

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 28th April, 1999

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

## ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Member:-  
Mr. Samuel Kalii Kiminza

## NOTICE OF MOTION

### SELECT COMMITTEE FOR REPARATIONS TO POLITICAL PERSECUTION VICTIMS

**Mr. Kihoro:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, noting with grave concern, the persecution of political dissenters by the Government between 1966 and 1991 when Kenya was either a *de facto* or a *de jure* one-party State, aware that some Kenyans were arrested, harassed, detained without trial or killed because of their patriotic commitment and political beliefs, this House, in the spirit of unity and reconciliation resolves:-

(a) That the Government should unconditionally apologise to all those whose political and human rights were violated during the period, and a national honours list be prepared accordingly;

(b) That compensation be paid out to those arbitrarily arrested, harassed, detained or killed;

(c) That in the event the person died or has since died, the compensation be paid posthumously to his or her next of kin, a state of *bona vacantia* to the State;

(d) That a Parliamentary Select Committee to determine the identity of the victims and the quantum of compensation to be paid be set up, and that the following be Members:-

1. Hon. G.M. Anyona, MP
2. Hon. P.A. Awiti, MP
3. Hon. M.A. Galgallo, MP
4. Hon. (Dr.) R.M. Kituyi, MP
5. Hon. A.N. Kathangu, MP
6. Hon. Wanyiri Kihoro, MP
7. Hon. S.N. Maina, M.P
8. Hon. Kiraitu Murungi, MP
9. Hon. J.K. Munyao, MP
10. Hon. (Mrs.) C.K.M. Ngilu, MP
11. Hon. (Prof.) Anyang'-Nyong'o, MP
12. Hon. Raila Odinga, MP
13. Hon. G.M. Parpai, MP
14. Hon. J.K. Sambu, MP
15. Hon. A.I. Shaaban, MP.

## ORAL ANSWERS TO QUESTIONS

*Question No.023*

INVOLVEMENT OF PROVINCIAL ADMINISTRATION

## IN ELECTORAL PROCESS

**Mr. N. Nyagah** asked the Minister of State, Office of the President:-

- (a) why the Government did not issue appropriate instructions to all officers in the Provincial Administration and other departments concerned, drawing their attention to their new roles restraining them from interfering with the electoral process; and,  
 (b) what disciplinary measures will be taken against any errant officer(s).

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Speaker, Sir, first of all, I would like to apologise to the hon. Questioner for not supplying him with the written answer.

Mr. Speaker, Sir, having said that, I beg to reply.

- (a) It is not true that the Government did

not issue any instructions to officers of the Provincial Administration and other concerned departments concerning the matter raised in the Question. In fact, this was done via Circular letter Reference No.PA/A/111/21 of 13th November, 1997, which was sent out by the Permanent Secretary in charge of Provincial Administration.

(b) The action to be taken against any errant officers is clearly stipulated under Sub-Section 2(b) Cap.17(b) which states as follows:-

"No official shall engage in the activities of any political party, or act as an agent of any party, or publicly indicate support for, or opposition against, any party or candidate participating in an election under this Act or under the Local Government Act. A public officer who contravenes any of the provisions of Sub-Section 1, shall be guilty of an offence and liable to a fine not exceeding Kshs50,000, or to imprisonment for a term not exceeding six months, or both".

**Mr. N. Nyagah:** Mr. Speaker, Sir, the Circular that was circulated has been rendered useless. What action is the Minister going to take against the Senior Chief of Kotheo, various other chiefs within Tigania West, and the Director of the Kenya Anti-Corruption Authority (KACA), Justice Aron Ringera, who participated fully in distributing money to voters in the just-concluded by-elections now that, that Circular has been put into effect?

**Maj. Madoka:** Mr. Speaker, Sir, if any proven specific cases are brought forward they will be dealt with accordingly.

**Mr. Wamae:** Mr. Speaker, Sir, one of the recommendations of the Inter-Parties Parliamentary Group (IPPG) of 1997 was that the Government should draft an administrative circular and bring it to this House. The circular was supposed to give instructions to all Provincial Administration officers on how they are supposed to behave. Why has this circular not been issued and brought to this House up to now?

**Maj. Madoka:** Mr. Speaker, Sir, I do not know whether the circular has to be brought to this House but, certainly, it was sent to the officers. If it has to be brought to this House, the circular will be circulated.

**Mr. Kathangu:** Bw. Spika, kuanzia mwaka uliopita, kila kunapokuwa na uchaguzi mdogo katika nchi hii, maofisa wa Serikali wanaotoka sehemu unakofanyika uchaguzi huo hupewa likizo ili waende kuifanyia kampeni Serikali ili mgombeaji kiti kile kwa tiketi ya KANU ashinde uchaguzi ule. Je, Waziri anachukua hatua gani kuhakikisha kwamba jambo hili halifanyiki tena?

**Maj. Madoka:** Mr. Speaker, Sir, I am not aware of any particular incident. If any such incidents are brought forward, we will look into them.

**Mr. Speaker:** The final question, Mr. Shakombo!

**Mr. Shakombo:** Bw. Spika, ningependa kumpa Waziri jina la ofisa wa Serikali ambaye alihusika katika kisa kama hicho. Ofisa huyo, ambaye alikuwa Ofisa Tawala (DO) wa Likoni, anaitwa Bw. Abdulahi. Kila mtu alimwona akifanya kampeni dhidi yangu, na akisaidia mgombeaji wa chama cha KANU.

*(Applause)*

Ofisa Tawala huyo alihamishwa kutoka Likoni baada ya watu kulalamika dhidi yake juu ya maovu kadha wa kadha aliyokuwa akifanya baada ya uchaguzi. Je, Waziri atachukua hatua gani dhidi ya Ofisa Tawala huyo, ambaye alishuhudiwa na kila mtu akikifanyia kampeni chama cha KANU?

**Maj. Madoka:** Mr. Speaker, Sir, I do not know whether the hon. Member reported this particular incident.

**Mr. Speaker:** Next Question, hon. Obwocha!

*Question No.016*

**Mr. Obwocha** asked the Minister for Local Authorities:-

- (a) how much revenue had been collected in form of service charge by Nyamira Town Council during the period 1993 - 1998; and,  
(b) how the revenue was utilised.

**The Assistant Minister for Local Authorities** (Mr. Sasura): Mr. Speaker, Sir, I beg to reply.

(a) Nyamira Town Council collected a total of Ksh6,762,464.70 in form of revenue during the period 1993 - 1998.

(b) The revenue was used to finance various development projects within Nyamira Town Council.

**Mr. Obwocha:** Mr. Speaker, Sir, that is a fairly unsatisfactory answer. If the Town Council collected more than Kshs6 million between 1993 and 1998 and used that money to finance various development projects, could the Assistant Minister table documents showing the specific projects the money was used to finance? Please, do give a breakdown of the money used on each project.

*[Mr. Speaker left the Chair]*

*[Mr. Deputy Speaker took the Chair]*

**Mr. Sasura:** Mr. Deputy Speaker, Sir, various projects were undertaken. They include road drainage, toilets, boreholes, and purchase of equipment. Specifically---

**Mr. Ndwiga:** On a point of order, Mr. Deputy Speaker, Sir. Hon. Obwocha's supplementary question was very specific. It demands that the Assistant Minister gives this House specific projects which were financed using that money. So, the Assistant Minister should specify the road drainage systems, toilets and equipment purchase on which the money was spent.

**Mr. Sasura:** Mr. Deputy Speaker, Sir, the hon. Member raised that point of order too fast. I was just about to give the specific projects that were undertaken by the local authority when the hon. Member raised the point of order. The following are the roads which were improved and amount of money spent on each:-

Utumishi Road, one kilometre, Kshs185,000; Afya Road, two kilometres, Ksh370,000; Nyaricha Road, two kilometres, Kshs402,000; Utawala Road, three kilometres, Ksh740,000; Access Road to Nyamira County Council, 0.3 kilometres, Kshs45,000; Elimu Road, 3.9 kilometres, Ksh320,000; Nyamira-Nyasongo Road, four kilometres, Kshs750,000; and, Nyamira-Bomondo Road, 4.2 kilometres, Ksh780,000.

Also, three culverts were installed, and wings and heads constructed at a total labour cost of about Kshs65,000. A sum of Kshs381,000 was utilised on construction of public toilets and a borehole. Also Kshs930,000 was used to purchase a Merssey Furgason 240 tractor for garbage collection within the township.

**Mr. Anyona:** Mr. Deputy Speaker, Sir, I am hearing names which I have never heard of in Nyamira before. As far as I know, Nyamira is a district headquarters. There are no roads yet and one of the responsibilities of the Town Council is to provide roads within the township. There are no roads at all, except the one that runs from Konati through Nyamaiya up to Kisumu Road. There is no other road; there is no sewerage; there are no toilets. Where are all these facilities? Unless hon. Obwocha has seen them, I have not seen them myself.

**Mr. Sasura:** Mr. Deputy Speaker, Sir, it is difficult for me to name all the toilets in Nyamira Town Council. The Question asked how the money was utilised. I just indicated the roads that were worked on. I did not say that a sewerage system was built. I talked about drainage works and the rehabilitation of roads. I also did mention the toilets.

**Mr. Wamae:** On a point of order, Mr. Deputy Speaker, Sir. We know that already there is a direct confrontation between the hon. Questioner and the Assistant Minister answering the Question. How are you going to resolve this issue, Mr. Deputy Speaker, Sir? We must resolve the problem; we cannot leave it at that.

**Mr. Obwocha:** Mr. Speaker, Sir, what hon. Anyona has said is correct. All the roads the Assistant Minister has mentioned are imaginary. The DDC recommended that we open up the town. There is no single road that has been opened. So, I do not understand what the Assistant Minister is talking about. So, could he confirm or deny before this House that the former councillors and chairmen misappropriated Kshs2 million? Could he also tell us what the Ministry has done to ensure that this money is recovered?

**Mr. Sasura:** Mr. Deputy Speaker, Sir, I am not aware of the Kshs2 million the hon. Member is talking about.

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

**Mr. Deputy Speaker:** Order! Mr. Assistant Minister, there is contention here. You have stated that

certain roads have been repaired and hon. Members from the area are saying that these roads do not exist. So, why do you not do the next most honourable thing, which is to go back and find out if in fact, those roads do exist. I am in a difficult position. I do not know whether those roads exist or not but you have the obligation to confirm to this House that, in fact, they do exist. So, why do you not just say that you will go and find out and come back and tell the House?

**Mr. Sasura:** Mr. Deputy Speaker, Sir, unless otherwise, the questioner hon. Obwocha tells us where access to Nyamira County Council Road is. As far as my office is concerned, this is a confirmed project and they are in Nyamira Town Council.

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

**Mr. Deputy Speaker:** Order! Order, all of you. Mr. Assistant Minister, just go and bring to us a sketch map of those roads in Nyamira, since that will satisfy everybody.

**Mr. Sasura:** Mr. Deputy Speaker, Sir, I can bring the sketch maps.

**Mr. Deputy Speaker:** Order! Mr. Wamalwa.

**Mr. Wamalwa:** Mr. Deputy Speaker, Sir, I am just wondering; the Assistant Minister is just sitting right there next to his Minister who comes from the area and he is giving answers that Members from the area are disputing. Is it really in order for this House to go on torturing the monkey when the oven grinder himself is sitting there?

*(Laughter)*

**Mr. Deputy Speaker:** Order! Order! Prof. Ongeru, if I were you, I would not fall into the trap of accepting that you are the oven grinder. The position is this: That Minister, whether Assistant or not, is a Minister and we hold him responsible for what he said. Mr. Assistant Minister, you will bring us that sketch map to show the roads you have referred to in that reply.

**Hon. Members:** When?

**Mr. Deputy Speaker:** Next week on Tuesday. Next Question, Mr. Musila!

*Question No.045*

COMPLETION OF LAND ADJUDICATION  
IN MWINGI DISTRICT

**Musila** asked the Minister for Lands and Settlement:-

In view of the role land ownership plays in economic empowerment of communities, could he tell the House:-

- (a) which Land Adjudication areas have been completed in Mwingi District since the adjudication started in 1975, and,
- (b) whether he could give the names of the uncompleted adjudication areas and tell the House when each of these will be completed.

**The Minister for Lands and Settlement (Mr. Ndambuki):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Adjudication sections comprising of Nzale, Migwani, Kyambo, Kaloleni and Kyome have been completed in Mwingi District since the adjudication work started there in 1975. These sections have been registered and 4,228 title deeds are ready for collection by the land owners.

(b) The following adjudication sections have not been completed: Nzauni; Kanyaa; Nzeluni, Winze; Kanzangu; Ngoo; Kisyani; Mbondoni; Nzawa; Kivaini; Mwingi; Waita; Katalwa; Mamboe; Kiombo; Kivoli; Ngiluni and Kyomo. Two sections which are Nzauni and Kanyaa are at an advanced stage and will be completed by December this year. The rest of the sections will take time to complete due to the large number of disputes pending and the scarcity of resources but the Ministry is doing its best to complete the work and register the section.

**Mr. Musila:** Mr. Deputy Speaker, Sir, I do appreciate very much the reply given by the hon. Minister. However, as he has clearly read out the list of 18 uncompleted adjudication sections in the district, could he now tell this House when he plans to hurry up the pending cases that are apparently hindering the completion of this section?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, in that area, we have 311 dispute cases and we have

facilitated our officers on the ground, so that they could sit and settle the disputes and immediately that is finished, the titles will be issued.

**Mr. Badawy:** Mr. Deputy Speaker, Sir, one thing that is certainly causing delay in the adjudication process in the Ministry of Lands and Settlement is the long absence of the Director of Land Adjudication who is supposed to be on leave pending retirement as I have been told. Could the Minister appoint or ask the Director to delegate his responsibilities to the Assistant Directors, so that work that has been started does not remain pending because of the long absence of the Director?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, we are bringing an amendment to the Land Adjudication Act to Parliament, so that we can have the authority to delegate the powers of the Director of the Adjudication section in order to speed up the process.

**Mr. Kaindi:** Mr. Deputy Speaker, Sir, if you look at the Question, it talks about 1975 and it is true that most of the adjudication was carried out in 1975 and it has not been completed to date. In most areas of Machakos District and Kathiani, the adjudication exercise is still going on but could the Minister explain to this House the rampant cases of corruption on the part of the adjudication officers who are carrying out this process in this area, because there is hue and cry everywhere in the related constituencies?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, first, what I would like to appeal to the hon. Members is that, they also start to assist us by trying to sort out some of these disputes. Some are so minor and according to the Act, there is nothing that we can do in a location or sub-location if there is a dispute. Like the case of Kathiani, there are so many pending cases and we have not been having enough money to send people to go and look into this. We are waiting to see whether we are going to have money and we have requested for funds from July this coming Financial Year, so that we can cater for those areas where we have been having cases pending for a long time.

**Mr. Maitha:** Mr. Deputy Speaker, Sir, the other problem of the Adjudication Department is that, if one goes to request for letters or documents for the adjudication areas, you will be told that they have been taken to the Permanent Secretary and the Minister to sign and it takes so long. Could the Minister now confirm to this House that, those Minutes will be approved quickly, so that the Director can take up the matter to facilitate documentation to those adjudication areas?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, I am aware of what hon. Maitha is talking about and already, that has been signed and sent back to the court to be sorted out and I can assure him that from now on, no Minutes are going to be pending if I am the one to sign.

*Question No.007*

PAYMENT OF COMPENSATION TO MR. SIMIYU

**Mr. Deputy Speaker:** This Question by Mr. Lawrence Sifuna is deferred to next week.

*(Question deferred)*

*Question No.043*

INSTALLATION OF ROAD SIGNS ALONG  
KISII-MIGORI ROAD

**Mr. Ayako** asked the Minister for Public Works and Housing:-

- (a) whether he is aware that there are no road signs and/or bumps along Kisii-Migori Road at Rongo and Awendo Townships;
- (b) if he is further aware that such absence of road signs and bumps has occasioned numerous accidents leading to loss of lives and property; and,
- (c) if the answers to "a" and "b" above are in the affirmative, what is he doing to arrest the situation.

**The Assistant Minister for Public Works and Housing** (Mr. Khaniri): Mr. Deputy Speaker, Sir, I beg to reply.

- (a) I am aware that there are road signs, but no bumps along the Kisii-Migori Road at Rongo and

Awendo Townships.

(b) I am not aware that there have been numerous accidents leading to loss of lives and property as a result of non availability of bumps.

(c) The Ministry will undertake a valuation survey immediately and, if the two places are found to require bumps, then they will be installed in the next financial year.

**Mr. Ayako:** Thank you, Mr. Deputy Speaker, Sir. The two striking features of those two townships I am talking about are the hawkers, travellers and other crowds along the townships. There is almost an accident every week. The Assistant Minister said that there are road signs along those townships. Can he let this House know which particular road signs are there?

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, I do not have all the details about all the signs that are in those particular townships. But when this Question was filed, we sent an officer on the ground and he confirmed that all the signs are there although some of them are defective. When we will be doing a valuation to establish if the place requires bumps, we will also consider replacing the defective signs.

**Mr. Ojode:** Mr. Deputy Speaker, Sir, during the construction of Rodi-Kopany-Sori Road, I did approach both the Ministry and the construction firm to construct bumps within Mirogi Trading Centre, Ndhiwa Market and Ratang'a. The Assistant Minister is saying that there are signs at Awendo and the other market. Could he tell us, where in particular do they have those signs? How much money would it cost the Ministry to construct bumps either in Awendo or Ndhiwa?

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, with regard to the bumps, I said valuation survey would be undertaken before the end of the current financial year and the necessary action will be taken during the next financial year. The bumps will be installed if the survey confirms that accidents can be controlled by having bumps in place.

**Mr. Deputy Speaker:** He asked you how much it can cost to construct the bumps?

**Mr. Khaniri:** If the hon. Member could be patient, I was just carrying on to that. There has never been need by the Ministry to construct bumps there and therefore, we have never done valuation to find out how much it would cost.

**Mr. Kajwang':** Thank you, Mr. Deputy Speaker, Sir. The road from Keroka to Rongo is an international highway. It passes through Rongo and Awendo to Tanzania. Between Keroka and Kisii alone, there are over 100 bumps and it is an international highway. Whenever I drive there, I damage my car. Can the Assistant Minister tell us why there are so many bumps between Keroka and Awendo and there are not as many bumps between Awendo and Migori?

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, about the other section of the road that he has just brought, I may not be able to say anything about it now unless he puts up a question as to why there are too many bumps there. But as per that particular spot that the hon. Member asked, I have clearly stated that the Ministry is going to do an evaluation before the end of this financial year; between this month and next month. If we find that there is need for bumps, we are going to construct bumps in that particular market.

**Mr. Ngure:** Mr. Deputy Speaker, Sir, the Assistant Minister should be aware that when a valuation for a road is being done, one of the factors taken into account is population. Whereas maybe I do not envy the "enlightenment" of the people of Migori *vis-a-vis* the people of Keroka, but actually the bumps should have been put there because just recently, we lost a wife of a very prominent member of our society. So, the question that there are no accidents there does not occur.

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, what the hon. Member is saying is not obvious because studies have shown that in some cases, bumps would cause even more problems. So, I do not agree with the hon. Member that we should have put bumps there when we were constructing the road.

**Mr. Mwiraria:** Mr. Deputy Speaker, Sir, I do not know whether the Assistant Minister has considered the amount of money we waste as a nation on bumps? In fact, every international highway in Kenya has got bumps and many of the small cars get damaged every time they use those roads. Has the Assistant Minister thought of other ways of slowing down motorists rather than introducing bumps which are expensive?

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, I am glad that the hon. Member is just supporting the last point I made. The other option of slowing down motorists is, one, the rumble strips. Where we feel bumps would not do a good job or would cause even more accidents, we put rumble strips. The other option is to put road signs which we know most Kenyan drivers do not even obey.

**Mr. Otula:** Thank you very much, Mr. Deputy Speaker, Sir. Is the Assistant Minister confirming that people should keep on dying at Rongo and Awendo while they are doing the survey?

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, we do not wish anybody death. But these things are done by

following a certain process. We cannot rush to instal bumps there before an evaluation has been done to establish whether the bumps will solve the problem that is being experienced at the moment.

**Dr. Oburu:** Mr. Deputy Speaker, Sir, could we know from the Assistant Minister the criteria used in establishing bumps and rumble strips? Is it that they wait for a Question to be brought to Parliament when so many people have died and then they study doing the survey in order to instal bumps there? Can he tell us exactly the criteria they use in establishing bumps?

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, the criteria is very simple. Bumps are normally put at blackspots or dangerous spots where many accidents occur. In these particular two areas in question, when we were constructing the road, that could not be clearly established. That is why we are sending a team on the site in the course of this month and they will come up with a report. That is when we will know if we will put the bumps or not.

**Mr. Ayako:** Mr. Deputy Speaker, Sir, what is the Minister doing to arrest the situation?" Well, he has said that they are sending an evaluation team that may decide whether bumps are necessary or not. What other steps is the Assistant Minister taking to arrest the situation? In fact, we are not joking. Last month, we lost the wife of the--- I have not given the background.

**Mr. Deputy Speaker:** Order! You have raised your question.

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, I am sorry, we cannot do anything before that report comes to our office. I have assured the hon. Member that the evaluation will be done this month. I think that is soon enough.

**Mr. Ojode:** Thank you, Mr. Deputy Speaker, Sir. That road, Rodi-Kopany-Sori, extends to the market and I raised the matter with him; that we have lost 50 lives of innocent wananchi in Ndhiwa alone. When is he going to erect the bumps within Ndhiwa Township? Is it this financial year or the next financial year?

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, I think you would agree with me that construction of bumps at Ndhiwa is not the same as construction of bumps at Awendo and the other market. This is a different Question and, if the hon. Member will put the Question, I would be glad to bring the answer to the House.

**Mr. Ojode:** Mr. Deputy Speaker, Sir, the young boy does not know what I am talking about---

*(Laughter)*

**Mr. Deputy Speaker:** Order! Order! Hon. Ojode, hon. Khaniri might be a very good friend of yours, but reserve those jokes for the bar, not for the Chamber. So, please, address him appropriately. You must, first, withdraw those words and apologise.

**Mr. Ojode:** Mr. Deputy Speaker, Sir, I withdraw the words "young boy", but he is a young Assistant Minister. I do apologise.

Mr. Deputy Speaker, Sir, lives lost, whether it is in Garissa or Ndhiwa or Rongo are Kenyan lives. There is a lot of money which is being paid in terms of Petroleum Levy, and that road passes Ndhiwa Market itself and over 50 lives have been lost. Could he tell me when they are going to instal bumps there? Is it this financial year or next financial year?

**Mr. Khaniri:** Mr. Deputy Speaker, Sir, I agree entirely with the hon. Member that lives are lives, whether in Ndhiwa or Awendo or wherever. But save me from this hon. Member because you agree with me that this is a different question. I cannot come here and tell him when we are going to instal bumps at Ndhiwa Market when I have not done research on the Question.

*Question No. 034*

#### REPAIR OF MAKUTANO-MA-MWALA-TALA ROAD

**Mr. Katuku** asked the Minister for Public Works and Housing when the Makutano-Ma-Mwala-Tala Road which is currently impassable will be made passable.

**The Assistant Minister for Public Works and Housing** (Mr. Khaniri): Mr. Deputy Speaker, Sir, I would wish to request that this Question be deferred to tomorrow afternoon because we are not satisfied with the answer that we have.

**Mr. Katuku:** Mr. Deputy Speaker, Sir, I appreciate that because the answer that I have here is very misleading. I will wait for a serious answer tomorrow afternoon.

**Mr. Deputy Speaker:** Thank you. Now, we will go to the Questions by Private Notice.

*(Question deferred)*

### QUESTIONS BY PRIVATE NOTICE

#### PROVISION OF AMBULANCE TO LAIKIPIA DISTRICT HOSPITAL

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

(a) Is the Minister aware that there is no ambulance for emergency cases in Laikipia District Hospital, hence the hospital hires vehicles to carry patients to Nyeri Provincial Hospital and as a result, patients die on their way to Nyeri?

(b) Is he further aware that there are no utility supervisory vehicle in the whole District for District Health Management Team (DHM), as a result of which the DHM team has to beg the District Commissioner for a vehicle in case of an emergency?

(c) What immediate action is the Minister taking to ensure that vehicles are available to save lives?

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

(a) I am aware that the only ambulance which served Nyanyuki District Hospital has had blown engine and was grounded in August 1998. However, I am not aware, and I have not been aware, that patients have died on the way when being transferred to Nyeri Provincial General Hospital.

(b) I am also aware that the District Health Management (DHM) team has had to borrow the District Commissioner's vehicle in case of emergencies when even the only Land Rover available to the DHM team is not available.

(c) Nyanyuki District Hospital is on the priority list for a new ambulance as soon as funds are available.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, I would like this House to reckon that in the last one month two patients have died on their way to Nyeri Provincial General Hospital from Nyanyuki District Hospital. The only Land Rover that we only have in that District Hospital is already 20 years old and is grounded. The ambulance is grounded and, therefore, this means that no vehicle is in operation in the District Hospital. This is a great shame to this Government.

Mr. Deputy Speaker, Sir, we are also talking of hospitals with no ambulances when medical officials have already squandered Kshs97 million an amount which can buy 97 ambulances for this nation. Therefore, it means that we should not have problems in any District Hospitals. This is a District Hospital which has been complaining so much. Patients have even no beds to be admitted on. I really wonder if there is any interest by the Government towards the Laikipia District Hospital.

Could this Assistant Minister now, on behalf of the Government, declare their interest in the said hospital?

**Mr. Criticos:** Mr. Deputy Speaker, Sir, I do not understand about the question of us or the Government declaring our interest. Our interest in the Ministry of Health is to try to give proper health care to the nation with the limited resources that we have.

**Mr. Mutahi:** Mr. Deputy Speaker, Sir, the Assistant Minister has just admitted in his answer that there is an ambulance which has had an engine knock. Can he tell us which costs more between a new vehicle and a grounded ambulance for the reason that it has an engine knock? What is not available? Is it the money to repair the engine or the money to buy a new ambulance?

**Mr. Criticos:** Mr. Deputy Speaker, Sir, I entirely agree with hon. Mutahi. Money will be provided in our next Financial budget. We have allocated Kshs100,000 in the next Budget to repair the blown engine.

**Mr. Mbitiru:** Mr. Deputy Speaker, Sir, it is very amazing to note that it was the other time when we were debating the Supplementary Estimates and the Ministry of Health demanded so much money for maintenance of this vehicle. Even in Nyahururu, we are not able to pay water bills for the hospital amounting to almost Kshs2 million. The Ministry is aware of all this and all these bills have been sent, similarly, to Nyanyuki. The municipality is even going to a point of relocating the water transmission line.

**Mr. Deputy Speaker:** Ask your question.

**Mr. Mbitiru:** Mr. Deputy Speaker, Sir, for the vehicles that are already grounded even in Nyahururu, there is a lot of money for maintenance. What is this maintenance money the Ministry is demanding in the Supplementary Estimates while we cannot even repair those vehicles?

**Mr. Deputy Speaker:** Ask your question.



**Mr. Mbitiru:** Mr. Deputy Speaker, Sir, what is the Ministry doing about all these grounded vehicles all over the country? All have been grounded and the Government is not serious in repairing all these vehicles that the patients depend on so much. They have now to use matatus to go to other hospitals where there are available services.

**Mr. Criticos:** Mr. Deputy Speaker, Sir, we have tried as much as possible to repair the vehicles with the limited resources that we have. The moment this Honourable house gives us a small allocation of funds, we will be more than willing to purchase new ambulances. The reason for the break-downs is that the ambulances that we have-- For example, the one at Laikipia District Hospital is 20 years old. It is way beyond economic repair.

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

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

**Mr. Deputy Speaker:** Order, hon. Members! Look at the clock. Okay, Mr. Kiunjuri, I will allow you to ask one question.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, you know this Question is very sensitive. All these hon. Members, I assure you, have the same kind of problem.

**Mr. Deputy Speaker:** Order, Mr. Kiunjuri! Look at the time. You know very well that we have only one hour for Questions. We have 10 more minutes and we have another Question to go to.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, it is true that the obligation of any Government is to make sure that its citizens are secure. Now, this is an Assistant Minister answering a Question and saying "when funds become available." Will the people of Laikipia continue dying until funds are available? We are considering seceding if this is the way this Government is going to behave. Can the Assistant Minister now say whether my people will continue dying until the funds are available?

**Mr. Criticos:** Mr. Deputy Speaker, Sir, I am not aware of any patients being transported to Nyeri Provincial Hospital.

**Dr. Murungaru:** On a point of order, Mr. Deputy Speaker, Sir. I witnessed one of those patients die in my constituency on the Naru-Moru River Bridge. In actual fact, that patient was my constituent. My constituency borders Nanyuki Hospital. Is it in order for the Assistant Minister to mislead this House that patients are not dying because of lack of ambulances in the Nanyuki District Hospital?

**Mr. Criticos:** Mr. Deputy Speaker, Sir, I am not going to say that, that is not the case. What we are discussing here is the issue of patients dying while being transported to the Nyeri Provincial Hospital.

#### NON-PAYMENT OF SALARIES TO YOUTH

##### POLYTECHNICS STAFF

**Mr. Michuki:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Research and Technology the following Question by Private Notice.

(a) Is the Minister aware that the staff of the youth polytechnics throughout the country have not been paid their salaries for the months of February and March, 1999?

(b) When will they be paid?

(c) What plans has the Government put in place to ensure that there are no future delays in payment of monthly salaries to the members of staff concerned?

**The Assistant Minister for Research and Technology (Mr. Kiangoi):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that staff of youth polytechnics throughout the country have not been paid their salaries for the months of February and March, 1999.

Consequently, parts (b) and (c) do not arise.

**Mr. Michuki:** Mr. Deputy Speaker, Sir, the Assistant Minister may not be aware but can he confirm whether, for the months of February and March, the members of staff of the youth polytechnics have been paid the salaries?

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, the hon. Member might appreciate that I cannot confirm what I am not aware of. But what I know is that for the month of February the Ministry's grant to the youth polytechnics was released on 17th of March and salaries for the month of March were released on 13th of April.

**Mr. Deputy Speaker:** Order, hon. Kiangoi! You have just said the salaries were released and so, that means they were paid and he is asking you to confirm whether they were paid! What is so difficult in doing that if

you know that the salaries were released?

**Mr. Kiangoi:** I have said that for the month of February, the salaries were released on 17th of March and for the month of April, the salaries were released on 13th of April.

**Mr. Michuki:** Mr. Deputy Speaker, Sir, it looks as if the Assistant Minister does not know what is happening in his own Ministry. At the time of raising this Question which is about a month ago, the staff at Kahuti and Kanyuira polytechnics had not been paid their salaries. Is the Assistant Minister saying that his Ministry is not responsible for the salaries of these people?

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, I am answering the Question as it is. Secondly, the hon. Member is aware that as the Assistant Minister responsible for youth polytechnics, I know what is happening in the Ministry. However, the hon. Member also ought to know that youth polytechnics are managed by communities and the Ministry only gives partial grants. What I am saying is that we have done our part and I have given the dates when we complied with our requirements.

**Mr. Ndicho:** Mr. Deputy Speaker, Sir, youth polytechnics in this country play a pivotal role by making sure that the youths in this country get employment through induction for entrepreneurship. This Ministry pays the teachers in those institutions Kshs1,700 per month. Last week, I was at a place called Juja Farm where there is a polytechnic and the teachers there told me that they had not received the salaries since January. Is the Assistant Minister satisfied that the Government can pay a person Kshs1,700 per month? Can the Assistant Minister consider increasing the amount of money paid to these teachers by over 500 per cent so that they can enjoy like other teachers in this country?

**Mr. Deputy Speaker:** The Question is talking about salaries which have not been paid; leave alone the increases you are talking about.

**Mr. Ndicho:** Mr. Deputy Speaker, Sir, the issue is; those teachers in my constituency have not even been paid since January; but even when they are paid, Kshs1,700 is too little. Could the Assistant Minister consider increasing that salary and also pay in time just like he has been paid in time?

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, the issue of increases is not part of the Question. Secondly, payment in respect of the month of January for any is not an issue since they have been paid.

**Mrs. Seii:** Mr. Deputy Speaker, Sir, I am extremely perturbed by the phrase "I am not aware" response which we get from Ministers in this House. This seems to be an escape route for most Ministers and yet they are given adequate time to prepare responses to Questions. This "I am not aware" response seems to be used all the time. Is there anything that can be done so that these Ministers can be aware so that we can use our time usefully here? Is it in order for Ministers to come here and say "I am not aware"?

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, I am surprised that the Member is perturbed. It depends on how the question has been put. This particular Question asks: "Is the Minister aware---" and I am bound to answer following the manner in which it is asked. I believe that is what all other Ministers do, when they answer such a Question. Perhaps, it is our way of asking Questions which should change!

**Mr. Michuki:** The Assistant Minister should stop misleading this House by saying that whenever he is asked whether he is aware; then what should follow is that he is not aware, when in fact, he is responsible to this country and to this House. Monies are given to his Ministry to make sure that polytechnics do run properly. Can the Assistant Minister tell us whether he has any plans at all in future for paying these people the salaries? Kshs1,700 is even lower than the minimum wage of Kshs2,650 per month!

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, the Ministry will continue to be responsible for their part that they are mandated to run youth polytechnics. I would also like to say that it is not every Question that is asked and the answer from the Minister is: "I am not aware." Where the Minister is aware, he would say so and give particulars.

**Mr. Anyona:** Mr. Deputy Speaker, Sir, the Assistant Minister as a person may not be aware but the Ministry should be aware. Is he aware that during the last Session, this House passed a Motion unanimously, that the terms and conditions of service for the staff of the youth polytechnics would be incorporated in the Public Service Structure and that; this House was told by the former Minister of Research and Technology who was transferred to the Ministry of Co-operative Development during the reshuffle that there was a Sessional Paper before the Cabinet which was going to enable the Government to bring a Bill to this House to sanction the new terms of service for these teachers? Now, we seem to be going back and we are wondering what is going on here!

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, the hon. Member can bring up that Question substantively because it does not arise from the Question that is on the Order Paper.

**Mr. Deputy Speaker:** Order, hon. Kiangoi! It may not be a substantive Question as such, but it is a matter on which your Ministry has made a commitment to the House. So, really, if it has not been done, just say

so. You cannot escape through that route.

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, I am not finding an escape route. I have said that the Ministry is doing all it can to take care of youth polytechnics. In fact, computerisation was finalised---

**Mr. Anyona:** On a point of order, Mr. Deputy Speaker, Sir. He knows that we come from the same district and we must not appear to be fighting. But, in fact, a lot of youth polytechnics in our district are suffering. I expect the Assistant Minister to use this opportunity to help.

I would like him to answer the supplementary question that I have put; that there was a Motion here and hon. Kiptoon made a Statement here when we asked it last time in the last Session; that there was a Cabinet Paper before the Cabinet to enable the Ministry to bring a Bill to the House. What we are asking is: How far has that gone? When is the Bill coming? He should not take us back!

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, we are moving ahead. I am as serious as you are. I would like to tell the hon. Member that the Ministry is committed to its responsibility. I do not have the specific dates, but whatever the Ministry promised will be carried out as soon as possible.

**Dr. Ochuodho:** Mr. Deputy Speaker, Sir, in view of the important role that these youth polytechnics play, and in view of the fact that a major part of the Ministry; the *Jua Kali* sector was recently hived off and taken to the Office of the President, can the Ministry tell the House what it is going to do now that they have a lighter load to expand village polytechnics in all parts of the country? If they are unable to do that, maybe, the Assistant Minister can tell us why the Ministry cannot be disbanded and turned into a department of a relevant Ministry.

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, I am not responsible for the creation of Ministries. The issue of *Jua Kali* sector having been removed from the Ministry is not relevant to this Question.

**Dr. Omamo:** Mr. Deputy Speaker, Sir, I am assuming that the Assistant Minister is serious about the condition of the polytechnics. The fact of the matter is that many polytechnics are crumbling not only because the teachers are not paid on time, but because of the wrong designing of the syllabus. Could the Ministry undertake to resuscitate the youth polytechnics? As a nation, we would like to depend upon the youth polytechnics when we look forward to the year 2020, when we want this nation to be fully industrialised. The youth polytechnics are to play a vital role in promoting this nation to full industrialisation. Is the Ministry going to do something to revitalise the youth polytechnics? They are dying Mr. Assistant Minister!

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, the Ministry is working in conjunction with the communities concerned. As I have explained before, the communities are involved in the management of youth polytechnics together with the Government. They are in partnership. The Ministry, in consultation and in conjunction with the communities concerned, will ensure that the youth polytechnics are revitalised.

**Mr. Nderitu:** Mr. Deputy Speaker, Sir, I think the Question has not been answered fully. Right now, I would like to draw the attention of the Ministry to youth polytechnics in my constituency. The Mucii Wo Rata Polytechnic does not even have one screw-driver! The Nyangati Polytechnic does not even have a spanner and yet, you are talking of establishing new ones. Can we not have the ones which are existing in working conditions and then establish new ones?

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, maybe, some of the youth polytechnics that he has talked about are not being assisted. Out of the many youth polytechnics that are run in this country, the Government through grants, benefits only 370 polytechnics.

**Mr. Gitonga:** Mr. Deputy Speaker, Sir, arising from one of the Assistant Minister's answers; that February salaries were paid in March; and March salaries were paid in April, is he aware that most of those teachers have families to take care of and they should be paid on time? Could the Assistant Minister give us the reason why these salaries were delayed? Could he assure this House that this situation will not be repeated?

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, the payments were released on the dates specified because we did not receive the money from Treasury until that time. In future, we will endeavour to pay the staff of the youth polytechnics throughout the country as soon as we receive funds from the relevant Ministry.

**Dr. Oburu:** Mr. Deputy Speaker, Sir, in 1997, this Ministry announced that there was a plan to absorb the staff of the youth polytechnics into the Civil Service. When is the Ministry going to absorb the staff of youth polytechnics into the Civil Service, so that they could be paid on time like ourselves and other civil servants in this country? When is the Ministry going to absorb them?

**Mr. Kiangoi:** Mr. Deputy Speaker, Sir, that is the question that hon. Anyona asked, and I have already answered it.

**Mr. Deputy Speaker:** Next Order!

**MOTION**

## ADOPTION OF SESSIONAL PAPER NO.1 OF 1999: NATIONAL POLICY ON WATER RESOURCES MANAGEMENT AND DEVELOPMENT

THAT, this House adopts Sessional Paper No.1 of 1999 on National Policy on Water Resources Management and Development laid on the Table of the House on 8th April, 1999.

*(The Minister for Water Resources on 21.4.99)*

*(Resumption of Debate interrupted on 27.4.99)*

**Mr. Deputy Speaker:** Who was on the Floor? The hon. Arap-Kirui was on the Floor. Proceed!

**The Assistant Minister for Finance** (Arap-Kirui): Mr. Deputy Speaker, Sir, thank you for giving me this opportunity again to continue with my contribution to this very important Motion on the Sessional Paper on the development of water resources in our country.

As I said earlier, Mr. Temporary Deputy Speaker, this is an extremely important matter. I did express my concern that most policy statements by the Government tend to ignore that there is a lot of inequality in terms of development in our country. This is not only in the provision water, although I can say that, as far as water development is concerned, there are a number of areas that have received, in the years past, quite substantial development. They have huge projects which were started and continue to be maintained by the Government while there are a number of other areas, including my own, that lack this facility. If we look at all the other areas the same holds; for example, road development, power installations, schools and health facilities are not adequate in all parts of this country. It is the same areas that have benefited from those facilities initially provided by Government.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, we are now moving into an area where we emphasise cost-sharing. While this may be good in the age of liberalisation, we should consider the earlier advantages that some areas in this country have enjoyed so that an attempt can be made to equalise the development. I would be happy to see policy statements and presentations that take into account these earlier advantages by some of those areas. Such policy statements should go out of their way to institute what we might call positive discrimination in favour of the areas that have been seriously disadvantaged in the past.

Mr. Temporary Deputy Speaker, Sir, I would hope that when the programme that relates to water issues is developed, this matter will be seriously taken into account so that, as I said, development can be equalised. If this is done, we can begin to get an opportunity in this country for our people to develop at an equal pace. There will be no meaningful development if our development policy is lopsided. In my constituency this particular matter is very much at play. We had two major water projects that would have benefited us that were instituted about 15 years ago. One of those projects, in fact, is based on a river that originates from my constituency. It is called the Sondu-Miriu Water Project. There is a water project based on this river called Nyakach Water Project. Initially, that project was supposed to cover both my constituency and Nyakach Constituency. At the end of the day, only Nyakach has benefited. What we have by way of an indication of the intentions behind that project is a blocked T-junction facing my constituency. This situation, considering that this river originates from and traverses my constituency before it goes on to Nyakach and beyond, is most unsatisfactory.

The other project that was initiated in the northern part of my constituency aborted. This was about the same time, as I said. This project covered an area called Kapsoit/Sosiot. What we have to show for that project are empty tanks; a storage tank and the pipes that were half-laid on the ground. At some point, the rest of those pipes were taken away by somebody else who apparently thought he needed them more than ourselves. We have those pipes that have been laid on the ground and empty trenches that have been overgrown with grass over time. This was an extremely serious waste of resources. The people of my constituency also consider it an insult that a project that was progressing presumably well was aborted and the pipes moved elsewhere. We hope that in the new programme which will arise out of this Paper, those wrongs to my constituents will be corrected so that we

can begin to see some compensation given to us. I am not going to insist that the Nyakach project be extended. If it can be done, we shall definitely appreciate it. If it is not, then another project should be initiated in its place.

As I said earlier, Mr. Temporary Deputy Speaker, Sir, before we talk of cost-sharing, there should be some equity in development. My area and other areas that have not had the benefits enjoyed by our brothers and sisters in more advantaged areas should also have an opportunity to enjoy such benefits so that we can start from there and continue.

Mr. Temporary Deputy Speaker, Sir, while talking about the issue of water, as you know, water is very essential to life and for economic activities. It is also a very important aspect of our environment. Its management, as indicated in this Paper, is extremely important and very essential. I would be happy and, I am sure many other hon. Members in this House would be, if issues of environmental management and conservation were co-ordinated and considered in toto so that we could be safe from self-appointed environmentalists who lecture us day-in-day-out on issues which we consider to be ill-conceived and self-serving. It would be extremely useful if we had a policy on this matter so that we know for a fact to what extent we can exploit our forests and to what extent such exploitation is economical and to what extent it may be harmful. If we are, in fact, proceeding on a dangerous and harmful way, then we can hold back, retrace our steps and do what is beneficial to our environment. As I said, we have all sorts of individuals who come up with their own private interests. They talk about this or that forest, but when you look at this matter very closely it is not about environmental issues. They are talking about private issues; some of them to do with the private employment. That is the only way they can obtain meaningful employment; by shouting and engaging in demonstrations which seem to be environmentally based, but are self-serving. As long as this continues, none of us and many other Kenyans, will take those persons seriously. It was only the other day, that I believe one hon. Member in this House was frank enough when talking about Karura Forest. He said Karura Forest belongs to people of Central Province. We know that is an extreme fallacy. Any forest in this country belongs to the Government.

Mr. Temporary Deputy Speaker, Sir, we know that any forest, which is in this country belongs to the nation. We also know that any forest within Nairobi area belongs to Nairobi Province. This illustrates what I was talking about. We are talking about the environment and, therefore, let this be objective and not self-serving. As I said earlier on, let us have a policy that coordinates, presumably drawn up by the Ministry of Environmental Conservation, so that we can address these matters meaningfully and come up with solutions that will assist our people.

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

**Mrs. Seii:** Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to contribute to this Motion on the adoption of Sessional Paper No.1 of 1999 on National Policy on Water Resources Management and Development.

First of all, I would like to touch on the water department offices in various districts of this country. I come from Keiyo District and I would like to say that it is one of the most amazing districts in this country in the sense that there is no water in the district headquarters and even at the District Hospital. It is surprising that people carry water in jerrycans into the wards. Of all the places where one will need water is in a hospital, not to say anything about a maternity ward. These are areas that one would think have enough water, and yet they do not have it. This is a very false impression that has been created about some of these so called KANU zones. There is no attention given to the locals because they are likely to vote for KANU all the time. Therefore, these people continue to suffer because nobody gives attention to their needs. For example, Iten Town has no sewage system although it is my district headquarters. The District Commissioner (DC) has no flush toilets! They all have to use pit latrines, and when we have an important visitor we are so embarrassed and ashamed, and yet it is a district that is patronised by very important individuals. These individuals do not look after the immediate needs of the people because they just care about their own needs.

Mr. Temporary Deputy Speaker, Sir, I hope that this Sessional Paper will not pass this time just like the previous Sessional Papers, which have come and gone. It appears as if it is a routine for people to stand up and talk about certain issues, so that they can be heard by their constituents talking also in Parliament. It is so disturbing for me to think that we will repeat and parrot things, which have been parroted by the Members of the previous Parliaments and nothing happened after that.

I would like to urge the Minister to consider areas, for example district headquarters, which do not have water so that they can have the commodity. Last time, the visitors who came to monitor the general election had to put up in Eldoret Town, which is in the neighbouring district. This is because there were no good hotels in our district. You cannot expect to have a good hotel when water has to be brought on donkeys.

The Minister should consider looking at these very important areas in the next Budget, because they give a bad image to our country, and more so in these areas, where we have always been assured that when we vote the

right way our areas will be developed. The majority of the people, though not me, have voted in the right way but development has not been initiated in the area. The false impression that has been created is that these are areas which have honey and milk flowing in them. Yet in these areas, where people practise dairy farming, all the animals are taken to the rivers to drink water. These animals drink water upstream while women fetch it downstream, and so the kind of water they get to their homes is contaminated. This is a common thing in these areas.

I will not mention what happens to the residents of these areas health-wise, because there may not be enough sanitary facilities such as pit latrines at the village level. So, human waste is washed downstream and the people fetch this kind of water! The Minister will bear me witness---

### QUORUM

**Mr. Parpai:** On a point of order, Mr. Temporary Deputy Speaker, Sir. There is no quorum in the House.

**The Temporary Deputy Speaker** (Mr. Poghisio): This is true. Ring the Division Bell!

*(The Division Bell was rung)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! We have a quorum now. Proceed, Mrs. Seii.

**Mrs. Seii:** Mr. Temporary Deputy Speaker, Sir, I wanted the Ministers on the other side to be here, because we would like to talk and be heard.

Mr. Temporary Deputy Speaker, Sir, I was speaking about the condition of water supply in our district headquarters and I hope the Minister concerned will look into the possibility of having running water in the district headquarters. Where there is no running water in the district headquarters, the water department does not even function, and I remember in my district when I read the Paper on planning, the water officer there did not even know where the locations of these waters were. This is because he himself has no running water at the district headquarters. What does he care about other projects outside? As a result of this inability to put structures in the right places, you will find that the locals go ahead and do what they can to get water to their own homes. In areas where the water uses gravity, they use all kinds of pipes to get untreated water to their homes. This untreated water may not be safe for drinking. This has been done in so many areas, especially along the escarpments. When this is done, you find that there is also conflict among the people because some will fetch the water upstream, depleting the water downstream. This is pure lack of planning on the part of the Government, because if they were only able to construct a water tank at a convenient place, then the people downstream would fetch clean, treated water.

Mr. Temporary Deputy Speaker, Sir, the year 2000 was supposed to be the year when every Kenyan would be fetching clean, running water outside their homes. It is a very sad story to think that when other countries are aiming at moving forward and fulfilling promises by their governments, the Kenyan Government has not done this. Now, I am sure that we are going to think again of 16 years of no water as we have also budgeted for 16 years of poverty. This situation is caused by lack of commitment on the part of the Government. Why do I say this? The Government has no commitment, whatsoever, in fulfilling some of the promises which it has given time and time again. I can only imagine the reason is that these are some of the carrots used during campaigns. If a village has no water and campaign period is around the corner, then they will be told: "You will be given water." So, our people have not known the responsibility of Government when it comes to development. If today, we want running water, perhaps, we may need to occasion a by-election and say: "If you want our votes, give us running water," and that will surely come. The money will be available and the water will be running before the votes are cast. I think this is a very sad situation, because if we take development projects to be means of buying votes, then our people will not know what is the use of a Government. We have seen this time and again, not only for essential commodities like water. Even electricity and other things where people are told; "if you want this, you vote for me." I would persuade this Ministry to separate development projects from the hunting for votes, so that people will know that even if they have not voted for the Government in power, they are still human beings and Kenyans and can be supplied with the necessary commodities that are required in the country.

Mr. Temporary Deputy Speaker, Sir, we need a lot of education in actualising what we consider to be democracy. Many times, people have been punished; they are told that they have not gone the right way and so, they do not get the water. Now, let me say something about the catchment areas. The catchment areas, especially in Keiyo District, have been depleted. When you look at who is depleting these catchment areas of virgin, indigenous forests, they are the same well-connected people. Are we really serious about water in our country? We

are soon going to have no water whatsoever. I know of catchment areas where the forests have been cut down and the water is getting less and less even during rainy seasons. It looks like we are in a country that we have conquered and we are looting and everybody has got to loot as fast as possible.

**Mr. Sungu:** On a point of order, Mr. Temporary Deputy Speaker, Sir! Is it in order for some Members to be carrying on a very loud conversation in a vernacular of their own, talking about Central Province politics, without due recognition of the debate?

**The Temporary Deputy Speaker (Mr. Poghio):** Order! Order!

**Mrs. Seii:** Mr. Temporary Deputy Speaker, Sir, he is taking my time when I am making a fundamental point.

**The Temporary Deputy Speaker (Mr. Poghio):** Order! I would like to advise the group. I do not know what the subject of their discussion is, but please consult in low tones. Proceed.

*(Laughter)*

**Mrs. Seii:** Mr. Temporary Deputy Speaker, Sir, saying that this Government is not serious about water. If they deplete the catchment areas, depending on who is cutting the forests, that ceases to be a catchment area. I was just saying that it seems like we are living in a country that has just been conquered and everybody is looting. It is injury time. It is the 11th hour. You find, particularly in my area, the streams have dried up; streams that feed areas which are very essential to our country; villages, schools and watering areas for animals. This is because of corruption. We can no longer even talk of corruption in this country, because it has gone into every system and every place. What is the Minister going to do? What are we going to do about these catchment areas? Unless we stop the felling of trees in these places, we shall have no water. It is just a big joke to talk of having water in our areas. We shall soon live in a desert.

Mr. Temporary Deputy Speaker, Sir, the whole issue of development in Kenya must be viewed in terms of arresting corruption. This is because it is the same corruption that will not allow us to have water. This is why we have no awareness over a lot of things, because of corruption. What do we expect the officers at the districts to do when they do not have the resources? You go to the district headquarters and people are reading newspapers in their offices because there is no more money to spend on anything like petrol and so many other things. It is a very frustrating period in our country and we need a complete blue print for Ministries and particularly, for the Ministry of Water Resources. The other day we saw the commissioning of dams in Chebara area. This commissioning was a welcome thing for most of the people. But what about the people who live along that big water pipe line? I happen to have access to the area very near the water pipe. Is there a provision for the people who live along the water pipe to get that water or is the water going directly to Eldoret? I know many times we think of schools and institutions as areas that require water, but we do not think of individual homes, villages and people. Unless we think of getting such water and letting the people who live along the water pipe line to get water as well, then we shall not have done very much for ourselves. Iten, which I talked about, is not very far from that water pipe. I hope somebody will consider that. I am sure that some of the officers from the water offices are listening to this and they will consider diverting a little water to Iten and to other institutions along the way.

In my district there is a big water tank which is said to have been constructed in 1985. It is a complete water tank which is standing between the boundary of Koibatek and Keiyo District. That water tank has never had a drop of water in it although it is completed and connected and there is electricity nearby. One wonders why it was connected. It would have served a whole village, very many schools and hospitals, but that water tank has never had a drop of water in it except rain water. It is complete; equipped with new meters, pipes and everything but it has never been used. I hope the Minister will be able to look at such monuments which stand as part of our landscape. We do not need them as landscapes. We need them to function the way they were supposed to function.

Talking about pollution of rivers, there is one river which runs along Kerio Valley. It is called Kerio River and it goes all the way down to Kamnorok. That river has toxin from fluorspar which pours into it. It has killed fish, animals and so on. There is exploitation of the local people who have no idea of what they need to do because they have the concept that the company belongs to the Government. So, whatever the Government does they have to accept. Polluting such a river is criminal. The people who pollute such rivers live elsewhere in very comfortable surroundings leaving the local people to suffer because the only source of water that they know of in that dry Kerio Valley has been polluted by a company whose ownership they do not know and it has distressed them until today they are squatters in their own land because the place has been leased out to this company. Such things must be looked into so that we are not just looking at Sessional Papers year-after-year and no improvement takes place in the lives of the people.

I am very sad to say that this has been ignored. Anything which happens in KANU zones never gets attention outside because the Minister and the Assistant Ministers who come from those areas cannot ask these questions because of the collective responsibility. What happens is that year-after-year people are begging. That is why they go after their Members of Parliament to ask about issues which would have been asked in this House but cannot ask such questions because they are part of the Government. I feel sorry for these people because from the outside people think that these people are living in areas where there is a lot of electricity. I have been accosted many times and told: "You come from Keiyo District where there is everything and you find electricity hanging on trees and grass thatched houses and piped water." In my home we fetch water from the river where my grandmother fetched water from and that is the water we drink because we have no piped water. We are approaching the year 2000 and the water still comes from the same stream because there has been no intention to assist these people.

**An Hon. Member:** Who is the Member of Parliament for the area?

**Mrs. Seii:** The area MP is a well known person and you can find out his name. I want to inform this House that what is supposed to be is not what it is in terms of water and development and many of them can bear witness to what I am saying. Water harvesting can be done in that area because there is plenty of rain, but there is no education given to the people and no NGOs to assist the people. The establishment of NGOs was restrained because it was looked at as a means of bringing the Opposition into the area. So, there is no NGO that can move into an area where they are not welcome and they are looked at with suspicion as an arm of the Opposition. The people are held between a hard place and a rock. They cannot go to the Government because in any case they are meant to be the people who live there and so they are staying like that all the time. They are waiting. They cannot go to the NGOs that have assisted people to get water in their places because they are looked at as Opposition sympathizers and so the people are lost. They have no water, roads, electricity or development of any kind. They have nothing. There has got to be a time when these areas should be opened up because if the only reason why people are protected is so that they can vote once in every five years, that is a criminal act. This area should be opened up so that other people can come and witness for themselves the existence of development projects in those areas.

In conclusion, I would like to say that the Paper which was presented to us had a lot of studies. I think the House is being taken for granted because it is always expected to pass any Motion that comes here without question. Even if you question it, it is recorded in the HANSARD and nothing happens. I would like to ask why the studies which were done by the Swiss and the Germans were not presented to the House so that we can study them. A lot of promises have been given in these studies. A lot of "the way forward" was given and the lack of institutions to take care of the water and so on. So, many useful suggestions were given in these Papers but unfortunately the Papers were not availed to the hon. Members of the House to study so that out of these studies we are able to go on with the next project into the next millennium. As for this Sessional Paper, I would want to say that I hope that we shall not just discuss it for people to hear that we are talking about water in our Parliament but that some action will be taken. I believe that the Ministry of Water Resources needs a complete overhaul if Kenyans are going to have water in their homes before the year 2000.

That Ministry must be completely overhauled and something be done so that the people who are manning that Ministry can take their work seriously and move on ahead to provide Kenyans with clean water which is going to ---

**Mr. Gatabaki:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the gracious lady to question the wisdom of His Excellency the President in appointing hon. arap Ng'eny the Minister for Water Resources?

**Mrs. Seii:** Thank you for the information you have given. I am not questioning his wisdom but I am sure that we need a total overhaul of that Ministry. There is a lot of tiredness in that Ministry. Perhaps we may also say that the Ministry has not performed for all these years. I think there has got to be an assessment of some of these appointments; if I had the chance to suggest.

Mr. Temporary Deputy Speaker, Sir, after that interruption, I would like to say finally that, this Sessional Paper will relieve women of the task of fetching water. It has become a password in Kenya that women waste a lot of time fetching water in dry areas. They have to carry it on their backs and heads for long distances. Something must be done if we are going to have equity in development. In contributing to development, women must be rescued from this burden which they have been carrying for so many years.

With those few remarks, I support.

**Mr. Badawy:** Asante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili nichangie Hoja hii muhimu sana katika kikao hiki juu ya jambo muhimu sana kwa kila mwenye uhai. Si binadamu pekee, bali pia



kwa wanyama na ndege. Baada ya kupitia hii Hoja nimetambua kwamba imeandikwa vizuri sana. Hoja hii imeyachunguza na kuyanukuu yale mambo yote muhimu yaliyokosekana na kusababisha kutotekelezwa kwa mpango wa National Development Plan wa Machi, 1984. Ingawa katika nyaraka hizi inasemekana kwamba shabaha ya mpango wa ustawi huo ulitekelezwa kiasi cha kwamba, asilimia 74 ya wakaaji wa mijini hupata maji na asilimia 50 ya wale wanaoishi katika sehemu za mashambani nao pia hupata maji, lakini ninafikiri hizi ni tarakimu zinazotokana na makadirio tu kwenye karatasi. Leo ukiangalia katika miji mikubwa ambayo inatajwa katika Hoja hii wakaaji asilimia 74 wa sehemu hizo

wanapata maji; utaona miji mikubwa kama Nairobi, Mombasa, Kisumu, Malindi na miji mingine kama kisiwa cha Lamu, maji ni kitu ambacho kwa hakika hakitoshelezi mahitaji ya wananchi. Wakazi wengi wana shida ya maji; hata wale wanaoyapata, wanayapata kwa masaa fulani, kwa shida na kwa malipo makubwa. Kwa hivyo, nimetosheka kwamba zile mada zilizotolewa katika Hoja hii ambayo inakusudia usimamizi bora wa maji na gharama za miradi ya maji na kadhalika; iwapo zitatekelezwa, basi matatizo ya maji na zile shabaha zote na malengo ambayo yametajwa hapa, yataweza kutekelezwa. Lakini tunapoangalia ule ukweli na uhalisi katika matumizi ya maji katika sehemu tofauti tofauti za nchi hii, ni sawa nijihusishe na sehemu ninayoiwakilisha Bungeni.

Katika Sehemu ninayoiwakilisha Bungeni, utaona kwamba matatizo mengi yalitokana na ukosefu wa usimamizi wa kitaalamu. Utaalamu duni wa wasimamizi wa maji ndio uliosababisha Wizara ya Maji isiweze kutekeleza ile shabaha iliyokuwako ya kuwapatia wananchi wote wa Kenya maji ifikapo mwaka wa 2000. Usimamizi mbaya huo katika upande wa hesabu na katika uzimamizi kwa jumla, umesababisha miradi kadhaa iliyokuwako na iliyoanzishwa kwa gharama kubwa isiweze kuendelea bali imerudi nyuma.

*(The Temporary Deputy Speaker  
(Mr. Pogishio) left the Chair)*

*(The Temporary Deputy Speaker  
(Mr. Musila) took the Chair)*

Bw. Naibu Spika wa Muda, kwa mfano, mradi wa maji wa North Coast, ambao ungesambaza maji katika miji ya Malindi na Mombasa, ule mradi wa Baricho ulioanzishwa kwa gharama kubwa kwa usaidizi wa serikali za ng'ambo na kwa kujitolea kwa Serikali yetu--- Lakini mradi huo ulipoanzishwa, kulikosekana utaratibu wa mipangilio sawasawa. Vile ulivyoanzishwa, kutoa maji kupitia kuchujwa maji ya mto, mradi huo na utaratibu huo ulishindwa kufaulu kabisa, kiasi kwamba, hivi sasa utaalamu ulionelea ni bora kuchimbwe visima.

Hivi sasa maji ya Malindi na labda sehemu ya Mombasa yanatokana na visima vilivyoko kando ya mto. Mradi wa maji wa Baricho, ulishindwa kabisa kutokana na ukadiraji mbaya. Hata wakati wa uendeshaji na utekelezaji wa mradi huo wa Baricho, utaona kwamba usimamizi mbaya ulisababisha kutopatikana mapato ya kutosha. Ushahidi wangu ni kwamba utaona wakati fulani na labda kutokana na tashwishi ya wafadhili, idara ya maji ililazimika kuajiri washauri au consultants katika eneo dogo la Malindi. Utaona kwamba kwa upande wa mapato, wakati halmashauri ya usimamizi wa maji; National Water Conservation Board, ilikuwa ikipata karibu Kshs1.5 milioni kama mapato yake kwa mwaka, kutokana na usimamizi wa H.P. Gauff, mapato ya mradi huu yaliweza kwenda juu na kufikia karibu Kshs4 milioni. Mbali na hayo, utaona kwamba usimamizi ule wa kila kitu ambacho kimetajwa katika Sessional Paper hii, kwamba lazima kutiliwe mkazo juu ya usimamizi wa kila siku wa kitaalamu--- Utaona kwamba maji yalikuwa yanamwagika ovyo kabisa mifereji inkipasuka. Ingawa ilikuwa imezeeka, ukweli ni kwamba hakukuwa na utaratibu wala nidhamu yeyote nzuri ya wasimamizi wa maji kutembelea maeneo ambayo mifereji mikubwa ilipitia kutoka chanzo cha maji, au hata ile mifereji inayosambaza maji mijini kuona kwamba inarekebishwa wakati inapoharibika.

Katika mji wa Malindi, kuna sehemu fulani ambako hata wakati huu ninavyozungumza, mifereji inaendelea kumwaga maji ovyo kabisa, ilhali moja katika mambo ambayo hawa washauri wa H.P. Gauff waliyagundua, ni kuona kwamba mapato yalikuwa ndogo kuliko gharama kiasi cha kwamba, hata ufadhili wa Serikali ya Ujerumani kusambaza maji katika sehemu ya Malindi Kusini ilizuiliwa kutokana na mapato duni. Kitu cha kushangaza ni kwamba, washauri hawa, wakati wangeendelea na kazi nzuri mpaka leo--- Sababu pekee ambayo ingesababisha waondoke, ni kwamba iwapo watu wetu hasa National Water Board, kama ingeweza kupata utaalamu na maarifa kutokana na hao H.P. Gauff. Hawa wameondoshwa na tena matatizo yamerudi pale pale, hasa kwa upande wa kukusanya mapato; imeanza tena kuanguka.

Wakati watu wa Malindi tulikuwa tunajivunia kuona kompyuta za kwanza katika ofisi ya maji, kwa sababu hakuna komputa katika taratibu zozote za kiserikali, lakini ofisi za maji zilikuwa zimeanzisha mambo ya mashine za kompyuta, na ziliondoshwa matatizo ya bili za maji. Hivi sasa tumerudi katika bili za mkono. Hivi sasa

hata Mbunge wa Malindi alikatiwa maji mwezi miwili iliyopita kutokana na makosa ambayo si yangu, lakini kwa sababu hakukuweza kufanywa upatanisho wa sawa baina ya ile kazi nzuri iliyofanywa na ST Gao, na kazi ambao imerudiwa tena na watu ambao hawajapata ujuzi kamili, labda hawajajua kutumia komputa na kadhalika. Kwa hivyo, malengo yoyote ambayo yako katika Sessional Paper hii katika usimamizi mwema wa maji na katika kuona kwamba kumepatikana mapato sawa yanayostahili kukidhi miradi ya maji na katika kusimamia sawasawa kiutaalamu, yataweza kutekelezwa iwapo haya mambo hayatakuwa kwa maandishi tu.

Kumeelezwa hapa na Wabunge wengi kwa masikitiko kwamba, wale wanaoayona maji na yanatoka kwao, mara nyingi hawayapati. Pia yanaingia katika uzimamizi mbaya na kukosekana maarifa yakitaalamu katika usimamizi. Pahali kama Kakoneni ambako ni kilomita sita tu kutokana na chanzo cha maji ya Malindi, Baricho; birika la maji liko pale na wakazi wa sehemu hiyo hawana maji kwa miezi mingi sasa kwa sababu ya matatizo ya kuharibika kwa mifereji. Katika Lokesheni ya Gedi sehemu ya Jimba, kuna birika lilijengwa pale, kama vile alivyosema mhe. Seii, katika sehemu yake ya uwakilishi Bungeni, birika hilo mpaka leo halijawanufaisha watu wa Jimba na sehemu ya Watamu, kiasi kwamba kuna upungufu mkubwa wa maji katika sehemu hizi. Kitu cha ajabu ni kwamba mmoja wa Mawaziri wa Maji alipokuja kuanzisha visima vya sehemu zile, aliwaahidi wakazi wa pale Baricho kwamba watawekewa mfereji mmoja bure. Mpaka leo watu hao wanangojea wakiona maji katika kampi ya wafanyakazi wa idara maji na kwa mwengine yeyote, anayeweza kununua maji; lakini wenyeji wa pale wanayatamani maji. Mbali na hayo, inafurahisha kuona kwamba katika kifungu cha nne cha Sessional Paper hii kuna lengo zuri sana la kuacha usimamizi wa maji kwa wenyeji. Lakini ni lazima tutilie maanani sana maarifa na ujuzi.

Isiwe ni lengo la Serikali kufanya privatization ya sekta ya maji, kwa sababu ya mipango ya liberalization na kadhalika. Inafaa lengo liwe ni kuhakikisha kwamba, huduma zile ambazo hivi sasa hazipatikani kutokana na inefficiency ya hawa wasimamizi wa sasa, tuone ya kwamba, yale yalioahidiwa katika Sessional Paper hii, kwamba watu watapewa utaalamu wa kutosha, basi yafanyike kweli na wale watu wengine watakaokabidhiwa kazi ya kusimamia maji. Ikiwa ni mabaraza ya wilaya, NGOs au jamii zenyewe. Kwa sababu, kama nilivyosema, maji ni uhai. Kupatikana kwa maji na kuanzishwa schemes za maji chungu nzima kulingana na siasa ya water development haitoshi. Lakini inafaa tuhakikishe kwamba, maji imemfikia kila mtu, hata ng'ombe, mbuzi na ndege.

Tumesema kwamba kutakuwa na marekebisho ya Sheria ya Maji Cap 337. Hivyo ni vizuri. Lakini, tunapofanya hivyo, ni lazima tuwe na harmonization katika sheria zingine zote. Kwa mfano, za kilimo, ustawi wa mifugo na kadhalika, ili ziambatane na mahitaji ya mkulima. Vile ilivyo hivi sasa, ni kwamba, wakulima katika zile sehemu arid na semi-arid, kama sehemu ambayo maji yanakotoka Malindi, Lango Baya, utakuta kwamba, watu katika sehemu hiyo wamefuga mifugo, lakini hawawezi gharama ya maji. Hata imetajwa katika hii Sessional Paper hii. Inafaa tariff zifikiriwe, lakini tuisahau kwamba, maji ni kitu cha dharura. Si kitu cha kuleta faida kwa Serikali ama shirika lolote ambalo linasimamia maji. Ikiwa lengo ni kupata faida, basi maji yatakuwa ni kitu cha starehe kwa watu fulani wanaoweza gharama yake, na shida hii itaendelea kuwadhuru watu wengi wa mashambani.

Bw. Naibu Spika wa Muda, vioski vya maji hutegemewa sana na watu wengi wa sehemu za mashambani. Kuna wakati ambapo karibu vioski vyote vya Malindi mashambani kuanzia Lango Baya, Kakoneni, Kakuyuni, Ganda, mpaka Malindi mjini na sehemu nyingine zilifungwa, kwa sababu, ya gharama ya maji. Hii tariff ni kubwa kulingana na uwezo wa wale wanaonunua yale maji. Kuna wafugaji wa ng'ombe ambao wangenda kufanya zero-grazing. Hata Waziri wa Kilimo anahimiza watu wafanye zero-grazing. Lakini kununua debe moja la maji kutoka kioski ni Kshs10. Je, maziwa nayo yatauzwa kwa bei gani? Ndiyo sababu imekuwa vigumu kufanya zero-grazing. Kwa hivyo, ninamwambia Waziri ahakikishe kwamba bei ya maji kwa wakulima si ghali sana. Kwa sababu, bei iliyoko sasa ni ya juu kabisa; haswa kwa wale wakulima ambao wako katika sehemu kame ambao wamefuga ng'ombe. Inafaa wazingatie suala hili sana.

Bw. Naibu Spika wa Muda, ningependa kusema kwamba, ikiwa kuna lengo la maji kukabidhiwa mashirika yasimamie, haswa mabaraza ya wilaya, ninasikitika kusema - wala sisemi kwa ubaya -inafaa tuangalie ile hali ya mabaraza yetu ilivyo kwa sasa. Kuna mismanagement ya Service Charge na mambo ya fedha kwa jumla katika mashirika ya wilaya. Kusudi langu sio kukashifu Wizara ya Serikali za Wilaya, wala mabaraza, lakini huo ndio ukweli. Ni matumaini yangu kwamba wakikabidhiwa nguvu za kusimamia shughuli za maji, ni matumaini yangu kwamba, tutapata huduma bora zaidi ikiwa mabaraza ya wilaya yatakuwa yamepata wataalamu walio na ujuzi wa kusimamia mambo ya maji kitaalamu, kwa upande wa uhandisi, uhasibu na kadhalika. Inafaa tuwe na wataalamu hawa katika mabaraza ya wilaya na mashirika yote ambayo yatakabidhiwa uwezo wa kusimamia maji. Isiwe ni shabaha ya Serikali kukiuka uzito, ili kwamba, maji yasilete faida, badala yake iwe ni gharama kubwa zaidi kwa wananchi.

Bw. Naibu Spika wa Muda, inafaa Serikali ikubali kuendelea kusaidia miradi ya maji, hata kama

itasimamiwa na mashirika, watu binafsi ama mabaraza ya wilaya. Kwa sababu, kama nilivyosema, maji siyo kifaa cha kuiletea faida Serikali, ni kifaa cha dharura kwa uhai wa binadamu; kuzuilia ugonjwa na kadhalika. Kwa sababu, kuna maradhi yanayosababishwa kwa ukosefu wa maji ama watu kutumia maji machafu. Kwa hivyo, ni wajibu wa Serikali katika makisio yake kuwe na pesa za kugharamia maji. Ningependa kurudia kwamba, lengo lisiwe kupandisha gharama ya maji. Kwa sababu, ile cost effectiveness siyo shabaha nzuri ikiwa itasababisha wananchi wengi kukosa maji.

Bw. Naibu Spika wa Muda, ingekuwa vizuri kabla Serikali au Shirika la Usimamizi wa Maji halijakabidhi usimamizi wa maji kwa watu binafsi, itekeleze ile ahadi kwa wanachi kwamba, itawapatia maji. Serikali Kuu yenyewe ambayo inapata ushuru wa kila aina, mpaka leo haijaweza kutimiza ahadi ya kuwasambazia wananchi maji kila mahali. Leo tuko katika hali ambapo watu wanatarajia miradi ya maji fulani, kama ule wa Mida Masangoni, ambao ni mradi ungefaa sana katika sehemu ya ukame. Huu ni mfano mwingine wa kukosekana ushauri na upangaji mwema. Mradi ulianzishwa, contractor akaitwa na akaanza kuchimba mitaro hii sehemu yote ya kilomita kumi na moja, na nusu. Baadaye, mifereji ya kilomita nne ikawekwa na mitaro ikajifunika. Hivi sasa, watu wanashangaa kama ilikuwa ni hali ya kutafuta kura au kulikuwa na lengo muafaka la kuwapatia wananchi maji.

Bw. Naibu Spika wa Muda, ninasikitishwa kuona kwamba, mradi kama ule wa kusambaza maji upande wa kusini ya Malindi mjini, ambao ungefika mpaka Casuarina na kusaidia Malindi High School, Hospitali ya Malindi na hoteli kadhaa wa kadhaa - huku tukijua kwamba, utalii ndiyo shina la uchumi wa kwetu - haukutekelezwa kwa sababu ya kukosekana maafikiano baina ya Serikali, Wizara ya Maji na wale wafadhili. Tunaambiwa kwamba, masharti walioweka ni kwamba, wamesema wale consultants waruhusiwe kurudi. Kwa hivyo, tunamwambia Waziri awarudishe wale consultants waliofanya kazi nzuri mpaka revenue ya maji ya Malindi ikaenda juu kabisa. Hakukuwa na umwagikaji wa maji ovyo katika barabara na upasukaji wa mifereji ambayo haikuwa inashughulikiwa kwa muda fulani. Inafaa wale consultants waruhusiwe kurudi ili wale wafadhali waje kutekeleze ule mradi wa maji.

Bw. Naibu Spika wa Muda, kama nilivyosema, shabaha ni nzuri, lakini ni lazima kuwe na mipangilio ya kisawasawa ili kule kukabidhi miradi ya usimamizi wa maji kwa mashirika ya watu binafsi, NGOs ama mabaraza ya wilaya, kufanyike wakati ambapo kuna utaalumu maalum. Ninasikitika kwamba, vijana wetu ambao wanasomeshwa katika chuo cha maji kule KEWI hawana kazi, wakati ambapo watu wasio na ujuzi wa kutosha wanasimamia miradi hii. Iwapo huduma hii muhimu, katika hii mada muhimu ya maisha itakuwa na upungufu wa wafanyakazi kwa sababu ya kutekeleza mipango ambayo tunalazimishwa kufanya na Benki ya Dunia na IMF, itatekelezwa na watu gani?

Bw. Naibu Spika wa Muda, kabla sijamaliza, ningependa kumwambia Bw. Waziri kwamba, kama kuna hatari moja ambayo itapata umaarufu na umashuhuri katika taifa letu la Kenya, nayo ni tangi la maji la chuma ambalo liko katikati ya kijiji cha Shella mjini Malindi, ambalo halijatumiwa zaidi ya miaka 30. Hilo tangi limeanza kuporomoka pole pole. Hilo tangi litaleta hasara kubwa sana. Tumejadiliana juu ya suala hili na maofisa wa Wizara hii kule Malindi, katika DDC na hata, tumeandika kwa Shirika la National Water Conservation and Pipeline Board, lakini jambo hilo halijatiwa maanani. Hapa nchini Kenya kuna mtindo wa kungoja mpaka maafa yatufikie ndipo tuunde tume ya kuangalia chanzo cha maafa yale na kupiga pole. Huo sio mtindo mzuri. Inafaa tushughulikie matatizo ambayo yanatukabili kila siku.

Bw. Naibu Spika wa Muda, ningependa kumwambia Waziri kwamba, ikiwa hii Sessional Paper inazungumzia juu ya upanuzi wa miradi ya maji, ninashangaa kuona zile boreholes mbili zilizoko pahali panapoitwa Ganda, kule Malindi, ambazo tumekuwa tukizitegemea kwa utoaji wa maji katika mji wa Malindi zimefungwa, tangu Baricho Water Supply ianzishwe.

Bw. Naibu Spika wa Mda, pia, wenye mashamba ambao waliiruhusu Serikali kuchimba zile boreholes kutoka mwaka wa 1953, wanaionba Serikali iwaruhusu kuzitumia boreholes zile kwa maslahi yao ya kilimo na yale ya watu wengine. Ningependa kumwomba Waziri aruhusu borehole zilizoko katika Plot No.132, Malindi, Ganda, zifunguliwe kwa maslahi ya watu wa Ganda na maslahi ya mwenye shamba ili tuweze kuendeleza kilimo. Hivi sasa, maji yanayosambazwa na Idara ya Maji ya Mji wa Malindi hayanufaishi wakulima, kama nilivyosema.

Kadhalika, kulikuweco na mtambo wa kusambazia maji katika Mto Sabaki. Mtambo huo uliachwa ukaharibika, na sasa zimebaki tu nyumba katika kituo hicho, hali pale Sabaki kuna mradi mdogo wa unyunyizi maji mashamba. Halmashauri ya Maendeleo ya Pwani (Coast Development Authority) imetengeneza mwongozo juu ya miradi ya unyunyizi maji mashamba. Mwongozo huo, wenye lengo la kuwasaidia wakaazi wa sehemu hiyo kunyunyizia mashamba yao maji, umetengenezwa wakati ambapo shirika linalohusiana na maswala ya maji la National Water Conservation and Pipeline Corporation (NWCPC) limekataa kuwaachia wakulima, au Halmashauri ya Maendeleo ya Pwani, kituo kile cha kusambazia maji ili iweze kuwashughulikia wakulima wa sehemu ile.

Je, huo ni upanuzi wa miradi ya maji humu nchini au ni uzoroteshaji? Mwongozo huu juu ya upanuzi wa miradi ya maji nchini ni wa maana. Ningependa kutamatisha mchango wangu kwa kuiomba Wizara ya Maji itekeleze yale yaliyomo katika mwongozo huo.

Kwa hayo machache, ninaunga mkono.

**Mr. Raila:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. I would like to begin my contribution by drinking water, because we are talking about water.

*(Mr. Raila drank some water from a glass)*

Access to clean and safe drinking water is a fundamental human right. So, every citizen is entitled to clean and safe drinking water.

Mr. Temporary Deputy Speaker, Sir, I want us to agree on basic issues which have been discussed in this Sessional Paper. First, the Paper tells us that 50 per cent of the Kenyan rural population has access to clean drinking water. It also says that 74 per cent of the country's urban population has access to clean drinking water. I do not know where these statistics were obtained from. However, I have some slightly different statistics from the Central Bureau of Statistics.

First of all, on the distances from the households to the places where water is drawn, I have a document here produced by the Institute of Policy Analysis and Research (IPAR) which states:-

"Only 45 per cent of Kenyans have access to clean water. Generally, households living in medium and high potential parts of the country are considered to have access to safe water if they can get 20 litres of clean drinking water daily from sources within a kilometre away. In the low rainfall areas, this distance increases to four kilometres".

In a policy document like this, we ought to be told the distance we are talking about when we talk of water being accessible. This document says that in areas with high rainfall, the distance involved is one kilometre and in other areas, it is four kilometres. I consider somebody who is four kilometres away from the source of the water as somebody who really has no access to drinking water. We are talking of 25 litres per person.

Mr. Temporary Deputy Speaker, Sir, I would like to give an example from South Africa, where they have now achieved 25 litres per person at a distance of 200 metres. That is real access to drinking water. But if you are talking of water that is four kilometres away, there is no access to that water. We are talking about average; we are talking about 50 per cent of the rural area population having access to clean drinking water. This document talks of 45 per cent. There is such a big variation that the figures contained in this Paper are misleading. This document gives the breakdown of households with access to safe drinking water per province as follows:-

Nairobi, 96.2 per cent; Coast, 59.2 per cent; Rift Valley, 46.1 per cent; Central, 45.5 per cent; Western, 32.9 per cent; Eastern, 35.1 per cent; Nyanza, 28.1 per cent; North-Eastern, 16.9 per cent. So, whereas, 96 per cent of the residents of Nairobi have access to clean drinking water, only 16.9 per cent of the population of the North-Eastern Province have access to clean drinking water. In Nyanza Province, the figure is 28.1 per cent. One would understand the situation in the North-Eastern Province. It is because of the vast distances and its geographical condition. However, I do not understand why there should be such a big difference between Nyanza and other provinces in the number of households with safe drinking water.

Nyanza Province lies on the second-largest fresh water lake in the world, with eight pounding streams running across the province and pouring their water into Lake Victoria. Really, there is no reason to explain this other than discrimination in the allocation of resources. So, the document is telling us that there are 1,800 water schemes countrywide, of which the Government operators 1,000, and the remaining 800 schemes are operated by communities, self-help groups and Non-Governmental Organisations (NGOs). Those that are operated by the Government are under the Ministry of Water Resources, the Ministry of Local Authorities and the National Water Conservation and Pipeline Corporation.

Mr. Temporary Deputy Speaker, Sir, no one understands why the National Water Conservation and Pipeline Corporation was established. The Corporation does absolutely nothing. Most of the schemes which are supposed to be operated by this Corporation are not operational. However, the Corporation continues to incur debts year-in-year out. For example, if you look at the published accounts of this Corporation, of the 1996/97 Financial Year, you will notice that its main assets were debtors amounting to Kshs1.3 billion, up from Kshs860 million in the 1995/96 Financial Year. All this is constituted by uncollected water revenue owed to the Corporation. That is water that has been supplied to various local authorities, and for which no payment has been collected by the Corporation.

So, this does not give a picture of a Government that is serious in trying to raise revenue to provide water to its population. The only good thing about this Paper is that there is a general admission of failure by the

Government to meet its targets. The Government admits in this document that its past policies have failed to produce the desired results. That is something which I at least see as positive because, the Latin saying goes, that, "to err is human".

The document goes on further to state:

"The water system that existed in 1981, there was a Master Plan study that was carried out by the various systems of the Finnish Government. A similar study was again carried out from 1990 to 1992".

Those studies actually gave clear highlights to say:

"Lack of comprehensive policy, institutional, and legal framework were responsible for the low pace of development in this sector".

Now, the Government has been telling people---At first it said that there would be clean water will be available by the year 1990. As 1990 approached, it then said that clean water will be available by the year 2000 and now, we are approaching the year 2000 and the goal post is now being shifted. What the Government has been doing is merely shifting the goalposts. Whenever they get nearer the target, they shift the goalposts. This is not true only of this sector. This is also true with regard to very many other development programmes drawing this Government. The programmes are drawn up and once the documents have been drawn up, sometimes probably before this House, they are put in a dustbin. Nobody thinks about them again until when the time of their expiry is near and that is the time when people go and look for those documents and ask: "What did you say in this sector?". There is no continuous assessment or evaluation in the implementation of the programmes for the Government and that is why we are where we are today. There is no indication that, this is going to be different.

Mr. Temporary Deputy Speaker, Sir, we are told here that:-

"This Sessional Paper aims to achieve the development of the water sector by providing a framework with desired targets." Those are the planning measures and the new thing here is the recognition of the importance of the role of the private sector.

This is the only new element in this document and the fact that now, the Government is going to introduce levies and fees for other water projects. However, the first plans have concentrated more on expanding the coverage without any thought being given to maintenance of those systems. So, the country is littered with very many water schemes and projects that are not operating at all. Some of them were not even commissioned. Once the pipes were laid, the intake works were never installed or somebody stole the generator that was supposed to be used for pumping water and then, the scheme was forgotten. You find places where you see huge concrete or steel tanks in the rural countryside. The pipes are buried in the ground but there is no water. This has happened because the Government did not have any foresight in planning these schemes. We have got several boreholes that were sunk in those rural areas which are not operating at all. So, at least, the Government is now admitting that, there is need to involve the private sector in construction, design and operation of some of these schemes and that, provision is going to be made for maintenance. Another important factor is that the communities themselves are going to be involved right from the beginning at the planning stage and again, at the design stage so that they own it and run it themselves.

Mr. Temporary Deputy Speaker, Sir, the other issue that has been dealt with here is the situation of legal framework that there are several Acts apart from the Water Act Cap 372. There are 26 other Acts that have a bearing on water issues, and therefore, sometimes, there is conflict of interests. The other one is that, the Water Act itself in Cap 372, 1929 is a legacy of the past moulded on the legal concepts of the colonial law famously known as the Water Ordinance of 1929. That ordinance itself was based on the previous water law from a country whose climatic conditions are very different from those of our country. So, there is need, therefore, and I agree for, a comprehensive overhaul of the water law, so that it can be made more responsive to the needs of this country with its diverse geographical conditions.

Mr. Temporary Deputy Speaker, Sir, we have been told that in the past, nothing has been done to protect the catchment areas and that as a result of this, we are depleting some of the water resources that we have in this country. I have seen some action plans that are contained in this policy document and I say that most of them, I think, are of common sense. There is nothing in this document as far as the action plan is concerned that is new. That, we are going to assess the water and that, it should be fully operational by the year 2000; this ought to have been done. Why do we have the Ministry of Water Resources? That, the rules and functions at different management levels and that they will accomplish organising that by the year 2000. All the things that are contained in this so-called Action Plan are common sense issues that ought to have been dealt with a long time ago. These are very fundamental when you are talking about water issues that; they need not be contained in a document like this in the year 1999.

Mr. Temporary Deputy Speaker, Sir, if you are going to develop a water scheme, simultaneously, you

must also develop a scheme for waste water disposal. This is very important but this has not been given due consideration and that is the reason why we have a lot of pollution that is taking place countrywide. We have factories that are discharging polluted waste into the river systems. We have sewerage systems that are not operational in this country and this is something that ought to have been part and parcel of the planning in the Ministry, right from the very beginning. In most of our urban centres here, we have sewerage schemes that do not work and this itself is responsible for the filth within our cities and towns. I was recently in West Africa in a town called Bamako in Mali. There, they have open sewerage systems where you see the human waste running like an open canal and one wants to hope that, we are not going to degenerate to that level.

Mr. Temporary Deputy Speaker, Sir, I grew up in Kisumu Town as a small boy. In those days, we did not have piped water in the so-called native locations. We had bucket latrines and a system of collection that was being done using ox-drawn carts. These ox-drawn carts used to come in the evenings and empty the buckets in the tanks and taken away. This was done religiously and the town was clean. There was no day that the cart failed to come. I mean, all the public toilets within the estates were cleaned on a daily basis.

Now, what we have running water in those public toilets, if you walk into those public toilets, you begin to meet human faeces at the door. Those toilets are not clean and the sewerage systems are not working, most of them are clogged up. So, something needs to be done about waste disposal.

Mr. Temporary Deputy Speaker, Sir, the countries that have succeeded are the countries that have had a comprehensive approach to the water problem; that is the green revolution simulatenuously with the blue revolution. We need to protect the catchment areas. If we cannot protect the catchment areas, there is no way we are going to succeed. That is why one is pained to see the wanton destruction of our forests by people who are greedy for land or greedy for money. We need to have what they call a plural approach when we are talking about conservation of forests. We need to involve the communities so that we can be able to balance the various competing interests; the need for energy by local population, commercial interests, industrial needs and construction needs. All these need to be balanced. So, we need to involve the communities that live around those forests. This is what is lacking. There is little that has been said in this policy document about protection of the catchment areas. But the collaborative approach is what will help us in this country.

We cannot say that we are serious about water, if we are not serious about protecting the water catchment areas. If we look the other side when people are destroying Mt. Kenya Forest, Mt. Elgon Forest and Karura Forest--- Just destroying a square kilometre or half-square kilometre of Karura Forest has a direct bearing on the ecology of this City. Before all those forests are destroyed or touched, we must carry out an environmental impact assessment to find out what are the implications to the environment of this City now, in five years, in ten years and in 20 years to come. But we have a situation where nobody in the Government bothers. The people in the Ministry of Lands and Settlement or Ministry of Local Authorities would go and allocate a portion of Ngong' Forest without consultation with the Ministry of Environmental conservation. I am sure that no one in the Ministry of Environment conservation was ever consulted when Karura Forest was allocated. We are running the risk of creating a desert within our country.

The City of London with a population of over 10 million people has got huge parks. We have the Hyde Park, St. James Park, Regents Park, Queen's Park and they are all preserved for posterity yet, Uhuru Park next door is being grabbed! Karura Forest is being grabbed! Why? Desertification is real and is a big problem. A day flight to Europe over the Sahara is a chilling reminder of what we are likely to end up with, or what we are likely to bequeath to the coming generations of this country. Sahara Desert was once upon a time a land teeming with flora and fauna, but then indiscriminate activity of mankind destroyed all those forests so that they have left the land just in desolation. Is this what we want to bequeath to the coming generations of this country? That is what we are likely to do, if we do not stand up and say no. I want to go down in history as one of those people who stood up and said no to the destruction of our flora and fauna. We must tell the grabbers that we will not stand by and watch them destroy our country. We will not stand by and watch them destroy our country because in doing so, they are also doing it for our own children and grandchildren. The greed for grabbing of land in this country must be checked, otherwise it is going to cause a revolution in this country.

Mr. Temporary Deputy Speaker, Sir, I want to finish my contribution by saying that let us have a comprehensive approach to this issue. Let us deal with water and forests. Let us combine the blue and the green revolutions. If we do that, we would be able to create a beautiful country and we would be able to bequeath our coming generations with a beautiful country. They will live and say, once upon a time lived men and women of integrity who thought about the coming generations. We will then also be able to restore the glory of this City as "The City in the Sun." At the moment, it is a "City in the filth."

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to support.

**The Assistant Minister for Labour** (Mr. Ethuro): Thank you very much, Mr. Temporary Deputy

Speaker, Sir. I stand to support this Motion. I would like to support this Motion because of nothing new, but because of the basic essence of life; water. I come from an area where life is really precious, where water is very scarce, where pasture is a source of conflict, and where water is also a source of conflict. When I looked at the Sessional Paper, I want to thank our good Government for taking the initiative to admit the failures in previous efforts and to come up with a strategy to recommend those failures.

If you look at paragraph 1.11 where, in general terms, they have identified the constraints, I agree except they never mentioned the corruption that is taking place at the district level. There is talk about the National Standing Committee and a desire by that Committee to consolidate policy on land, water and forests. I think that is essential because water should not be treated in isolation. It should be all-embracing. I also want to look at paragraph 2.43. It is talking of the concepts of absolute sovereignty. I also come from an area that shares three international borders. Unless the issue of sovereignty is dealt with, then we are those scarce resources even difficult to come by for our people. On paragraph 2.8, we are talking about water, research and technology. I think there is an admission that this has been an area that has hardly been exploited and so, it is a growth area. I really hope that this is going to bear fruits because until we start thinking about research facilities and new technologies in water development, I do not see us achieving any of the desired targets in the foreseeable future.

Mr. Temporary Deputy Speaker, Sir, let me go to Chapter 3 where we are talking about water and sewerage development. I agree entirely, that, if we are going to make water available, then we should also make some sewerage systems. There is only one municipality in the entire Turkana District, Lodwar Municipal Council. It has no sewerage system.

Mr. Temporary Deputy Speaker, Sir, water is meant to support the food self-sufficiency policy which has been an elusive concept in this country. It is meant to enhance livestock development and this is what we need. It is supposed to encourage fisheries development. I really wish that by the time we came up with Turkwell Hydro-electric power station, we had thoughts about agricultural and fishing development could bear fruit.

Chapter 4.1.3. is on institutional frame-work and says that the role of the Government will be redefined with emphasis on the regulatory and enabling functions as opposed to direct service provision. I would like to support that but I have a lot of difficulties because if you take water as a basic commodity and those public goods that the State should support for the sake of development, then I am not going to support this Motion because at this time, where I come from, that is not possible.

Mr. Temporary Deputy Speaker, Sir, while I am totally committed to liberalisation, there is need to accept that there are population pockets in this country that cannot embrace total liberalisation. I entirely support the concept of community-based water communities. But I have a feeling that the Ministry of Water Resources is treating the community-based water committees as an alternative; that there is a hot potato that they are handling and they want to throw it to those committees. We will not accept that one. The District Water Engineers and District Water Officers have a duty to this country to do their jobs right. I will explain about that later.

Mr. Temporary Deputy Speaker, Sir, section 4.4.4 is the only one in the Policy Paper that is touching on the gender aspect of water. It is touching to the extent of saying that more women will be recruited in the training of the water committees. I think we can do better than that, in terms of gender issues. Gender issues are not just a matter of making sure that there are more women trained in these committees. Gender issues are a matter of access to water. Hon. Raila has talked about four kilometres of access to water. I wonder where he is getting those statistics from. I beg to disagree with him. Where I come from, access to water is about 100 kilometres away. If you think that four kilometres is not access, then what will you say of the 100 kilometres? That is not access to water.

So, I agree with the intention and the strategy that is formulated in the policy document. I want to thank the Minister and his team for the job they have done. But there are some small and major points that have been excluded. If you look at Turkana District, it has an area of 77,000 square kilometres. It is the largest District in this great Republic. It has three major natural resources. There are two rivers - River Turkwel and River Kerio. You will find that we still have a water problem. I think that it is a pity that with these resources--- River Turkwel is relatively reliable. But because of the damming at Turkwel Gorge, the downstream users lost a great deal. I think that if the intention of this Paper, as I have read it, is really to ensure the development of water resources and that the management will make sure that the benefits are multiplied, then this was one thing that the Ministry should have done long ago. Up to now, the impact assessment study on the Turkwel Gorge Dam has not been published. I think that it is a pity. Up to now, the Rural Electrification Programme has not been implemented in Pokot and Turkana Districts. If you stand at the top of the Turkwel Gorge, you will see a whole area that could have easily been turned into arable land. But that has not taken place. I think we deserve better than this. This is one good resource

that has to be managed properly. I would beg the hon. Minister to ensure that we get some of these things.

Mr. Temporary Deputy Speaker, Sir, I think, again, hon. Raila talked of water being a human right. I want to go further and say that it is a basic right because we do not want to confuse basic rights with other wider of human rights. Basic rights are things that help us. We are looking for what is basic for our own survival. I think water is one of them. The third bit of all this is that when our good Government allocated money from the World Bank to Turkana District, under the Drought Recovery Programme in 1993, Ksh17 million was squandered by the officers in the Ministry in collaboration with a former District Commissioner and the area District Development Officer. I think the PS in the Ministry for Water Resources is around. I would like to mention to him that the District Water Engineer in Turkana is behaving like a matatu tout. He does not care about the future of the people by not caring about the jobs done. They vandalise the machines. Most of the water pumps cannot be rehabilitated because they have removed everything.

Mr. Temporary Deputy Speaker, Sir, at my birthplace, there is this multi-million project worth Kshs17 million and it is a scandal. It is making an entire community commit suicide. The Kadokoronyau water project has never taken off despite the fact that money has been spent. It is for public record. It is this community that inhabits the area that also shares the Lake. Because of the salinity of the Lake, that water cannot be used. But at least it means that the water table is not very far and it can be utilised properly. All that it requires is a bit of determination and commitment to the people in this District then we will get water flowing. We tried it late last year with little resources and we have started to get some water. This demonstrates the difference between commitment and looting.

Mr. Temporary Deputy Speaker, Sir, we have also been fortunate in an arid zone like this to get some areas in which you can prospect for minerals. But these areas cannot be fully exploited because there is no water. There is Makutano Trading Centre, between Kakuma and Lodwar, and not the one of West Pokot. If only water could be made available there, the poor peasants would make some decent living from mining. We have the Lodwar Water Project which has rehabilitated most of the boreholes and pumps under the Diocese of Lodwar. The moment the Diocese stopped its work, the Ministry of Water Resources which was supposed to facilitate communities by training them in simple maintenance, did not do that job. Everything has gone to waste. As recently as June, 1998, the Army conducted an exercise in Turkana District. It was termed "Operation Natural Fire 98." As part of their community acceptance, and I think our Army should really do more than that, because we have seen what they can do, they were able to construct a borehole within two weeks and we had water. But the Ministry of Water Resources had failed to maintain even the piping system. I think this is really scandalous. These are officers who want to spoil the good name of this Government that has done everything to make water available; but down there they sit in their offices doing nothing. They are always there and fully drunk. We are not allow this to happen.

Mr. Temporary Deputy Speaker, Sir, given the constraints that this Sessional Paper has mentioned, I would have imagined that we would look into alternative ways. The year 1998 was an *El-Nino* year and if we had come up with technologies of rain water harvesting, maybe, we would have some water to use upto the year 2000 and beyond. Even the arid Turkana District got a lot of water but instead of us tapping that water, it actually became destructive. I have two divisions; Kerio Division and Kalokol Division where *El-Nino* rains destroyed the basic infrastructure of water supply and upto now, supply has not been re-connected and people are migrating out of these areas to go to other areas and now they are overcrowding and competing for the scarce resources in other areas. Somebody needs to take action.

Mr. Temporary Deputy Speaker, Sir, we need more dams for livestock development. The Sessional Paper has mentioned livestock development but it did not specify that we need a lot of dams in pastoralist areas so that our livestock can actually get access to water; that we do not have to fight our neighbours, the Pokots, the Marakwets and the Samburus for this water. I think it is time we stopped cattle rustling. It is not a tradition as some people may want to believe. It is a conflict based on natural resources. It is not a cultural trait which we want to use. Cattle rustling is a result of chronic under-development and it is as a result of lack of pasture and water and we have to compete for the limited resources which happen to be at the border. That is the essence of this matter. If the Ministry can come up with available water that access can be improved and I will always have the pleasure of sitting next to the hon. Lotodo because we will have no basis of fighting.

Mr. Temporary Deputy Speaker, Sir, we need to evoke positive discrimination. We will not tie in affirmative action. When the Government was doing all development projects in the rest of the country, it did nothing in our district. I understand that for historical purposes, you have to start somewhere but you have to complete because you cannot stop midstream. There are *bona fide* citizens of this country in all corners of this Republic that deserve minimum basic infrastructure for their development and water is a "cure" in our area. Now that it is at the turn of the millennium and we want to look fashionable and have got to catch up with liberalisation, then we embrace cost-sharing and yet we cannot even collect the revenue that is due to us. I have a



house in Nairobi and the Nairobi City Council does not come to collect the revenue in those places and you have got to go and beg them to accept your money. That is the problem of those officers at the City Hall and yet, the City Council has not paid its workers for the last three months. It is a shame! We are, therefore, saying that the Ministry should see to it that the ASAL areas are not subjected to privatisation in the water sector and the Ministry should continue developing basic infrastructure of making water available for both human and livestock consumption and then after some critical mass has developed, then we can privatise and go into business. We cannot privatise now.

Mr. Temporary Deputy Speaker, Sir, as if the geographical disadvantage is not enough, we have got external disadvantages. Lokichoggio became attractive to the various NGOs serving in Sudan and we support them. But the expatriates serving in the NGOs in Lokichoggio have dug swimming pools in all the place; messed with our water tables and we cannot drink any more water. We have got to dig deeper and deeper in order to get good water. As if that is not enough, we have got the refugee camp in Kakuma. We are willing to host the displaced persons. We have no quarrel about anybody. This country welcomes everybody because we are very hospitable people as we always sing: "*Kenya Hakuna Matata*." But we cannot locate refugee camps in our dry season grazing grounds. It is wrong. We have talked to the Provincial Administration and they do not seem to understand us. Somehow, they think they are the Government and we are not. The moment we start fighting the refugees, nobody should condemn us. If the Government wants to cite a camp for the refugees, then it should consult the local communities. What is happening now is that they are taking the best grazing lands and turning them into camps and grave yards for refugees. What benefit can the Turkanas get from it? We are not going to accept that. I think the UNHCR and the NGOs at Lokichoggio under "Operation Lifeline Sudan" owe it to us that they should develop the water catchment areas. They have got to embark on re-forestation because a lot of firewood is being used in these areas and that amounts to destroying our water catchment areas. That amounts also to destroying the few trees that we have in that area. I think with the swimming pools in this place - the Turkanas do not need swimming pools - all they need to do is to go to Lake Turkana and swim there. We do not need swimming pools in that area. Lake Turkana is just 250 kilometres from Lokichoggio. These are issues which should not have arisen in the first place because these are areas which are known to have scarce resources and nobody should exploit them to the disadvantage of the local people. But I do not want to be misunderstood here. We support "Operation Lifeline Sudan" and we also support the refugees in Kakuma, but we would also like those refugees to be re-located to areas which are full of sand because nobody wants those areas. But the camps cannot be located in the riverine vegetation. These camps should not be located along the rivers because these are the rivers which our livestock and where our people can fetch water from. On that note, I would like to acknowledge the assistance of the Brazilian Ambassador which he offered to us when he visited the district last time. He managed to initiate one water project in our place. So, there should be compensation by these organizations. They should develop the water systems in these areas so that we can be able to co-exist peacefully.

Mr. Temporary Deputy Speaker, Sir, along the river banks which the Sessional Paper has mentioned a bit, irrigated agriculture is one of the resources related to what they would like to develop. We have schemes like the Turkwel Irrigation Scheme along the Turkwel River. The control of that water will be of more use than just water itself. We call upon the Ministry to work quite comprehensively and to collaborate with the other Ministries like the Ministry of Agriculture and the Ministry of Natural Resources so that we can be able to rehabilitate some of these schemes. In that way, we can be able to link water resource development to food self sufficiency. I can see a connection there and it is true. In the 1960s when these irrigation schemes were under FAO and UNDP, they were making a lot of difference, but because of neglect and lack of seriousness on the part of public officers, we are not seeing any difference in the lives of our people. If you look at the policy, it started very well; that the objective of this Sessional Paper is the improved social well-being of the populace; enhanced performance of the economy, both nationally and regionally and the promotion of national economic development. It is not, therefore, far-fetched that water supply systems, particularly in areas where water is so scarce, and in areas where the water sources are well defined and few, they should be put to maximum use. I am really on this one because last time I asked them how a water system is designed so that the water can reach a water tank - even basic understanding of power relations that under atmospheric pressure, you can achieve this amount of flow - they could not determine. I think the Ministry ought to be serious on this matter.

I agree with hon. Seii when she said that some of those areas are KANU zones. We would like to tell the Government that we deserve better things by virtue of being in the Government. We cannot complain loudly like our friends in the Opposition. When it comes to serious water issues, they only zero-in on hon. Members from the Opposition.

**An hon. Member:** Are you in the Government or KANU?

**The Assistant Minister for Labour (Mr. Ethuro):** I am in the Government and in KANU. It is KANU

which forms the Government. I thought that was clear, hon. Member!

**The Temporary Deputy Speaker** (Mr. Musila): Please, address the Chair!

**The Assistant Minister for Labour** (Mr. Ethuro): I am addressing the Chair! It is really interesting that there are very few Opposition Members of Parliament in this House now. But this is the point; that being in KANU and being in the Government, we deserve good things as a right. All good things must come to KANU zones. The Opposition people should remain dry until they get their chance!

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

**Mr. Parpai:** Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me to contribute to this very important Sessional Paper, which has something to do with water. Water is life and it is a scarce commodity. If this Government is serious in alleviating poverty, that is where it should concentrate its energy and resources, to uplift the standard of living of our people. Having said that, I would like to go on and say that the Paper that is before this House dwells a lot on urban areas. It also talks about training and very beautiful things. Like I said when we were contributing to the Presidential Speech, the Government is very fond of preparing and bringing to the House very beautiful Papers. Those are Papers that one would look at and think Kenya is going to change for the better tomorrow! But what happens after that is zero work! In fact, it demoralises those officers and teams which go out to collect and write the information. The Papers are not implemented at all. In fact, Kenyans keep on asking themselves: "Why should these Papers be written at all, if they will not be implemented?" Indeed, there is no need.

It is very interesting to note that the Government is talking about cost-sharing. Who does the Government want to cost-share with? The Government is assuming that all Kenyans and all areas in Kenya are at the same level, which is not true! For example, if you take those of us who come from arid and semi-arid areas, and tell us that you can only provide water if we contribute half of what you will give to us, you are as good as telling us: "I will never give you that water because after all, you are all meant to die!" I am saying this because so many projects in our areas have flopped because we cannot contribute our share. It is not that we do not want to contribute. We do not have the resources. So, when you talk of cost-sharing, you must identify who you are going to share with. For example, if you tell the people living in Kileleshwa to cost-share, I would understand that. But if you tell the people living in areas like Loitokitok where they receive relief food to cost-share, what are you talking about? You are telling me: "You can as well stay without that water." I would like the Minister to be very clear on this. Let him tell us how we are going to cost-share. Water is a very essential commodity. It is very expensive. How am I going to get water? The water is supposed to be taken hundreds of kilometres to reach my people. How are they going to cost-share? They are being told to contribute Kshs 1 billion for the Government to contribute another Kshs1 billion, when they cannot afford to feed, find shelter, send their children to school by themselves. The Government should come up with a policy showing how we are going to cost-share. We must have a way to raising the component that we are supposed to contribute for us to get water at all.

Mr. Temporary Deputy Speaker, Sir, some of us come from pastoral areas which the Government has forgotten. There is no water despite the fact that a few hundred kilometres away, we have flowing rivers. We want this water to be distributed to such areas to water our animals. If you cannot give us this water, let us have boreholes. This is not happening.

I think the way we started in 1963 was wrong to some of us. The term "cost-sharing" came recently when the Government wanted to shed some of its responsibility to the poor wananchi. Cost-sharing raising the poverty level in this country. I said we started on a wrong footing from the word go. Water as a very important resource has not been brought near to the poor pastoralists. The Government has left them to trek miles and miles to get this important resource. Indeed, I think this is what has contributed to our low population. Our women, and it is unfortunate, cannot look after eight children because of the hardships that they undergo. Can we have the distances reduced? We do not only want water for cows, but we would like the women to draw water nearby.

Mr. Temporary Deputy Speaker, Sir, I would like to say that irrigation has also become a very important technic in agriculture these days. The people have realised that they can do well in irrigation. I would like the Ministry to address this issue. It is important that those who are interested in irrigating their land should be assisted. The kind of irrigation that is going on in my area is crude. This is because a lot of water goes to waste.

We would like the Government to come in and assist those people by, at least, cementing the canals so that the water that is diverted from the rivers can be used properly. It is very important to look into this sector. It has made areas that were not habitable some years ago, to become very densely populated. The people have realised that life can come out of that system of irrigation. So, I would request the Minister to put a lot of emphasis on this.

Mr. Temporary Deputy Speaker, Sir, the rivers that I am talking about and the rivers talked about by hon. Ethuro--- It is very interesting that we send people we think are educated and have technical know-how to study and determine the volume of water that we can pump out of a river. Indeed, those officers have created a mess for the local communities; everybody is crying about lack of water. They pump all the water from those rivers to the extent that people who live downstream suffer a great deal. What qualifications do those officers have, if they can create a mess instead of solving a problem? Let those officers pump the surplus water from those rivers, but not all the water. The Ministry should address this issue seriously. It is unfortunate that all the water from a river is piped to a distance of about 100 or 200 kilometres away and people around that river do not get that water. We fail to understand the rationale behind such a project. That kind of a project requires some serious study before being undertaken.

Mr. Temporary Deputy Speaker, Sir, it is also very interesting that water can bypass the local community around a river and be taken to some few individuals. There is a water pipe passing through a dry place going to an individual. What tax does that individual pay that is not paid by other people in that community? This is a very important issue the Ministry should address it. Personally, I am happy with the Minister for Water Resources because he has started a few water projects in my constituency. But that notwithstanding, we should not wait for years to come here and complain about lack of water in our constituencies. It should be the policy of this Government to provide water to the local community around a water source even if that water is designed to go a distance of 100 kilometres. Those people along the water line should also benefit because they are taxpayers. They are Kenyans like those you are targeting. So, I would once again urge the Ministry to take that as a policy. The people living along the pipeline must be considered first. If we do not consider them, then we will lose taxes that would have been paid by those people. These People will keep on puncturing those pipes because they want that water. If you do not want those pipes to be punctured, then provide them with piped water. It is their right to have it. So, it is very important that this is taken into consideration.

Mr. Temporary Deputy Speaker, Sir, on the training of personnel, it is important that we train people from the grassroots level. At times, people in my constituency travel many kilometres to report a minor fault in a water project; something that could be repaired at a local level. So, we need to train our people. We need also to train the committees that will manage water. Training of water artisans and other professionals is very important so that they can assist to repair and maintain water pipes. We do not want outsiders to be trained alone, but also the local people. Let all people living around those water projects be trained so that they can maintain the projects. Let them go to the district water engineer only for complicated repairs. They should repair, fix valves and join pipes at the local level. Please, let us come out of that. That is the only way we can maintain water projects in our areas.

We need to train local people even at some advanced level. Before the recommendations of this Sessional Paper are implemented, we want the local people to be involved in those water projects. They will assist in the maintenance of them. In fact, they know how to ration and they will explain to their own people why rationing is necessary.

The question of handing over of those projects to local people must also be addressed. It should be done systematically and gradually. I am appealing to this Government because we are all paying taxes. We do not want Kenyans to look as if they are a burden to this Government. If they are a burden to you, then you better resign and allow other people to lead. You cannot wake up every day and say you are now handing over this and that project to public. What will you be left with? If it is security, you are already unable to control thugs. So, what are you doing? It is high time that you shouldered the responsibility. Some of those undertakings are too expensive for wananchi to meet. In some districts, education has already collapsed because the locals cannot afford it. We want water to be handled by wananchi. The other day, you introduced cost-sharing in hospitals. We are now buying drugs from hospitals. Where are we heading to? When you talk of technical assistance; to what level will it be provided? Please, be prepared to shoulder the responsibility. After all, you went round the country seeking for votes and promised to shoulder responsibility.

Mr. Temporary Deputy Speaker, Sir, where I come from, we have many trading centres that do not have piped water. Even those with piped water have no enough water and yet we have many rivers. All that is required is a bit of re-allocation of funds. We need water in Oloitoktok town. The population of that town has outgrown the existing water systems. We want water in Kimana Town. The Nol Turesh Water Project with pipes of 18 inches passes through that town. It is unfortunate that pipes leading to Athi River town pass through Kimana leaving the local people without water. We would request the Minister to ensure that we do not just become spectators of natural resources. We want to share the national cake with other Kenyans.

Mr. Temporary Deputy Speaker, Sir, at some stage, the Kenya Wildlife Service (KWS) agreed with the locals around Amboseli National Park that they would provide them with water; that they would drill and

maintain boreholes. This has not been done.

Mr. Temporary Deputy Speaker, Sir, we want the Kenya Wildlife Service officials (KWS) to honour their obligation. We want them to drill boreholes for us so that we can keep away from the national parks. It is very difficult for us to keep away from the national parks when we do not have water points outside the national park. This is an agreement that has been entered into between the KWS and the local people. We want that agreement to be honoured.

As I said earlier on, I would reiterate that water is life. The water which is in our district hospitals is not adequate. We want the Government to be a bit more serious than it is now. It is too shameful, but unfortunately, the Government is not ashamed when it reads in the newspapers that water, which is an essential commodity, has been disconnected in a certain district hospital. This is done with the full knowledge that there are some patients and operations are going on in the hospital.

The Government should step in the same way as in the case of the National Bank of Kenya (NBK), when it almost collapsed, although it was known where the money was! Why does the Government not step in and settle the water bills for its hospitals? Which is more important? Is it to pay somebody's debt using tax-payer's money or to settle a water bill for the hospitals? There are some things that should be given priority. For instance, you cannot expect a district hospital to pay an accumulated water bill of Kshs2 million overnight! The only way out is for the Government to make some arrangements and settle some of these water bills. I am not saying that the National Water Conservation and Pipeline Corporation should write off these water bills because this is just a teething "baby". It has its own teething problems. Indeed, some of these district hospitals need some assistance from the Government. Therefore, the Government should step in and settle some of these water bills. This is because we are tired of carrying jerrycans of water to hospitals, when we have a Government in place. We would like to have enough water in these hospitals.

Mr. Temporary Deputy Speaker, Sir, it is very interesting that some of these hospitals that we are talking about rely on the money obtained from cost-sharing. This means that if a patient does not pay his share, the hospital will not have money. So, the patient will not get water, drugs and electricity until the money is paid. This is shameful! Therefore, I would like to urge the Government to take its responsibilities very seriously.

Having said all that, once again, I would like to say that the cost sharing needs zoning. In my area, as I said earlier on, and I am repeating this because it might be my last contribution to this Motion, we need to be told what is there at what stage and the project that we have to contribute to. The Minister should tell us that because if he does not then we shall take it that the Government is not prepared to assist us come out of this big mess that we are already in. I hope that the Minister and his officers, having come up with this Paper, and having heard contributions from both sides of the House, will now stop the habit of keeping these beautiful Papers in their drawers to gather dust, but will implement it for the good of this country.

Thank you, Mr. Temporary Deputy Speaker, Sir.

**Mr. Haji:** Bw. Naibu Spika wa Muda, ninakushukuru kwa kunipatia nafasi hii ili nichangie Hoja hii. Kwanza, ninataka kuunga mkono Hoja hii ambayo inahusu mambo ya maji kwa sababu maji ni uhai. Maji ni kitu muhimu sana katika Mkoa wa Kaskazini Mashariki ambapo hakuna mto. Mto wa Tana ambao watu wengi wanafikiri uko katika Mkoa huo uko katika Mkoa wa Pwani. Ule mto tulionao ni wa muda na huwa na maji miezi mitano kwa mwaka. Kwa hivyo, tunapozungumza juu ya maji, ni lazima tujue kwamba maji ni kitu muhimu sana kwa maisha yetu.

Hata hivyo, ninasikitika sana ninaposikia Wabunge wengi wakiwalaumu watumishi wa Serikali ambao hawana nafasi ya kujitetea hapa. Ni lazima tujue kwamba wafanyakazi wa Serikali ni watu wetu na ni binadamu. Pia, ni lazima tujue kwamba wana hisia kama watu wengine. Ni heri tujue ya kwamba tunapowashambulia wafanyakazi wa Serikali tunamaanisha kwamba sisi ni malaika, na hali tunajua kwamba hata Shetani alikuwa malaika na alifukuzwa kutoka mbinguni kwa sababu ya kukosa. Kwa hivyo, ni heri Wabunge wasijifanye malaika kwa kuwalaumu wafanyakazi wa Serikali. Wengi wa wafanyakazi wa Serikali wanafanya kazi vizuri sana. Kama ilivyo kawaida, Mungu hakuviumba vidole vyote vya binadamu vikiwa sawa. Mungu alifanya hivyo kwa sababu ambayo hatujui. Ninaamini kwamba kama vidole vyote vingekuwa sawa, basi vingekuwa na sura mbaya sana. Kwa hivyo, inafaa wale wafanyakazi wa Serikali wachache ambao ni wabaya waambiwe makosa yao.

Bw. Naibu Spika wa Muda, ukosefu wa maji si jambo ambalo Serikali au mfanyakazi wake anaweza kulaumiwa, bali ni wananchi wa Kenya wote. Hii ni kwa sababu, tangu tujinyakulie Uhuru katika mwaka wa 1963, bado watu wanafikiri kwamba tulinyakua Uhuru ili tuharibu mazingira yetu. Wakati mashamba ambayo Wazungu walikuwa wakimiliki yaligawanywa, hakukuwa na mpango wa kutosha wa kuhifadhi chemchemi za maji. Baadhi ya wakulima ni adui wa miti! Kuna watu ambao wanafikiri kwamba makaa ni kitu muhimu sana kuliko miti ambayo inazuia mmomonyoko wa udongo na kuleta mvua. Ni lazima tuseme kwamba ni sisi ambao tumeharibu mazingira! Pia, ni sisi ambao tumeharibu misitu ambayo ilitengwa wakati wa ukoloni. Watu

wanaendelea kulima karibu na chemchemi za maji, na wameharibu sehemu hizo. Ni lazima tujiulize: Ni kitu gani ambacho tunaweza kufanya ili turekebishe mambo haya? Hii ni kwa sababu chemchemi za maji haziongezeki bali zinapungua. Pia, ni lazima tujue ya kwamba idadi ya watu inaongezeka.

Isitoshe, sisi sote tumekuwa watu wasioangalia maslahi yetu. Utaona kwamba kuna watu wengine, wakati wanajua kuna ukame au taabu ya maji, wanatumia maji kwa njia mbaya kwa kunyunyiza mashamba yao au kusafisha magari. Nimewahi kwenda kule Ulaya safari moja na tukaenda pahali penye maji. Tuliambiwa kule Ulaya, wiki tatu zikipita kama mvua haijanyesha, kwao, hiyo hali ni kama ukame mkubwa sana. Wanawaeleza watu wasichezee maji, wasisafishe magari na wasitumie maji kwa kunyunyizia mashamba. Sisi, tunajua kwamba mvua hasa kwetu, nyakati zingine hainyeshi wakati unaofaa. Wakati mwingi, sisi tuko katika hali ya ukame. Lakini ukitembea Nairobi, utaona kuna watu wengine wanatoa maji kutoka kwa mifereji bila kupitia kwa mita na wananyunyizia sukuma wiki, wananyweshwa kuku na hata wengine wanafuga ng'ombe.

**An hon. Member:** Wanakata miti!

**Mr. Haji:** Kwenu Ukambani hakuna miti! Nyamaza wewe.

**The Temporary Deputy Speaker** (Mr. Musila): Order, Mr. Haji! Stop exchanging words with the hon. Member!

**Mr. Haji:** Nitafanya hivyo lakini nataka yeye aniache!

*(Laughter)*

Bw. Naibu Spika wa Muda, shida iliyoko ni kwamba sisi wenyewe si waaminifu. Mimi mwenyewe nimeshuhudia katika sehemu nyingi ambazo nimefanya kazi. Wakati idara ya maji imechimba kisima, kuna watu wengine ambao wamejitokeza na kuiba zile boosters za maji. Mimi mwenyewe ni shahidi; sio mara moja wala mbili.

Bw. Naibu Spika wa Muda, yale yaliyosemwa ni sawa. Ningetaka kurudia kuhusu Mkoa wa Kaskazini Mashariki. Mkoa huu utakuwa ni hazina ya maji ya nchi hii, kwa sababu kuna maji mengi chini ya ardhi. Ukienda kule Wajir leo, ukichimba mita kumi, unapata maji. Ukienda Manderu pia, utapata maji. Lakini, kwa bahati mbaya, hatujaweza kutoa hayo maji kujisaidia sisi wenyewe. Nafikiri maji yale yako chini, hata katika miaka elfu mia mbili mingine, hayo maji yatatosha nchi hii yote, hata kwa irrigation, na si kwa watu tu. Kwa hivyo, ni vizuri, badala ya sisi kulaumiana, yafaa watu watoe maoni. Wale ambao wana utaalamu waende kwa Wizara ya Maji na watoe huo utaalamu wao, ili tuone ni njia gani ambayo tunaweza kutumia tutoe hayo maji kwa njia ya urahisi. Ya pili, katika Mkoa wa Kaskazini Mashariki, sehemu nyingi watu wanategemea mabwawa. Kwa kawaida, maji ya mabwawa hayatiwi dawa. Mahali mimi nilizaliwa, kule Ijara, babu yangu alikufa akiwa na miaka 80. Baba yangu alikufa akiwa na miaka 68. Mimi leo niko na miaka 58. Ninaogopa kufa kabla sijaona treated water katika Ijara, kwa sababu tunakunywa hayo maji na yanaleta bilharzia na malaria.

**An hon. Member:** You have ten years to live.

**Mr. Haji:** Mimi nilikuwa PC, Rift Valley. Katika Maralal, wanategemea bwawa. Mji wa Maralal unategemea bwawa kwa sababu hakuna mto. Bwawa hilo liko na treatment works. Kwa hivyo, ningemuomba Waziri ajaribu vile awezavyo ili maji yatunzwe vizuri katika miji ili afya ya wananchi iwe nzuri. Wakati mwingine tunalia kuhusu idadi kubwa ya watu. Watu ambao wanakula viazi ndio wanazaa sana. Hata Mbunge mmoja kutoka sehemu ya Maasai amesema bibi zao hawazai zaidi ya watoto wanane. Nafikiri kama wangekula viazi zaidi, wangezaa zaidi. Hata sisi kama tungekula, mahali karibu ambapo tungepata viazi ni Thika, maili 250 kutoka Garissa na kutoka mahali mimi nimetoka, ni maili 400 kutoka Thika. Kwa hivyo, tungeomba mto Tana nasi uchunguzwe vile ambavyo unaweza kusaidia watu kwa mambo ya maji. Hii ni kwa sababu, katika hayo mabwawa, wakati wa mvua ndio unapata maji. Mvua ikipotea kwa miaka miwili, mabwawaahukauka. Kwa hivyo mabwawa si suluhisho.

Kwa hivyo, nitamaliza kwa kuunga mkono Hoja hii nikitumaini kwamba Waziri amenisikia na ataangalia mambo ya maji katika mkoa wa Kaskazini Mashariki.

**Mr. Otula:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. This is a very important Motion because water as we see it, is life. In the past, the Government did not take it seriously to develop water in this country. The Ministry was actually merged with other Ministries until late, when it was separated.

Mr. Temporary Deputy Speaker, Sir, of the factors that assist the development of any nation, water is one of them. If you consider putting up an industry in any country, you cannot do it without water. In this particular country, the electricity that we use is normally generated by water. We use water to cook food and we cannot say that there is somebody who can be alive if there is no food, and food can only be cooked when water is used. We use it for washing. We use it for transport. Of late, we find that the water transport has actually been tampered

with by this Government. In the past, we used to have steamers going from Kisumu to Tanzania and Uganda. These days, it is very difficult to find a steamer moving through the waters to these particular countries. This is one factor which has made communication very expensive for the people moving from one country to the other, because they only use air and road.

Mr. Temporary Deputy Speaker, Sir, one Member has spoken of water being used in the hospitals. In most places these days in Kenya, you find that operations cannot be carried out because there is no water in district hospitals. It is high time this Ministry thought seriously about how they can make sure water is available in most of our hospitals, because without it, definitely, there is death in the hospitals. Let me cite, for example, Rachuonyo District. This is a district with so many water projects. We have East Karachuonyo which is stalled; we have West Karachuonyo which is stalled and we also have Atemo Water Project which is stalled. We have Central Karachuonyo which is not working. In the whole district, so many water projects were started. But when you go there now, you will hardly find any water project functioning. At the moment, you find that wananchi have gone deep even digging the valleys, so that the water can get into the district headquarters. It is surprising that when we were trying to find out how much money was given to the district headquarters to make sure water gets into that place, we realised that the Ministry posted only Kshs450,000. Can that money manage to put water in any district headquarters?

Wananchi decided to work alone so that they could make sure that water gets to this particular district headquarters. When you get to Nyanza Province more often than not it has been said to be a cholera zone. I remember one Cabinet Minister stopped coming to Nyanza because he considered that area to be a cholera zone. This was brought about by the dirty water we have in Nyanza Province. In Nyanza Province we have a big fresh water lake, but because of mismanagement of this particular lake, you find that the water from this lake cannot be consumed at the moment.

When I was still a young man we used to drink untreated water and we used to have no problem. At the moment, because of mismanagement of water resources you find that water cannot be taken untreated. Most people in Nyanza die because of water-borne diseases. We have cholera which is quite prevalent in that region, diarrhoea and even bilharzia because the water in this particular region is not treated. When you go to the river water you find that it has been tampered with. Even if you go to river banks, you find that quite a number of people have planted trees. Even those streams which were flowing throughout the year can never be able to flow throughout the year because most of the water is consumed by the trees which are planted along the riverside.

I would like to say something about irrigation. If we could be able to put most resources in irrigation, we would be able to get more food for Kenyans and you would hardly find people or the Government importing food from outside. When you get to the lower region of Lake Victoria during most of the months of the year you find that the shambas are lying fallow because of the unreliability of rainfall in that particular region. If the Government could improve the water resources within this particular region to irrigate the land along the Lake region, we would be able to get more food to feed most of the Kenyans. When you get to my constituency, Kasipul-Kabondo you will find that the Government has spent a lot of money in putting up Atemo Water Project with two big machines which are lying there idle. I have tried my level best to talk, unsuccessfully, to the missionaries who have managed to take power to about less than a kilometre from the water point. We cannot get water because the Government says it does not have funds to take power to the water points. When money has been spent on a water project, the Government should make sure they sustain that water project. There is talk that the Government is considering the possibility of handing over the water project to the local authority. This idea is very good but where will the local authority get money to run this particular water project when it is unable to pay councillors?

The Government should reconsider handing over this particular water project to the local authority because it will fail and wananchi will suffer. If you read newspapers you will find that most of the local authorities are not able to run their affairs because of lack of funds. They should be able to get a proper way of making sure that these people run these water projects for the betterment of the wananchi who are supposed to get this water. In the dry areas the Government spends a lot of money on dams and boreholes. However, most dams are already silted. Desilting those dams has become a big problem to this Government. I am wondering how they are going to implement whatever they have put down in this particular Sessional Paper. It is high time this Government spent most of the money on water resources so that our people can get water in different areas. I can remember very well that in the months of January, February and March my constituents were buying water at a cost of Kshs40 for a 20-litre can. Even if you go to Meru you will see a number of donkeys running up and down collecting water for people although the Government should be able to take care of its people.

Kenyans are taxpayers and they should get services from the taxes they are paying. There is no need for us to bring very good Papers and present them before this House only to find that they cannot be implemented. It is

high time we talked about actual things in this House and make sure they are implemented for the better of this country and wananchi. I support this particular Motion but I urge the Government to do all it can to make sure that it protects water and makes water available to the people who actually need it.

**The Assistant Minister for Local Authorities** (Mr. Sasura): Thank you, Mr. Temporary Deputy Speaker, Sir. The significance of water in the development of this country cannot be overemphasised. If it was categorised in terms of Ministries, the Ministry of Water Resources should be categorised as the most essential Ministry in terms of offering essential service to Kenyans. Many speakers have dealt with various areas but before I come to the main argument of my contribution I would like to pick on the financing of the water sector. In the early days when these harsh economic realities had not been felt in this country the Ministry of Water Resources had a very systematic plan in terms of strong departments within the Ministry.

Mr. Temporary Deputy Speaker, Sir, we have the Department of Ground Water which deals with ground water exploration. We have the water supplies when we come to the urban areas or rather areas that depend on surface water. It must be appreciated that this Ministry cannot do much if there is no money. It is very important to note that even from Treasury, the money allocated to this Ministry in terms of Development and Recurrent Expenditure is very meagre. It is not possible and fair to blame district water engineers who are given AIEs amounting to Kshs20,000 for transport in a given financial year and maybe, Kshs50,000 for operation and maintenance and expect them to deliver the necessary services. It is not fair. I think it is only fair to urge the Treasury to allocate more funds to this Ministry, if we expect any tangible service by this Ministry.

On the issue of financing this sector, it should not be forgotten that sometimes even little resources that we get down at the district level are not closely monitored and it is true that the money at the Ministry Headquarters sometimes is mismanaged. I think the Ministry should closely monitor the expenditure at the district level.

One area which I would like to urge the Ministry to check very closely, is the fact that Kenyans have become very enterprising. They have resorted to soliciting funds from donors by forming locally based Non-Governmental organisations (NGOs). These are very smart Kenyans who can sit down and come up with a paper which can very easily convince the donors to give them a lot of money. However, my doubt is whether the Ministry of Water Resources is closely monitoring the funds flowing down to these NGOs to make sure that they are utilised in the water sector. In most cases, you find that NGOs found at the district level are comprised of people who are not trained in the relevant fields.

Mr. Temporary Deputy Speaker, Sir, a case in point is that, just before 1992, a local NGO in Marsabit constructed a dam at a cost of Kshs6 million and this happened without the participation of the local community. The local community came out very clearly and told the NGO that, because of the where they were constructing the dam, there would be no drop of water flowing into it. As if it was aware of what was happening, the rain came very heavily immediately after the completion of the construction of the dam. True to the words of the local people, not a single drop of water went into that dam. Firstly, this failure was caused by lack of technically qualified people in the NGO, and secondly, lack of consultation with the local people who know the topography of the area, despite their illiteracy.

The Ministry of Water Resources should have officers attached to the NGOs especially at the local level. This is in reference to Marsabit District where NGOs are getting a lot of money and claiming to pump into the water sector. It is not realistic to use Kshs4 million to desilt a very small dam. Being a trained person in water technology, I am sure that this is theft and I will urge the Ministry to consider having an officer at the district level to monitor any NGO that claims to deal with water activities in any given area because we know they get a lot of money.

It is also important to point out that, considering the sources of water in this country, talking about rivers in the context of Northern Kenya is not appropriate since the major source of water in Northern Kenya is ground water. By definition, we have the purest form of water when it comes to boreholes. This is water which needs the least treatment. Because rivers are not available in Northern Kenya and it is very clear that since Independence there is a bias against exploration and development of the existing water resources, especially in Northern Kenya, I think it is only fair, like hon. Kirui said, to have a positively biased development agenda. What I am saying is that one of the major causes of conflict in Northern Kenya is lack of resources. It is not the culture of the people of Northern Kenya to fight, like it was rightly pointed out. But because of the scarcity of resources, they fight over them. No livestock farmer will survive without his livestock and no livestock will survive without water or grass.

Mr. Deputy Speaker, Sir, we know that we cannot provide grass for the people of Northern Kenya but we can provide them with water. In this respect, we are aware that there is a drilling programme under the Kenya-Egypt Co-operation which is going on in this country, but it is very sad to note that it is taking very long for this drilling rig to come to Marsabit District. I am aware that there is a schedule that has been set up in terms

of districts to be visited by this rig, but I have my doubts and it is my prayer that the Minister for Water Resources will take up this matter and ensure that within the first half of this year, that rig is received. This is because the people know that it is supposed to be in Marsabit and they know that it is in Isiolo District right now. This is my prayer to the Ministry.

Mr. Temporary Deputy Speaker, Sir, the Ministry cannot survive without funding, like I said earlier. We have to give to this Ministry a strong revenue base by imposing water tariffs in the respective areas, not forgetting sewerage disposal. Because of the shortage of water in this country, it is very easy for a human being to opt for polluted water. The only way to control pollution of water caused by effluent from the industries in this country is to impose heavy tariffs on

industries that flush out highly toxic materials in form of industrial waste. This Ministry has got very qualified personnel in the field of laboratory technology and I am

sure it is easy to determine how toxic the waste is from these industries. It is important and fair to impose very heavy tariffs on industries that release highly toxic waste from their factories into water sources.

Mr. Temporary Deputy Speaker, Sir, about cost-sharing, when we say that we need water in every corner of this country, we should not complain about cost-sharing. If I was asked today to share the cost of drilling a borehole, I would be the first one to raise my hand. The economic realities facing this country are very grim and I think we have to be realistic. We should not sit back and expect the Government to give us a borehole which costs an average Kshs 4 million to Kshs5 million. If there is need to share costs even at the borehole level, I think Kenyans should accept it. However, when we talk about handing over of water facilities or rather privatising them, one very important field that we must address is the field of trained personnel. Starting at the grassroots level, one concept which has always failed is the concept of water-user association. Back at home, you find that water-user associations are formed by way of queue-voting system. At the village level, when we talk about water-user associations because they do not know about water management, every person will prefer a close friend, a relative or a clansman to be a member of the water-user association. The long-term effect is that, the water-user association committee is bound to fail because of the way it is constituted I think at the grassroots level the Ministry should emphasize training of the communities before they form water-user committees. Anybody who is going to participate, or rather be a member of the committee, should be properly vetted in the sense of credibility and literacy before the committee is put in place, if they have to deliver as a committee.

Mr. Temporary Deputy Speaker, Sir, it was mentioned that local authorities will fail if they are given the responsibility of handling water facilities. One of the reasons why the local authorities in our country fail is because they have a very poor---

Thank you, Mr. Temporary Deputy Speaker, Sir.

#### ADJOURNMENT

**Mr. Temporary Deputy Speaker** (Mr. Musila): Order! Hon. Sasura, you will continue with your contribution tomorrow.

Hon. Members, it is now time for the interruption of business. The House, therefore, stands adjourned until tomorrow, Thursday, 29th April, 1999, at 2.30 p.m.

The House rose at 6.30 p.m.