waiters but not those Kenyans who would get enough revenue to be able to for example, build their own houses and the like. It is high time that CDA was given enough funding so that it would not only implement projects but also come in to advice and counsel the people on how to do things and come out. With all these, we could also have Kenya Cashewnuts Company which has been talked about. We could also have Kenya Bixa which is almost going down. We could also have another body for those are other crops that we grow down there. Bit by bit and gradually we have been brought down to our knees kneeling and listening but not saying anything. If CDA were to be given enough chances and funds, they would be able to revive all those projects and I do not think we will have to come and stand here to talk about this or the other, rather than the improvement of the same area.

Mr. Temporary Deputy Speaker, Sir, I think CDA also can assist greatly, if it was given a chance by simply being given the leeway to fund itself either through the Government or through other means, to be able to have their own headquarters. At the present moment, they are being housed elsewhere where any time, thieves can go by.

With those few remarks, I beg to support.

**Mr. Maitha:** Mr. Temporary Deputy Speaker, Sir, I wish to give my seven minutes to hon. Haji and then, I will finish the three minutes.

**The Temporary Deputy Speaker (Mr. Poghiso):** Granted.

**The Assistant Minister, Office of the President (Mr. Haji):** Thank you, Mr. Temporary Deputy Speaker, Sir. First of all, I would like to support the Motion as amended and also register my appreciation to the Government for accepting the Motion. I come from Garissa South which is about 110 miles from the Garissa District Headquarters and only three kilometres from Tana River District and about 25 kilometres from Lamu. We are grateful that the Government, when establishing CDA included Garissa South as an area of jurisdiction to the Authority and many speakers have mentioned that when this Authority was mooted, they all had great hopes that something tangible would be happening in those areas which were left behind not only during the colonial times, but also immediately after Independence.

Mr. Temporary Deputy Speaker, Sir, it will be realised or appreciated by everybody here that Tana River, Lamu, Garissa South as I mentioned and Kwale districts are some of the poorest districts in this country not because the people are not hardworking; not because the people do not have the will to improve their economy, but sometimes because of some natural catastrophes like drought after drought and also the *El Nino* phenomenon. And after the *El Nino* phenomenon, particularly in Garissa South where people depend on livestock, most of the animals died either due to drought or during the floods which came with a lot of diseases including ticks.

Mr. Temporary Deputy Speaker, Sir, every effort was being made throughout the country to establish cattle dips and all the drugs were being given free by the Veterinary Department. Unfortunately, there were no cattle dips established in those areas. When the people realised the importance of cattle dips, they started building few dips for themselves, the free medicine that was being given for the dips, also ceased completely and the people were left high and dry. As I am speaking now, the statistics will prove me right that all the cattle put together in North-Eastern Province and those which are only in southern part of the district, we can say with confidence that the south has more than half of the total population of animals in that part of North-Eastern Province including the Coast Province.

The other day, I raised a matter here that a lot of animals are dying because of ticks. These ticks affect the animals and within six hours, they are bound to die. If something is not done, we are going to lose that huge herds of animals in that area. We expected that with the establishment of the CDA, they would be targeting on how to

improve the livestock rearing in that area as well as in marketing. But with great disappointment, since the CDA was established, the Authority made only one visit to that province and the only thing they did was to renovate a health centre which was there. This is really very disappointing. There is no point of establishing an authority like this one. I know the man in charge, Prof. Lugogo. When I was PC in Rift Valley, he was a lecturer at Egerton University. We would not like such an eminent person to be wasted sitting in the office doing nothing. Why? Perhaps, he could have been even more useful if he was left at Egerton University to teach our children. Now, that he has been deployed there as the Managing Director, we would like to see him supported. With his experience and knowledge, we believe that, if he is given a little free hand, maybe, he would be able to raise more funds which would be useful not only to the Authority, but to this country because right now we know that besides agriculture, the second highest earning revenue comes from tourism. If tourism can be developed in Kwale and people get employment, and if they can grow enough fruits and vegetables to feed the tourists who are coming there and even export some, it would generate an income which would help our beloved country, Kenya.

Mr. Temporary Deputy Speaker, Sir, I do not want to take more time of my brother. I would like to very sincerely thank him. It is a very rare gesture for a Member of the Opposition to give part of his time to a Member of KANU to contribute. I thank him very much.

**Mr. Maitha:** Mr. Temporary Deputy Speaker, Sir, first of all, I would like to thank the Ministry of Rural Development and maybe the Government for accepting this Motion with the little amendments. In fact, I was very happy with that amendment. It is even not an amendment, it is an addition of what I had forgotten. I am sure this Motion now has the proper face it needs to safeguard CDA. I would also like to thank all my colleagues, Members of Parliament, for supporting this Motion.

This Motion is in line with the Presidential Speech which the President gave here and which gave some hope of eliminating poverty in this country. You would remember that, that Speech touched a lot on poverty and the CDA being a development gear for the coastal people, we should give it "the teeth", as hon. Dr. Omamo has said, to bite. I am sure the Government would always support this Authority. By bringing such a Motion into the House, let me repeat again that, I am not interested in majimboism. I do not support it, but where a region has the potential, then let something go to that region to enable it develop its area. We are happy that Western Province has a lot of cess from sugarcane, the Central Province has a lot of cess from tea and coffee and so are other areas. So, there is no sin for the coastal people to have their own development.

I hope that the Government would help the CDA particularly the Treasury. The amendment should not be a way of putting a link to CDA that wherever they come to the Treasury, they are kept waiting for the whole day without seeing the officer who is in charge. The Treasury should now put an officer who would be liaising with the officials of CDA wherever they need that help. I am sure the Ministry in charge of this would always help us. I am soon bringing a Motion into this House to enact a Bill on the Palm Act. We passed a Motion here on mnazi and we want the industry to take off. We want to start that industry and CDA is ready to start it. So, we need that money so that we can hire lawyers who can help us to draft a very good Act of that industry which can help the coastal people. We also need this Authority to do a lot of things and this is one way of empowering the coastal people.

His Excellency the President has always come to the Coast and complained that the coastal people are not empowered economically, they are very poor. He has always challenged the leaders to come up together so that the coastal people can be economically empowered. On that line, we as Coast leaders are always ready to help our people. That is why we have brought this Motion here.

I thank all my friends from all over the country who have supported this Motion and who have really given good contributions. I am sure I would also support them in their Motions. With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to move.

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

*Resolved accordingly:*

THAT, in view of the significant economic role supposed to be played by the Coast Development Authority as a prime mover of regional development; being aware that the Authority is operating on scanty financial resources making it difficult to meet its objectives, this House urges the Government to:-

- (i) establish a Coast Development Fund to generate revenue for the Authority; and,
- (ii) give the Fund statutory powers under the ambit of the Coast Development Authority Act

and in consultation with the Treasury to develop revenue raising mechanisms for improvement of the Coastal regional.

*(Applause)*

**The Temporary Deputy Speaker** (Mr. Imanyara): Next order.

#### ESTABLISHMENT OF GENDER EQUALITY COMMISSION

THAT, in view of the fact that the Kenya Government is a signatory to the Beijing Declaration and the Platform for Action, considering the disturbing increase in gender violence and discrimination in our society and cognisant of the Government's declared policy on gender equality, this House urges the Government to establish a Commission for Gender Equality to promote respect for, and the protection, development and attainment of gender equality.

**Mr. Raila:** Mr. Temporary Deputy Speaker, Sir, I consider this Motion to be of great national importance. The passing of this Motion shall be treated as a nod of the House for the introduction of a Bill, for the creation of a Gender Commission to deal with issues that we think are of pressing national concern.

As I said last week, during my contribution on the Sessional Paper on water resources, I consider that women's rights are human rights.

*(Applause)*

They should be treated with the importance that they deserve. There are historical reasons why women have been discriminated against in our society. I would like to say that, this is not unique to Kenya alone. Part of it is because of our cultural backgrounds; that we are coming from a background of a patriarchal society. The other part of it is because of the colonial legacy. The colonial system itself was an extension of a British society which was also very discriminative at that time. The British women had to fight very hard for their rights in Britain. That is the reason why we have this problem in our country today. Women have played very important role in our country. First, in the struggle for the liberation of this country from the colonial rule. One can name a few of them like - Field Marshall Muthoni, Ms. Katilili from the Giriama community, Chief Mangara Ogonje Nyaluyu, Moramo Kangiti, Mary Nyanjiru and Clara Wambui Waotieno.

Women have equally played a very important role in the second liberalisation of this country, in trying to create a democratic state in our society. But unfortunately, the men have not acted in reciprocity. I did say last week that one of the biggest problems we have in this country is the yawning gap between theory and practice. In theory, this Government is committed in trying to introduce gender equality in our society. That is the reason why this Government is a signatory to several international conventions. I wish to cite a few of them. They are Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, the Declaration on the Elimination of Violence Against Women and the Declaration on the Rights to Development. The Government is a signatory to a number of those international documents. But there is no commitment to implement any of those documents.

A few years ago, a very important meeting was held here in Nairobi which came out with what has now been popularly known as the "Nairobi Forward Looking Strategies" for the advancement of women by the end of the century. The Platform of Action of the Beijing Meeting was actually a continuation of what was discussed and passed in Nairobi. When the many delegates met in Beijing, they reviewed the international situation and identified certain issues which they considered to be critical if the issue of gender equality was to be attained. Some of the critical issues are:

- (i) What is the effect of the continuing and increasing burden of poverty on women;
- (ii) Are there inequalities and inadequacies in access to education and training for girls and women;
- (iii) Are there inequalities and inadequacies in the access to health care and related services for girls and women;
- (iv) What is the degree of violence against women and what is being done about it;
- (v) What are the effects of armed or other kinds of conflicts on women;
- (vi) How do the inequalities in economic policies and practices affect women;
- (vii) What are the consequences of inequalities between men and women in the sharing of power and decision-making at all levels;

- (viii) How does the lack of sufficient mechanism at all levels to promote the advancement of women affect the development and gender equality;
- (ix) What does it tell you about the commitments of the Government;
- (x) To what extent are women's human rights respected, promoted and protected;
- (xi) Do the media and other communication systems consistently and continuously stereotype women and deny them access;
- (xii) To what extent are there gender inequalities in the management of national resources and the safeguarding of the environment; and,
- (xiii) Is discrimination against and violating of the rights of the girl-child persistent.

Mr. Temporary Deputy Speaker, Sir, so, these are the criteria which countries that are determined to deal with this issue comprehensively use in determining whether there is gender discrimination or not.

On poverty, it is a generally AN accepted fact that women form the lowest level of the poorest people in our society. Yet, it is also a recognised fact that outside there, in the rural areas, women are the providers for the society. Women are actually the beasts of burden in the society.

*(Applause)*

Women till the land, fetch water, cook the food, fetch firewood, and so on and so forth. Yet, the work they do is not given recognition that it deserves.

As far as education is concerned, about 75 per cent of the illiterate people in this country are women, and this is happening 35 years after attainment of political Independence. It is now said generally that about 50 per cent of primary and secondary enrolments are girls. However, it is also admitted by the Government that only 25 per cent of our enrolment at our universities are women. The question that ought to be asked is: What happens with the others? This is the question which the Government ought to ask itself, but it has not been doing so. It is because of the discrimination on certain practices that exist in our institutions of higher learning that makes it difficult for our girls to advance to higher levels of education. For example, women with babies cannot be admitted at residential hostels in our institutions of higher learning. If they were to be admitted, they still need to pay for domestic health for their children.

In as far as health is concerned, it is also generally admitted by the Government that there is no adequate attention to those health problems that are specific to the womenfolk. At the start of this, there is very high rate of maternal and childhood mortalities in our country because our hospitals and medical facilities are not geared towards catering for special needs of women. We have said in the past that the Government needs to introduce a preventive method in health care system. We also said that there is need for promotion of women's reproductive health care. So, in as far as violence and sexual abuse is concerned, not enough can be said about it. Today's headline of the *East African Standard* newspaper says it all: A 13-year-old school girl raped by a husband of her teacher and then becomes pregnant. She gives birth to a child, and the matter is reported to the authorities and nothing is done. To make it even worse, a letter is written to the Commissioner of Police on the 5th of March, and to date, there is no response. This is one of thousands of cases that we witness in this country.

Mr. Temporary Deputy Speaker, Sir, I want hon. Members to put themselves in the position of the parents of that 13-year-old girl. She could have been your daughter whom you send to school and is raped by the husband of her teacher and made pregnant. How would you feel? So, this issue is so serious that it ought to be treated with the importance that it deserves.

Mr. Temporary Deputy Speaker, Sir, up in the Speaker's Gallery here is sitting Halima Godana from Kibera.

*(Halima Godana stood up in the Speaker's Gallery)*

You can see that she is holding her hands up there. She lost the use of her limbs on the 4th of January this year. On that day, she was a very happy housewife, staying with her children, when a Mr. Katelo Alido, a watchman, came to her house at 7.00 a.m. and insisted that he wanted to marry her 17-year old girl who was in Form Two. Mr. Alido had first approached her in 1994, asking for her daughter's hand in marriage, but she had refused. On this fateful day, he moved in, attacked her, chopped off all her limbs and left her for dead. The fact that he was later on killed by enraged neighbours does not in itself subtract the brutality meted out to that innocent woman. We also have other cases like the case of the woman who was hacked to death by her husband in Kawangware and several other cases which we have witnessed recently. There is a high increase of violence against women. One can also say there is reciprocal violence like the lady in Buture who bit off her husband's

male organ to prevent him from exercising his democratic right of marrying a second wife. You can also remember the case of Garissa---

**The Assistant Minister, Office of the President** (Mr. Haji): On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the hon. Member tell us whether raping women is a democratic right? That lady must have cut the male organ of her husband because of moving with other women!

**Mr. Raila:** Mr. Temporary Deputy Speaker, Sir, what I was saying is that, that lady was trying to prevent her husband from marrying another wife. Since polygamy is still legalised, she was trying to prevent him from exercising his democratic rights.

Mr. Temporary Deputy Speaker, Sir, we know of that Garissa teacher who forcefully tried to marry a girl but the girl refused and nothing has happened to that teacher. Sometimes we ought to blame our own conservative cultural practices inherited from a "patriarchal society." For instance, we still have the female genital mutilation and I know that a number of hon. Members in this House are not willing to stand up and talk strongly against it because of the fear of losing votes of their women back at home. But I consider this House to consist of very enlightened members of our society and they should stand up and speak out against this. We also have a fixation amongst the Giriama where it is normal for one to commit adultery with somebody's wife and once you admit it, you are asked to pay a fine which is called *malu* and once you have paid that, everything is fine. But if you do not pay *malu* then you can be killed by the enraged husband.

Mr. Temporary Deputy Speaker, Sir, let me now move to the question of sharing of power and decision making in our society. We should, in fact, begin with the Government. The number of women in the higher echelons in the civil society has been declining and those ones who are there are basically in the lower brackets. Most women are concentrated in Job groups "A" to "G" where they form 22 per cent. We only have two women District Commissioners and there is no Provincial Commissioner who is a woman. Even when women are appointed as chiefs, they make headline news in this country. If you look at Job groups "P" and above, the following is the distribution:-

In 1990, there were 579 men and 30 women which amounted to 4.9 per cent.

In 1991, there were 523 men and 25 women.

In 1992, there were 581 men and 28 women which is 4.6 per cent.

In terms of hon. Members the first woman MP was in 1969; in 1974, there were 3 women MPs, in 1979 there were 3, in 1983 there was one woman MP, in 1992, there were six women MPs and in 1997, we have got seven women MPs.

In terms of councillors, there was 2.1 per cent councillors in 1988; 2.7 per cent in 1992, and 3.5 per cent in 1997.

Right now, we have got only two women Permanent Secretaries after two others were retired recently without replacement and unfortunately, those two come from one ethnic community.

Mr. Temporary Deputy Speaker, Sir, I want to give an example of Tanzania. Out of 20 Ministers, there are 15 men and five women, including the Attorney-General. In the category of Deputy Ministers, there are 10 men and two women, which accounts for 17 per cent. In the category of Principal Secretaries, there are 15 men and five women which is 25 per cent. In the category of District Commissioners, out of 190, there are 30 District Commissioners who are women, which is 15 per cent.

In Uganda which introduced "affirmative action", it has got 49 women Members of Parliament out of an Assembly of 150 Members of Parliament which accounts for about 30 per cent. In fact, Uganda has even a woman Vice-President. So, can we not admit that even our neighbours next door are actually leaving us behind in this very important field; and that we are denying over 50 per cent of our population equal chance for upward advancement? There are also laws that discriminate against women. There are laws that discriminate against equal access to resources, including land, access to credit, science and technology, vocational training, information, communications and so on. Even in matrimonial property rights, there are discriminations. There is also discrimination on how property acquired during marriages can be shared. There is also discrimination in the succession law. We had a case here, that is the S.M. Otieno saga where a widow was denied the legal right to bury her husband. The husband's body was taken and dumped somewhere in Nyalgunga. The people who took it there long ago, had to plead to put flowers on that grave. This is a shame in the name of culture and tradition. These are some of the things that need to be addressed.

Mr. Temporary Deputy Speaker, Sir, what we want to see addressed--- The reason why we think this Commission is necessary is to have a proper focus. To have one institution at the highest level of Government that is going to oversee the whole process of introduction of gender equality, that is going to monitor that the Government is actually implementing policies that it is signatory to. We have said that we would like to introduce affirmative action which is going to empower our women in this country. Saying that you are allowing

women equal opportunities with men is not saying much. It is like making one-legged person to run a 100 metres race against a two-legged person. It is an unequal contest. We need to place the one-legged person over 80 metres away because he is going to hop.

So, the functions of this Commission will be among others:

- (i) To monitor and review gender policies of all publicly funded bodies.
- (ii) Advocacy, information and education. Review existing legislation anew, to ensure that it promotes the equality of women.
- (iii) To recommend new legislations.
- (iv) To investigate complaints on any gender-related issues and if, need be, refer the matter to the Human Rights Commission and other institutions.
- (v) To monitor reports on compliance with the international conventions.

Mr. Temporary Deputy Speaker, Sir, if we have this kind of institution, we will be able to comprehensively address the issue of gender inequality in our society. This House consists of some of the best educated members of our society. It is a House that consists of people who understand. This House should go down in history as the Parliament that stood firm and empowered Kenyan women. It should go down in history as the Parliament that made it possible and revolutionised the whole issue of gender equality. If hon. Members vote for this Motion, we will very soon bring a Bill to ensure that a Gender Commission is established within this Session of Parliament. The machinery for monitoring all this needs to be placed at the highest section of the Government.

Now, political parties ought to be more committed rather than mere rhetoric and putting things in the manifesto. They should also introduce affirmative action in their own parties. We in the NDP have done it. Out of every regional representative, we have one man and one woman from each and every region. That automatically gives us nine women in our National Executive Council (NEC). Together with those ones who have been elected, of the 32 members of our NEC, we have 14 women. We would like to see DP, KANU, SDP and other political parties do the same. We would like KANU to practise what it says. Like in the Commission for the Review of the Constitution, KANU should nominate two women. They nominated seven men whereas the Act says there must be three women!

With those few remarks, I beg to move and request hon. Karua to second.

**Ms. Karua:** Thank you, Mr. Temporary Deputy Speaker, Sir. First, I must congratulate the Mover of the Motion hon. Raila and say that I rise in full-hearted support of this Motion. It is true that the Government is a signatory to the Beijing Platform for Action, which this Motion is seeking to implement, by seeking the appointment of a Gender Commission. The Mover of this Motion has ably recounted what commitments were included in the Beijing Platform for Action. But due to the mystery that surrounds what is in the platform for action, I will re-emphasise what our Government and other governments committed themselves to do at Beijing. They committed themselves to intensive efforts and actions to achieve the goals of the Nairobi Forward Looking Strategy for the advancement of women by the end of this century. We know that this century is coming to an end in another few months. So, the question is: What have we done? This Motion will help this country to fulfil its commitments to Kenyans and to an international covenant. Secondly, the Government committed itself to ensure full enjoyment by women and the girl-child of all human rights and fundamental freedom and to take effective action against violation of those rights and freedom. I recall, Mr. Temporary Deputy Speaker, Sir, that equal rights are enshrined in the Universal Declaration of Human Rights where it is stated that all human beings are born equal. It is reproduced in our Constitution which embraces equality and outlaws discrimination on the basis of gender. Those who were in the Seventh Parliament will remember that in 1997 during the IPPG deal, we amended the Constitution to outlaw discrimination on the basis of sex or gender.

Mr. Temporary Deputy speaker, Sir, the Government committed itself to take all necessary measures to eliminate all forms of discrimination against women and the girl-child and remove all the obstacles to gender equality and advancement and empowerment of women. We know that in education there are many obstacles that hinder the girl-child and women generally as has been going to do about this? Why are we asking for a Gender Commission? The answer is simple: The Gender Commission is expected to oversee the promotion of equal rights between the genders. The Commission is expected to monitor the implementation of Government policy towards achieving the objectives of the Beijing Platform for Action, our national Constitution and the Universal Declaration of Human rights and other international covenants like the covenant for elimination of all forms of discrimination against women.

Mr. Temporary Deputy Speaker, Sir, when we talk of gender, most people think that we are talking of women. The term "gender" refers to social relationships between men and women. A Gender Commission will, therefore, look into the social relationship of both men and women and it will seek to promote equality between

the two, mutual respect, understanding and partnership. Those who have been thinking that gender will mean reversal of the current trend where women suffer inequality - that when we talk of gender -men will have to suffer reverse discrimination are wrong. It is not so. A Gender Commission will help us to create a harmonious society where both gender live in mutual respect and where both can prosper without hindrance. Mr.

Temporary Deputy Speaker, Sir, I would also like to say that the other part the Government committed itself to in becoming a signatory to the Beijing Platform for Action is to promote women economic independence, including employment and eradicate the persistent and increasing burden of poverty on women by addressing the structural causes of poverty through changes in economic structures, ensuring equal access for all women, including those in the rural areas, to vital development agencies like credit. So, we are saying the Gender Commission would be charged with the responsibility to see where there are imbalances and redress those imbalances. We would expect the Gender Commission to be independent of the Government, but to complement the Government efforts by overseeing that the laws of the country, and especially the Constitution which guarantees equality are being followed fully in order to result in the implementation of this international obligation which Kenya is a signatory to.

Mr. Temporary Deputy Speaker, Sir, the Beijing Declaration and the Platform for Action talks about equal decision making for women. This includes, all spheres of public life and also in the family. If we do not start at the family level then we will not succeed at the national level. We expect every Kenyan, and especially, hon. Members of Parliament to acquaint themselves with the Beijing Declaration and the Platform for Action so that we all promote a better understanding of what it entails. We should stop over-reacting every time it is cited. I trust that hon. Members of this House will support this Motion. I can recall that in 1997, the Government supported and this House passed the Motion which called for the implementation of the Beijing Declaration and the Platform for Action, which was moved by hon. Ngilu. Having supported and helped pass the Motion, the Government cannot now reject a Motion calling for a further step towards the implementation of the Beijing Declaration and the Platform for Action. That is what today's Motion is doing.

Mr. Temporary Deputy Speaker, Sir, the Commission for Gender Equality should be supported and empowered to actually redress imbalances. So, that if there is discrimination at the work place, Kenyans can complain to the Commission, which can then investigate and redress the imbalance. If there is discrimination in education, in access to health, credit and every day life, this Commission will be able to investigate and redress or ask the Government's intervention in terms of necessary legislation where necessary.

We all know that when women are acquiring national identity cards, they are asked not only to take affidavits or marriage certificates from their husbands, but at times they are asked to actually "produce" their husbands before the registration clerks. However, this does not happen to men who are married. We also know that when married women apply for passports they are asked to produce a letter of consent from the husband, but this does not happen to the husband.

If we believe in equality then we must all work towards eradicating practices that foster inequality and go against our Constitution and the International Covenant that we have ratified. It will be the work of this Commission to oversee all these. It will also be an independent Commission, but complimenting the efforts of the Government and Kenyans in making equality a reality. It will be good for you, your daughter, sister, mother, wife, country and brothers. This is because we are promoting equality for all, and not equality for a section of a community.

We all know that we have problems in access to education and some areas are worse of than others. We know that in the pastoral areas very few girls go to schools. Even in poor families, girls' education is being sacrificed. It will be the work of this Commission to see where the Government can intervene in order to redress this imbalance so that in future we will be able to have a society where all the children irrespective of gender have equal opportunity to education and, therefore, equal opportunity to have a better future according to their ability. This is really what this Motion is talking about.

Mr. Temporary Deputy Speaker, Sir, we have also heard of so many cases concerning domestic violence. We know that when the victims go to the law enforcement agencies to seek redress they do not always receive equal treatment. It will be the work of this Commission to carry out research in all these areas and advise the Government appropriately on remedial mentions. Where Government officers have mis-conducted themselves in handling complaints, it will be the work of this Commission to point out and redress by either reprimanding the officers thus causing them to take action. It will also take measures that will ensure that such discriminatory behaviour does not occur in future. Therefore, I would like to urge each one of us to support this Motion because it will take Kenya a step further.

I am, therefore urging each one of us to support this Motion today, which will take Kenya a step further. As we go towards the review of Beijing Platform for Action which will occur next year, we will then be able to say

we have moved a step further and we have implemented what we have supported.

With those few words, I beg to support.

*(Question proposed)*

**Mrs. Mugo:** Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to contribute to the Motion and to strongly support it, while congratulating the NDP Leader for Moving the Motion and hon. Martha Karua for Seconding it so ably.

Mr. Temporary Deputy Speaker, Sir, during the past three decades or so, there has been a global reconciliation of women interests and participation in development and integration of their concerns in society. This led to the UN convening four global conferences of which one of them was held here on the Kenyan soil, hosted by the Kenya Government as well as the people of Kenya. A very important document came out of that meeting; the Nairobi Forward Looking Strategy, which hon. Raila referred to. In this document, which the Government brokered its consensus so ably, it was accepted that three cardinal calls should be articulated to realise the development of women. These areas were development, equality and food.

Mr. Temporary Deputy Speaker, Sir, the women of Kenya have been fronting to fully participate, contribute and benefit from all the aspects of life in this country, be they political, social or economic. Unfortunately and although Kenya hosted a global conference, this has not been forthcoming, because there has been a lot of lip service to the ideals promoting women, which have not received marching commitment, especially from the Government. That is why I welcome very much this Motion of establishing the Commission, so that they can look into issues which are so far unaddressed. Women constitute more than 50 per cent of the population of this country and there is no sustainable development that can be acquired, unless issues relating to gender and women are really addressed meaningfully.

Mr. Temporary Deputy Speaker, Sir, if such a commission is established, I think there are areas of responsibilities which it will be able to take, as well as the ones which have been so far articulated. First and foremost, such a commission would be able to influence policy formulation, implementation and monitoring and in particular, in areas concerning the Budget. We all know that it is the Budget that development depends on. Yet, the Budget in Kenya does not reflect in any way, gender concerns most of the times. It would be able to give a woman face as a human face in the Budget and in development. By a woman face, I say so because a woman stands for the family. Look at all the money that has been wasted by useless--- A lot of money being allocated through the Budget to useless projects, which have not benefited anyone. The completion of these projects is five per cent, yet a lot of money will have been spent in it. For example, the Nyayo Pioneer Car, Eldoret Airport and so many other areas, where a lot of money has been spent. Such a gender commission, I am sure, will pay more attention to areas of education and all the social areas which affect the family and the girl child in particular, who is the first one to drop out of school when there is not enough money, because unfortunately the families believe they have to educate the boy first. On reproductive health where women suffer, they have babies in their houses without proper medical care, while a lot of money is being wasted elsewhere; it does not benefit society but only a few people stealing from public coffers and enriching themselves. In the agricultural sector where most women are employed, where they get food to put on the tables of their families, we should have subsidised fertilisers, seeds and farm implements instead of using a lot of money in all those other areas where it does not directly relate to the women. On shelter and security, we know how much women are suffering, especially on security. We read about rape everyday. The Attorney-General told us the other day there is not enough money to pay for the security machinery. What is more important; security or putting money in running some institutions which do not benefit the common man?

Now we are entering a stage where even water will be sold. There is cost sharing in provision of water while our people are not even able to cost share in provision of education or health. Why? I believe the budget is gender shy and that is why there is not enough money being put in social services. We would like the Commission to articulate the needs of the Kenyan nation, the Kenyan people, especially the woman. There is a family cost element which we have been crying for so that we can reduce some of these problems but there is no money for the family cost because there is no proper budget planning. I would urge the others--- Whereas Kenya is a signatory to all these international statutes, we have never paid enough attention to enact an Act of Parliament for domesticating the law. I am not even surprised to see across the Bench how much the Government prepared itself to deal with issues affecting women in this country. Since everybody knew that this Motion was coming where is the Minister or the Assistant Minister who deals with the women's concerns?

**The Assistant Minister for Home Affairs, National Heritage, Culture and Social Services (Mr. Marrimoi):** I am here!



**Mrs. Mugo:** Oh! There is one here. I beg your pardon. I had hoped the Minister would also be there. This is how we are held in contempt in this country and we would like to see women in this country being given the status that they require to be able to fulfil what the Government has promised for women. The Government has failed to put up any structures to deal with women issues. Apart from lacking a women's Ministry or having no women Minister or having a Commission we do not even have a policy document that deals with women. We need that policy. No policy has ever come from the Cabinet to say that the women's issues will be handled this way or that way.

This is because it is also a requirement of the United Nations (UN). I hope my sister there will state this clearly when she goes to the Commission on the Status of Women, as the head of the Kenyan delegation. It is very difficult for us to say something when we do not have a woman Minister to lead the delegation of Kenyan women to meetings like the UN. What we are asking for is equality. This equality can be articulated by a body which will have a legal framework through an Act of Parliament so that money can be voted to establish a commission to be run without interference from the Government. We do not want a head of such commission to get directives from the Government. Although supported and funded by the Government, it must be an independent body which should articulate the needs of women so that we can be able to enter the next millennium and say; "yes, we are heading somewhere." As it is now, the whole country lags behind on women issues.

With those few remarks, I beg to support.

**Mrs. Kittony:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance. Let me also add my voice to this Motion. I would like to commend hon. Raila for being very gender sensitive and bringing up this Motion to this august House.

Mr. Temporary Deputy Speaker, Sir, Kenya has come a very long way on very many issues. Looking back at our history, Kenya hosted the 1985 Women Conference for the UN and we know that the Nairobi Forward Looking Strategy is internationally known and it has been implemented in some countries. It is unfortunate that we were the hosts but when it came to the implementation of the Nairobi Forward Looking Strategy, it seems to have been put under the table. So, we have been very disadvantaged. It was in 1995 that the Beijing Platform for Action was highlighted. I think almost everybody has come to know about the Beijing Platform for Action which is unfortunate because we should have known more about the Nairobi Forward Looking Strategy since we were the host and it was our baby.

Mr. Temporary Deputy Speaker, Sir, after Beijing, a lot has been said and a lot has been done. But when it comes to gender implementation, it is just said and no implementation takes place. Therefore, by commending the Mover of the Motion, it is time that we took this issue seriously because it is of a great interest to all of us.

Since we are signatory to these other issues that relate to gender, like the Beijing Platform for Action, ECOWAS and the rest, we should consider our fate. Women do a lot in the society and especially in poverty alleviation. Women in their women groups do so much in support of the family, but when it comes to the right offices, we do not seem to get what we expect to get. It is time that we came together as a nation to support the establishment of a commission which will address our issues seriously.

Looking at the contribution of women, if it can be quantified in terms of 60,000 registered women groups in the country-side, a lot has been done, and we only need encouragement. We know in reality that Kenya does not discriminate, but when it comes to thorough scrutiny, we know there is a lot to be done in that area. The challenge is to all men and women of this country; that we should work together and support one another. The problem is that, when it comes to appointments, women are always left behind. We would like to commend what we have achieved so far, but I would like to say that we need more than what we have at the moment.

Mr. Temporary Deputy Speaker, Sir, in the international circles, Kenyan women lag behind, and I think it is high time we looked at this issue. When you look at the UN representation, you find very small countries like Namibia and Mozambique being given a lot of privileges and taken very seriously because of what has been done in their countries as far as the implementation of the Nairobi Forward Looking Strategies, the Mexico Conference and the Beijing Platform of Action are concerned. So, we wonder about our own-selves. Even in our Parliament, some of these issues get ratified, but when it comes to reality, a lot of issues are taken for granted and not implemented. So, I would like to call upon the Government to support the establishment of this Commission which may enable us to be given international recognition that we deserve.

We know that Kenya is respected and very well known for championing of a number of women issues. But it is only now that we have come to realise that the implementation of the gender issues in the Beijing Platform of Action is important. I wonder how many hon. Members have looked at it and realised the critical areas that concern our daily lives. I would like to challenge all hon. Members to look at the Beijing Platform of Action document. I know we passed it here, but most of us know little about it. If anybody is interested, I would like to Table a copy so that at least those who have not seen what is contained in this book should be able to acquaint

themselves with it, so that when we are discussing issues of critical concern, we know that it is not only by talking, but it is a reality. We should also realize that we are a signatory to this document which is like the Bible for development of not only Kenya, but other nations as well.

In the Commission that was formed to look into the eradication of poverty, half of the Commissioners should have been women, because women know the problems that they face in their homes. We know there is no Kenyan woman who would allow a child to sleep hungry. So, it would have been appropriate to allow half of the Commissioners be women, because they know how to look for food for their families.

Mr. Temporary Deputy Speaker, Sir, I once more would like to support this Motion. Let a Commission be established where women issues can be articulated in order to attain gender balance.

*(Mrs. Kittony laid a document on the Table)*

**Mrs. Sinyo:** Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion. First and foremost, I would like to thank hon. Raila for ably presenting the Motion. Indeed, I stand to reiterate what has been said by the hon. Members who contributed to the Motion before me.

I am glad that hon. Kittony has just tabled the Beijing Platform for Action paper. I would like to emphasise that the commission we want is not for women, but rather a gender commission which will deal with the concerns of men, women, girls and boys. In this era, there is a lot of emphasis on alleviating the disparity being experienced by women. So, I would really appeal to the House to take this Motion very seriously. I would urge hon. Members not to think that the Motion is seeking to marginalise, or sideline the men. We are only trying to seek a balance.

Mr. Temporary Deputy Speaker, Sir, the hon. Members who spoke before me reiterated that there has been a lot of talk on gender issues on the global scene. The Nairobi Platform of Action has been referred to. Now, the Beijing Platform of Action, as you have been informed, is due to be reviewed in the Year 2000, five years after it was agreed upon. My concern this afternoon is that during the struggle for women empowerment in the last three decades, issues have been on gender between able-bodied men and able-bodied women. Never has there been an indication of addressing the issue of gender disparities of women with disabilities. It is only the Beijing Platform for Action which incorporates all the concerns of women, the concerns of minorities, women with disabilities included.

If I may inform the House, it was a struggle even for the concerns of women with disabilities to be incorporated in the Beijing Platform for Action. I was in Beijing myself. It is a pity that in an environment where you are not included, you are even not expected to be seen or heard. The going was rough. Unless we have the gender commission, women with disabilities in this country will continue to be marginalised. If it was that difficult to be heard in Beijing, how much more can women with disabilities in the country be able to even be heard? I want to challenge the Government, whose officials were our representatives in the UN fora throughout the struggle for gender issues. In which delegation did the Government incorporate a woman with disabilities to talk on issues of women with disabilities?

Even with the establishment of the commission on the status of women in the country which this year went to Washington on the Beijing Platform for Action issues, they never took with them a woman with disability. These women's concern is that gender concerns women. The women know their concerns much better and, therefore, they should speak for themselves. Among them are women with disabilities. So, they should also be incorporated in the delegation, be it at the national or international level. They should be allowed to be in the delegation, so that they can speak for themselves. In one forum, in Dakar, which I also attended, I felt very sad when an able-bodied woman asked me: "How can you be here, yet I have been sponsored to represent you?"

Mr. Temporary Deputy Speaker, Sir, for us women with disabilities, there is light and hope at the end of the tunnel whereby issues of both women with disabilities and able bodied would be tabled at par in all the concerns. As it has been highlighted here, there will be a monitoring facility and mechanism which will see that both able-bodied and disabled women are catered for in the Gender Commission. I would want to inform the House, that even in the Convention on the elimination of all forms of discriminations, that Convention does not in the entire UN document make reference to women with disabilities. It was not until 1990 when women with disabilities, through a lot of struggle internationally, managed to persuade and influence the Committee where people report to on issues of the Convention, to include an article 18, where from that year, every country is expected to raise concerns on women with disabilities.

For Kenya, unless the Gender Commission is in place to challenge our Ministry of Home Affairs, National Heritage, Culture and Social Services, that in women bureau and in the policy making of women, we need issues and concerns of women with disabilities reflected. Unless this Gender Commission is in place, so that

as the delegation goes next year, both Government and civil society to review the Beijing Platform of Action, all the 12 concerns are highlighted. Unless the Gender Commission is in place, for us women with disabilities, we are apprehensive that it will still be lip service for this nation even to say they have a Motion and they have ratified Beijing Platform of Action, yet a group of women are still faced with the marginalisation that the women community is having a hue-cry against.

Mr. Temporary Deputy Speaker, Sir, I would also want to enlighten this House that for us, the Gender Commission is a tool of equality and equal opportunities in all areas. I would want the Ministry of Home Affairs, National Heritage, Culture and Social Services to take it very seriously that for any development to take place with regard to women concerns in the platform, be it poverty, education or the 12 of them as they were ably and tremendously highlighted by the speakers before me, for any development to take place, we have to know the number of the people we are dealing with. That Ministry should come and tell us how many women with disabilities are there in this country. There is an increase of women with disabilities. We were just told of Halima Godana in the Gallery. How many more women have been disabled and have increased the population of women with disabilities who do not have a budget from the Ministry of Home Affairs, National Heritage and Social Services even to cater for their social welfare? Halima is disabled. We are told that she had her arms chopped off, but how much has the social services of this country, spent on her, as an individual out of responsibilities, not even courtesy, but out of duty, to try and even make her cope with that disability?

Mr. Temporary Deputy Speaker, Sir, for me, it is the Gender Commission and the monetary system that will enable that Ministry to know the population of women with disabilities as a result, maybe from accidents and those who go through school as girls. It that will make our Government be serious.

Mr. Temporary Deputy Speaker, Sir, I will be leaving out a very important area if I do not mention that the Gender Commission will also be a tool to see that the women organisations that are there in the nation also have a responsibility of maintaining disability concerns; such that, when it is gender and the women organisations are elevating their living standards, it will be mandatory that even like Maendeleo ya Wanawake throughout all its district and provincial branches, this Commission would monitor to see that the interests and concerns of women with disabilities are actually practical on the ground.

Mr. Temporary Deputy Speaker, Sir, what we have at the moment is theory. We want the Gender Commission in place to bring the lip service practice that we have had throughout Independence to date to an end. We would want the Commission to make this reality in place and I would like to reiterate what one of the speakers said; that, for it to be effective, it has to be an autonomous organisation with credible commissioners and there has to be an Act.

Thank you, Mr. Temporary Deputy Speaker, Sir.

**The Minister for East Africa and Regional Co-operation** (Mr. Biwott): Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion as presented by hon. Raila Odinga and in doing so, I would like to emphasise the fact that, the Kenya Government as is implied in the Motion is in the forefront in promoting the equality of all Kenyans, irrespective of sex. That, because the two sexes are not equal in strength, there has been a tendency for those who are stronger to prey upon those who are weaker and in this case, the weaker sex; hence the gender violence that we see increasing in the society at the moment. The women get battered as we have seen, which could not have happened if the women were stronger.

Mr. Temporary Deputy Speaker, Sir, that does not necessarily mean that it is because of the gender *per se*. It is because there is equality and in that equality---

**Mr. Sungu:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to suggest that women are actually the weaker sex, when I know some of them are quite strong and even much stronger than the hon. Member himself?

**The Minister for East Africa and Regional Co-operation** (Mr. Biwott): Mr. Temporary Deputy Speaker, Sir, I think the way to test that strength is not in Parliament. But I think the field for that exercise is not here and therefore, I would not bother with that.

**Mr. Sungu:** Where is it?

**The Minister for East Africa and Regional Co-operation** (Mr. Biwott): Well, I will leave it to your imagination. I would like to stress the point that, as the society advances and poverty increases and demands increase, there are bound to be stresses and in these stresses, you get family quarrels and other social problems that are associated with development which tend to harm the women more than men. Therefore, you need a watchdog to be able to promote the interests of the women and to accelerate the equality, so that the care for them is in-built in the system itself.

Mr. Temporary Deputy Speaker, Sir, the discrimination that is implied in this one does not really carry so

much weight in the sense that, we are positive but we need to promote the welfare of the women and we need to ensure that they participate fully. As His Excellency the President mentioned the other day, even in schools, you find that the women and men are already 50-50 and they are advancing. Therefore, there is in our society, the willingness of our people to ensure that all are equal irrespective of sex. Therefore, the need for the commission is there so that, the wishes of the Government are actually implemented to the satisfaction of the people.

Mr. Temporary Deputy Speaker, Sir, on the disabilities that affect women, it is true that the women need more assistance, care and attention which are not capable of being offered in the present social set-up. Therefore, we need this commission to focus more on women. I am a trustee of the Disabled Fund and the hon. Lady who spoke before me was also a participant

in that trust and we tried as much as possible, to ensure that the women who are disabled were assisted. I would like to refer to one specific incident where if there was a commission, at least a woman's interest would have been taken care of. That is the Maasai woman who was mauled by a hyena the other day and even today, I do not think the KWS have done anything about it. But if there was a commission, that would have been a wonderful candidate for the commission to press upon the KWS to do something immediately and ensure that, that woman is catered for instead of living her to the mercy of those who read the newspapers and understand.

Mr. Temporary Deputy Speaker, Sir, the social attitudes also need to be taken into account while implementing the desires and wishes of the women. This is because we recently read in the newspapers some remarks attributed to some lady who talked referring to social attitudes towards things such as homosexuality which is lesbianism to the women. I think we need the commission to promote the interests of Kenyans as a whole, in such a way that it is consistent with the values of this nation so that, the work of the commission will not be seen as if it is promoting other immoral issues as the hon. Member has said or promoting moral and immoral issues contrary to what the society considers to be immoral.

Other than that, Mr. Temporary Deputy Speaker, Sir, and I see that the time is going, we in the East African Co-operation---

#### ADJOURNMENT

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

The House rose at 12.30 p.m.