

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 24th November, 1999

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.438

DISAPPEARANCE OF CORPORAL NASIALI

Mr. Deputy Speaker: Mr. Wanjala is not here. We will leave the Question until the end. Next Question!

Question No. 492

PRIVATISATION OF KENYA RAILWAYS

Mr. Deputy Speaker: Prof. Anyang'-Nyong'o is not here. We will leave the Question until the end. Next Question!

Question No.669

UTILISATION OF WATER FROM YATTA FURROW

Mr. Deputy Speaker: Mr. Wambua is not here. We will leave the Question until the end. Next Question!

Question No.131

CONGESTION AT KENYATTA NATIONAL HOSPITAL

Mr. N. Nyagah asked the Minister for Medical Services:-

(a) whether he is aware that there is over-crowding of patients at the Kenyatta National Hospital and that the doctors and other paramedical personnel there cannot cope with the demand;

(b) what plans are there to establish hospitals in each of the eight constituencies in Nairobi so as to bring services closer to the people; and,

(c) in view of "b" above, when construction will be undertaken.

The Minister for Medical Services (Dr. Anangwe): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that there is over-crowding of patients at Kenyatta National Hospital. I have visited the hospital and I am satisfied that the doctors and other paramedical professionals are doing their very best to cope with the demand.

(b) My Ministry does not have any plans at the moment to establish hospitals in each of the eight constituencies in Nairobi.

(c) Given the reply to part "b" above, part "c" does not arise.

Mr. N. Nyagah: Mr. Deputy Speaker, Sir, the population of Nairobi is slightly over 3 million and there is no way Kenyatta National Hospital can cope with the demand that I am talking about. Kenyatta National Hospital is a referral hospital for this region and, therefore, it cannot cope with the demand of Nairobi. When we last had a session with the present Permanent Secretary and the PC, Nairobi, it was agreed by the Ministry that they were going to open up hospitals within the constituencies because the City Council was unable to maintain their clinics. In view of that,

would the Minister have a different answer from what he has given?

Dr. Anangwe: Mr. Deputy Speaker, Sir, this Question is based on the assumption that the bulk of the patients who go to Kenyatta National Hospital are from Nairobi. That is not true. 70 per cent of the patients who go to Kenyatta National Hospital are from Kiambu, Kajiado, Machakos and Thika. Secondly, there are alternative health institutions in Nairobi which number 136. So, there is no gap in that particular respect.

Dr. Kulundu: Mr. Deputy Speaker, Sir, the congestion and under-staffing in most public health institutions are two very crucial issues that the Ministry is not addressing. Right now in this country, there are so many unemployed cadres of health personnel. What plans does the Ministry have to make sure that the nurses, clinical officers, medical laboratory technicians and technologists who are trained are absorbed in the Civil Service to ease the congestion and workload of the current staff in the Ministry of Health?

Dr. Anangwe: Mr. Deputy Speaker, Sir, the hon. Member of Parliament's interests are similar to mine. I would love to employ all those cadres he has mentioned. However, I can employ when Parliament makes the requisite provisions for me to be able to employ. So far, my hands are tied and my resources are limited.

Mr. Muchiri: Mr. Deputy Speaker, Sir, currently, there are so many people who are detained by the hospitals in this country and especially in Kenyatta National Hospital simply because they cannot afford to pay the hospital bills. What is the policy of this Government in relation to the poor people who cannot afford to pay their hospital bills?

Dr. Anangwe: Mr. Deputy Speaker, Sir, as the hon. Member of Parliament may be aware, in 1989 we introduced the cost-sharing system in which we bestowed part of the responsibility to sustain hospitals on communities. That notwithstanding, we indeed provide also a system of waiver. If and when a patient proves to be unable to pay his or her hospital bills, the hospital is authorised to waive those charges and fees.

Mr. Ngure: Mr. Deputy Speaker, Sir, is the Minister aware that not long ago, there was a protracted plan to turn Pumwani Maternity Hospital into a provincial hospital? Plans had been drawn, tender documents were done and the loan was to be given by the British Government. What happened to that plan?

Dr. Anangwe: Mr. Deputy Speaker, Sir, I am aware that there were plans to turn Pumwani Maternity Hospital into a provincial hospital with a capacity of 288 beds. In addition, there were plans to upgrade Mbagathi Hospital into a fully-fledged district hospital. Further, there were also plans to upgrade Mathare-Korogocho health facility into a better facility. Therefore, I am aware of all these facts. However, these are long-term plans since as of now, lack of resources is the major constraint.

Mr. Ngure: Mr Deputy Speaker, Sir, could the Minister tell this House why he involved the consultants in making out drawings, preparing tender documents and why he went to that extent?

Dr. Anangwe: Mr. Deputy Speaker, Sir, with respect to Pumwani Maternity Hospital, there were plans indeed, and there was an under-funding to the tune of Kshs350 million. In addition, there was a problem because it was built on a sewerage line which means that the entire hospital has to be relocated if construction has to continue. Therefore, resources are still scarce. The project was started but it is incomplete, we are still looking for more resources.

Mr. N. Nyagah: On a point of order, Mr. Deputy Speaker, Sir. I know the Minister is very new in the Ministry, but is he aware that, funds have been allocated for Pumwani District Hospital and Mathare Nyayo Hospital, through this Parliament for the last five years and they have not done any improvement on what he is saying?

Mr. Deputy Speaker: That is not a point of order! That is a question! Ask your question, do not say that you are standing on a point of order!

Mr. N. Nyagah: Mr. Deputy Speaker, Sir, I hope he has also heard that. But I did indicate from the beginning that I know Kenyatta National Hospital is a referral hospital and does not necessarily cater for the 3.1 million people from Nairobi. But the Minister does not seem to be aware that the 121 institutions he is talking about are private institutions. I am talking about public institutions where they can treat people of Nairobi who cannot get treated in those private institutions. What is the Ministry going to do, in view of the fact that Kenyans are impoverished economically?

Dr. Anangwe: Mr. Deputy Speaker, Sir, for the information of the hon. Member of Parliament, indeed, in the current financial year, there have been allocations for this on-going project which we hope will be completed after some time. The Mathare Nyayo Wards; Pumwani Nyayo Wards, and Mbagathi District Hospital has an allocation of K£20,000-00 each. With respect to the hon. Member's question, that the institutions I did mention are private, he is lucky that Nairobi has so many private institutions. There are areas in this country where both public and private health facilities are inadequate. These days we emphasize equitable distribution of public resources within the health sector. So, could the hon. Member be generous enough to let us establish more facilities in those areas where these facilities are inadequate; whereas with respect to Nairobi, they can, at least, do with what is available?

Dr. Kulundu: Thank you very much, Mr. Deputy Speaker, Sir. Could the Minister assure this House that,

either in the next financial year or in the next Supplementary Estimates, the Ministry will come up with appropriate staffing levels of all the cadres of health personnel in all health institutions in this country? This is because we passed the Vote here of the Ministry of Health without amendments. He cannot come to this House and say that his hands are tied because of the budgetary allocation. The budgetary allocation was pegged on the requisition which the Ministry made to this House!

Dr. Anangwe: Mr. Deputy Speaker, Sir, may I assure the hon. Member that, when we are through with the rationalization exercise which is going on in the Ministry, it may be possible to consider the recruitment of additional staff. But that is dependent on what the findings of the rationalization exercise will be.

Mr. N. Nyagah: Mr. Deputy Speaker, Sir, in view of the answers that the Minister has given, is he aware that there is a district hospital in every district in this country and there is no other district in this country with a higher population than Nairobi and with more slum dwellers? In view of the fact that the present Permanent Secretary who is the former Director of Medical Services, did promise the leaders of Nairobi that the Government was going to come up with other clinics in Nairobi-- Has that position now changed?

Dr. Anangwe: Mr. Deputy Speaker, Sir, the position has not changed. Indeed, there was a project to revamp 13 health facilities within Nairobi. Of course, contracts were awarded to the 13 health facilities within Nairobi for upgrading and rehabilitation and the works are still going on.

Mr. Deputy Speaker: Next Question, Mr. Ayoki!

Question No.552

AMBULANCE OF KOMBWEA HEALTH CENTRE

(Mr. Ayoki) to ask the Minister for Medical Services:

- (a) why he has not repaired or replaced the ambulance at Kombewa Health Centre in Kisumu; and,
- (b) what urgent steps he is taking to provide an ambulance.

Mr. Ayoki: Mr. Deputy Speaker, Sir, this Question was answered recently as part of a Question about Kombewa Hospital. Therefore, I wish to withdraw the Question, unless the Minister may want to give more information on it.

The Minister for Medical Services (Dr. Anangwe): Mr. Deputy Speaker, Sir, indeed, I was going to rise on a point of order, since this Question was recently asked and the contents are not different from those of the previous Question.

(Question withdrawn)

Mr. Deputy Speaker: Thank you! Next Question, by hon. Munyao!

Question No.465

CONSTRUCTIONS OF BRIDGES ACROSS THWAKE RIVER

Mr. Deputy Speaker: Mr. Munyao still not here? We will go back to Mr. Raphael Wanjala's Question for the second time!

Question No.438

DISAPPEARANCE OF CORPORAL NALIALI

Mr. Deputy Speaker: Mr. Wanjala still not here? The Question is dropped.

(Question dropped)

Mr. Deputy Speaker: Prof. Anyang'-Nyong'o's Question for the second time!

Dr. Ochuodho: Mr. Deputy Speaker, Sir, on behalf of Prof. Anyang'-Nyong'o, I apologize for coming late.

Question No.492

PRIVATISATION OF KENYA RAILWAYS

Dr. Ochuodho, on behalf of **Prof. Anyang'-Nyong'o**, asked the Minister for Information, Transport and Communication, what the Government is doing to protect the assets of the Kenya Railways Corporation from unfair appropriation, and to defend the interests of Kenya Railways Corporation employees, given the fact that important negotiations are going on between the Government and potential investors, as the Kenya Railways Corporation is privatised.

The Minister for Information, Transport and Communications (Mr. Mudavadi): Mr. Deputy Speaker, Sir, before I give my reply, let me state that:

I will also make a point of giving the hon. Member a copy of the written reply because I had not seen Prof. Anyang'-Nyong'o, so I was wondering what could have happened.

Having said that, I just want to state that, the consultants invited to advise the Government on privatisation, finalised the work in May, 1999, with various recommendations. One of the recommendations adopted by the Government is that, Kenya Railways Corporation shall be privatised through a unitary concession to run rail services for a given period. The highest bidder whose price and offer will be most attractive, may only purchase movable assets that he requires for the train operations; that is the wagons and locomotives. Thus, the proposed strategy will automatically ensure attractive prices are paid to Kenya Railways Corporation's movable assets.

Equally, the Kenya Railways Corporation is in the process of acquiring the services of an actuary and he is going to review the pension scheme and make recommendations which will protect employees' interests.

One of the objectives of the on-going streamlining of the Kenya Railways is the assurance of proper consideration to aspects that concern employees. As at October, 1999, the Corporation had 7,492 retirees who are paid Kshs24.4 million per month, through the pension scheme. It is further intended that Kenya Railways Corporation employees are adequately compensated and any further disposal of the Corporation's assets will be done through competitive bidding and in a transparent manner. The proceeds will then be used to fund aspects such as the down-sizing and the pension scheme.

I just want to stress that the interests of the employees are a priority for my Ministry and we will ensure that those who are retrenched are compensated adequately.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, I am a bit saddened to hear from the Minister that, from now henceforth, all assets of the Corporation will be disposed of through competitive bids, when almost everything has been disposed of. Could the Minister tell us since the programme of disposal of the Corporation's assets started, how much money has been raised from the Corporation's assets? Is the Minister satisfied that, that was the best values that could be got for those assets?

Mr. Mudavadi: Mr. Deputy Speaker, Sir, to date, approximately Kshs1.4 billion has been raised from the disposal of some of the assets of Kenya Railways Corporation. As I speak, there is an audit that is about to be finalised and which is going on at the moment. When it is finalised, it will give a clearer picture as to whether the right values were paid for each of the assets that have been disposed of to date or not.

Mr. Sungu: Thank you very much, Mr. Deputy Speaker, Sir. The management of the Kenya Railways has admitted that they are undergoing a very bad financial period. In fact, they said that they are about to collapse. The Minister has stated that there are some concessions that are going to be given by the Kenya Railways at competitive prices. When will this be given and to whom? If so, under what terms and of what benefit are these concessions going to be to the Kenya Railways?

Mr. Mudavadi: Mr. Deputy Speaker, Sir, no concession has been done to-date. I would like to categorically state here that when the time comes, this will be done through a proper tendering process so that there can be applications of people or organisations that have been able to run or undertake concessions of other railways in different parts of the country. These organizations will then compete and bid competitively to undertake that particular aspect within the Kenya Railways. So, at this point in time, no money has been paid, no concessionary has been done as we speak.

Mr. Sungu: On a point of order, Mr. Deputy Speaker, Sir. The Minister has conveniently avoided answering the question about what benefit these concessions are going to be to the Kenya Railways as a whole, given the fact that they are facing financial difficulties at the moment. Is he therefore, in order to avoid answering the question?

Mr. Mudavadi: Mr. Deputy Speaker, Sir, I am not avoiding answering the question. I am just saying that so far, no concessionary has been done. The pilot project that was done, if we may put it that way, was when Magadi at this particular stage concessioned the Konza route. We want to take that as an example and be able then to provide a framework under which the Kenya Railways can then concession its services. When you do concessionary, you give a

period, may be, you can take about 25 years and then you have a railway operator whether it is the railway truck or the British Rail to take a concession and they run the railway for a period of 25 years. In the process, clear terms are entered into as to how much should be paid to the Kenya Railways during that period that they will be concessioning. So, the idea will be that the railways will be benefiting in terms of revenue that is drawn. At the same time, these people will be bringing in their experience and expertise in the running of the rails.

Mr. Sambu: Mr. Deputy Speaker, Sir, is the Minister aware that most of the Kenya Railways properties, including houses, godowns and land in Nairobi and other major towns have been sold off at prices far below their realistic market values? If he is aware, what action is he taking to surcharge those who committed this offence?

Mr. Mudavadi: Mr. Deputy Speaker, Sir, on that particular aspect, I said that there is an audit exercise that is currently going on and it is about to be concluded within the Kenya Railways Corporation by the Auditor-General (Corporations). Once that is complete, the findings of this report will be able to give us a direction on what action needs to be taken, and against whom.

(Dr. Kituyi was on his feet)

Mr. Deputy Speaker: Dr. Kituyi, when another Member is on his feet, you must not also be on your feet even if you want to ask a very burning question.

Dr. Kituyi: He was making a move that I think was going to be---

Mr. Deputy Speaker: Order! Order! Ask your question.

Dr. Kituyi: Mr. Deputy Speaker, Sir, a couple of years ago, the Ministry promised that they would acquire title deeds for all lands belonging to the Kenya Railways Corporation as a way of securing it, but now we are told they are looking for an auditor to tell them what has been stolen before they know what to do. But be that as it may, my fundamental question is this: It has been demonstrated before this House that one of his predecessors, through a company belonging to his wife, bought rolling stocks of the Kenya Railways disguised as scrap metal and resold it to the Kenya Railways. Such a level of scandal can only be accelerated in the process of privatisation. What specific measures is the Minister developing now to protect the assets in the face of privatisation?

Mr. Mudavadi: Mr. Deputy Speaker, Sir, first of all, I want to clarify one thing. The aspect of the audit is for those transactions that have to-date taken place, but as far as other properties or assets of the Kenya Railways are concerned, a survey is being done. As we speak, we are going through the survey process to identify lands which have not been surveyed yet, but which allegedly belong to the Kenya Railways. We want to make sure that all the assets of the Kenya Railways are ring-fenced, if I may use that terminology, so that we do not have a repeat of what has, indeed, occurred. As I said, even within the movable assets like the locomotives and the rolling stocks; we are going to ensure that nobody repeats the example that the hon. Member has given.

Mr. N. Nyagah: Mr. Deputy Speaker, Sir, in view of the fact that the Kenya Railways is in a position where it is not able to stand on its own feet, and that I represent very many employees of the Kenya Railways, whose wages the Corporation cannot pay, what is the Minister going to do about those people who have bought land from Kenya Railways and have deliberately refused to remit the money to the Corporation? They are very many of them and I have no need to mention names here because I could do so.

Mr. Mudavadi: Mr. Deputy Speaker, Sir, if somebody is supposed to have bought land and he has not paid for it, clearly, the transaction ought to be revoked. If somebody entered into a contract to purchase land and he has not paid within the required or specified time in accordance with the agreement that was entered into, then, surely, that is null and void.

Dr. Ochuodho: The privatisation of the Kenya Railways is one of the greatest scandals of the Millennium. Can the Minister confirm or deny that the Kenya Railways has violated its part of the bargain with those employees that were retrenched? In view of the acknowledgement by the Managing Director that the Kenya Railways is broke, can the Minister confirm to the country that the Kenya Railways is not going to collapse in the next few months?

Mr. Mudavadi: Mr. Deputy Speaker, Sir, the Kenya Railways will not collapse in the next few months. I want to also assure the hon. Member that, indeed, there have been some difficulties in meeting some of the dues for some of the retrenched employees because part of the programme was initially earmarked to be funded through the disposal of assets but that has been put on hold until a proper mechanism is put in place. The audit that is going on to verify what had been dealt with earlier, is properly ascertained to ensure that the transactions were either done properly and if not, what action ought to be taken to correct those anomalies.

Mr. Deputy Speaker: For the second time, Mr. Wambua's Question?

Mr. Wambua: Mr. Deputy Speaker, Sir, I apologise for coming late.

Question No.669

UTILISATION OF WATER FROM YATTA FURROW

Mr. Wambua asked the Minister for Water Development:-

- (a) if he is aware that water from the Yatta Furrow, which was meant for domestic and animal use, has now been diverted for irrigation use, thereby depriving people of Kitheuni, Kalyambeu, Ikombe and Kyua of this vital resource; and,
- (b) what urgent steps he has taken to ensure that the said areas have access to water.

The Minister for Water Development (Mr. Ng'eny): Mr. Deputy Speaker, Sir, I wish to request that this Question be deferred because I got the Question fairly late.

Mr. Wambua: Mr. Deputy Speaker, Sir, because of the respect that I have for the Minister, can he tell the House when he is going to answer this Question?

Mr. Deputy Speaker: No, I will rule on that one. The Question will be answered next week.

Dr. Kituyi: On a point of order, Mr. Deputy Speaker, Sir. Yesterday, the substantive Speaker told us that part of the improvement of Government performance is that we are not being asked to defer Questions. When we are told that the Question came late, how come it is on the Order Paper?

Mr. Deputy Speaker: Once Questions are approved by the Speaker, they go automatically to the Ministry concerned. They are supposed to respond within 10 days. That is what our Standing Orders say. So, your coming late to this House is not a reason for not answering this Question; there must be some other reasons. You had the Question and sufficient time to answer it.

The Minister for Water Development (Mr. Ng'eny): Mr. Deputy Speaker, Sir, it is true that I got the Question. However, so as to be fair to the House, I felt that I needed to do my homework well, so that I can give a comprehensive reply to it.

Mr. Deputy Speaker: Very well, the Question is deferred to Tuesday 30th, November, 1999. Mr. Munyao's Question, for the second time.

Mr. Wambua: Mr. Deputy Speaker, sir, on behalf of Mr. Munyao, I beg to ask Question No. 465.

Mr. Deputy Speaker: But this is the second time the Question is being called out; you should have asked it the first time it was called out if hon. Munyao had asked you to ask it on his behalf.

Mr. Ndilinge: On a point of order, Mr. Deputy Speaker, Sir. Hon. Munyao had requested both hon. Wambua and myself to ask this Question on his behalf.

Hon. Members: No! No!

Mr. Ndilinge: There appears to be confusion between myself and Mr. Wambua, as to who was to ask the Question. So, with due respect, could you allow either me or hon. Wambua to ask the Question on Mr. Munyao's behalf?

Mr. Deputy Speaker: Order, Mr. Ndilinge! Hon. Munyao could not have asked two hon. Members to ask one Question on his behalf. He should have asked either you or Mr. Wambua to do so. So, who between you two did he ask to do that?

Question No.465

CONSTRUCTION OF BRIDGES ACROSS THWAKE RIVER

Mr. Ndilinge, on behalf of **Mr. Munyao**, asked the Minister for Roads and Public Works:-

- (a) whether he is aware that the Makueni DDC has recommended the construction of two permanent bridges across River Thwake at:-
 - (i) Kalawa-Katangini-Kikumini Bridge;
 - (ii) Kalawa-Mbumbuni Bridge;
- (b) how much it will cost to build both bridges; and,
- (c) when he intends to start construction work on the said bridges.

The Assistant Minister for Roads and Public Works (Eng. Rotich): Mr. Deputy Speaker, Sir, I beg to

reply.

(a) I am aware that the Makueni DDC recommended the construction of one bridge across River Thwake at Kalawa. However, I am not aware of the proposal for the construction of a bridge at the Kalawa-Katangini Bridge.

(b) The cost of construction of the two bridges is approximately Kshs70 million.

(c) My Ministry does not have immediate plan to construct the two bridges because there are no funds at the moment.

Mr. Ndilinge: Mr. Deputy Speaker, Sir, the Assistant Minister is now aware that the Kalawa-Katangini-Kikumini Bridge is not in a position to assist people who move from Kalawa to Wote. When it rains, one cannot reach Wote from Kalawa. Now that he is aware of that situation, could he tell the House when he will send a team of officers from the Ministry to inspect the bridge since the situation requires urgent attention?

Eng. Rotich: Mr. Deputy Speaker, Sir, we do not need to send a team of officers to inspect that bridge now. We have already done that, and we know how much its construction costs. We know what we are supposed to do; the problem is that we do not have the money with which to do it at the moment.

Mr. Wambua: Mr. Deputy Speaker, Sir, if the Assistant Minister is aware that the construction of that bridge will cost Kshs70 million, could he tell the House when this money will be made available to start the project?

Eng. Rotich: Mr. Deputy Speaker, Sir, I would like to correct the hon. Member that Kshs70 million is the estimated cost of constructing the two bridges, and not only one. So, the average cost of construction per bridge is Kshs35 million. We do not have the money for that project at the moment, and we do not know when we will get it.

Col. Kiluta: Mr. Deputy Speaker, Sir, I think the Assistant Minister is not very serious about this issue. The Ministry's current Budget does not reflect any money allocated for development in Makueni District. We have been very kind to have approved the Ministry's Vote without any query. We said in this House that there must be equal distribution of the money we allocate to the Ministry; every area should have a share of that money for development. So, could the Assistant Minister consider re-allocating some money from those districts which got very huge sums of money to those which did not get anything?

Eng. Rotich: Mr. Deputy Speaker, Sir, that can be considered in the next financial year, and not this financial year.

Mr. Deputy Speaker: Mr. Assistant Minister, you have in the Ministry, at least, a three-year-forward budget and a four-year-development plan. Could you tell these hon. Members whether you have budgeted for these bridges in that forward budget or in the development plan?

Eng. Rotich: Mr. Deputy Speaker, Sir, we have it in the development plan. However, the problem is in the financing part of it. We have the proposal to construct the two bridges in our three-year-forward plan.

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

Mr. Deputy Speaker: I am sorry; you are out of order now. Could you proceed, Mr. Nguni?

Mr. Nguni: Mr. Deputy Speaker, Sir, I do not understand what the Assistant Minister is telling the people of that area. As far as I know, a road that is constructed without a bridge, linking it to the other end, is not a road at all. The cost of construction of those roads should have included the costs of constructing those bridges, because without the bridges, the roads are of no use. So, when will the Ministry construct the bridges?

Eng. Rotich: Mr. Deputy Speaker, Sir, we have had plans for the construction of those bridges for the last one year. However, the problem was the financing part of it. We have put the same plan in our 2000 to 2003 forward budget; we hope to implement the project in the next three years.

Dr. Kulundu: Mr. Deputy Speaker, Sir, this is the first time I am hearing about the Thwake River; this means that it is a very narrow river that is somewhere in Ukambani. The amount of Kshs70 million given to this House by the Assistant Minister as the cost of constructing those two bridges across that river is quite enormous. Could he give us a breakdown of that estimated expenditure?

Eng. Rotich: Mr. Deputy Speaker, Sir, I am not able to give that breakdown right now. I would like to inform the hon. Member that the river becomes very wide during the rainy seasons; during the dry seasons, it is usually very narrow.

Col. Kiluta: Mr. Deputy Speaker, Sir, I think you might have to come to our aid here. The Assistant Minister has admitted that a road without a bridge is not a road, and he has told us that we must wait for three years before the bridge is constructed. What shall we do between now and the three years? Where shall we pass? This is because this is the only link between Machakos, Makueni and Wote Market. Could the Assistant Minister give the first priority to this bridge?

Eng. Rotich: Mr. Deputy Speaker, Sir, we are giving this bridge the first priority. If we get surplus funds, we shall repair it. For now, I would like to inform this House that we do not have money to construct the bridge. I believe it is good to be frank. When you do not have money, you do not have it!

(Mr. Ndilinge stood up in his place while Eng. Rotich was on his feet answering a question)

Mr. Deputy Speaker: Order! Mr. Ndilinge, when a Minister is on his feet answering a Question, you must remain seated. No two hon. Members should stand up at the same time. Now, you can stand!

Mr. Ndilinge: Thank you, Mr. Deputy Speaker, Sir. Now, that the Assistant Minister is aware of this problem, could he treat it as an urgent problem? This is because people cannot get famine relief food from Wote to Kalawa. He knows very well that when it rains, he starts sidelining us because he knows our roads get spoilt

Mr. Deputy Speaker: Ask your question, Mr. Ndilinge!

Mr. Ndilinge: Mr. Deputy Speaker, Sir, now that we do not have food, could the Assistant Minister construct the bridge so that we can get food from Wote to Kalawa?

Eng. Rotich: Mr. Deputy Speaker, Sir, I would like to state that we do not sideline anybody. But may I undertake that as soon as we get some funds, we shall, at least, look at one of the bridges.

Mr. Katuku: Mr. Deputy Speaker, Sir, the Assistant Minister has said that as soon as he gets the money, he will look at one of the bridges. In view of the fact that these are very important bridges, could he tell us how soon they will be constructed?

Eng. Rotich: Mr. Deputy Speaker, Sir, I am sorry I cannot give the time-frame for that.

QUESTIONS BY PRIVATE NOTICE

REPAIR OF KISUMU AIRPORT RUNWAY

(Mr. Khamasi) to ask the Minister of State, Office of the President:-

(a) Is the Minister aware that the Kisumu Airport runway has been damaged and is full of potholes?

(b) What urgent steps is the Minister taking to repair this runway to avert pending disaster?

Mr. Deputy Speaker: Mr. Khamasi had asked that his Question be deferred because he has an appointment with his doctor. So, that Question is deferred to Tuesday next week.

(Question deferred)

Mr. Deputy Speaker: Let us move on to the next Question by Mr. Ayacko.

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, Sir, the Minister has informed me that the answer is not available.

Mr. Deputy Speaker: Order! Ask your Question!

An. hon. Member: Have you been bought?

Mr. Deputy Speaker: Order! Hon. Members, it is totally out of order to go and negotiate outside the Chamber. Mr. Ayacko, ask your Question.

ATTACK ON MEMBERS OF PARLIAMENT BY CRIMINALS

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) How far has the Commissioner of Police gone with investigations and apprehending those criminals who attacked hon. Shaaban on 9th August, 1999; hon. Wanjala; hon. Ochilo-Ayacko on 31st August, 1999 and hon. Otieno Kajwang' on 30th June, 1998?

(b) How many Members of Parliament have been victims of robbery since the last general elections?

(c) What urgent steps is the Minister taking to protect Members of Parliament from attacks by criminals?

The Assistant Minister, Office of the President (Mr. W. S. Ruto): Mr. Deputy Speaker, Sir, there was no negotiation, but some understanding. This was not done outside the Chambers. The answer to this Question is not ready now, because of the details that are required, and the necessity of our office to conclusively give a comprehensive answer to this Question.

Dr. Ochuodho: On a point of order, Mr. Deputy Speaker, Sir. Given the gravity of this problem, the Assistant Minister had more than sufficient time to bring an answer to this House. Could the Chair give us some guidance on this because the response that is being given here is not adequate. Last week, there was a lot of talk about

police brutality against hon. Members.

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

Dr. Ochuodho: Mr. Deputy Speaker, Sir, is he in order not to give us---

Mr. Deputy Speaker: No, that does not make a point of order!

Dr. Ochuodho: Mr. Deputy Speaker, Sir, is he in order to fail to give us an answer? Could I appeal to him to include my being beaten, despite the fact that I have written to his Ministry?

Mr. Deputy Speaker: Order! Some of you seem to have perpetual desire to talk!

(Laughter)

Hon. Ruto, this is an incident which occurred in August this year; that is three months ago! There is also another incident that occurred on 30th June, 1998. If that is not sufficient time for all the information you require to give to this House, then I do not know how much time you require. But more importantly, when a Question has been approved by the Speaker and submitted to the Ministry for reply, it ceases to be a matter over which an hon. Member and the Minister concerned can negotiate, whether it is outside this House or inside. Let me say this hopefully for the last time, that Questions or Motions, once approved and appear on the Order Paper, are property of the House. If there is any difficulty, stand up in your place and explain it. But in respect of this Question, hon. Ruto, time cannot be the issue because you have had sufficient time to do that investigation. Give me another reason!

The Assistant Minister, Office of the President (Mr. W.S. Ruto): Mr. Deputy Speaker, Sir, I still insist that time is the issue. If you look at part "b" of the Question, it requires me to give a whole list of hon. Members who have been victims of robbery in the country since the last General Election, which is a period of two years. For me to get that information correctly, because we have not computerised the Police Department, it is very difficult. This is because we do this manually and, therefore, it takes substantial time. These happenings across the country even complicate the matter further.

Mr. Shidiye: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order! Mr. Ruto is on a point of a point of order! Proceed!

The Assistant Minister, Office of the President (Mr. W.S. Ruto). Mr. Deputy Speaker, Sir, that is the position. I will give this House a comprehensive answer on Thursday next week.

Mr. Deputy Speaker: Order! Clearly, hon. Ruto does not understand his obligation to the House.

An hon. Member: This is a Question by Private Notice!

Mr. Deputy Speaker: Mr. Ruto, you have no right to insist on anything. This Question has been with you for at least two weeks, and it was supposed to have been answered last week. Hon. Members, we must take our responsibility in this House seriously. Nobody does this House or the hon. Members any credit by engaging in an argument with the Chair on an issue which is clearly being abused. In the first place, this is a Question by Private Notice and you have had it for more than a week. Nobody needs a computer to know the number of hon. Members of Parliament who have been victims of police brutality. This is because complaints are registered all the time in Police Occurrence Books. So, hon. Ruto, you cannot say that you want to answer this Question on Thursday next week. I will direct you when you will answer it; you will answer it on Tuesday afternoon next week. There will be no more excuses; and if you bring any more excuses, the Chair will be obliged to take the next best action that flows from that failure. This Question is deferred until Tuesday next week.

(Question deferred)

Mr. Shidiye: On a point of order, Mr. Deputy Speaker, Sir. I think the action taken against the Assistant Minister is not enough. Is he in order to belittle the Office of the President? The Office of the President is supposed to be the most efficient office in this Republic.

Mr. Deputy Speaker: Order, hon. Shidiye! If you did your work properly, we would not have this problem. They are your Members; whip them. Next Question, Mr. Sungu!

ASSISTANCE TO MIWANI SUGAR COMPANY

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

(a) Is the Minister aware that Miwani Sugar Company is facing acute financial problems leading to its inability to pay cane farmers and transporters?

(b) What immediate action is the Minister taking to save this factory from imminent collapse?

The Assistant Minister for Agriculture and Rural Development (Mr. I.K. Ruto): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Miwani Sugar Company is facing financial problems and that the company owes farmers and transporters a total of Kshs115,940,857 as at 31st October, 1999.

(b) An Inter-Ministerial Technical Committee comprising of officers from the Ministries of Agriculture, Finance, Attorney-General's Chambers and Kenya Sugar Authority was appointed on 14th May, 1999 to study the technical and financial audit report on Miwani Sugar Company compiled by Deloitte and Touche and Loc(?) Associates and make recommendations on the best way forward. The Technical Committee is in the process of finalising its reports to enable the Government to take appropriate action with regard to the revival of Miwani.

Mr. Sungu: Mr. Deputy Speaker, Sir, the Minister has not given us the correct answer because the factory actually owes Kshs250 million to the large-scale farmers, small-scale farmers and the transporters. Of pertinent importance to us is the ownership of this factory. Could the Assistant Minister kindly tell us who owns this factory, what percentage is owned by them and where they got their finances from?

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, first of all, as regards the total figure of indebtedness, the figure I have is the one I have mentioned. Nevertheless, with regard to the ownership, the Government of Kenya owns 49 per cent of the shares while Venesa(?) owns 51 per cent.

Dr. Omamo: Mr. Deputy Speaker, Sir, if the Government owns 49 per cent of the shares, why is it allowing Miwani Sugar Company to go to the dogs? Forty nine per cent is a very large percentage and the Government has not taken the initiative to have the board members meet. This is a board that never meets, therefore, no decisions are made. In other words, the Government is taking part in making sure that Miwani Sugar Company goes to the dogs. Why should the Government take this position?

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, the Government is certainly not going to allow Miwani to go to the dogs. As I mentioned earlier, there is a study that is going on and we are definitely going to have a decision made on the best way forward in reviving the Miwani Sugar Factory. We cannot abandon Miwani Sugar Company because the farmers around there have got no other source of income if this is allowed to disappear. We are aware that Chemelil is a little bit far from that area. Therefore, it is essential to have Miwani Sugar Company function. We are currently looking for the best way forward of handling the issue.

Dr. Oburu: Mr. Deputy Speaker, Sir, the factory has been neglected by the Government which has abandoned it. The Government has 49 per cent shares in the company and yet it has no stake in the management of that factory. Can the Assistant Minister tell us whether the Government is as involved in the management of Miwani as it is in others like Chemelil and Muhoroni Sugar Factories? They have 49 per cent ownership in Miwani Sugar Company and 51 percent in the other sugar companies. The difference is only two percent and yet they have no involvement at all in the management of Miwani. Am I making a wrong allegation, Mr. Assistant Minister?

Mr. I.K. Ruto: You are definitely making the wrong allegations. The point and the correct position is that the Government has continued to support Miwani Sugar Company. For example, Kenya Sugar Authority has continued to advance its money vigorously towards its revival. The Government has also guaranteed various loans to the same factory. At the moment we are looking for the best way forward in addressing the management issue; there might be need to have a new management, if that is part of what we are looking for.

Dr. Kituyi: Mr. Deputy Speaker, Sir, I think there is an anomaly in saying that the Government will not let Miwani go to the dogs when it has already done so. Look at the fundamental problem. The Assistant Minister is telling us that Deloitte and Touche did a technical and financial audit of Miwani which they completed in May. The Government appointed an Inter-Ministerial Team in May to study the report. Up to now they are studying the report to tell the Government what to do. Is that the Government action?

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, the hon. Member is becoming a bit funny because, obviously, we appointed that Inter-Ministerial Committee to come up with a decision. After the study there is need to make up our minds on what the best way forward is. There are various options that have been forwarded. It was not exactly conclusive especially in terms of the exact percentage of ownership because the Government has put in more money even after the shareholding had been given. Certainly, there is need for a more conclusive study and a decision that will be properly made.

Mr. Ngure: I do understand that the Government has appointed a firm to do studies, and it is now studying the report. Can the Assistant Minister tell us whether this appointment was made to ensure that the amount owed to the farmers is correct and that they will be paid on time? The question is specifically asking you to tell us when the farmers will be paid and if they are owed the correct amount.

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, the problems at Miwani are quite monumental. It has to do with the

efficiency of that particular factory. It is not just a question of availing cash to pay the farmers. The issue revolves around the ability of Miwani to survive, pay the sugar-cane farmers and to convert the sugar-cane into sugar more efficiently. As of now, it is inefficient and, therefore, it is unable to properly convert whatever cane it receives to sugar to pay the farmers. It is not so much a question of paying yesterday's debts; it is a question of paying debts and surviving financially.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, can the Assistant Minister confirm or deny that the whole purpose of letting Miwani go under is to allow the politically-correct people to buy it at a throw-away price and to start up another factory in the neighbouring Kericho area? For six months, Kenya Sugar Authority has been perpetually promising the factory that they will give them Kshs400 million. Can he confirm or deny this?

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, as you had mentioned earlier in the day, I think the hon. Member just likes talking. The point is that---

Dr. Ochuodho: On a point of order, Mr. Deputy Speaker, Sir. You heard the hon. Assistant Minister use very unparliamentary words. Can he withdraw and apologise?

Mr. I.K. Ruto: What is unparliamentary about the fact that he likes talking without telling us the issue?

Mr. Deputy Speaker: Answer the question!

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, I have stated very clearly that the Government is not about to let Miwani go under. I wonder what the hon. Member is talking about. We are not letting Miwani go under.

Mr. Deputy Speaker: He asked you to deny or confirm certain things. He did not say that it is going under.

Mr. I.K. Ruto: It is not going under. He just likes talking about this "politically- correct bla bla.

(Laughter)

Mr. Wanjala: Mr. Deputy Speaker, Sir, we have seen several companies in Rift Valley collapsing and more recently, the National Bank of Kenya (NBK) was almost going to dogs, only to be bailed out by the Government. However, when a company goes to the dogs in Nyanza and Western provinces, the Government does not bail it out. For example, the Molasses Plant and Miwani Sugar Factory in Nyanza went to the dogs, but the Government did not bail them out. Why is the Government not supporting people of those areas and yet, they are co-operating with the Government?

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, I do not know which "dogs" are bothering hon. Wanjala. The fact is that the Government has always applied the same rules across the board. As soon as we come across any dogs, we will definitely tame them.

Mr. Sungu: Mr. Deputy Speaker, Sir, Mr. Ketan Somaia owns 51 per cent of shares in Miwani Sugar Factory. The Government guaranteed him a loan through NBK. In fact, 100 per cent of the shares owned by the people of Kenya, through the Government. We are aware that the Government is planning to place the factory under receivership in order to rob the people of Nyanza their source of livelihood. It is sad if the factory will be placed under receivership because over 100,000 farmers rely on it for their livelihood. I want the Assistant Minister to tell us today that the factory will remain under the management of people of Kisumu, rather than to the Asians who are out to rip it off.

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, the question of ownership is part of what I answered earlier. I only want to assure the hon. Member that, the Government will not allow Miwani Sugar Factory to collapse. It will definitely serve farmers in Nyanza Province and not people of Kisumu alone.

Mr. Deputy Speaker: Mr. Ruto, do you need a committee to establish its ownership?

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, I said we are looking at the extent of the ownership. There may have been a change of ownership because of further guarantees by the Government on loanees. The initial ownership was 49 per cent by the Government and 51 per cent by private shareholders. I do not deny that there may have been further guarantees on loans through Kenya Sugar Authority.

Mr. Sungu: On a point of order, Mr. Deputy Speaker, Sir. This is a very serious issue. We know for certain that Mr. Ketan Somaia owns 51 per cent of the shares---

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

Mr. Sungu: Mr. Deputy Speaker, Sir, is the Assistant Minister in order to mislead us that the Government did not guarantee the loan to Mr. Ketan Somaia?

Mr. Deputy Speaker: Order! You are making a categorical statement and soon, somebody will ask you to prove it.

Mr. Sungu: Mr. Deputy Speaker, Sir, but it was discussed in this House!

Mr. Deputy Speaker: Order! Mr. Sungu, raise your point of order.

Mr. Sungu: Mr. Deputy Speaker, Sir, is the Assistant Minister in order to mislead this House about the ownership of the factory, when we know it is 100 per cent owned by the Government through the National Bank of Kenya which guaranteed a loan to Mr. Ketan Somaia?

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, I think the hon. Member is the one who is misleading the House because he is not giving us any specific facts about his allegations. I have talked of facts which are very clear. Unless the hon. Member has any other information which he wishes to lay on the Table, I really do not think that I am misleading this House.

Mr. Deputy Speaker: Order! If the Government guaranteed a loan, then it was through a Bill in this House. Next Question, Mr. Shidiye.

WATER SHORTAGE IN GARISSA DISTRICT

Mr. Shidiye: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Water Development the following Question by Private Notice.

(a) Is the Minister aware that the residents of Kulan, Liboi Division, Garissa District, have a serious shortage of water as a result of the collapse of the only borehole?

(b) What immediate action is the Minister taking to repair or replace the pump?

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

(a) Yes, I am aware that there is a temporary breakdown of the borehole water supply due to pump fatigue caused by long pumping hours, necessitated by the current dry spell in the country. An attempt to replace the pump was hampered by a jam in the borehole, possibly due to the *El Nino* phenomena.

(b) Due to the current drought, the Ministry has raised an appeal for support from our development partners to assist in drilling more boreholes and also rehabilitating of the over-utilised ones. Kulan and Liboi boreholes have been included in the request.

Mr. Shidiye: Mr. Deputy Speaker, Sir, while I appreciate the answer given by the Assistant Minister, may I inform him that when I went to my constituency, particularly in Kulan, the residents wanted to kill me because they did not have water. The Assistant Minister is telling us that there is a temporary breakdown of the borehole water supply. The Kulan borehole has not been functioning for the last eight months. It is not only that borehole that is not functioning. Wajir South and Lagdera constituencies have similar problems. These boreholes were sunk about 20 years ago and they are obsolete. Since we require water very seriously in that area, because schools, dispensaries and the entire market has closed down, could the Assistant Minister give an undertaking that the Ministry will provide some money to rehabilitate those boreholes and make sure that those people get water? We do not want to hear the stories of donors because we are taxpayers of this Government.

Mr. Kofa: Mr. Deputy Speaker, Sir, at the moment, it is difficult to give an undertaking. However, the Ministry has sent experts to those areas and they have recommended for a new pump. We bought it, but it also got into problems. At the moment, it is difficult to say the Ministry will do this and that, because of lack of funds. But when funds will be made available, we shall consider rehabilitating Kulan and Liboi boreholes.

Mr. Shidiye: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is misleading the House because no experts were sent there and no new pump was placed in that borehole. For the last eight months, residents of Kulan and Liboi went without water. The Assistant Minister should not talk about donors. This country is not run by donors, but by the Government of Kenya. Since he is the Assistant Minister in charge of water, could he tell us how the residents of Kulan and Liboi will get water? Otherwise, I do not see why he should continue being the Assistant Minister for Environment and Natural Resources.

Mr. Kofa: Mr. Deputy Speaker, Sir, I did not get the last bit of the question.

Col. Kiluta: Mr. Deputy Speaker, Sir, I do think that some of the answers we get for our Questions cannot be taken seriously. If you have been to North Eastern Province, and you know the conditions there, you will really know that water is of great importance. The Assistant Minister said that they are looking for a donor to repair the borehole, but could he tell us how much money they are looking for to repair it? This is because a water pump for the borehole cannot cost more than Kshs200,000. If the Ministry cannot raise Kshs200,000, then, it should be wound up. I do not see why it should call itself a Ministry, if it cannot raise Kshs200,000 to repair the borehole.

Mr. Kofa: Mr. Deputy Speaker, Sir, as I said, the "broken" borehole was inspected by experts from Maji House and---

Mr. Murungi: On a point of order, Mr. Deputy Speaker, Sir. Did you hear the Assistant Minister saying that the borehole was "broken?" Could he explain to the House how on earth a borehole could be "broken?"

(Laughter)

Mr. Kofa: Mr. Deputy Speaker, Sir, it is a matter of English; the borehole collapsed. Maybe, that is a better word.

(Mr. Kofa sat down)

Mr. Deputy Speaker: Yes, Mr. Kofa, but answer the question asked by hon. Col. Kiluta.

Mr. Kofa: Mr. Deputy Speaker, Sir, I do not have the figures with me now. So, I cannot tell how much money it will cost.

Mr. Anyona: Mr. Deputy Speaker, Sir, water is life, and life is water, especially in the circumstances prevailing in areas like North Eastern. When people suffer without water for eight months, they really seriously look forward to the day their Member Parliament will take the matter to Parliament, because that is where they expect answers to come from. Would it be right really for us in Parliament to take that as an answer? And that is what the people of that area will receive tonight over their KBC radio. Is this not the case where this Parliament must insist that the Ministry cancels everything else and these areas get water next week? Could we have that undertaking? Otherwise, really, this Parliament is of no use to this country.

Mr. Kofa: Mr. Deputy Speaker, Sir, the Government is very seriously looking into this problem of water and this is a nation-wide issue.

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

Mr. Shidiye: On a point of order, Mr. Deputy Speaker, Sir. I am crying for a valuable commodity called water, and I am crying for my people, because they do not have water and here is an Assistant Minister saying that, "they are going to look for money elsewhere." Have I not failed in my duty as a Member of Parliament if those people do not get water? I removed somebody from the Opposition, because I told him that we are going to deliver---

(Applause)

Mr. Deputy Speaker: Order, Mr. Shidiye! A Question must not be used as a pretext for a speech. You stood on a point of order and you made none; you just made a long speech. Otherwise, you can stand on a point of order or stand to ask a Question. I am comfortable with either of them. But stress your point about how much is required to repair that borehole because we really in this House cannot say that the entire Kenya Government cannot repair a borehole and it must look for donors. That is unacceptable.

Mr. Shidiye: Mr. Deputy Speaker, Sir, this Assistant Minister cannot wriggle out of this Question. I either get water, or I am not in business as a hon. Member.

Hon. Members: Cross over to the Opposition side!

Mr. Shidiye: Mr. Deputy Speaker, Sir, this Assistant Minister must provide water to my people. He should not be telling me about donors. In view of that, could he go back and come with a clear answer to this House? Nothing short of that will make me sit down.

Mr. Kofa: Mr. Deputy Speaker, Sir, as I said, this problem of water is nation-wide and the Government is trying its best to see that water is supplied to all areas.

Mr. Mwenje: Mr. Deputy Speaker, Sir, I would ask hon. Shidiye possibly to cross over to the [Mr. Mwenje] Opposition side, because he might never get this water. Time has come when we have to ask the Chair to make some serious ruling now, because if people are crying for water, it is very serious. I own a borehole, and it costs only about Kshs1.7 million to put in place a new borehole. I am asking the Government, or the Assistant Minister to be now a little bit more serious when it comes to the issue of water; it is no joke. If that borehole is unrepairable, could he, as a matter of urgency, acquire a new one and install it there? If you go to Davis and Shirtliff firm, it would only cost you Kshs1.7 million. And it is time you made some ruling on this issue.

Mr. Deputy Speaker: The Chair can force a Minister or an Assistant Minister to answer a Question, but the Chair cannot force them to answer a Question in a particular way.

(Laughter)

Mr. Kofa: Mr. Deputy Speaker, Sir, hon. Mwenje uses the word "only," because it seems he is able. I am saying that when money is available, we shall seriously look into the problem of water.

Mr. Anyona: Mr. Deputy Speaker, Sir, I do not think it would be fair to the people of that area and to this Parliament to leave this matter in the situation where it is. I think the feeling of the House right now is that the people of that area must get water "yesterday;" not even today or tomorrow. Would we then not be right in asking the Chair to express that feeling of this Parliament; that those people must get water? Where the Government gets the money from is not our business; our business is to make this Government accountable to the people. I am, therefore, requesting the Chair to make a ruling on this matter on behalf of the House

Mr. Deputy Speaker: Hon. Members, as I said, the Chair can compel a Minister or an Assistant Minister to answer a Question, but it cannot compel them to answer a Question in a specific way. However, Mr. Assistant Minister, I think you owe it to this House to say how much it will cost to repair the pump for this borehole, because the Chair included, finds it difficult to believe that the entire Kenya Government cannot afford the repair cost of one borehole and that it must seek donor-finance for that purpose. Really, I am going to defer this Question.

(Applause)

It is fair both to the Government, the Questioner and to the House, because you really must do a little more homework and come back and tell the House how much is needed or necessary to fix the pump and whether it is actually impossible for that amount of money to be found within the Budgetary allocation you already have, or whether you are going to ask for Supplementary Estimates from the House, which we can also support. So, I will defer this Question to Wednesday, next week.

(Question deferred)

(Mr. Katuku stood up in his place)

Mr. Deputy Speaker: Order, Mr. Katuku! I am not entertaining any more points of order. I have already made a ruling on that Question. We cannot resurrect that Question and you cannot stand on a point of order on another different matter in the middle of the Question Time.

Next Question by Mr. Anyona!

CANCELLATIONS OF HOTEL BOOKINGS

Mr. Anyona: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Tourism, Trade and Industry the following Question by Private Notice.

(a) Is the Minister aware that there are heavy cancellations of hotel bookings by tourists for the months of November and December?

(b) What are the current bookings and occupancy rates of the major tourist hotels in the country during the period?

(c) What is the cause of these cancellations?

The Assistant Minister for Tourism, Trade and Industry (Mr. Sankori): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware.

(b) A survey carried out by the Ministry indicates that currently the bookings and bed occupancy rates in major tourists hotels in the country average 40 per cent for November. Projections are that in December rates will just be over 50 per cent. A number of hotels in the Coast region will achieve well over 80 per cent bookings in occupancy rates in December. These projections reflect a better performance than last year. The few cancellations that the tourism industry has experienced can be attributed to normal cancellations due to unforeseen circumstances such as sickness, change of flights and travel plans.

Some people also fear that Kenya-tourism related systems are not Y2K compliant, although Kenya is Y2K-prepared, just like any other country in Europe. This, in fact, is not well known out there. Therefore, some tourists have preferred to stay nearer home. Kenya millennium programme and catalogues were published much earlier than those of other destinations which have subsequently used our flight structure to undercut Kenya's pipe-dream. Listed air and cruiseship capacities have also led to low bookings. The number of flights to Kenya in the next two months cannot

sufficiently cater for the visitors who wish to travel here. This is compounded by the fact that around the world, luxury cruise have reduced the number of calls to the Port of Mombasa over the past three years.

Mr. Anyona: Mr. Deputy Speaker, Sir, in the first place, this Assistant Minister did not even have the courtesy of giving me a copy of the written answer, which he knows he is required to do by the Standing Orders. Therefore, I cannot believe that he would even know what he is talking about.

Could the Assistant Minister give us a breakdown of the bookings in the various major hotels in the country, for November and December, and the cancellations thereof? If he does not know, what has happened, is, that, some unscrupulous hoteliers and tour operators have inflated the prices in the context of the exchange rates, and that has made tourism more expensive at a time when we are trying to get tourists come in. I am sure he does not know that. Could he give us the figures of how many people were booked in November and December, and how many cancelled in real terms?

Mr. Sankori: Mr. Deputy Speaker, Sir, first of all, I must apologise to the hon. Member if he has not yet received the written reply. But it has been sent to the House.

What the hon. Member has said is true. But as I had said, because of our catalogue being sent earlier, we have been undercut. There have been slight cancellations because of the reasons I have given. I would like to assure the hon. Member that tour cancellations in any country is a worldwide phenomenon because of the Y2K problem.

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. I do not want a lecture on this issue. I have worked in the tourism industry and I know what he is talking about. I would like him to give a breakdown of the hotel bookings and cancellations.

Mr. Sankori: Mr. Deputy Speaker, Sir, first, I had to explain why that has happened. The bookings in percentage were as follows:-

Hotel	October	November	December
Nairobi Serena Hotel	62	60	54
Prestige Hotels		50	50
Sarova Hotels:-	Shaba	99	99
New Stanley		100	100
Panafric		100	100
Whitesands		90	100
Hilton		41.9	100
Hotel Intercontinental	18.34	30.48	32.52

Dr. Ochuodho: Mr. Deputy Speaker, Sir, it is, indeed, true that the Kenya's aviation industry, and the entire hospitality industry are some of the areas that are most Y2K compliant. What has the Government done to specifically let the outside world know that the Kenya hospitality and aviation industries are secure, thus making the country a suitable millennium destination?

Mr. Sankori: Mr. Deputy Speaker, Sir, the other day, one travel market in London corrected that impression. The Minister will be travelling to Seattle this month to make sure that the people outside the country know that Kenya is a safe destination.

Mr. Anyona: Mr. Deputy Speaker, Sir, if you noticed, the Assistant Minister was selective about the tourist hotels. In fact, the tourist hotels are not in Nairobi. Most tourist hotels are at the Coast. Could he give us some figures about the Coast?

Mr. Sankori: Mr. Deputy Speaker, Sir, they are as follows:-

Hotel	November	December
Coral Resort (Coral, Tropical Village, Turtle Bay, Watamu, Blue Bay, Distwood Beach Club)	100	100
Scorpion Villa		80

Mr. Mwenje: Mr. Deputy Speaker, Sir, is it not equally true that the cancellations have also been caused by the recent Kisauni tribal clashes?

Mr. Sankori: Mr. Deputy Speaker, Sir, that is a forgotten, minor issue. We cleared the air immediately.

Mr. Mwakiringo: Mr. Deputy Speaker, Sir, the list of the hotels he has given at the Coast are all based in Malindi. What about those ones based in Mombasa and the South Coast?

Mr. Sankori: Mr. Deputy Speaker, Sir, I think, I have given the bed occupancy in most of the coastal hotels. When I talk of Prestige Hotels, I mean all hotels that fall under Prestige Hotels. If I talk of Serena hotels, I mean the Nairobi Serena Hotel, Serena Beach Hotel, Amboseli, Mara Serena, Samburu and Mt. Elgon. There are all inclusive.

Mr. N. Nyagah: Mr. Deputy Speaker, Sir, niceties about tourism do not need to be told to Kenyans. Kenyans know that we have a problem in the tourism industry. Could the Assistant Minister tell us what is ailing the tourism industry? Is it the clashes, insecurity or more than that?

Mr. Sankori: Mr. Deputy Speaker, Sir, there was a problem of clashes at the Coast, that [Mr. Sankori] were brought to an end. Those affected the tourism industry, only last year, but not this year. The question of insecurity has also been addressed; we now have the Tourism Police Unit which is taking care of that. The tourist fraternity has also been informed accordingly. There was also a problem of Y2K affecting December and early January bookings.

Mr. Deputy Speaker: Next Question!

MATUU TOWN COUNCIL'S INABILITY TO PAY WORKERS

Col. Kiluta: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice:-

- (a) Is the Minister aware that Matuu Town Council has not paid its workers since June, 1999?
- (b) Is he also aware that 25 per cent of the workers are relatives of one of the councillors?
- (c) What action is the Minister taking to save this council from imminent collapse?

The Assistant Minister for Local Government (Mr. Affey): Mr. Deputy Speaker, Sir, I beg to reply.

- (a) I am not aware that Matuu Town Council has not paid its workers since June, 1999.
- (b) I am not also aware that 25 per cent of the workers are relatives of one of the councillors.
- (c) In view of the above, no action is necessary.

Col. Kiluta: Mr. Deputy Speaker, Sir, it is no wonder the Assistant Minister did not give me a written reply, because he thought I would get to know the truth before he answers.

On Monday, I had a lengthy chat with the Clerk of Matuu Town Council, who admitted that they had only paid the workers up to September this year and yet this is November. He also admitted that the Chairman of the Council, who is a nominated councillor, has ten children employed in that Town Council. Their names are: George Mwando, Sammy Mwando, Davy Mwando, Peninah Mwando, Veronica George, Tabitha Matheka, Catherine Kitema and many others. He gave me all these names.

Mr. Deputy Speaker, Sir, now that the Assistant Minister knows that I know what he was given, could he be honest enough to this House and tell us the true position?

Mr. Affey: Mr. Deputy Speaker, Sir, first of all, Matuu Town Council is a very small council with a total workforce of 68 workers. Of these, there are six Chief Officers from the Ministry. The information I have is that the Council had paid its members of staff salaries up to, and including September, 1999. The Council, due to financial constraints, has devised a method whereby salaries are paid by departments as revenue is collected. That is the best way to do it given the circumstances the council is going through at the moment. In regard to the workforce that the hon. Member is complaining about, it is not true that 25 per cent of it are relatives of the Chairman of the Council. Only seven of them at the lower grade can be said to be remotely related to the Chairman of the Council. Out of these, five of them were transferred from the former Machakos County Council during the division of the assets and liabilities when Matuu Town Council was created. In any case, you will agree with me that employees in public offices do not include one's relatives. So, I think this is fair.

Mr. Katuku: Thank you, Mr. Deputy Speaker, Sir. The Assistant Minister has admitted that remotely or somehow - I do not know what that means - about seven of the employees are relatives to the Chairman of the Council. I had an opportunity to meet the Chairman who told me that there are only six employees who are his kin. It is very interesting and I do not know even where to start because the man has over ten wives and over 200 children. So, even seven relatives is a small number. However, what will the Assistant Minister do to ensure that there is fairness in recruitment? It appears that all those who are employed in the Council are relatives to the councillors, the Chief Officers and there is some mix-up.

Mr. Affey: Mr. Deputy Speaker, Sir, we will ensure that there is fairness in recruitment of workforce in the councils. But in as far as this particular case is concerned, there are seven relatives of the Chairman. Two were

employed when Matuu Town Council was established and five were transferred from Machakos County Council. Therefore, I do not think that there is such a serious problem that this particular employment has caused in the Council at the moment.

Mr. Ndilinge: Thank you, Mr. Deputy Speaker, Sir. Can the Assistant Minister deny or confirm that the reason why Matuu Town Council workers go round harassing the small-scale traders by over-charging them is because they have gone without pay for many months?

Mr. Affey: Mr. Deputy Speaker, Sir, I am not aware that the Council workers harass traders in Matuu Town. I told the House that the Council workers were paid their salaries, up to and including September this year and arrangements are being made to make the rest of the payments.

Mr. Mwiraria: Mr. Deputy Speaker, Sir, the problem facing Matuu Town Council is also facing many councils around the country. In Meru where I come from, the council workers have not been paid since April. What is the Government doing to make sure that councillors do not go without salaries for so many months?

Mr. Affey: Mr. Deputy Speaker, Sir, I answered a Question on councillors allowances and salaries a few weeks ago. We have restructured all the councils in the country to ensure that they improve on their revenue collecting to meet the obligations to the councillors and the staff.

Mr. P.K. Mwangi: Mr. Deputy Speaker, Sir, the problem of councils being unable to pay their workers is all over this country. For Maragua District, Council workers have gone since July without receiving their salaries. Those who have been employed by the new councils are getting their salaries. What is happening? Could the Assistant Minister give an undertaking that he will make sure that these workers will get their pay before Christmas?

Mr. Affey: Mr. Deputy Speaker, Sir, we will continue to instruct our field officers to make sure that respective councils do meet their obligations.

Mr. Wambua: Mr. Deputy Speaker, Sir, I am the Member of Parliament for that area; Matuu, which of course is being mentioned here. The Assistant Minister is not serious because he is just giving whatever he has been told. We can lay on the Table the names of those workers who have not been paid. The names which were read out by Col. Kiluta are genuine. They belong to the Chairman's relatives. Can the Assistant Minister try to do something about this or do another investigation and report to this House? Whatever he has told us is not true.

Mr. Affey: Mr. Deputy Speaker, Sir, I thought that the hon. Member of Parliament who asked this Question represented Matuu area. I never knew it is hon. Wambua who represents Matuu. Probably, it could have been right if he were the one who put the Question.

Mr. Wambua: There is another Question coming this afternoon on the same issue!

Mr. Deputy Speaker: Order, Mr. Wambua.

Mr. Affey: Mr. Deputy Speaker, Sir, I am prepared to answer even that one! I said that of the workforce at Matuu Town Council at the moment of 68 workers, only seven are remotely related to the Chairman. I do not think there is a problem with the Chairman's relatives working in the Council. After all, they hail from the area.

Col. Kiluta: Mr. Deputy Speaker, Sir, you heard the Assistant Minister first deny that he did not know of the matter and he later on admitted that he had the facts. The total number of the relatives of the Chairman, who is a nominated councillor, is ten and two were employed last month. What is the point of employing people when you cannot pay those who are already there? What action will the Assistant Minister take to make sure that there is no more employment before those who are already employed are paid? Be honest!

Mr. Affey: Mr. Deputy Speaker, Sir, I will be honest. I will instruct Matuu Town Council Clerk that further employment should cease henceforth, until the revenue base is improved.

MOTIONS

FORMULATION OF WATER HARVESTING MASTER PLAN

THAT, considering that excessive rains caused by *El Nino* phenomenon in the months of December, 1997 and January, 1998, will in effect create a dry spell and cause famine which will force the Government to spend billions of shillings in the importation of famine relief supplies; being aware that most of our river water resources traverse highly fertile lands of Eastern, North Eastern and Coast provinces ending up to waste in the Indian Ocean; this House urges the Government to urgently formulate a 15-year water resource harvesting mater plan which should include desilting of dams, opening up new access roads, providing electricity and other related infrastructure; and further introduce subsidiary legislation which will make irrigation of the opened up land by the owners

compulsory in order to stop reliance on imported grains and other agricultural commodities.

(Mr. N. Nyagah on 17.11.99)

(Resumption of Debate Interrupted on 17.11.99)

The Assistant Minister for Local Government (Mr. Affey): Thank you, Mr. Deputy Speaker, Sir for giving me this opportunity. I was contributing to this very important Motion before the adjournment.

Water, as it was explained a while ago, is life and life is water. We come from areas in this country that have enormous resources in terms of the availability of water. The hon. Mover had requested that we establish a 15-year master plan to harvest water in this country to assist in the agricultural and livestock development.

Mr. Deputy Speaker, Sir, there is absolutely no way we can alleviate poverty in this country, if we do not take into account the specific peculiarities in each region of this country.

We have said before that, this country is blessed with enormous resources, including water. There is not a single region in this country today, which can be said to be a liability to this nation. All the problems that we hear about; for example, famine, hunger and lack of food is because over the years, we have failed to harness and develop the resources of specific regions. There is no way areas in this country, especially in Northern Kenya, and particularly in the North-East, would require the Government to supply relief food every month in 12 months. It is not even feasible, bearing in mind that we have got situations where crisis do creep in, and the weather is bad. But there is no way we can expect our Government to feed people for 12 months!

Mr. Deputy Speaker, Sir, Wajir alone probably receives 4,000 to 5,000 bags of maize every month. If you quantify that, it is about Kshs4 to 5 million every month. If you continue to quantify that, it is Kshs60 million every year. I think if we used that money to establish more boreholes, water pads and dams, this problem could not arise. We could have water in plenty even from the *El Nino* rains that we had in 1997. We can be able to use that water for irrigation.

The conditions that are in North-Eastern Province today, are similar to those in Israel. But the people of Israel have managed to turn their areas into more productive regions. I think we can do the same if we harvest the water. I come from the Habaswen area, which has got very fertile soils. That area, according to a Report prepared by the Ministry of Water Development in 1974, has under-ground water that can supply Nairobi City for 2,000 years.

[Mr. Deputy Speaker left the Chair]

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

The question is: Where have things gone wrong? We only require resources to pump water from the Habaswen to Nairobi and even Mombasa. If we can pump oil from Mombasa to Eldoret, we can do the same with water. This plan, in my view, is urgent and necessary, to be able to turn round the North-Eastern Province, and all the Arid and Semi-Arid Lands (ASAL) in this country. The question of saying that we cannot venture into those areas because of security is a scapegoat. The security is not the problem in Northern Kenya and other ASALs. The only problem that we have is poverty. As a result of poverty, there is unemployment and security problems. Therefore, I am sure that, if we could develop those regions, we could say goodbye to the problem of security. This is because the people will have something to do. They will be fully engaged and, therefore, by extension, we can be able to alleviate the common problem of poverty.

Mr. Temporary Deputy Speaker, Sir, the final point that I would like to put across is that, those areas require infrastructure development. We had such a wonderful plan in Athi River. With regard to the Kenya Meat Commission (KMC), which has since gone under, we appealed to the President to save it. The President, in a public address, told the people in ASAL areas and the country at large that, the KMC will be revived. We believe that, that is the position of our Government. But we are getting conflicting information from the Ministry of Agriculture, and also from the same civil servants who are empowered by the Government to investigate and prepare a report. Now, the information that is trickling in is that certain senior civil servants--- The Government appoints Kenyans to the Civil Service, to take up responsibilities in the Government. We expect them to be honest and efficient. This is not a problem by the Government. The civil servants come from all over this country. It is a problem of individual civil servants in the service today, who are determined to bring the Government down. In the aspect of the KMC, there is a plan to kill any initiative to revive it at the moment, so that the civil servants who are in-charge of the programme, can take the loot. They want to take the property of the KMC, steal the land and condemn the houses so that the KMC

cannot be revived. I am telling you that, we are aware of that plan and we would like to warn them. We have told them that this will go to the notice of the President. They have to take care of their jobs. They have got to be honest to this country, ASALs and to themselves. There is no way we can pay money to the civil servants who are bent on going against the policies of the same Government. I am sure that the Government is ready to revive the KMC. I am sure that everybody, more than ever before, is watchful of the events that are taking place around that particular plant.

With those few remarks, I beg to support.

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

I also come from a district which is under the ASALs Programme. If, well utilised in terms of irrigation, and harvesting of water that traverses along the national parks in Voi Constituency, Taita Taveta District can feed the whole of this country with food and horticulture. But one thing that I always say is: Kenyans must now stand up to be counted as Kenyans. Those who are in the Civil Service must stand up to be counted for their deeds. If there was proper distribution of the national cake in terms of development and infrastructure, Kenya could not be importing food at the moment. We have a lot of rivers, but they are not fully utilised. Most of their waters go to waste into the Indian Ocean. Currently, Voi Constituency produces a lot of mangoes, oranges and sweet melons, using the Voi River. But that is an individual. The sisal estate in my area, which can afford to buy the pumping machines, have tapped the water from Voi River to irrigate their farms. They are feeding the whole of Nairobi and Mombasa with fruits. They even export those fruits to other countries.

So, what we are saying is this: Immediate steps should be taken to tap water from the rivers, whether they traverse the national parks or not. We need to tap that water to irrigate areas which are dry, so that we can produce food for this country. If Israel and Egypt could reverse their countries which were deserts, using water from River Nile, Kenya can also do the same, with proper utilisation of the resources that we have. Kenyans are highly qualified people. The only problem is that wherever they make any recommendations to the respective Ministries, no action is taken. That is why I am saying that Kenyans must be Kenyans now. We are saying that because as a former speaker said, the civil servants have become people who would like to drain the Government's efforts and projections. Currently, the same people would want to see that the Coast Development Authority (CDA) is scrapped. The CDA has done a lot of studies for the Coast region, including parts of North-Eastern Province. But they do not want to fund it and yet the projections are for the Coast people in particular, and all Kenyans in general. But they say that it is not functioning properly. That is purely an individual in the Ministry concerned. We are saying that the concerned Ministry should ensure that the CDA is given full financial support and back-up, so that it can implement its research. This must also be done immediately.

Mr. Temporary Deputy Speaker, Sir, we are forced by the world donors to retrench people from the Civil Service and the parastatals. But where do we take them, when those who took the "golden handshake and early retirement are not fully utilised in the field of *Jua Kali*? If we retrench those people, we must always have other alternatives. Which is the other alternative after retrenching them from the Civil Service? Where do we take them, to keep them busy? We do not want to end up with a country full of hooligans, whom we cannot feed or keep busy. Yet, we keep on bowing to the pressures of the world donors. I am saying that because we need to harvest water from the rivers, de-silt the existing dams and dig more dams. This must be followed up by the rural electrification programme, so that those with experience in motor vehicle mechanics can be kept busy.

Equally, when electricity is supplied to the rural areas, we can still use the same to pump water from the rivers using water pumps. Kenya is rich agriculturally and by providing electricity, we can harvest enough water to irrigate our farms, keep our people who are being retrenched from the Civil Service busy; and those who want to engage in *Jua Kali* business so that we have a healthy nation. The youth should be targeted so that we can keep them busy. It is not possible to have everybody employed. We need people who are independent; like in the Seychelles where the youths are all involved in some economic activities other than being employed.

Mr. Temporary Deputy Speaker, Sir, we should also address the poor state of our roads so that we can be able to transport our agricultural crops from the farms to the markets. If the civil servants in this country were committed to professionalism, we would have been one of the lending countries in terms of finance. In the early days, we used to undertake 90 per cent of the work in road construction using our own resources and 10 per cent was being financed by any donor who wished to assist us. However, since there has been a lot of money coming from the donors, Kenyans have turned it the other way round. Instead of contributing 90 per cent of the cost, the Government only contributes 10 per cent and the remaining 90 per cent is financed by donors. That is what has tied us down now because we can neither move forward nor backwards. Infrastructure in this country must be opened up. Our engineers must work professionally and attain the standards required. I am saying this because we complain most of the time that Government officials are corrupt but I want to state here that there is nobody who is more corrupt, in this country more than the professionals. They are the most corrupt people. For instance, for any architectural drawings for a three-

bedroomed house, one is charged between Kshs50,000 to 60,000. How can one afford that amount of money? When my mother is diagnosed with cancer, I am told: "If we had detected this cancer earlier, we would have treated it." How can one afford that when consultation fee is Kshs3,000 per doctor? If these professionals changed their habits and reduced their rates, I am sure Kenyans would afford to put up decent houses and attend medical check-ups every year. But this is not happening because these are the most corrupt people.

Mr. Temporary Deputy Speaker, Sir, I am saying this because this "disease" has been extended further into our Press. South Africa has got the highest crime rate in the world and the same applies to the United States of America. When a *Mzungu* is killed in one of our national parks, it becomes news all over the world, and yet this happens once in a while. Why is it that the Press is not supporting this country? They should not be blowing out such happenings out of proportion because at the end of it all, it will have adverse effects on the country and tourists will desist from visiting this country. I am saying this because our professionals are also very corrupt. They should not look at the Government as the only corrupt institution. They are equally corrupt! That is what is happening. Whatever we say in our political rallies is carefully censored. If I am hitting at a Minister like hon. arap Ng'eny here, the journalists will have to tell him that they have received a report from me so that they can be given Kshs10,000 to stop the publication of such a report. That is corruption and it should stop immediately. Once that stops, then whatever funds we get for infrastructure and the Rural Electrification Programme will go to proper use and Kenya, in the next ten years will be fully expanded in terms of infrastructure, electricity supply and opening up and harvesting the rivers which we have.

Mr. Temporary Deputy Speaker, Sir, we have qualified people in this country. When I went outside this country sometime back, I was told that Kenyans are corrupt, but when it comes to paper writing, we are the best. The World Bank can refuse to give us money because we are corrupt, but when the Minister for Finance goes to negotiate with them, the Paper which Kenyans will write will definitely convince the donors. That is what God blessed us with. But what do we do on the ground? There is nothing! On the ground we are finished, but we have a fantastic language which can convince anybody. Fifteen years is too long. I am suggesting that this programme should be put in place in the next five years.

With those few remarks, I beg to support.

The Assistant Minister for Human Resource Development (Mr. Ethuro): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this particular Motion.

Mr. Temporary Deputy Speaker, Sir, I rise to contribute to this Motion because it is talking about water. If there are a few things that are basic to human existence, one of them is water. This Motion is timely not just because we had *El Nino* rains last year, but because we have a drought currently in this country. We have famine in this country and when we have no access to food it also means that we have no access to water.

Mr. Temporary Deputy Speaker, Sir, two weeks ago, I was travelling between Lodwar and Kainuk and I could see pastoralists moving - just because there were some clouds somewhere - hoping that they would get water. They left their manyattas at about 4.00 a.m. and by the time I was meeting them, they had not reached where they were going and they did not know where they were going to. I think it is a shame that at a time when we are just a few days away from the next millennium, Kenyans cannot get access to water. What happened to the Government's official policy of water for all by the year 2000? There was an understanding that the year 2000 may be quite a long time to come, but the reality is here now. A long term plan like this one will be able to make a more realistic assessment of what needs to be done.

Mr. Temporary Deputy Speaker, Sir, we have got rivers in this country, but where I come from they are seasonal. However, the volume of water that gets carried away within one season is enough to supply the rest of this country with water. Hon. Affey who spoke before said that there is enough water underground in Wajir which can be supplied to the City of Nairobi for many years.

The Temporary Deputy Speaker (Mr. Imanyara): Was it before you or before Mr. Mwakiringo?

The Assistant Minister for Human Resources (Mr. Ethuro): Hon. Affey who spoke before hon. Mwakiringo comes from Wajir South which is my next district apart from my home district of Turkana. We need some commitment in this matter. The hon. Members who spoke before me touched on an issue which I feel is extremely important. We are fortunate that the Minister for Water Development is here. There is a water engineer in Turkana District, who has turned into a "cannibal" of machines and equipment. He is a "cannibal" because he always says the machines are faulty. We have even volunteered to provide for the specifications. The communities there cannot tell whether those machines are faulty because they do not have the technical competence. We have areas in Turkana District along the lakeshore where people cannot get water, not because water sources are not there, but because the water pump cannot be repaired. Instead of engineers being there, you find hydrologists. We are misplaced and I think the Ministry has to be very serious; professionalism has to come back to the life of this nation. We should no longer hire people because they come from our home place, but because we think there is a service that can be rendered to

Kenyans. I think the Opposition is not a threat to the KANU Government. It is our own employees who are a threat to us. I would like to say that I am not going to sit in this Government in order to allow our own employees to undermine our own sustenance. We would rather sack them first before our friends from the opposite side tell us what to do. I am serious about this. I would like the PS and the Minister who are responsible for some action and disciplinary measures to be really serious on them. As much as Members of Parliament speak about these things, we should be taken seriously. We have no personal grudge against anybody, but we want our people whom we represent to get the services that this good Government has been providing. We can decide at the policy level to allocate funds in this particular House, but what obtains on the ground is a shame.

Mr. Temporary Deputy Speaker, Sir, we now have famine relief food in these areas. The country is now admitting that there is famine. Everybody is admitting and asking us: "Where were you?" Members of Parliament from pastoralist areas have held press conferences since May, June and July and nobody was listening. Now, they are asking us: "Where were you?". We have been around. We have been to our constituencies. We have brought international reporters to the nation to show them what is happening. However, it is only when Kenyans see images of suffering people in the TV that they start listening. We need to respect the views of our leaders. That is the only way we can be able to stem the suffering of our people early enough.

Mr. Temporary Deputy Speaker, Sir, there is another bad practice in the Ministry of Water Resources. Because of the Structural Adjustment Programmes (SAPs), they say that there are no longer responsible for providing water. They want to put in place what they call the water users levy. I want to appeal that even within the SAPs, there should be protection for the pocket; that you cannot change policy midstream. This is because unless you lay the basic infrastructure of water and roads, you cannot expect individuals in society to be able to assume those powers. I think the Ministry should take cognisance of the fact that other areas may have developed the basic infrastructure, but the ASAL areas have yet to do so. I think it is incumbent upon the Ministry to ensure the basic infrastructure is in place so that I can be able to buy my own water meter and water pipe. However, when they have not even laid the main framework for the provision of water, do you expect individuals to provide what society should provide? Do you expect individuals to provide what the public in its entirety, through the Government, should provide? It is a flawed policy that completely does not take care of the historical factors, and that some areas have been completely forgotten.

Mr. Temporary Deputy Speaker, Sir, we have been able to get an oil pipeline from Mombasa all the way to Eldoret. Why can we not get a water pipeline to the areas that lack water? We know that the rates of returns of oil are higher than water, but still water is a basic component to human existence. I think we need to get our priorities right in this country. We need to do some basic things first before we can engage productively in the social life of this particular country. It seems that there is a deliberate policy that those who come from marginal areas, should also be marginalised. Geographical marginalisation should not be translated into social, economic and political marginalisation.

Mr. Temporary Deputy Speaker, Sir, I want to conclude by saying that when the Kenya Meat Commission (KMC) was formed before Independence, one of the Government's objectives was to make it a drought management tool so that our livestock farmers could be able to have a marketing source. However, we cannot overemphasise this point that there are current efforts in the Ministry of Agriculture to kill the KMC. They keep on changing the name of this Ministry because they do not want livestock to be prominent. The idea is to kill the KMC so that a few senior civil servants can be able to get the houses and the land that belong to KMC. It is greed that is destroying this country. People should realise that greed will bury them alive because it is causing starvation in Turkana District now. The pastoralists cannot be able to market their livestock to KMC. Part of the drought management study is to do destocking. At a time when pastoralists know that there is drought, they sell their livestock in large numbers. If KMC was operational, the Turkana would have sold their livestock to it. In the process, they would have been able to get money, which they would have used to purchase maize from Kitale so that we do not have now to appeal to the Government and donors to contribute maize to these areas. Instead of just looking at the drought and famine, we should really try to understand the causes that are making these particular areas prone to disasters every five to 10 years. It is because of greed. It is because KMC that was meant to be a tool for drought management is no longer in existence. We would like KMC to be opened immediately. Many times, the President has promised that the KMC will become operational. However, there are civil servants who no longer take the directives of the President. We wonder which Government they belong to. The President said that in Wajir. The Minister of Agriculture is on record in one of the agricultural shows, saying that KMC will be re-opened. We have a report that says only Kshs400 million is needed for this purpose. The Public Accounts Committee (PAC) has agreed to provide money from the Consolidated Fund for this purpose, only if KMC makes a good strong case, which it has made, but now there are efforts to doctor that report. We have the original report and we are keeping it safe and under lock and key. When the Ministry finally doctors it, we will be able to produce the original report that was drawn by the committee that was commissioned to look into the revival of KMC. Ksh400 million is not a lot of money compared to the wastage and money being stolen in this

country. Kshs400 million in order to support the economy of Northern Kenya is little money.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): We have two proposals for amendments. So, I suggest we deal with them. One is from the Government side and the other from the Opposition side. So, I will call upon Mr. arap Ng'eny so that he can deal with the proposed amendments. Once we deal with that, we will go to Dr. Ochuodho's proposed amendments.

The Minister for Water Resources (Mr. Ng'eny): Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion. However, before I do that, I would like to propose some amendments. The Motion as amended should read as follows---

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Minister, you should propose the amendment since we need to know what you are deleting and inserting.

The Minister for Water Resources (Mr. Ng'eny): Mr. Temporary Deputy Speaker, Sir, I would like to move that the Motion be amended as follows:-

By deleting the words immediately after the word "will" appearing in the ninth line up to the word "land" appearing in the tenth line and inserting the following words in place thereof; "ensure full utilisation of the irrigated and opened up land".

Mr. Temporary Deputy Speaker, Sir, this is a very good Motion and my Ministry supports it fully. It is about water and, as you are aware, water is one of the most important and the most useful commodities in life. We occasionally take for granted this commodity which is essential for life.

We know that water is essential for our existence. It is, in fact, essential for the existence of all living things. Without water, nothing will develop. In economics, they say that certain factors are prime movers. But I think water is the prime mover of life. This is because if there is no water, there is no life.

Mr. Temporary Deputy Speaker, Sir, the Government of Kenya, over a number of years, has given a lot of emphasis and attention to the development of water resources. The Chair will recall that, a few years ago, the President himself launched the Soil and Water Conservation Programme. He did this very vigorously, particularly in those arid and semi-arid (ASAL) areas. I think we are all aware of those Presidential initiatives which we should all be grateful for.

Recently, in 1997, during the Machakos Show, the Head of State emphasised the need to conserve and protect water catchment areas, including the development of our water resources.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Water Development---

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Ng'eny, I should remind you that, your amendment still has to be seconded.

The Minister for Water Development (Mr. arap Ng'eny): Mr. Temporary Deputy Speaker, Sir, I wish to ask my colleague to second this amendment.

The Minister for Roads and Public Works (Eng. Kiptoon): Mr. Temporary Deputy Speaker, Sir, I stand to second the Motion that the hon. Member has proposed to amend. In doing so, I should make a few remarks that, this is a very important Motion which has the full support of the Government. The ASAL areas have actually been marginalised in the past and it is only proper that some action be taken to ensure that water resources in the ASAL areas exploited.

Mr. Temporary Deputy Speaker, Sir, our future potential as a country depends on the development of this mass of land. It would only be proper that we harvest the water resources from the rivers and also develop other sources of water, especially underground water through the construction of boreholes, wells and surface dams. We know that, as a country, we are not yet fully qualified and we do not have enough technology to apply in our ASAL areas. I think we need to borrow a lot of technology from those countries that have such conditions of climate, especially Israel.

Another aspect that we need to consider is the training of our own people so that we can be able to appreciate what nature has given to us. It, therefore, falls on us to have most of our people trained on self-reliance in arid and semi-arid lands. One issue that I think the Government needs to stress more is the fact that, NGOs need to go deeper into our hinterland and make our people understand that, they are the ones who must sustain and employ such technologies that will be able to enhance their living standards.

Mr. Temporary Deputy Speaker, Sir, I do come from an ASAL area and, in particular, I am happy with one of the NGOs called the Action Aid which is doing a lot to educate some of my people. I would wish all the other NGOs went out and told the people how to make use of what nature has given to them.

Mr. Temporary Deputy Speaker, Sir, I do not need to stress a lot on the importance of the Kenya Meat Commission (KMC), as one hon. Member put it, but we realise that the KMC is the only outlet for our livestock products. But, unfortunately, when we try to revive the KMC, the way it is, we find that all the holding grounds for

quarantines *et cetera* in the neighbourhood, have been grabbed by land grabbers. This is one thing that is slowing down the opening of the KMC. I think we might have to look for more holding grounds to be able to revive the KMC.

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

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

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

Dr. Omamo: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to support the Motion which is being amended. This Motion, which is touching on the use of water and the need for availability of water, is an important Motion.

Mr. Temporary Deputy Speaker, Sir, all the civilizations; the Egyptian civilization and all those old civilizations, as we all know, survived only because of availability of water. Here in Kenya the ASAL areas are suffering basically because of lack of water for various purposes. It is now common knowledge that, there is plenty of underground water in the ASAL areas. This underground water could be exploited for agricultural purposes, livestock and human consumption.

Mr. Temporary Deputy Speaker, Sir, a Motion that requests the Government of Kenya to have a plan for this purpose should be supported. I am glad that the Government is supporting this Motion. I am sure that when such a plan is put in place, it will not only be for ASAL areas, but it will cover the whole country because when you watch the TV on a daily basis, the rainfall patterns in the western part of Rift Valley show that, there is always something clicking, a sign showing that, there would be some showers of rain in those areas. However, those showers of rain often run into the rivers and into Lake Victoria and then cross Uganda into Egypt, without Kenya making maximum use of it.

We would like the Minister to hear this because that is the water which should be harvested through the dams, across the rivers, so that there is plenty of water for irrigation. We should have plenty of water for irrigation in our North Eastern Province. I remember way back, more than ten years ago, the then Minister for Agriculture, Mr. Bruce Mackenzie, argued that something should be done with the water in Ewaso Nyiro River, the Tana River and the entire river system. He argued that something should be done with the underground water urgently in order to use it for irrigation purposes. When he was pinned down to give reasons why there should be emphasis on those areas, he said that those areas had less politics than the lake basin area. The politics in the lake basin area was because of Egypt wanting all of our water, plus our soil which goes with the water. There is a lot of politics in that. Today, things have changed; we do not want politics in Western Kenya any more. We must use our water before it gets into the lake. We must use our ground water in North Eastern and in other areas, so as to boost food production.

Mr. Temporary Deputy Speaker, Sir, there is another area which this Motion will support. This Motion is definitely going to encourage training of water technologists. We do not have enough water technologists, and the Ministry should have more liberal training facilities to train water technologists. Kenyans like to talk about the success or rehabilitation of dry land in Israel and in other places, but they forget that there in Israel, training is taken very, very seriously. Here in Kenya, I think we have got a long way to go in training more people to help Kenyans make maximum use of the water.

Mr. Temporary Deputy Speaker, Sir, today, famine is staring us in the face in important areas of our country because of shortage of food. With irrigation, this question of famine will definitely be reduced. It could even be eliminated in Kenya because we are very lucky. We have got such a wide variety of ecological zones. All we need is water to help Kenya to grow almost all varieties of food crops you can imagine of. I quite agree with an hon. Member who spoke of good mangoes and good fruits from Voi. That will be possible. Vegetable growing in dry areas like Garissa and beyond, in Samburu and Turkana, will be very viable. We will be able to capture overseas markets throughout the year because Kenya is really favoured. We are standing astride, right across the Equator. If we could get water in these dry areas, we would be able to supply overseas markets with food almost throughout the year.

Mr. Temporary Deputy Speaker, Sir, the last appeal I would like to make to the Minister is that, while we are drawing this plan, the Minister should not forget that sometimes we have a situation where there is water, water everywhere, but not a drop to drink as we have in the Lake Victoria hinterland. There is a lot of water but hardly anything to drink because it is not supplied. I am sure that if we could get water, in my own constituency of Muhoroni, the yield of sugar-cane would go up twofold. The yield of millet and cotton will go up twofold because of irrigation from River Nyando, River Kuja, River Awach, River Miriu, and from the lake itself. This should be done.

Finally, Mr. Temporary Deputy Speaker, Sir, I would like to reiterate one point, that we should get the right

design and the right technology employed. Because of wrong technology and wrong design, we have had a lot of trouble with Bura Irrigation Scheme. Ahero Pilot Irrigation Scheme is in trouble because of wrong designs. Instead of building wells to have gravitational field, the water is being pumped from the river into the fields, instead of the water flowing by itself. This is a wrong design. We should have plenty of technologies so that whenever we have a minor or major irrigation schemes, we use the right ones.

With these few remarks, I beg to support.

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

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

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

(Question of the Motion as amended proposed)

The Assistant Minister for Health (Dr. Wako): Thank you, Mr. Temporary Deputy Speaker, for giving me the opportunity to contribute to this Motion.

First and foremost, I would like to thank the hon. Mover for bringing the Motion to the House at a time when the country is experiencing a severe drought, especially in Turkana District. I would like to impress upon the Government that the situation in Wajir, Isiolo and other arid and semi-arid land (ASAL) districts tends to move towards the severity being experienced in Turkana District. Therefore, the Government should take precautionary measures to arrest this situation. If the Kenya Television Network (KTN) and other media houses had not toured Turkana District to highlight the extent of the famine situation there, the Government would not have taken any further action. There are Provincial Administration officers on the ground, who should have reported that situation to higher authorities in Government, and we should not have let things become as bad as they are now.

The drought being experienced in ASAL areas, which cover 80 per cent of this country's land mass, makes things severe for the whole country. Unless we utilise this 80 per cent of our land mass, with the ever-increasing population, Kenya will year in, year out, have problems of feeding her people. It will be very difficult for this country to have sufficient food unless we make use of the 80 per cent of this country's land mass in the ASAL region. It is also very important to note that the effects of the drought in the ASAL areas are normally due to lack of water rather than pasture. Most of the insecurity cases that we experience in ASAL areas is due to fights over water. This is mainly so in Garissa District where, today, the Abduwak and the Olyan Clans are fighting over the only dam that is there. Many millions of people have died and several millions of livestock lost due to lack of water.

Mr. Temporary Deputy Speaker, Sir, the current insecurity situation in Isiolo and Garissa Districts is due to lack of water. I think it is time we considered having in place a long-term plan to solve the water problems for ASAL areas, because people are killing one another because of lack of water. The insecurity situation being experienced between Garissa and Isiolo is mainly due to lack of pasture and water. The simple provision of water to those areas can reduce the level of insecurity in that particular area. Digging up dams in those areas during the rainy seasons, like now, will ensure that a lot of water is stored for future use.

Right now, a lot of water is going to waste; in the next three months, those areas will start experiencing a lot of water problems. This Motion seeks a resolution of the House to ensure that dams are dug and others de-silted in those areas. It is quite unfortunate that the Ministry of Water Development has not had even a single dam constructed in most of the ASAL areas for quite a long time. It is unfortunate that, since Independence, most of places in the northern region of this country have not had even a single water dam. Most of the boreholes and water dams found in those areas were dug during the colonial time. It is unfortunate that this country's policy-makers have not been considering this important area. Coupled with this is the problem of irrigation. Most areas in northern Kenya are capable of producing their own food. Quite a number of rivers traverse that region, among which are the Ewaso-Nyiro, Tana, Athi, Turkwel and Bisanaji Rivers. These rivers can be used for irrigation purposes but, unfortunately, this has not happened. Most of these rivers can easily be used for the provision of electricity.

Mr. Temporary Deputy Speaker, Sir, lack of reliable infrastructure is a big problem in that region. Most

places in that region are not accessible to date. In some places, it is even difficult for the Government to supply the meagre relief food quantities that it is currently supplying to famine-stricken areas. For instance, in Turkana District, most people are dying because relief food supplies cannot reach them by road. In Isiolo District, most of the roads are impassable today. The people of Wajir and Mandera Districts have gone back to using aeroplanes to get to main towns. So, it has become very difficult for people in those areas to even get the little relief food that the Government has set aside for them. So, the problem of infrastructure has even aggravated the famine situation in those areas.

Mr. Temporary Deputy Speaker, Sir, therefore, the Ministry has to be very serious in dealing with the problems of boreholes and genges. By actually reverting to the community the water use accession, the Ministry will not be abdicating its role of maintaining the boreholes and the genges. It is unfortunate that most of the time, when the genges are taken away by the Ministry, they are never sent back, and life becomes very difficult for people in those areas. Coupled with that is the fact that, today, water catchment areas in most of the highland areas of this country are being destroyed by land grabbers. As time goes by, you will find that it will become more difficult to get water to this particular place. It is also unfortunate that the Ministry of Environment and Natural Resources, which is supposed to regulate irrigation from the river, has abdicated its responsibility. Today, most of the water which is supposed to flow towards Ewaso Nyiro Irrigation Scheme is harvested upstream by people who plant French Beans and flowers for export. The semi-arid areas, such as Wajir and Isiolo, which depend on this water cannot get it simply because there are some people who have flouted this rule and regulation. This is mainly attributed to our civil servants who do not enforce the rules. It is only in 1997 when Ewaso Nyiro flowed into the Lorian Swamp where it ends. For three years before that, there was not enough flow of water to Lorian Swamp because of this upcountry deviation. The Ministry should regulate the water flow to ensure that those people who live upstream do not take advantage of those who live downstream.

Mr. Temporary Deputy Speaker, Sir, it is very important that Kenya should learn from what Egypt is doing. This country really regards River Nile as a sacred river. It recently negotiated with Sudan to ensure that the amount of water which flows from River Nile to Sudan is regulated. Kenya should ensure that this river which originates from Victoria, is profitable to our country. So, we need to go back to the policy and ensure that it works for us. I think the most important thing for the ASAL areas and the pastoralist community, as a whole, is the question of the Kenya Meat Commission (KMC). This Commission was established in the 1950s to cushion the drought in this particular area. The KMC has not been working for the last 10 years although drought has increased in this country to the extent that most of the people in ASAL areas - the pastoralists - depend on the Government for their daily lives. They expect to be supplied with relief food every year. This can be alleviated by simply creating a livestock market for these people.

Today, Kenya, which has a potential in livestock industry, does not export a single tonne of meat because of the closure of the KMC. It is also very important that we know that His Excellency the President, the Vice-President, and the Minister have said that the KMC will be revived. But we also know that there are quite a number of civil servants who want to turn down that offer because they want to bring documents to show that it is not a viable industry, while we know that is the most viable industry in this country. This is because they want to grab the land and the houses which belong to the KMC. Already, the KMC has lost half or even three-quarters of its land. It will be very unfortunate if the KMC is not revived because of Kshs400 million, which is peanuts compared to the Kshs2 billion that the Government gave to the National Bank of Kenya (NBK), and Kshs800 million to the Kenya Co-operative Creameries (KCC). The Government should give the KMC Kshs400 million to alleviate the suffering of the ASAL people and the pastoralists.

Mr. Temporary Deputy Speaker, Sir, with that, I support the Motion.

Dr. Ochuodho: Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to move that the Motion be amended as follows:

- (i) By inserting the words "Western and Nyanza" between the words "Eastern" and, "and" in the fifth line.
- (ii) By inserting the words "and Mediterranean Sea" immediately after the word "Ocean" in the sixth line.

While I support the Motion, I would just like to re-emphasise the need to have an appropriate national food security policy. If at all we have one, I would like to appeal to the Minister that it be updated. Often, when we have food shortage, we only think of maize, and I think my colleagues in this House have emphasised the need to have other food ingredients as part of relief food to assist those faced with famine. I would like to re-emphasise the importance of fish as a very nutritious food that should also be made available, especially to those areas that are hit by famine.

Mr. Temporary Deputy Speaker, Sir, I will not say much because I have realised that we do not have enough time. However, I would like to congratulate the hon. Member from Turkana North Constituency, hon. Munyes, who highlighted the problem of famine in that area. But watching the

television programme, it was very disheartening to see that people in that part of the world are very thin, while some of our hon. MPs here look rather healthy. I would like to urge the Government to do everything possible to ensure that the average Kenyan looks as healthy as the Parliamentarians look.

Mr. Temporary Deputy Speaker, Sir, with those few words, I beg to move the amendments and appeal to my colleagues to support them.

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

Dr. Ochuodho: Mr. Temporary Deputy Speaker, Sir, this is being seconded by hon. Ekirapa.

The Assistant Minister for Energy (Mr. Ekirapa): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support the amendments proposed by hon. Ochuodho.

(Question, that the words to be added be added, proposed)

(Question, that the words to be added be added, put and agreed to)

(Question of the Motion as amended proposed)

Mr. N. Nyagah: Mr Temporary Deputy Speaker Sir, because of the interest shown in this Motion, I would like to give up six of my minutes to the following: Hon. Mwenje -two minutes; hon. Katuku - two minutes; hon. Murungi - two minutes, and hon. Wamae -two minutes.

Mr. Mwenje: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I would like to state that this should not only refer to the provinces mentioned in the Motion. Central Province is also a farming community, and I feel that it should be included. Indeed, even in Nairobi, we do a bit of irrigation. and it should also be included. The worst part of it is while we talk about harvesting of water for irrigation, which is very important for agriculture, and although Kenya is an agricultural country, it still continues to import food. It might be necessary to import some food, but when we go to the extent of importing eggs into this country, it becomes worse. I would like to urge the Kenya Government to ban importation of eggs into this country. This is because we have enough eggs in this country. The importation of eggs and fruits from South Africa is hampering poultry farming because the farmers get discouraged. Therefore, I would like to urge the Government to stop forthwith importing those kinds of items.

Mr. Temporary Deputy Speaker Sir, I still feel that the coffee problem has not been solved. The Government should put in some efforts to ensure that coffee problems are sorted out in this country. Infrastructure and electricity have also got to be extended to all these areas. Even in this City, the infrastructures of roads and electricity are still ignored.

Thank you.

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, I also rise to support this Motion. Part of the problem we have is the Water Act, which was enacted by the colonial government on 7th May, 1952. To date, we do not have a comprehensive amendment to this colonial legislation. The Water Act sets up a water Resources Authority made up largely of senior civil servants. This authority does not involve the people in the management of water resources in this country. That is why there is so much wastage and lack of creativity in the use of water resources in the country. We are proposing that the Minister brings an amendment to the Water Act to create provision for furrow irrigation in the country, because the Ministry is broke and is unable to provide pipes and overhead irrigation to this country. I would like the Minister to visit Mwea Irrigation Scheme where there are no pipes and we are growing rice on surface water.

With those few remarks, I beg to support.

Mr. Wamae: Mr. Temporary Deputy Speaker, Sir, I also want to join those who support this Motion, and also to thank the Government for accepting it with those very minor amendments. It is very important that we preserve our water and do everything possible to make sure that we get maximum use out of it. I would only like to talk about the catchment area of Mount Kenya and the Aberdare Forest. These are the catchment areas for the Tana and Athi Rivers, which drain into the Indian Ocean. Already, these areas have been invaded by people cutting down trees and deforesting them. The catchment areas have been affected. This is why we have no water for power generation in the Seven Forks Dams because we have interfered with the catchment areas of Aberdares and Mt. Kenya. We should ensure that those areas are protected and that the foliage and forest cover exist.

Mr. Temporary Deputy Speaker, Sir, trees in these forests have been cut down and people are growing bhang there. The Government does not see this; it has to wait until an hon. Member brings it in this House for it to wake up. In areas like Imenti and Nyeri, forests have been cleared and nothing has been done about it. This is what has created the problem. We must come up with a plan to make sure that afforestation is done. We need dams on the slopes of Mt.

Kenya and the Aberdares to preserve the water, so that at a time like this, we can support the hydro-electric dams and other irrigated areas with water.

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

Mr. Katuku: Mr. Temporary Deputy Speaker, Sir, I would want to add on to what hon. Wamae has said on the issue of catchment areas. We have a very good Motion, but the fear is that if we do not stop the destruction of forests, we will have no water in our rivers. I am very concerned because the Athi River passes across my constituency and we need to conserve this water. The other issue is pollution. We have a lot of pollution in our rivers. It is high time the Minister took up the issue to test this water and ensure that it does not harm our people. The Motion is very important and it is a challenge to the Government to take it very seriously and implement it. It is not a question of just keeping it in the shelf. We are talking of people who are dying because of lack of food, yet we have a Government in power.

I am calling upon the Government to implement this Motion as soon as possible, to get our areas irrigated; to have dams which were constructed during the colonial time de-silted, and to construct dams in all areas. If we have as many dams as possible, the water table will come up and this will enhance irrigation and agriculture. In my constituency, there was a furrow which was to be constructed along the Athi River, from Donyo Sabuk to Kibwezi. That furrow was proposed during colonial times, to run along the other furrow, but this has not been done. It is high time the Government gave priority to such Motions and implemented them for the sake of our people, who have been suffering for too long.

With those few remarks, I beg to support.

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, I would like to thank all those hon. Members who have made their contribution towards this Motion; hon. Ng'eny, hon. Shidiye, hon. Mwiraria, hon. Affey, hon. Mwakiringo, hon. Ethuro, hon. Kiptoon, hon. Omamo, hon. Dr. Wako, hon. Mwenje, hon. Murungi, hon. Katuku, hon. Wamae, hon. Ekirapa and hon. Dr. Ochuodho. It is very evident that what we are now talking about is that the Government has a duty to conserve and preserve our environment. A few things that are emerging are: let importation of food be something of the past. Let us not have it again.

Mr. Temporary Deputy Speaker, Sir, the other request I would like to make is that having passed this Motion, we have very many Motions that are shelved away in our lockers in Parliament. We want the Government to activate and make them a reality. Let us have this master plan taking effect. That is evidenced by the enormous volume of water; each speaker has said we have enough surface and underground water.

Mr. Temporary Deputy Speaker, Sir, lastly, it has become evident that the KMC's land was grabbed, and the Government should use every effort to reverse this so that we have a holdingground for the animals of North Eastern Province and elsewhere, and so that they can be slaughtered for distribution in this country.

With those few words, I beg to reply.

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

Resolved Accordingly:

THAT, considering that excessive rains caused by the *El Nino* phenomenon in the months of December, 1997 and January, 1998, will in effect create a dry spell and cause famine which will force the Government to spend billions of shillings in the importation of famine relief supplies; being aware that most of our river water resources traverse highly fertile lands of Eastern, North Eastern, Nyanza, Western and Coast Provinces, ending up to waste in the Indian Ocean and the Mediterranean Sea; this House urges the Government to urgently formulate a 15-year Water Resource Harvesting Master Plan which should include de-silting of dams, opening up of new access roads, providing electricity and other related infrastructure; and further introduce subsidiary legislation which will ensure full utilisation of the irrigated and opened-up land by the owners compulsory, in order to stop reliance on imported grains and other agricultural commodities.

TARMACKING OF GARISSA-MANDERA
-ISIOLO-MOYALE ROAD

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

THAT, being conscious of the historic under-development of Northern Kenya; being aware of the fact that the little fragile infrastructure available has been damaged by *El Nino* rains; and

noting that the Province is cut off from the rest of the country half of the year due to rains, this House urges the Government to tarmac the road between Garissa and Mandera, and between Isiolo and Moyale in order to ease communication and enhance trade and commerce.

Mr. Temporary Deputy Speaker, Sir, I moved this Motion on the understanding that roads are one of the most important infrastructures to enhance trade and commerce, free movement of people in Kenya, and the delivery of goods and services to any part of Kenya. Northern Kenya is a region which is underdeveloped.

Mr. Temporary Deputy Speaker, Sir, this region was totally neglected by the colonial government and by the two successive Governments. During the colonial time, there was what was called the "Hamitic Myth". The colonialists realised that Somalis, Borans and Rendilles were fairly intelligent people. So, the first thing they did was to deny them education. This is because when you deny somebody education, you have denied him the right to knowledge, information, power and the right to lead this country.

Mr. Temporary Deputy Speaker, Sir, if you look around this country, you will be shocked. If you drive from Garissa to Mandera, it is a nightmare. It is the biggest nightmare in this country. The Garissa-Mandera Road is the worst road in Kenya. The entire province has only 11 kilometres of a tarmac road; that is, within Garissa Municipality. One wonders: Are these people allergic to tarmac roads? Do these people live in Kenya? Do we deserve this kind of treatment? It is as if a tarmac road is only found in heaven. If you talk about tarmac roads to somebody in my constituency, he will ask you how it looks like. You will have to explain to him, because he has not seen a tarmac road. You have to tell him that tarmac roads are found in other parts of the country. Then, he will ask you: How can it be found in the rest of Kenya and not in Garissa? He will just draw a dichotomy. He may think that is not possible and it might only be found in heaven.

Mr. Temporary Deputy Speaker, Sir, with the best four-wheel drive vehicles we have on earth, it is very difficult to drive on that road. If you drive on that road, you will feel sorry for your vehicle. This is because the vehicle will get stuck in the mud. It is a pity that during the rainy seasons, even if the Government wants to deliver food to that area, it will not be possible. At least, I sympathise with Turkana because the journalists can go there and see what is happening. In northern Kenya, the situation is worse. People are dying in large number, but nobody can go there and highlight their plight. This is because the airstrips have not been serviced and there are no roads. How will you reach those people? I am sure, the *Daily Nation* newspapers or KTN will not hire helicopters because it is too expensive to cover that area. They might spend a lot of money. They are in business, and they do not want to lose their money.

Mr. Temporary Deputy Speaker, Sir, it is a shame that 36 years after Independence, those people are unable to reach their villages. Whereas people in the other parts of the world are going to the moon, in Kenya we cannot reach our villages and constituencies.

The Pan African Highway from Cape Town to Cairo traverses through northern Kenya. The Garissa-Mandera and Garissa-Moyale roads are on an international road. If those roads are on the international highway, why is it that we cannot tarmac them? Why is it that other parts of Kenya have tarmac roads?

Mr. Temporary Deputy Speaker, Sir, donors are willing to fund roads in this country. However, the people who call the shots in this Government are Permanent Secretaries. Ministers are just ceremonial figureheads. We all know this fact. How many Somalis are in those big offices? We are wasting our time with the East African Community. Each time we want to sign the treaty and agree on zero-tariffs, Tanzania and Uganda shift their goal posts, whereas we have 80 million people who can bring business to Kenya. I think hon. Biwott should have been the first person to see this and not waste his time with the East African Community, because Tanzania is basically a socialist country, and they want to endear themselves with South Africa. I know that South Africa is a bigger monster. It wants to wallop this region.

Mr. Temporary Deputy Speaker, Sir, I am bringing this Motion because, with good infrastructure, you can alleviate the abject poverty among the North Eastern communities. We, in Northern Kenya, are endowed with business acumen; we are entrepreneurs. We have the most survival instinct than any other Kenyan. But are we getting these commodities? How much money do we waste? You feel as if you are in two Kenyas; one Kenya which is rich, with the best infrastructure, education and people who would die as a result of obesity and fatness, and another Kenya which is dying of famine, with no roads and where banditry and cattle rustling are the order of the day. These are two Kenyas; one Kenya which is on the fast lane, and another Kenya which is on the tenth lane; a "third world," neglected and relegated to the oblivion. Those are the pictures that are emerging in this country.

Mr. Temporary Deputy Speaker, Sir, what do you see of the best of a Somali? One who is wielding a rungu and who is a servant and a watchman. What do you see of the best of a Rendille, Maasai and Turkana? One who is wielding a rungu and who is a watchman. The best elites of the Somali, Samburu, Rendille, Maasai and Turkana communities are watchmen. When they come to our offices, they ask us where they can get the job of a watchman, because they have been denied education, infrastructure, food and the right to exist. And it touches us.

There must be an affirmative action for them. We will not be part of the constitutional review process in this country unless there is affirmative action. We will not, and we cannot, because we cannot be in this country and be called Kenyans whereas we are a cancerous growth to the rest of Kenya. We are on a time-bomb.

Mr. Temporary Deputy Speaker, Sir, previously, we never used to hear of insecurity and cattle rustling in other parts of Kenya. Now, people have nothing to eat. They are going to overrun the rest of Kenya because they cannot get food and water and go to schools and hospitals. There is nothing for them. We are going to be a cancerous growth to the rest of Kenya until and unless something is done. Whereas the rest of Kenyans are moving to the next millennium and are in the game of succession; game of phantom minds of succession of who will become the President to rule this country, and who is going to "eat" and not "eat," we are busy thinking about where to get food and water. We cannot be part and parcel of that succession game.

The Assistant Minister for Labour and Human Resource Development (Mr. Maizis): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Member in order to mislead the House that the highest rank the Somalis have attained is just that of a watchman when the former Chief of the General Staff of the Kenya Armed Forces was from the Somali community?

(Laughter)

Mr. Shidiye: Mr. Temporary Deputy Speaker, Sir, the former Chief of the General Staff never went to school. He never went to school, but he excelled as a career soldier and saved this country from collapse. Today, we would not be sitting in this Parliament. Recently, when I was in Germany for the IPU Conference, my colleagues from Pakistan who were also attending the conference were one day told that there was no longer a Parliament in Pakistan. There had been a coup. The former Chief of the General Staff saved this country, although he never went to school. God gave him the wisdom, and he became the most powerful General in this country. I think we will never have another powerful General like him.

Mr. Temporary Deputy Speaker, Sir, I am talking of two societies in one country. The Red Indians and many people in other countries benefitted from affirmative action. Why is it that 36 years after Independence, the people of North Eastern do not have roads, water, education and health care if they are Kenyans? This situation really hurts us. I am in this Government fundamentally because I believe that when you are in the Government, you are supposed to reap the fruits of the Government. I am not in the Opposition, but when I travel to Central Province where Ms. Karua comes from, there are good roads, piped water and everything else.

Ms. Karua: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to mislead the House that there are good roads in my constituency, when all the roads were damaged by *El Nino* rains and have not been repaired?

Mr. Shidiye: Mr. Temporary Deputy Speaker, Sir, the *El Nino* only destroyed the roads that were in place. But the fact remains that these people had good roads and they are, at least, under repair. We are talking of an entire region which is part of this country, but has never known what it means to have Independence. That is the reality. I stand by that because that is not what we deserve.

Mr. Temporary Deputy Speaker, Sir, I know you are a practising lawyer and you have been to northern Kenya, but not by road. I am sure, when you travel to that part of the country, you charter an aircraft from Wilson Airport. Wilson Airport is a beehive of activity in the morning. It is a transit point for miraa, foodstuffs and many other commodities. North Eastern resembles the former Zaire, where, during Independence in 1955, they had about 12,000 motorable roads, but at the time of ouster of the former President, they had remained with less than 1,000 motorable roads, and only the Ministry of Transport in existence.

Mr. Temporary Deputy Speaker, Sir, if this province has to improve, it needs the support of the rest of Kenyans. People in that province require education and other basic necessities available to other Kenyans. I am sure schools will not be able to resume normal activity in January after the December rains. This is why most of the students from that part of the country fail in their examinations. There are no clinics and roads. We used to depend on KMC which was closed ten years ago. Where are we supposed to sell our livestock? That was the only industry that we used to depend on.

Mr. Deputy Speaker, Sir, I have tried to show the rest of Kenyans that we are in a disaster situation, and right now, many people are dying. We are appealing to the Government to declare that area a disaster zone, so that international NGOs and regional bodies can come in and save the situation.

During the *El Nino* rains, we went out of our way and talked to the donors. Foodstuffs were dropped in those areas using specialised aircraft from the United States Government. Whereas we are recipients of relief food, foodstuffs cannot be taken to that place. Whereas that place has the potential to develop agricultural resources, such resources cannot develop because we do not have roads. If you looked at the Lorian Swamp from Garissa up to Wajir,

that place can provide the whole of Kenya with food. It can provide Kenya with rice, cotton and, among other things, citrus fruits. The whole of that area is closed, and it is a no-go zone precisely because the Ministry of Information, Transport and Communications has become the "donkeys and the camels". It is as if we are living in the old ages. Really, we are remnants of the past. How will we catch up with the rest of the Kenyans? I believe that there is oil, diamonds and gold in that area, but it is a no-go zone, which is cut off from the rest of the country. We will not get anywhere. That is why I am saying that for us to develop, the road between Garissa and Mandera Towns must be tarmacked.

Mr. Temporary Deputy Speaker, Sir, in Uganda, we have a Minister for the Karamanjong'. Why is it that we do not have a Minister in charge of these marginal areas, and money provided directly from the Consolidated Fund? Look at what is happening! Even with the little amount of money that the Ministry is giving, the Provincial Public Works Officer in Garissa has decided to use the machinery he has for his own benefits. He hires it out to other companies and to his own company. He has decided to use the machinery given by the Ministry for his personal ends. That road would have provided Kenyans with jobs and made them richer. We are wasting our time with Tanzania and Uganda who are not ready to negotiate with us. They see Kenya as a country that will overwhelm them. We can do a lot of business with Ethiopia, which is already landlocked. But how are we going to do business when we are cut off from our villages, sisters, mothers, cousins and constituencies? This is what is hurting us. I said earlier on that we will not enter into constitutional review debate until a clause is put in, that will say that there will be affirmative action, and that a certain amount of money will be drawn from the Consolidated Fund to develop the infrastructure and educate the people in northern Kenya.

Mr. Temporary Deputy Speaker, Sir, it is hard to be a Member of Parliament from that place because even if you have got a nice car, you cannot drive it there. The only thing you can use, maybe, is a donkey's or a camel's back. It really hurts that in Kenya, as we enter into the next millennium, people from that place are crying for attention from the rest of you.

With those few remarks, I ask hon. Kiraitu to second the Motion.

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, I rise to support this important Motion. It is true that the people of North Eastern Province, to be specific, the Somalis, have never been fully accepted as Kenyan citizens, with full rights of citizenship in this country. The Somali community has not benefitted from the resources contributed by the citizens of Kenya for the development of this country. When a section of Kenyans built an Airport at Eldoret, the Somalis are still in the dark ages, where the camel is still the principle mode of transport.

The Minister for Roads and Public Works (Eng. Kiptoon): On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you hear the hon. Member saying that a section of Kenyans built an airport at Eldoret? I do not think there is any section of Kenyans who built an airport. The Government of Kenya built that airport, as much as it did the Wajir and Mandera airports.

An hon. Member: In Mandera, there is nothing!

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, I do not think the Minister has ever been to North Eastern Province. He should know the airports he is talking about there. This is where President Moi almost died the other day in a plane crash! There are potholes even in the airstrips in Moyale, Marsabit and other areas. You cannot compare those airstrips to Eldoret Airport. So, what we are saying is this: Just as the Government of Kenya built a modern airport at Eldoret, let it tarmac the roads in North Eastern Province, and the northern part of Eastern Province.

Mr. Temporary Deputy Speaker, Sir, as the Mover said, the Somali community was marginalised by the colonial government, the Kenyatta Government, and now, the Moi Government! The colonial government treated North Eastern Province as a frontier district. It was cut off from the rest of Kenyan through the Outlying Districts Ordinance of 1902, and the Special Districts Ordinance, so that they could not inter-mix with the other people.

During the Kenyatta regime, the Somalis were enemies. They were sought to be killed and destroyed in the shifta war. So, all that Kenyatta did for North Eastern Province was to invest in bullets and guns in that area.

Mr. Temporary Deputy Speaker, Sir, the Moi regime has treated Somalis with suspicion. When we talk about bandits, it is just another name for shiftas. The entire North Eastern Province is now under the control of bandits. The Government has very little control over the area. I was in Garissa in August this year, and when you talk to the Somalis, they treat the upcountry people; that is the Kalenjins who are in control of the Provincial Administration there, just like they treated the Wazungus who were in the place. They treat them as occupiers of their territory. So, in North Eastern Province, the Government needs to be seen as a Government of the people! The Government should appoint Somali District Commissioners in North Eastern Province. This way, it will create more linkages with the people. As of now, the Administration Police and other security agents are seen as another form of colonialism of the province.

Hon. Shidiye has talked about the right to affirmative action of a neglected North Eastern Province in the Constitution that is going to be written. As a matter of fact, we do not need to write a new Constitution for affirmative

action to be implemented in North Eastern Province because, even under the current Constitution, Section 83 subsection 2 (d), provides for affirmative action for people who have been historically disadvantaged for no fault of their own. This section should be used by the current Government. It should be implemented to mobilise more resources, build roads, schools and hospitals for the North Eastern Province. We do not need to wait for a new Constitution. The constitutional provision is there, and all we need is to implement it.

Mr. Temporary Deputy Speaker, Sir, I am interested in the subject matter of this Motion because our neighbours, the Somalis, are the business partners of the Meru people. It is the Somalis who are the principal buyers of *miraa* from Meru. The tarmacking of these two roads will facilitate the movement of *miraa* from Meru to Somalia and Ethiopia. Of course, it promotes the market which is there in the North Eastern Province and other parts of northern Kenya. It is in our interest that these roads are constructed.

Mr. Temporary Deputy Speaker, Sir, there is a large market in Ethiopia. There is a large population there which needs goods which are manufactured in Kenya, for instance "Kimbo", but we are not opening up that market because it is impossible to drive to Ethiopia from Kenya today. It is even impossible for manufacturers in Kenya to establish any viable trade links with countries like Ethiopia or Somalia. I was in Mandera sometime back, and I saw an area with a very great potential. There is a very big river there called River Daua. Although there is a department of the Ministry of Water Development in Mandera, there is no single pipe bringing water from River Daua to Mandera Town. People have to use donkeys to get water from that river for drinking in Mandera Town. This is a river which could be used to open up the area. People can grow tomatoes, maize and other crops through irrigation. So, we are totally neglecting an area which has a great potential.

Mr. Temporary Deputy Speaker, Sir, in Meru, we have had some experience with regard to roads. The Government always says there are no funds for the tarmacking of roads. I think we are discriminated against by the Government because the Meru people virtually voted for the Opposition. So, we are surprised that even in an area where KANU received the majority of its support, it is not even constructing roads. The KANU Government is neither improving infrastructure in KANU areas, nor in Opposition areas. Where is the KANU Government constructing roads, if it is not constructing them even in KANU strongholds? We have been telling our people in Meru not to kneel down to the KANU Government any more. Huyu ni ng'ombe ambaye hana maziwa. We have told our people not to go begging for development because that is their right. We have told them to vote for a Democratic Party of Kenya (DP) Government in the year 2002. Although I am a lawyer by profession, I am talking to hon. Kibaki so that I am appointed the Minister for Roads in the next Government. I would like to tell the Somali people to support us in this exercise, so that when we form the next Government, we will tarmac these roads. Stop wasting your time in KANU! Tell your people to vote for the Opposition. We are the ones who will improve infrastructure in North Eastern Province. You voted for KANU in 1988, 1992 and 1997. How long will you take to learn that you are just wasting your time? President Moi just flies to the area because he cannot use the roads. So, he does not even know how bad these roads are. So, stop being fooled by lies from KANU; they have stolen all the money through corruption. In fact, 65 per cent of all the taxes collected in Kenya are stolen. It is only 35 per cent which ends up in the Treasury. So, which resources are we asking the KANU Government to use to tarmac these roads? I would advise my colleagues from the Somali community to shift.

With those remarks, I beg to second.

(Question proposed)

ADJOURNMENT

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

The House rose at 12.30 p.m.