

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 6th April, 2011

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

Mr. Speaker: Hon. Members, I have two communications to make

WELCOME TO DELEGATION FROM PARLIAMENT OF UGANDA

Mr. Speaker: I wish to introduce to you and welcome a delegation from the Parliament of Uganda which is seated at the Speaker's Row. The Members of the delegation are as follows:

Hon. Nathan Nabeta Igeme, MP, Chairperson Committee on ICT

Hon. Nalubeka Mariam, MP, Committee Member

Hon. Louis Opage, MP, Committee Member

Hon. Makulumani Mugumiya, MP, Committee Member.

They are accompanied by Ms. Merina Barungi, Committee Clerk.

Hon. Members, these ladies and gentlemen belong to the Committee of the ICT of the Uganda Parliament and are on a study tour to the Kenya National Assembly. On behalf of the House and on my own behalf, I wish the delegation a fruitful and happy stay in Kenya.

Thank you.

I will allow those hon. Members at the entrance to come in.

(Hon. Members at the entrance walked into the Chamber)

RETURNS FROM THE ATTORNEY-GENERAL IN RESPECT OF BILLS

Mr. Speaker: I have the following Communication to make regarding returns received from the hon. Attorney-General in respect of five Bills pursuant to Standing Order 125(5) which requires that "at the expiry of 14 days, the Attorney-General shall file return to the Speaker indicating the time and the date the Bill was presented to the President."

The returns received indicate as follows:

(1) The Competition Bill 2010 was passed by the National Assembly with amendments on 10th November, 2010 and was presented to the Attorney-General on 22nd

December, 2010 in accordance with Standing Order No.125 (3). The Bill was subsequently presented to His Excellency the President for assent and was assented to on 30th December, 2010 at 11.30 a.m.

(2) The Judicial Service Bill (2011) was passed by the National Assembly with amendments on 23rd February, 2011 and was presented to the Attorney-General on 17th March, 2011 in accordance with Standing Order No.125 (3). The Bill was subsequently presented to His Excellency the President for assent and was assented to on 21st March, 2011 at 5.29 p.m.

(3) The Vetting of Judges and Magistrates Bill (2011) was passed by the National Assembly with amendments on 16th February, 2011 and was presented to the Attorney-General on 10th March, 2011 in accordance with Standing Order No.125 (3). The Bill was subsequently presented to His Excellency the President for assent and was assented to on 21st March, 2011 at 5.31 p.m.

(4) The Tea (Amendment) Bill 2010 was passed by the National Assembly with amendments on 14th December, 2010 and was presented to the Attorney-General on 22nd December, 2010 in accordance with Standing Order No.125 (3). The Bill was subsequently presented to His Excellency the President for assent and was assented to on 21st March, 2011 at 5.33 p.m.

(5) The Traffic (Amendment) Bill 2011 was passed by the National Assembly without amendments on 3rd February, 2011 and was presented to the Attorney-General on 15th February, 2011 in accordance with the Standing Order No.125 (3). The Bill was subsequently presented to His Excellency the President for assent and was assented to on 21st March, 2011 at 5.35 p.m.

I thank you.

PAPER LAID

The following Paper was laid on the Table:

The First Quarterly Report of the Commission for the Implementation of the Constitution presented to the Constitution Implementation Oversight Committee on 1st April, 2011.

(By Mr. Abdikadir)

NOTICE OF MOTION

HOUSE TO NOTE FIRST QUARTERLY REPORT OF COMMISSION FOR IMPLEMENTATION OF CONSTITUTION

Mr. Abikadir: Mr. Speaker, Sir, I beg to give notice of the following Motion:

THAT, this House notes the Quarterly Report of the Commission for the Implementation of the Constitution presented to the Constitution Implementation Oversight Committee on 1st April, 2011 pursuant to provisions of Section 4(a) of the Sixth Schedule of the Constitution and

Section 25(1) of the Commission for the Implementation of the Constitution Part 2010 laid on the Table on 6th April, 2011.

Mr. Speaker: Order hon. Members! Please, note that that is the first Report by the Commission for the Implementation of the Constitution and it is important that we all acquaint ourselves with it so that we contribute to the Motion when it is allotted time.

Next Order!

QUESTION BY PRIVATE NOTICE

LIVING CONDITIONS OF FAMILIES EVICTED FROM ELAND DOWN FARM BY POLICE

Mr. Letimalo: Mr. Speaker, Sir, I beg to ask the Minister of State for Special Programmes the following Question by Private Notice.

(a) What is the condition of the families evicted by the police from Eland Down Farm on 23rd November 2010, how many of the children have died out of opportunistic infections and why has the Ministry not provided them with relief food and medication?

(b) What is the Government doing to stop further suffering of the evicted families?

The Minister of State for Special Programmes (Ms. Murugi Mathenge): Mr. Speaker, Sir, I wish to seek indulgence of the Chair and also of Mr. Letimalo so that I can adequately answer this Question next week.

Mr. Letimalo: Mr. Speaker, Sir, I do not have any objection, but I would like to request the Minister to give this matter her personal attention because the conditions under which these people are living are really bad. Already, children have died as a result of opportunistic infections.

Mr. Speaker: Very well. Madam Minister, I am sure you will note that. It is directed that this Question appears on the Order Paper on Tuesday next week at 2.30 p.m.

(Question deferred)

ORAL ANSWERS TO QUESTIONS

Question No.666

YOUTHS TRAINED IN ISIOLO/COAST TO ASSIST TFG OF SOMALIA

Mr. Speaker: Member for Wajir South! I thought the hon. Member was here not very long ago. He really must be in the House. Chief Whip, please, find out what is happening to him although the Question has an interesting number. We used to be told that there is some jinx about triple six.

Next Question by the Member for Kandara!

Question No.717

ISSUANCE OF WORK PERMITS TO FOREIGNERS

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): On a point of order, Mr. Speaker, Sir, before the Question is asked.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): What is it?

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): A very serious point of order. This Question---

Mr. Speaker: Order, Mr. Kajwang! You are a seasoned Member of this House and this is your third term. After I called the next Question, you cannot stand on a point of order on the preceding Question.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): No, Mr. Speaker, Sir, this Question which is just about to be asked was dealt with in this House---

Mr. Speaker: You are now addressing yourself to Question No.717, are you?

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Yes.

Mr. Speaker: Very well.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Speaker, Sir, this Question No.717 was dealt with in this House on 30th March, 2011 and it was also on the same page. After this Question was called several times and, in fact, we went through the list of Questions almost three times, but the hon. Member was not there to ask the Question and so it was dropped. I remember raising a point of order and saying that we are sometimes made to do a lot of work and when we come here to deliver the job, we feel frustrated because the hon. Member is not there to ask the Question, or send a person to ask the Question, or not even to apologize. I also remember that as far as I was concerned, this Question was dealt with and would come maybe six months later as a new Question if the hon. Member wants to raise it again. However, it cannot be smuggled back into the Order Paper in this manner.

Mr. Speaker: Member for Kandara, please, do not ask the Question yet. I would want to hear your response to the sentiments of the Minister, which on the face of it are valid.

Mr. James Maina Kamau: Mr. Speaker, Sir, first, I would like to apologize for what happened that day. I was driving on Thika Road and all of a sudden, two trucks had an accident. There is nothing I would have done. It was early and I would have made it by 8.00 a.m. However, we were forced to stay there for about two hours. When I arrived here, I talked to the Chair and apologized and he agreed that the Question should appear on the Order Paper today. That is why I am here and I am not late. I understand what went wrong on that day. I was late on that day because of what happened on Thika Road. I was stuck around Mangu High School and there is nothing I would have done. When I came about ten minutes late, I talked to the Chair and he agreed that the Question be put on the Order Paper today---

Mr. Speaker: Which day was this?

Mr. James Maina Kamau: Last Wednesday, that is, 30th March, 2011.

Mr. Speaker: When was it appearing? Is it in the morning?

Mr. James Maina Kamau: Yes, Mr. Speaker, Sir.

Mr. Speaker: That is why I have no recollection of what you are now saying. Mr. Kajwang, perhaps, you want to say something.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Speaker, Sir, I remember at that point, I was even being asked to offer an answer even in the absence of the Member, but I said that I was not enthusiastic about offering an answer to a Member who is not there to ask the Question. Of course, I sympathized with the circumstances, but this House runs on Standing Orders. If a Question has been dropped, it has been dropped. You must find a way of asking that Question again. Then the Question would have come to me and I would have done some work on it, with or without amendments, and come back at an appropriate time, maybe six months later.

Mr. Imanyara: Mr. Speaker, Sir, I heard the Minister say that this Question was smuggled back onto the Order Paper. My concern is whether a Question which is validly on the Order Paper could have been smuggled.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Speaker, Sir, that may be a term of arts, but as a matter of fact, it could only come to the Order Paper properly. What I am raising is that in the Standing Orders, it did not come back through the proper channels. Now I seek a ruling on this.

Mr. James Kamau Maina: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Member for Kandara! Obviously, this is not going to be healthy. You cannot allow that altercation to continue, but I am not seized of the Order Paper that was used on 30th March, 2011, which was a Wednesday and I can see that it has an inscription ordering reinstatement signed by the Deputy Speaker. Obviously, we will want to respect the Deputy Speaker's exercise of discretion. So, Minister, the best I can do in those circumstances is that I will be prepared to give you time to reconsider this matter, perhaps get up with a suitable answer, if you want to improve on your answer and I will give you as long as you require.

Mr. James Kamau Maina: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Member for Kandara!

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Speaker, Sir, I respect your ruling, but---

Mr. Speaker: Order! Minister, how long do you require?

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Speaker, Sir, I will be here next week on Wednesday to answer the Question.

Mr. Speaker: Will you be ready in the morning?

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Speaker, Sir, morning or afternoon, it is okay.

Mr. Speaker: Very well. Let me put it at 2.30 p.m., in the afternoon.

Mr. James Kamau Maina: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Member for Kandara, that matter must rest there.

Mr. James Kamau Maina: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Member for Kandara! You do not want to tempt me to say anything more on this matter. So, please, leave it where it is.

[Hon. Kajwang walked towards the door]

Order, Minister! Before you leave, I think you have one more Question. So, you may have to come back.

[Hon. Kajwang took his seat]

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang’): Yes, Mr. Speaker, Sir.

Mr. Speaker: Next Question, Member for Isiolo South!

Mr. Bahari: Thank you, Mr. Speaker, Sir, for your indulgence.

Question No.761

NUMBER OF DEATHS/BIRTHS IN GARBA-TULLA
DISTRICT SINCE 2007

Mr. Bahari asked the Minister for Immigration and Registration of Persons:-

(a) how many births and deaths have been registered in Garba-Tulla District since 2007; and,

(b) why the Ministry has not posted an officer to register births and deaths in Garba-Tulla District and when one will be posted.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang’): Mr. Speaker, Sir, I am sorry, I thought the Question will come a little later.

Mr. Speaker, Sir, I beg to reply.

(a) A total of 26,077---

I am sorry, I am answering the wrong Question. I am really confused. Give me a moment to put my work in order and then I can answer the Question.

Mr. Speaker: Order, Minister! I am prepared to give you just another five minutes so that you can organize yourself.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang’): Yes, Mr. Speaker, Sir, that is what I was running to do.

Mr. Speaker: In the meantime, because of the prevailing circumstances, I want to call again the Member for Wajir South.

Question No. 666

YOUTHS TRAINED IN ISIOLO/COAST TO
ASSIST TFG OF SOMALIA

Mr. Speaker: Chief Whip, we asked you to find out what is happening to these Members.

Mr. Midiwo: Mr. Speaker, Sir, the Member asked that we request that the Question be put forward, he is in Wajir. I just tried to contact him over the phone but he was not aware.

Mr. Speaker: Order, Chief Whip! He is in Wajir doing what there?

Mr. Midiwo: Mr. Speaker, Sir, he said that he is dealing with issues of security. Maybe the Minister can tell us why there is so much insecurity in Wajir but he is there.

Mr. Speaker: Chief Whip, please, resume your seat! I am not satisfied that the explanation given for the absence of the Member from the House and even the manner of communication is satisfactory. So, I am afraid the Question is dropped not to be reinstated for the next six months. Those are the Standing Orders!

Minister, you may now want to deal with Question No.761 which has already been asked, if you are ready.

Question No.761

NUMBER OF DEATHS/BIRTHS IN GARBA-TULLA
DISTRICT SINCE 2007

Mr. Bahari asked the Minister for Immigration and Registration of Persons:-

(a) how many births and deaths have been registered in Garba-Tulla District since 2007; and,

(b) why the Ministry has not posted an officer to register births and deaths in Garba-Tulla District and when one will be posted.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Yes, Mr. Speaker, Sir, thank you again for your indulgence.

Mr. Speaker, Sir, I beg to reply.

(a) The number of births and deaths registered in Garba-Tulla District since 2007 up to December, 2010, are as follows:-

In 2007, the births registered were 432 and the deaths were 13, which means that they are doing very well. In 2008, the births were 415 and the deaths were 25, equally, very good statistics. In 2009, the births were 548 and deaths were 68. In 2010, the births registered were 333 and the deaths were 45. So, between 2007 and 2010, we have a total of 1,728 births registered and 150 deaths registered.

(b) The department is extremely understaffed and has a countrywide shortage of 549 registration officers. We shall, therefore, post a civil registrar when the Ministry of Finance gives us authority to recruit. I may add that we have sought that authority for the last one year and we have not been very lucky.

Mr. Bahari: Mr. Speaker, Sir, Garba-Tulla District is an area of 10,000 square kilometers and the furthest point from Isiolo is nearly 300 kilometres away, just next to Habaswene. All these documents are needed by Kenyans for one purpose or the other. Every time they need the documents, they go all the way, with all the transport problems, to sort out this issue. Could the Minister provide proof that actually they have such serious shortage and they have made a request to the Ministry of Finance? Could he give documentary proof to that effect?

Mr. Kajwang: Mr. Speaker, Sir, let me start by saying that we have a strength of 815 officers against an authorized establishment of 1,364. So, ideally, we should be having 1,364 officers, but that leaves us with a shortfall of 549 officers. I, of course, did not expect that I would be asked to give the letter that I wrote to the Minister for Finance and table it here. But the Member should take it in good faith that what I am saying is true

because I have no interest in not telling the truth about this. I actually would wish to have the entire establishment so that I can do the job that I am asked to do. So, the department can only be able to provide services in 105 districts out of the 287 districts because of staff and resource constraints. The Ministry has sought authority from the Treasury to allow it to recruit the required staff and also increase the Budget to enable the department discharge its functions effectively. I want to urge the House that next time the Budget comes to this House, the Member for Garba-Tulla should help me to persuade the Treasury to increase the Budget on registration of births, deaths and persons. Only this morning, we had a big debate here on the IDs and some of the problems are caused by lack of resources like vehicles, fuel and personnel.

Mr. Affey: Mr. Speaker, Sir, the issue of these documents are so critical, particularly now that schools require them for the registration of examinations. In one year, the Minister is able to confirm that in Garba-Tulla, there are 432 registered births. We would like to know the number of those who were not registered. How many of the people of Garba-Tulla were not registered?

Mr. Kajwang: Mr. Speaker, Sir, when I dealt with a similar Question. I was actually asked that question. I was asked how many people applied and how many were registered, but unfortunately, that was not the Question. So, I did not come prepared for it. So, I cannot give the percentages of those who applied, but I can tell you that anybody who applies for the registration of birth definitely gets registered. We actually urge them to. We actually campaign and I want to use the Floor of this House to campaign that every birth should be registered because we want to have accurate data on all our citizens.

Mr. Mureithi: Mr. Speaker, Sir, whereas I appreciate the answer given by the Minister, I also sympathize with the Member for Isiolo South. I believe this is not confined to Isiolo South. This issue affects even children who are doing their examinations in Standard Eight and Form Four. Considering that to get a birth certificate in a county like Nyandarua, one will have to go to Laikipia County and people from about seven districts are going to another county for registration, what is the Minister going to do to discuss with his colleagues, with respect to the registration of those who have attained the age of 18 years in particular, so that they can sit for their examinations without any problem? What is he doing to make sure that Nyandarua has its own registration centres within its county instead of going to Laikipia County?

Mr. Kajwang: Mr. Speaker, Sir, with regard to the registration of births, we have a unique problem and I want to share it with you so that you can help me. Originally, we had, like in Homa Bay County, which I am aware of, all of the births were registered in Homa Bay Hospital. Any birth that went to a clinic around the Homa Bay County went to Homa Bay District Registration Centre. That is where we have volumes of birth notifications. So, when you apply for the certificate, we have to go and check from those volumes and find out manually where your certificate is, so that we can compare the notification and what you have. That manual exercise must take place at that centre where the registry is. That registry cannot be devolved to the new districts that we have just created. So, I want to urge that next time we bring a Budget here for digitalizing all that record and keeping it in computers in every district, you support us, so that if you are from Nyandarua and you are in another district, you merely check the name in the computer and then a certificate would be issued. That is a huge Budget that the Treasury

has not given us. We have started with four centres, namely, Mombasa, Nairobi, Kisumu and Nakuru.

The queues we are seeing in Sheria House very soon will no longer be there. We will now be accessing that information from the computers. However, we are yet to go to as many centres as we would want because of the capital investment that is required.

Mr. Chanzu: Mr. Speaker, Sir, the Minister talked about two issues which I think he will have to clarify. He has said that it has taken a year since the time he wrote to the Treasury asking them to deal with this matter. Secondly, he requested the Questioner to assist in having this matter resolved. What concerted effort has he made and proved that he followed up on this matter? A year is too long for him to have just written a letter to the Treasury and then just sit back and say that he wants hon. Members to help him to resolve the matter.

Mr. Kajwang: Mr. Speaker, Sir, a year is not too long because budgets only happen once a year. If it does not happen in this year's Budget, then we have to wait until it happens in another budget. Right now, we have made our proposals and we hope that they will be considered positively.

Let me also mention something that we have tried to do to ease the pressure on hon. Members in each area. We are trying to appoint head teachers both in secondary and primary schools, as agents of the Registrar of Births so that the teachers can register the students. We will give them the forms to enable them register the students. The parents can sign and the chief can also sign.

We ourselves pick the forms and issue the birth certificates. It will reduce the time. It will, of course, increase the amount of money that the officer will spend in moving between schools and the headquarters where he is supposed to take the forms. So, we need some substantial support so that the teachers can do this job. We have asked the Minister for Education to pass this information to the head teachers because I cannot communicate with the head teachers directly. So, I hope that the Permanent Secretary for Education who is about to run for President can help me in this matter, so that we register all the children in Kenya.

Mr. Gaichuhie: Mr. Speaker, Sir, the Minister has said that we have over 800 registration officers. In Kenya, we have around 285 districts. Why can he not post at least one officer in every district? What criteria does he use of not posting an officer to each district?

Mr. Kajwang: Mr. Speaker, Sir, I could, of course, spread out the officers, one per district, but the officers have different ranks. A registrar is a person who has served in the Ministry for a long time with specific education and training. We cannot make everybody a registrar. So, it is in our interests that we only take to the districts competent officers who will do a good job for everybody. I think that is the constraint. There are officers of the calibre that can be taken to the districts that have been created.

Mr. Bahari: Mr. Speaker, Sir, I do not think the Minister took this Question seriously in terms of providing service to Kenyans. You can see the gravity of this matter.

Mr. Speaker: Ask your question, Mr. Bahari.

Mr. Bahari: Mr. Speaker, Sir, the primary school teachers have only assisted when it comes to registration of primary schools. Why has the Minister not followed up his request to the Minister of Education to ensure that, that communication has been done so that they can do it on a permanent basis?

Mr. Kajwang: Mr. Speaker, Sir, I have already indicated that my PS has written to the PS, Ministry of Education. As I said earlier, I hope that he will take action. It is important that I say this here because wherever he is watching, he should know that we need to use the teachers because they seem to receive almost all the children, at least, in Standard One. If they can be registered from Standard One, we will not have these queues during the time for examinations much later in Standard Eight. We also involve the head teachers in secondary schools because most of these children may also not have birth certificates. If that is done and every child who goes to Form One has a birth certificate, we may clear the backlog of children who have not been registered. So, I need the co-operation of the Minister for Education.

Mr. Njuguna: On a point of order, Mr. Speaker, Sir. Is the Minister not misleading the House, aware that the Assistant Minister for Education issued a statement on the Floor of this House that the issuance of birth certificates will be the responsibility of the Minister of State for Immigration and Registration of Persons and not the Ministry of Education?

Mr. Kajwang: Mr. Speaker, Sir, we are not surrendering our responsibility of registration. We are saying that just as we are using assistant chiefs to give us information on who has given birth in the village is the same way we want to ask teachers to assist us in registering every child that joins Standard One or Form One. I think that is a responsibility for inter-governmental co-ordination, so that we can help each other to make sure that we do this.

Mr. Speaker, Sir, as a matter of fact, it is us who requested the Ministry of Education to insist on registration of children because that is the only way of forcing members of the public who have been very reluctant to register the births of their children to do so. We have done very well since that time.

Mr. Bahari: On a point of order, Mr. Speaker, Sir. Will I be in order to ask the Minister to give a specific time frame within which the Ministries can consolidate this matter? This Government is known for taking us round in circles.

Mr. Speaker: I am afraid you would be out of order because that is asking a question which you had an opportunity to do so earlier on.

Next Question!

Question No.774

CONSTRUCTION OF FOOTBRIDGES IN THE COUNTRY

Mr. Chanzu asked the Minister for Public Works:-

(a) whether he is aware that the taxpayer is not getting value for money in the construction of footbridges in constituencies across the country,

(b) what is the cost of the bridge constructed in Vihiga Constituency in 2010; and,

(c) whether he is aware that the bridge is not serving the desired purpose because of its location and what steps he is taking to correct the anomaly.

The Minister for Public Works (Mr. Obure): Mr. Speaker, Sir, I beg to reply.

(a) Yes, citizens of this country get value for money used in constructing footbridges. Millions of Kenyans are today benefiting greatly from the construction of footbridges. This is because these footbridges have enhanced their safety.

We have areas around the country where we had makeshift structures which posed serious challenges when people crossed over these rivers. We now have footbridges which are properly constructed and their safety when they cross these rivers is virtually guaranteed. Those foot bridges have helped to reduce travel distances between villages, schools, health facilities, markets and other amenities. Therefore, I think that Kenyans have benefitted from foot bridges that have been constructed around the country.

(b) The cost of the footbridge built in Vihiga was Kshs4,888,572.

(c) The bridge that we built in Vihiga was identified by the local community which included the chief and the assistant chief. They put in a request and after an assessment, it was decided that they needed the foot bridge. The footbridge has helped the people of Vihiga to access Enzaro Health Centre. It is also helping the people, particularly those living in Masana Sub-Location and Ijereli to access markets and that particular health centre in that area. Therefore, we think that it is an essential infrastructure in that particular area.

Mr. Chanzu: Mr. Speaker Sir, if it was not for the respect that I have for the Minister, I would have asked that this Question be deferred because his answer is about the purpose of the foot bridge. He is not talking about the cost-effectiveness which I have asked. Nevertheless, could he assure the House that he is going to discuss this with his officers and look at the cost-effectiveness of that bridge? I think it is very costly for a footbridge to cost almost Kshs5 million--- Already, it has been put in the wrong place. It has not been put up where it was supposed to be. We need to compensate the person whose farm the bridge passes through.

Mr. Speaker: Order! Mr. Chanzu, you have not done very well. Minister, you have no question to answer. Anybody else interested? Eng. Rege!

Eng. Rege: Mr. Speaker, Sir, could the Minister give an indication as to when bridges destined for construction one year ago will be constructed? That is because we really do not have enough manpower to keep on looking for the Ministry of Works to find out when those bridges will be constructed.

Mr. Obure: Mr. Speaker, Sir, the budget allocated for construction of footbridges is very small. In fact, Members of Parliament will remember that only two years ago, the amount allocated for footbridges around the country was a mere Kshs25 million. We were able, with the support of hon. Members, to raise that figure to Kshs450 million. The demand for footbridges around the country is huge.

Eng. Rege: On a point of order, Mr. Speaker, Sir. The total number of bridges that have been allocated funds for construction in Karachuonyo was--- The orders were given to the local surveyor to go ahead and construct them. We are not talking about what is not in the budget.

Mr. Obure: Mr. Speaker, Sir, I am not in a position to say exactly the progress made on the footbridges that we intended to construct in Karachuonyo. What I know is that, generally, we were late this financial year because we could not get confirmation of the funds from the Treasury. But those funds have now been made available and the

procurement process has been embarked upon. We hope that construction will be done hopefully before the end of June, 2011.

Mr. Njuguna: Mr. Speaker, Sir, while commending the Minister for initiating his viable projects, could he indicate to this House the duration for completion? That is because in my constituency, the Ministry has embarked on the construction of three footbridges but they have taken long. When are they likely to get completed?

Mr. Obure: Mr. Speaker, Sir, except for the delays that were as a result of not receiving money in good time, we had initially intended that the construction should end before June. However, some of them may be delayed. But I want to assure hon. Members that the construction will be complete soon after the end of this financial year.

Mr. Olago: Mr. Speaker, Sir, hon. Chanzu's question has placed on emphasis not the value or the necessity of foot bridges. It is the cost of the footbridges. That is the issue that the Minister should address. There is a problem which is at the Ministry of Public Works where officers sitting in their offices in Nairobi draw plans in their desks which are supposed to apply everywhere in the Republic irrespective of topography, the type of soil, size of the bridge or whatever else. Could he inform to the House what he is doing to ensure that the designs of foot bridges and all other public works are done after the officers visit the sites?

Mr. Obure: Mr. Speaker, Sir, indeed, the situation which the hon. Member has described was the situation then. But we have been able to address it. We have issued policy guidelines that where we want to construct footbridges in the country, it should be done at the district level. The procurement process and the contractor should be procured locally at the district level. Therefore, the question of designs and all what is taking place in Nairobi has since stopped. I want to assure the hon. Members that we have made considerable improvements. Even when you look at the quality of the structures that we have put in place, it has improved tremendously because we have improved over time in the last two years. We have had problems about the cost of construction. This is a general problem throughout all the Ministries of Government. This question is being addressed through various actions and we believe that we should be able to reduce the cost of construction of not only footbridges, but all other public projects so that wananchi can also get more value for their money through that infrastructure.

Mr. James Maina Mwangi: Mr. Speaker, Sir, could the Minister inform this House what criteria is used in determining which areas benefit from Government funded footbridges? That is because there is no Government project which is going on in Kandara to assist my people. They are struggling using the meagre resources from Constituencies Development Fund (CDF). Why should we not have a fair distribution of those funds?

Mr. Obure: Mr. Speaker, Sir, as I said, that project started only a few years ago. But over time, we have been trying to improve, even on the mechanism for consultations. As I said, we have a high number of requests from wananchi. We have improved the consultation mechanism to ensure that hon. Members are consulted. In fact, they participate in determining the sites where the footbridges are constructed. We could not construct footbridges in every constituency. But this financial year, we are doing footbridges in about 80 constituencies. We hope we will be able to cover the balance of the constituencies so that we can satisfy the needs of the country.

Mr. Chanzu: Mr. Speaker, Sir, as I said, the bridge is in the wrong place. It is supposed to serve Inzeru within Itereri but it is in the wrong place. What corrective measures will the Minister put in place so that that bridge can be used for the intended purpose because it cannot be used right now? This includes compensation for where it is.

Mr. Speaker: The Member for Vihiga, now you have asked a question clearly. The first time you did not.

Dr. Obure: Thank you very much, Mr. Speaker, Sir. We have heard what the hon. Member has said, but the bridge is already in place and we cannot move it. However, we would like the hon. Member for Vihiga to give us his preference or priority so that we can include it in our budget for the next financial year.

Question No. 797

QUANTITY OF IRON ORE DEPOSITS
IN KISHUSHE LOCATION

Mr. Mwadeghu asked the Minister for Environment and Mineral Resources:-

(a) whether he could inform the House the quantity of iron ore deposits in Kishushe Location, Wundanyi Constituency;

(b) the measures the Government has put in place to ensure value addition to iron ore products for the benefit of the country; and,

(c) when the Government will establish a fund for the development of the mining industry in the country as has been done for the tea and coffee sectors.

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

(a) According to studies carried out in April, 2009 by a consulting company for Wanjala Mining Company which is licensed to carry out exploration work in Kishushe area, the amount of iron ore in the area was estimated to be approximately 4.4 million metric tonnes. The Wanjala Mining Company recently carried out additional airborne surveys and has engaged another consulting company with a view to determining whether more iron ore deposits may be found in the area.

(b) The Government is encouraging investors to undertake mineral value addition including the establishment of iron and steel industry in the private sector initiatives. In order to effectively carry out value addition on iron ore, there is need to undertake feasibility studies to determine the amount of ore which is available in the country because investment in iron and steel industry is capital intensive and there is need to enhance the confidence levels and lower the risk of investors in providing adequate information on the deposits of the iron ore resources. This is being undertaken currently through sensitization and issuance of licences for iron ore exploration to determine the quantities of iron ore available in the country. Apart from works being undertaken by private companies, one of which I have outlined, the Government is also carrying out an assessment of iron ore deposits.

Mr. Speaker, Sir, currently, there is an ongoing iron ore exploration exercise by our Ministry through the Mines and Geological Department in Tharaka and Mariene areas of Meru County and more work will soon be initiated in the wider Taita Taveta area. At least, one company by the name Wanjala Mining Company has registered mining locations over a small portion of the area which they have been exploring for a few years and they are now legally mining iron ore in Kishushe area. Exports of iron ore are also being regulated by Government currently and no long-term export contracts are being allowed by my Ministry. As soon as a local buyer for the mineral is found, all the ore will be made available for local use. The Wanjala Mining Company has already secured a local contract, as I am speaking, to supply 10,000 tonnes of iron ore to a local industry per year.

(c) I wish to report that there exists an Act of Parliament titled “The Gold Mines Development Loans Ordinance, Cap.311 of the Laws of Kenya of 1952”. The Act was established for purposes of granting interest-free loans for underground gold mine development to the owners of such mines using funds voted by Parliament.

Currently, the Act is moribund but it is being reviewed to not only rejuvenate it but also to address funding of all other minerals including iron ore which I am addressing right now. At that time, it was gold that attracted the creation of the law but we are reviewing it alongside all our laws which I mentioned while answering an earlier Question that we are at the stage where we are reviewing all the laws and aligning them to the new Constitution. This is one of them.

Mr. Speaker, Sir, mining is a very high capital investment sector and such a fund will go a long way in providing a revolving fund for the mineral sector.

Mr. Mwadeghu: Mr. Speaker, Sir, may I take this opportunity to thank the Assistant Minister for the answer but surely, after 40 years of Independence she is telling this House that the Ministry has no idea about the level of iron ore deposits and for that we cannot establish a value addition factory in Kishushe. Could she confirm when that will be done?

Prof. Kamar: Mr. Speaker, Sir, close to 50 years down the line we are still trying to finish the exploration of our minerals mainly because, as I said, first, it is high capital intensive and covering the whole country will take a while but it is going on. I am happy to report that we already have a geological map but we are going into further exploration especially on the issue of quantification. We have a number of companies which are already prospecting the iron ore sector. We have about ten companies in various places. We have two companies in Tharaka, four in Kitui, one in Rachuonyo and two in Taita. What happens when it comes to exploration is that because the Government cannot afford to do kilometre to kilometre exploration. We have what we call exploration or prospecting licences. Companies which are interested in mining eventually buy from the Government and that makes our work a little bit easier. So, we do not know the amount currently but we are moving there because of the high interest especially in the iron ore sector.

Dr. Otichillo: Mr. Speaker, Sir, you have heard from the Assistant Minister that the potential of iron ore in this country is enormous and available information shows that we have iron ore in very many places in Kenya. For example in Eastern Kenya, particularly Ikutha has more than 2 billion metric tonnes of iron ore. Other areas include Taita Taveta, Samia, Nyanza, Bukura, Butere and Mumias. All this information is

available. Why do we have to spend more time doing more research when we could focus on what we already know and ask investors to come and exploit this because iron ore is very crucial for industrial development in this country?

Prof. Kamar: Mr. Speaker, Sir, we are looking for partners or investors in this sector. The easier way with investors when they cannot trust the amount, they prefer to mine and export the raw materials. In my earlier answer, I said that we are encouraging investors to go into the steel and iron industry because we think we have enough deposits so far. That information is being relayed to the companies that have interest. It was out that that this mining company has been approached by a steel industry in this country to supply them 10,000 metric tonnes per year. So, we are using the information that we have. Further, it is not research *per se* that we are doing. We are allowing the private companies to do prospecting for themselves because if you take a block to prospect, then the next thing you will ask for is a mining licence. That is exactly what the Wanjala Company has done. They have been able to identify an area that has a good amount and because of that, they have been issued with a mining licence for that area.

Mr. Imanyara: Mr. Speaker, Sir, I do appreciate the Assistant Minister's good intentions, but is she aware that Tharaka is not within the Meru County? We stopped all references to Ordinances way back in 1963. In fact, there are no such things as Ordinances in Kenya. There are Acts of Parliament. More importantly I come from Mariene. That is where I was born in Central Imenti Constituency of Meru Central District, and I am not aware of this iron ore the Assistant Minister is talking about. Would she be prepared to tell me where about in Mariene this is taking place?

Prof. Kamar: Mr. Speaker, Sir, I want to welcome that correction. Mariene is in Meru. We already have a Ministry doing exploration. What I am saying is that exploration is going on. We have initiated that and we are currently in Tharaka and Mariene area. So, the exploration is going on. The quantities have not been done as yet. We actually have exploration going on elsewhere. This one is under the Mines and Geological Departmental. Those are the two areas that I have specifically mentioned.

However, we also have ten other areas, two areas in Tharaka by two different companies, Kithiori Mining Company and Muriki Rural Enterprises. Those are the private sector initiatives that are taking place. The two areas are the ones we have picked as a Ministry and we are working on them.

Mr. Joho: Mr. Speaker, Sir, I am aware that the company in Kishushe was licensed three years ago. She has given this House an estimation of 4.4 million tonnes. My question to the Assistant Minister is: Does 4.4 million tonnes sustain a heavy investment of setting up a mill? If not, given that Kishushe area is within Coast area and not so far from the port city of Mombasa, is she doing anything to encourage immediate export, so that the locals can benefit and the people who have been licensed can move on with their business?

Prof. Kamar: Mr. Speaker, Sir, in Kishushe currently we know that 44 million metric tonnes may or may not be enough. Currently, we have our own industries importing iron ore from outside. What we are encouraging is local use of the materials that we have. In Kishushe, the Wanjala Mining Company has actually requested an export licence, which has been given. This is because unless they attract an investor who will utilize all they have they will still have to import it from somewhere. In the whole mining sector you will be allowed an export licence to export whatever you produce if

you do not have an industry that is ready to consume your product. So, we know that all of it could have been consumed but it may not run a full industry as such. We are also encouraging inter-relationship between industries and the mining sector. We know that once all these other mining areas are exploited we are going to have enough.

What is preventing us from giving long term export licences is the fact that it is possible that we can get blessings tomorrow and get a company that will be ready to start a serious iron and steel industry. If we get that then the potential will be very high for this country. We believe that at that time we will stop any exportation of such raw material.

Mr. Jirongo: Mr. Speaker, Sir, we have a lot of iron deposits across the country, and the areas mentioned have at one time been involved in trying to mine iron ore. However, one of the biggest problems you will find is that the Department of Mines and Geology has no equipment at all to establish exactly the amount of deposits that can be found. Could the Assistant Minister tell the House what the Ministry is doing to equip the Department of Mines and Geology to ensure that they can establish with certain precision the amounts of deposits spread all over the country?

Prof. Kamar: Mr. Speaker, Sir, it is true that our Department of Mines and Geology has not grown to its full potential, just as somebody mentioned about the 40 years. We are still working on it. In fact, in this year's Budget we will be requesting more support both for the mining and for value addition. Again, there is an area of mining stones in Taita where we have a lot of precious stones being sold in raw form. We think the Ministry can spearhead private sector initiatives in the sector of value addition. So, we recognize the fact that we still have a weakness in that sector. Nonetheless, as I mentioned, there are areas where the Department of Mines and Geology is already doing exploration. We are doing geological exploration. What we are not able to do currently is the quantification. We are going to create a budgetary item so that we are able to quantify the amount that we have. If we are able to quantify, this country will depend on minerals more than anything else.

Dr. Nuh: Mr. Speaker, Sir, one dimension to this issue of exploration of deposits not only of iron ore but also of other minerals across the country is where companies would obtain prospecting licences, or mining licences, but would hold land idle for close to ten or 20 years just for speculative purposes. What is the Ministry doing to ensure that such companies do not bar other companies from exploring for minerals?

Prof. Kamar: Mr. Speaker, Sir, we are addressing that, especially in the review of our laws. We have discovered that some prospecting companies have truly overstayed. There is a limitation in the law and we do not allow them to do that. Some do the prospecting and come back and reapply. If they qualify for reapplication they can extend the exploration period. What we are trying to avoid more than anything else is a company sliding from prospecting to mining without our knowledge. That is what we are watching more than anything else right now. We have our officers on the ground making sure that they do not slide from exploration or prospecting to mining. In the new law it is going to be very categorical that if you cannot keep to whatever period this Parliament is going to approve, you will be closed down and somebody else will be allowed to take over. We are not going to allow people to hold land. The old law also limits to the size of the area that one can be given.

Mr. Speaker: Mr. Mwadeghu, last question.

Mr. Mwachugu: Mr. Speaker, Sir, could the Assistant Minister confirm to this House that the Act, which is outdated at the moment, will be reviewed to allow people to access soft loans to develop the mining industry? Will she seek funds for the same so that our youths in Taita can benefit?

Prof. Kamar: Mr. Speaker, Sir, we are going to have a section in the Mining and Minerals Bill that is going to come to this House providing for such a fund. I think earlier a Member talked about this moribund law, even in its language itself. It does not seem to exist in this country. That is all we have currently. In the new law, we are going to have an articulation of the creation of this fund. We believe that if we have this fund, industrialization is going to move very fast.

As we review our laws, we are also trying to marry them to the Vision 2030, which talks seriously about industrialization. In our Ministry, we are looking at our laws closely in relation to Vision 2030 to ensure that we fulfill the dreams of this country.

PRIME MINISTER'S TIME

Mr. Speaker: Hon. Members, we are now in the Prime Minister's Time. We will want to take the Prime Minister's Question No.13, but we have notification that the Member who was slated to raise this Question is engaged elsewhere on a matter that is an emergency. I have received the concurrence of the Prime Minister to have this Question deferred to next week on Wednesday, under the same slot.

QPM/13

STATUS OF CASES OF KENYANS ARRESTED
AFTER KAMPALA BOMBING

(Question deferred)

STATEMENT

KENYA YOUTH EMPOWERMENT PROJECT: KKV II

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Mr. Speaker, Sir, I wish to issue a Statement on the Kenya Youth Empowerment Project: KKV II.

Mr. Speaker, Sir, the *Kazi Kwa Vijana* I (KKV I) was launched in March 2009 as a social safety net of the Grand Coalition to tackle the twin problems of hunger and unemployment. The key objective of the KKV was to employ between 200,000 to 300,000 young Kenyans who were at risk of hunger and starvation in the rural and urban areas. By its very objective the KKV was a Stimulus Package based on labour intensive and readily doable jobs to offer both short-term employment and income to put food on the table. As an emergency intervention KKV I projects were, therefore, selected on the basis of their labour intensity, ability for immediate roll out, location in rural and urban areas and environmental compliance.

Mr. Speaker, Sir, the KKV I projects were implemented directly by line Ministries. According to the World Bank KKV I made good progress in employment creation with actual employment achieving 112 per cent of the planned target. Initial plans targeted a total of 232,911 but by mid September, 2009, a total of 296,080 youths had been employed under the programme. This was achieved under tight budgetary constraints which occasioned delays in disbursement of funds. In the Financial Year 2008/2009, the Government contributed Kshs2.8 billion to the KKV I projects. In the Financial Year 2009/2010, the Government committed Kshs4.3 billion to KKV I. Sixty eight per cent of the funds were paid as wages to the youth; 21 per cent was used in purchasing tools, equipment, seedlings, *et cetera*, while 11 per cent was applied to cover administrative costs. Various line Ministries are still implementing KKV I projects.

Mr. Speaker, Sir, the inequality gap in our country is of serious concern. Poverty has a predominantly young face in Kenya, with the youth exuding the highest rates of unemployment and under-employment, with the rate for the youth being double the adult average, at about 21 per cent. Thirty eight per cent of our youth are neither in school nor at work. Our economy is not creating jobs fast enough to match the number of new entrants to the labour market. The Government has been seriously concerned about youth employment. To this end, the Government has been undertaking various interventions to empower the youth through training, employment and entrepreneurship support. The Youth Enterprise Development Fund is an example. To create more opportunities for our youth, the Government is working with our development partners on various youth initiatives. The United States Agency for International Development (USAID) committed US\$45 million to empower the Kenyan youth through employment and entrepreneurship. The Department for International Development (DFID) is preparing a project to assist with youth employment. The United Nations Development Programme (UNDP) and Italian Corporation are supporting capacity building at the Ministry of Youth Affairs and Sports. Japan is supporting our youth empowerment project.

Mr. Speaker, Sir, building from the experience of the first phase of the KKV, the Government engaged the World Bank in late 2009 to assist with developing and rolling out a more long-term intervention to succeed the KKV I Programme. The outcome is the Kenya Youth Empowerment Project which we can greatly call KKV II. The KKV II unlike the first phase has been designed over a longer period and without the pressures of a crisis. The KKV II is anchored on both Government of Kenya procedures and those of the World Bank. It has a much stronger governance structure; its scope is wider and incorporates long-term objectives. While creating temporary youth employment opportunities, the KKV II will also improve youth employment. The project has three components, namely, labour intensive works and social services to be funded at US\$43 million; private sector internships and training to be funded at US\$15.5 million and capacity building and policy development to be funded at US\$1.5 million. A total of 1,200 labour intensive projects will be implemented under this programme at the district level. These projects will employ 190,000 youths in the 18 to 35 years age bracket, of whom 40,000 will be fulltime. Activities will include water and soil conservation, forestation, well maintenance, irrigation projects and urban area cleaning. Districts with the highest rate of unemployment and those facing drought and hunger challenges will receive priority.

Mr. Speaker, Sir, private sector internships and training will improve youth employability by providing work experience and skills training. It will target 16,000 youth in the 15 – 29 age bracket. This component will be initiated in Nairobi and Mombasa before being extended to rural areas. The project aims to have at least 50 per cent of the youth who complete internships to be immediately employed by the internship employer, other employers or start a business. The third component will deal with developing the capacity of the Ministry of Youth Affairs and Sports, to articulate youth policy options and its capacity for planning and executing youth projects. This will involve training of youth officers at the grassroots levels, supporting National Youth Council and increasing youth awareness on various projects and opportunities. A project co-ordination unit within the Office of the Prime Minister will take responsibility for the project's overall co-ordination, oversight and monitoring and evaluation. The Kenya private sector will be responsible for the internship component. The Ministry of Youth Affairs and Sports will be responsible for third component. Each component will operate independently to avoid delays. To address sustainability concerns, the Government will continue to use the budgetary process to mainstream the KKV projects within Ministries. The World Bank estimates that the cost of creating a job per person per year in Kenya under the KKV Programme stands at US\$1,500.

Mr. Speaker, Sir, there is need for the Government to work together with the private sector on incentive packages for corporations to support youth employment, entrepreneurship and employability. Both the Government and the private sector should dedicate, at least, 30 per cent of their procurement to youth enterprises. The wages payable to the youth under the KKV are regulated by minimum wage guidelines issued by the Ministry of Labour. The assets and social benefits created under the KKV Programme such as expanded forest cover, water supply, sanitation facilities, small scale irrigation projects and job skills are for the long term. By providing 16,000 youth with life skills and another 40,000 with full time employment, KKV II will generate more long term impact. I wish to table the following documents. One is the project appraisal document prepared by the World Bank for KKV II, The KKV II Operations Manual for Volumes I and II, the KKV I Operations Manual and the credit agreement between Kenya and the World Bank for KKV II.

Mr. Speaker: Members may now seek clarifications beginning with the hon. Member for Imenti Central. Deputy Prime Minister, please, take notes.

Mr. Imanyara: Thank you, Mr. Speaker, Sir. I would like to thank the Deputy Prime Minister for that lengthy answer that concentrates mostly on KKV II. My intervention is with regard to KKV I. Due to the nature of the works that were given - the money went entirely into bush clearing - we refer to it as *Kazi kwa Kichaka*. In Meru Central, the *Kazi kwa Kichaka* youths who were employed have not yet been paid as we speak. This matter has been raised in this House. There have been assurances that payments will be effected through District Commissioners but so far, there have not been any payments. Could the Deputy Prime Minister and Minister for Local Government confirm that before the Government engages in Phase II, there will be a complete audit and payment to all the youth who were given jobs under KKV I but have not yet been paid?

Mr. Langat: Mr. Speaker, Sir, I think for the youth to contribute effectively to this country, the Government should develop them for sustainable employment. The *Kazi*

kwa Vijana idea is meant to enslave the youth because they are paid money for a day's job and that is the end. What is the Deputy Prime Minister and Minister for Local Government doing to ensure that the youth of this country are developed for sustainable employment as opposed to enslaving them to daily wages?

Mr. Kiuna: Mr. Speaker, Sir, I would like the Deputy Prime Minister and Minister for Local Government to tell this House, now that KKV I was a failure to the nation and even to the youth, whether he will divert the money that he will get to the relevant Ministries so that the youth can be employed directly and permanently by the Ministries.

Mrs. Shebesh: Mr. Speaker, Sir, there is a lot of apprehension in the *Kazi Kwa Vijana* projects. From the Deputy Prime Minister's presentation, I did not hear him talk about an audit of KKV I. That way, he could get the input of the youth who were supposed to benefit from those projects. The youth feel they have not benefited. Would they be part of the auditing of KKV II? From his presentation, it seems as if it will be overseen by the three arms of the Government, without the involvement of the young people.

Mr. Warugongo: Thank you Mr. Speaker, Sir. In my constituency, 100 per cent of the money that was sent by the Minister for KKV was stolen. I asked for a list of the young men who did the work, but I did not get one. I support *Mheshimiwa* Imanyara that a comprehensive audit should be done first before we go to Phase II.

Dr. Nuh: Mr. Speaker, Sir, KKV I was a sham. My experience and that of hon. Members attest to that. The youth did a good job. They were not paid but besides that, vouchers were filled to show that they were paid. We have adduced that evidence in this House. However, more importantly, the Deputy Prime Minister and Minister for Local Government said that they are thinking of a way to streamline the *Kazi kwa Vijana* funds. That is where the problem is. He has said that 11 per cent of KKV I funds were used for administrative work. Even in Constituencies Development Fund (CDF) where the implementing units are different and are paid from the CDF fund, they use 3 per cent. What are the administrative costs that amounted to 11 per cent when it was the same Ministries that carried out the projects?

(Applause)

Mr. Pesa: Thank you, Mr. Speaker, Sir. The youth of this country need a lot of support by being given employment. The KKV Programme had very good intentions. The Deputy Prime Minister and Minister for Local Government has told us that, at the national level, it is being co-ordinated by the Prime Minister's Office. Does he have any system that co-ordinates it properly at the constituency level? In Kenya today, constituencies are the main units and unless there is a co-ordinating body there, the Ministries concerned are not being fair to the youth in our constituencies.

Mr. Speaker: Mr. Deputy Prime Minister, could you respond to those first and then we will consider doing another five or so?

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Thank you, Mr. Speaker, Sir. I will undertake to follow up on the issue of outstanding payments. I will take Imenti Central as an example. Indeed, it has to be made clear that, as we move to Phase II, all the outstanding issues in Phase I need to be dealt

with. I will take up the issue raised by Mr. Benjamin Langat with regard to enslaving our youth. In the Statement, I said that KKV II has been designed for a longer period and it has a very specific component which will involve internship, training and enhancing the skills of the youth. This is the first step to make sure that they get the necessary skills and make them marketable once they have the skills. The issue of labour intensive jobs is one component but there is more emphasis now on internship.

I have noted the concerns that, that programme may have been a failure in several places. Indeed, funds were being channeled to various line Ministries, some of which were very weak on the ground. They did not have sufficient people in the constituencies. I would like to say that those are some of the weaknesses that have been identified as the Government designs Phase II of the programme. We will have better supervision and co-ordination going down to the constituency level as opposed to relying on ministerial structures which do not have a proper outreach in the various constituencies.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, the audit process for the first phase is definitely being undertaken. I would like to point out that normally in a programme like this, an institution like the World Bank would not want to support it, if there is no clear mechanism of ensuring that we will institute an audit process. This is also being intensified so that the audit process can be made much better. This, of course, will also deal with the issues raised by Mr. Warugongo and hon. Dr. Nuh, when it comes to either embezzlement, or the high cost of administration. Eleven per cent is definitely a high figure. It is one of the areas that is being reviewed. The cost of supervision and administration can be reduced further so that young people benefit more from the fund.

Dr. Nuh: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Deputy Prime Minister and Minister for Local Government has not answered my clarification. Apart from questioning the high administrative cost at 11 per cent I asked, what was the nature of this administrative cost?

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Mr. Temporary Deputy Speaker, Sir, these were largely supervisory costs incurred by people who were doing supervision in this area. It entailed things like transportation cost and so forth.

Mr. Temporary Deputy Speaker, Sir, that is why I was saying that this can be improved. I may not have a complete array of all the administrative costs, but definitely there were people who were designated to supervise and oversee the running of the various programmes.

Mrs Noor: Mr. Temporary Deputy Speaker, Sir, I am privileged to chair a committee that oversees youth activities in this country. I had the opportunity to go to Eastern, Coast and Rift Valley provinces.

Mr. Temporary Deputy Speaker, Sir, unfortunately, what we saw on the ground was really very bad. The project's intention was very noble and everybody appreciated the intention, but there was completely no co-ordination on the ground. The Youth

Officers on the ground did not know what the Ministry of Water and Irrigation was doing on one hand, what the Ministry of Roads was doing on the other hand, and what the Ministry of Wildlife and Forestry was doing. What co-ordination mechanism will the Minister put in place for phase two of *Kazi Kwa Vijana* programme?

Secondly, graduates of this country are not in that basket of this KKV. They do not look at that work as befitting them. So, what is the Ministry doing to capture and broaden this KKV to include graduates of this country?

Mr. Wambugu: Mr. Temporary Deputy Speaker, Sir, you remember this country was going to have problems, especially in the maintenance of roads, and the Minister for Roads decided to form Constituency Roads Committees at the constituency level. From that time, you could see the impact of that money when it went to the constituencies.

Is the Minister considering forming such committees at the constituency level, so that this issue of the KKV programme is sorted out once and for all?

(Applause)

Also, this KKV programme is being run from the Prime Minister's Office. Could it be co-ordinated effectively by the Ministry of Youth Affairs and Sports that deals with youth affairs?

Eng. Gumbo: Mr. Temporary Deputy Speaker, Sir, like it has been said by a number of colleagues before me, there is very poor co-ordination of the KKV programmes. One of the problems, as I see it, is the fact that elected leaders are not involved. Sometimes, we get concerned that this country elects leaders every five years, but when it comes to programmes to improve the lives of our people, we are not involved in their implementation.

What steps is the Ministry taking to make sure that elected leaders such as Members of Parliament and councillors are more involved? There is just too much waste of the KKV funds in the country.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I really wonder how the Prime Minister's Office could imagine that it would supervise and co-ordinate the work of KKV in 210 constituencies and cutting across many Ministries. It is impossible. I want to ask the Deputy Prime Minister and Minister for Local Government if he could stop this exercise and form committees in the constituencies for proper implementation of this programme. Kenyans cannot afford to lose money this way. We have problems in our constituencies. Youth ask us about this KKV programme and we have no idea about it. A lot of money is spent. Imagine this country has spent over Kshs7 billion and if you go to the constituencies, there is nothing to show for it on the ground.

Mr. Njuguna: Mr. Temporary Deputy Speaker, Sir, because of the joblessness in our country, the Kenyan youth have been moving to Middle East countries to look for jobs. They are sometimes mistreated, caned or beaten, and at times, they have died mysteriously. What is the Ministry doing to make sure that our youth are humanely treated where they are looking for jobs? If not, stop this exodus of our youth.

Eng. Rege: Mr. Temporary Deputy Speaker, Sir, I would like to ask the Deputy Prime Minister and Minister for Local Government how the first KKV programme was implemented. I checked with many Ministries about the availability of programmes,

especially for my constituency, but the Ministry of Information and Communications told me that they never had any funds allocated to them for the youth.

Mr. Temporary Deputy Speaker, Sir, we should know that the youth do not necessarily mean the strong young people. It should include the young married women who cannot work on the roadside. For me, in Karachuonyo, I prepared the young ones to do digitization of data because many Ministries have very poor records of data collection. So, I was ready for this, but nobody wanted to fund it.

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! Please, seek clarifications.

Eng. Rege: Mr. Temporary Deputy Speaker, Sir, I would like to ask the Deputy Prime Minister and Minister for Local Government, in fact, this is in support of hon. Mbadi, that this programme be scrapped because the roads---

The Temporary Deputy Speaker (Mr. Imanyara): Order! If you are not seeking clarification, let us have Dr. Munyaka.

Dr. Munyaka: Mr. Temporary Deputy Speaker, Sir, as I thank the Deputy Prime Minister and Minister for Local Government for the Statement and noting that it is actually touching on all the youth of Kenya, could he explain why the Kenya Government is still using colonial and discriminatory methods against the youth during recruitment in the disciplined forces and the National Youth Service on account of their height? Could he explain whether being short is a sign of a disease or a deformity because I believe that is discrimination against the youth who are short?

Mr. Ruteere: Mr. Temporary Deputy Speaker, Sir, the clarification that I am seeking from the Deputy Prime Minister and Minister for Local Government is with regard to duplication of jobs. The Ministries that are giving jobs to these young people look where other people have done their work like planting of trees and reflect it as KKV programme. Where does money meant for KKV programme in those areas go?

Finally, what will happen to the skilled youth because KKV is targeting the unskilled youth? What about the youth who are professionals, have trained and are not being targeted to do manual work for KKV? What are we doing about those youth who are trained for skilled jobs?

Mr. Konchella: Mr. Temporary Deputy Speaker, Sir, I would like the Prime Minister to consider the use of this fund for creating sustainable employment for our youth. In particular, I am looking at the training of the youth on specific skilled courses, so that they are able to get sustainable employment. I am also looking at the use of that money to refurbish institutions of youth polytechnics which are dilapidated. This money should go towards renovation of these buildings so that the youth can be trained to do sustainable work.

Lastly is the establishment of Small and Medium Enterprises (SMEs) in every constituency so that youth who are able to undertake self employment can access credit to be able to establish small industries as opposed to a daily job where you earn a paltry Kshs200 and then you just go home and consume it.

Mr. Kivuti: Mr. Temporary Deputy Speaker, Sir, I would like to get a clarification from the Deputy Prime Minister and Minister for Local Government. If you talk to everybody in Kenya, people think KKV is a project for manual labour. We know that the effect of this money can be felt more if it was invested in cottage industries. What

is the Prime Minister doing in considering the possibility of shifting the input of KKV funds into other uses, particularly in cottage industries?

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Mr. Temporary Deputy Speaker, Sir, a lot of these questions and points being raised by hon. Members are very inter-related. I want to start by talking on the issue of co-ordination once again.

Mr. Temporary Deputy Speaker, Sir, I acknowledge that there was a major weakness at the level of co-ordination. In certain instances, there was even duplication of the Ministries and each Ministry would then stake a claim that they were the ones who had done a particular project. This was one way through which, either returns were being falsified or resources were then being misused or diverted for other purposes.

Even in KKV 1, there were committees that were set up at the constituencies. I have been informed by the Minister for Youth Affairs and Sports who is with me here that the committees were set up and we, as elected leaders, were supposed to have been sitting in them or have our representatives at the constituency level. Some of these committees were then overwhelmed by either the Youth Officers or in some cases, the District Officers and so forth. Therefore, they did not function as they were supposed to. So, the composition and the constitution of the co-ordinating committees at the constituency is definitely being looked at afresh to make them more effective and much stronger and to have the relevant representation from the hon. Members through the people they sent there. Naturally, they cannot sit there throughout.

There will have to be reporting mechanisms. In the manuals that I have tabled here, there are reporting mechanisms that these committees and the Ministries must follow to be able to show what they have done and how they have disbursed resources. So, this is an area that will require further enforcement in order to make this work.

So, I want to assure hon. Members that the committees will be looked at afresh and proper guidelines will be issued, once again, to all the constituencies so that this particular programme can be known, understood and it can work effectively.

Mr. Temporary Deputy Speaker, Sir, I also want to talk about the issue of the Prime Minister's role. This was raised by Mr. Mbadi. I want to state that constitutionally, the Prime Minister's role is to supervise and co-ordinate the functions of the Government Ministries. Therefore, his involvement as Prime Minister is on that basis.

The key Ministry that will be following up and really looking at the implementation process will be the Ministry of Youth Affairs and Sports. That will be the Ministry that will look at this. The role of the Prime Minister is clearly spelt out in the Constitution and that is how he is expected to play it.

Mr. Temporary Deputy Speaker, Sir, the issue of payment to the young men and women who will be working will also be streamlined because, initially, it was given a very casual approach. The Ministry of Youth Affairs and Sports is putting in place arrangements so that these payments can be made in such instances through a bank process. That will ensure that the young people do not miss out on their payments.

I also want to acknowledge that when designing the programmes to be handled by the young people, we should be broad in our thinking. In this regard I want to really support what Eng. Rege was suggesting, that not all jobs will really be manual, but we must also look at jobs that can also enhance certain arrangements like data collection and

so forth. This could be a very useful way of engaging some of these youth and help the Government upgrade its information at various levels.

So, this is something that definitely we shall look at seriously. I believe in the design of all the programmes of KKV II, this is a component that can be seriously considered.

Dr. Munyaka raised an issue that I can, at this point in time, say that it falls squarely within the domain of the Minister of State for Provincial Administration and Internal Security. The issue of recruitment into disciplined forces and other areas needs to be looked at critically.

Mr. Temporary Deputy Speaker, Sir, I want to acknowledge that the issue about height and so forth can be discriminative and, indeed, it is discriminative. However, I believe, and I am sure, that there has been some measure of relaxation in some of the areas. You will recall that there was a time when women were barely or hardly ever recruited in some of the disciplined forces. But that has since changed and we are seeing more women coming into the disciplined forces. Now, the area that he is talking about is an area that I can also confidently say that it has been raised at the Cabinet level. But something needs to be done so that in this process, one is not unduly discriminated against. However, it is a point that we will continue emphasizing. It needs to be looked into so that it is more rational as they deal with it.

Mr. Temporary Deputy Speaker, Sir, I want to respond to hon. Konchella's concern. Indeed the KKV II is forging ahead in enhancing the skills of the young people. There is a very specific component on KKV II that focuses on skills build-up. Let the Member not forget that we also have, under the Ministry of Youth Affairs and Sports, polytechnics. We have been training young people throughout the Republic and they have been doing a fairly good job in enhancing some of the skills of our young men and women. At the same time, they have also been supported under the Youth Enterprise Development Fund (YEDF). Women have been catered for under the Women Enterprise Development Fund (WEDF). These funds are still running and they provide modest or cheap credit to young men and women out there. Indeed, surprisingly, you will find that in some areas, the draw down on either the YEDF or the WEDF has been very slow and in some areas, it has been very fast. That means a lot of work will need to be done to encourage them to use those facilities.

Mr. Temporary Deputy Speaker, Sir, I want to assure hon. Kivuti that the whole process of training those young people is to encourage them to stand up on their own and therefore, create cottage industries that he referred to. If there is a backward linkage of the young people or the *Jua Kali* artisans with some of the industries, we will be creating cottage industries that can then feed into the major industrial units that will be coming up in the country.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Affey): Very well. Next Order!

MOTION

ADOPTION OF REPORT ON DISTRIBUTION OF BOREHOLES IN THE COUNTRY

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

THAT, this House adopts the Report of the Committee on Equal Opportunity on the distribution of water boreholes in the country for the last three years laid on the Table of the House on 1st March, 2011.

Mr. Temporary Deputy Speaker, Sir, the Members of the Committee are:-

Hon. Mohammd Affey, Chairman

Hon. Joseph Lekuton, Vice-Chairman

Hon. A. Leshomo

Hon. Fred Kapondi

Hon. Luka Kigen

Hon. Francis Chachu Ganya

Hon. Millie Odhiambo-Mabona

Hon. Raphael Letimalo,

Hon. Eng. Ephraim Maina.

Mr. Temporary Deputy Speaker, Sir, the functions of this Select Committee as established under Standing order No.192 are:-

(i) To monitor and promote measures to enhance the equalization of opportunities and improvement in the quality of lives and status of all persons, including groups which are marginalized on the basis of gender, age, disability, health, racial, ethnic, cultural or religious background or affiliation to any other such background.

(ii) Mr. Temporary Deputy Speaker, we also investigate, inquire into and report on all matters relating to discrimination or marginalization of the groups referred to under Sub-paragraph A.

(iii) Mr. Temporary Deputy Speaker, Sir, we also look at proposals to the House including legislative proposals for the protection, equalization of opportunity and promotion of the welfare of the groups we referred to.

(iv) We also examine the activities and administration of all Ministries, departments and bodies which relate to the rights and welfare of the groups.

So, as you can see, our mandate cuts across all the 40 Ministries of the Government. So, if there is an element of complaint, discrimination or marginalization, we try to get, as much as possible, the truth of those facts.

Mr. Temporary Deputy Speaker, Sir, the matter relating to the drilling and distribution of boreholes was referred to this Committee by the House arising out of Question No.313 by hon. Francis Chachu Ganya, the Member of Parliament for North Horr. I am glad to report that, that same Member who asked that Question is a member of the Committee that investigated the matter. Our mandate regarding this matter did not include investigations based on corruption or based on issues, it was actually based on the distribution of boreholes by the Ministry of Water and Irrigation across the country. The Question was:-

“(a) Could the Minister table the list of boreholes successfully drilled by the Ministry of Water and Irrigation in all the 210 constituencies?

(b) Is the Minister aware that not a single borehole has been drilled successfully?”

Mr. Temporary Deputy Speaker, Sir, this is where it was important to establish this committee. We derived our mandate from this particular sub-paragraph that says:-

“Is the Minister aware that not a single borehole has been drilled successfully in North Horr Constituency by the Minister in the last three years?”

Mr. Temporary Deputy Speaker, Sir, if you look at the reports that we received from the Minister, in North Horr alone, about four boreholes were drilled. Therefore, it was evident that the job was done in North Horr. The Question further read: “What plans does the Ministry have for the development of water points in North Horr Constituency?”

So, generally when the matter came for debate, there were general complaints that the distribution of boreholes was skewed and that it was not done across the country. We had an opportunity to have a session with the Minister and the officials in the Ministry of Water and Irrigation. It came to our knowledge that the Ministry did not only drill boreholes, but it drilled some in areas which did not require boreholes. Money was provided to the communities of those constituencies to access water. So, actually, it became apparent to us that we should look at the budget of the Ministry. When we talked about equal opportunities, it was evident from the Minister’s observation that it did not have to be equal. We wanted to establish whether there are constituencies in Kenya which did not receive boreholes and yet they deserved to have them. Alternatively, where there was no borehole, was money provided to the water officers in the districts in order to allow the communities to access water? Of course, we have a report here. This document provides the boreholes that were drilled and those which were actually drilled but water was not discovered. It is not our document and, as a Committee, we did not go to the constituencies and the areas to establish actually whether drilling took place. We wanted to establish from the Minister whether the facts as given to us by the Ministry are the correct ones.

Mr. Temporary Deputy Speaker, Sir, we discovered that some constituencies, out of the 210 constituencies, received more than others. Some constituencies should have received more and she promised that she would prioritise the constituencies that were left out and allocate them money in order to bridge the gap.

Hon. Members can go through the document and tell us the areas, as reported here, where water was not provided. We observed that the Ministry had started drilling boreholes countrywide, including Nairobi, Western and Rift Valley provinces. We also discovered, although the Minister had to explain this, that out of the total number of boreholes drilled, 30 per cent of the boreholes were drilled in lower Eastern Province and the justification was, and the Committee understood it, that the shortage of water was acute. I am sure that if the Minister had gone to a place like Takawa in Mandera or North Horr where boreholes were drilled, maybe that perception would not have been there. The perception that many boreholes were drilled in lower Eastern Province was reinforced by the visits that the Minister made and the statements subsequent to that. I am sure that if the Minister could have gone to Takawa, where for 40 years there was not a single borehole drilled maybe that perception would have been diverted. I think it was a question of tact.

Mr. Temporary Deputy Speaker, Sir, the Committee further observed that the funding by other development partners, because there was funding outside the Ministry of Water and Irrigation--- The NGOs identify areas where boreholes would be drilled if they fund them. The identification process in itself was not equally opportunity compliant. However, that is also outside the mandate of the Minister. We told her that even as the donors identify the projects, there is a possibility that they can shy away from

the regions they consider hostile and yet these are the regions that require water most. In the process of the other groups identifying these projects, there is a possibility that there is over-concentration of water projects in some parts of the country when essentially that should not have been the case.

Given these disparities, we have requested the Minister to provide funding and to be very affirmative in the funding in future so that no Kenyan complains about discrimination. A district like Ijara is not reflected in this Report. Neither was a borehole drilled nor monies allocated to it, but I am sure that something must have happened. However, if something has not happened then it is a very serious breach of what we were investigating.

When I looked at the Report, I discovered that Bura Constituency which is pastoral in nature and water is a real need is not reflected. It is not shown whether a borehole was drilled or not. The Report shows that only one borehole was drilled in Wajir South. So, it is good for the Minister together with her technocrats to sit down and establish--- This is because we were looking at the whole country as a Committee. We were looking at 210 constituencies but there could be an oversight and some constituencies could be suffering in the process.

Mr. Temporary Deputy Speaker, Sir, generally, we discovered that water programmes were going on in every constituency in this country. Those programmes cannot go on without funding. So, we were of the view that perhaps the Minister should address the shortcomings in the Supplementary Budget and the Budget that will be read before this House. This will enable her to specifically have data in her office on every constituency in Kenya. The data will show whether they rely on boreholes and if so, improve the number of boreholes, and where they rely on other water sources like dams or streams they can improve on them.

Some of the recommendations that we have given is that the Ministry is supposed to carry out extensive research in order to know the water potential resources of each region because it is now possible that the Minister, together with officials, can establish in every county the resource base they have for water. They will begin from a point of knowledge if they establish that. From there, they can begin to fund them.

By and large, the Minister has tried to provide the services we require but I repeat that we were not investigating the matter and we have not gone to the constituencies to establish whether drilling of boreholes took place or not. We were surprised by some of the observations we have in the Report that say that some boreholes were drilled but they are dry. For example, we have one in Galole in Tana River but it is dry. How is it possible that the Government can commit funds to drill a borehole just to discover that it is dry? Is there not a possibility that enough survey was done to establish whether there was water or not in that place? You start drilling a borehole once you establish that there is enough water. How do you drill for a month and then you discover that the borehole is dry and yet you have committed funds and time? This is the case and yet you can discover water in the neighbouring area.

Mr. Temporary Deputy Speaker, Sir, we need to build capacity in this Ministry. We should also allocate it more resources. Where there has been obvious oversight because it is not possible to be equal, and there are some constituencies in this Report which have been left out completely, then the Minister should identify them and make sure that funds are provided.

With those few remarks, I move this Motion and ask Mrs. Odhiambo-Mabona to second.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I wish to second this Motion. As I second this Motion, I want to draw our attention to the mandate of the Committee. Our mandate was limited to Question No.313 by Mr. Chachu. The Question was; “whether the Minister could table the list of boreholes successfully drilled by the Ministry of Water and Irrigation in all the 210 constituencies in the last three years; and whether the Minister is further aware that not a single borehole has been drilled successfully in North Horr; and, what plans the Ministry has for developing water points in North Horr Constituency”. A supplementary question was raised with regard to equity in distribution.

As a Committee, we examined this and we are satisfied that there was equity in distribution. We did not concern ourselves as a Committee with other issues or factors in the Ministry of Water and Irrigation. We only looked at the issue of distribution. I just want to draw our attention to page 7 of the Report. If you look at page 7 of the Report that looks at 210 constituencies--- I will just highlight in terms of equity and how it is diverse. From one to six it is Butere, then seven is Mumias and Marakwet East up to number 23. Then we have Butula, Nambale, Webuye, Shinyalu, Lurambi, Ikolomani, Eldoret North and Eldoret South, Kwanza, Trans Nzoia, Bungoma Central, Baringo Central, East Pokot, Baringo East, Keiyo South and Eldama Ravine. I am not mentioning all of them. I am just giving highlights. We also have Pokot North, Kacheliba, Narok South, Migori, Nyamira, Siaya, Bondo, Nyandarua South, Rongai, Turkana Central, Turkana North--- In fact, in Turkana Central you have 87 to 92. Turkana North has 93 to 97. There is also Samburu, Kapenguria, West Pokot--- I cannot go through the entire list. In Nairobi you have places like Dagoretti, Starehe, Langata and Makadara. We have North Horr, which was the subject of the Question. North Horr has 217, 218, 219, 220, 221, 222, 223 and 224.

So, because I am not going to go through all this, if hon. Members actually look at the distribution of water in the 210 constituencies, as a Committee we are satisfied that there is fair distribution. There may be instances where one or two constituencies are not covered, but that is not an issue of lack of fair distribution. It may be an issue of exclusion, which may be for reasons that the Minister has told us she is addressing.

Mr. Temporary Deputy Speaker, Sir, if you look at this Question we were only focusing on the issue of boreholes. There are areas that do not require bore holes. So if they were not given boreholes, it cannot be an issue of discrimination. I will give an example. I can see that in this list we do not have Migingo Island. Migingo Island does not need a borehole, and because of that the people of of the Island cannot say that they have been discriminated against. However, you find that within the same report, at page 24, the Minister has provided us with allocation of millions of shillings per county for the last two years. Again we have Kiambu, Murang’a, Nairobi, Trans Nzoia, Uasin Gishu, Elgeyo Marakwet, Bungoma, Busia, Vihiga, Kakamega, Kisumu, Kericho, Homa Bay, Bomet, Garissa, Isiolo, Wajir, Samburu, Mandera, Laikipia, Embu, Kirinyaga, Meru, Nyeri and Tharaka, just to mention but a few. So, even if you look at the ones which did not get boreholes there are other supplies that were given.

An hon. Member: Where is Bura?

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I can hear an hon. Member asking me, “Where is Bura? If he had been attentive earlier I actually explained that, if Bura is not here it is not an issue of lack of equal distribution. It means that it was covered in relation to other things and not boreholes.

(Applause)

Mr. Temporary Deputy Speaker, Sir, I know that some areas could have been covered by irrigation. The Ministry convinced us that every area was being dealt with according to its needs. That is why I gave the example of Migingo Island. We are not going to give Migingo Island boreholes, because they can just stretch their hands and get water from the lake.

I would also want to state that the Committee noted that about 30 per cent of the boreholes went to lower Eastern. You have to be a stranger in this country not to know that the place that needs water most in this country is lower Eastern. Even in areas like northern Kenya, which required boreholes, were catered for; they included North Horr, which was the subject of this Question.

That is why, as a Committee, we were satisfied that there was equitable distribution; if there are one or two areas that may not have been covered, we have told the Minister to look at them, especially in the spirit of affirmative action for the areas that are most in need.

Mr. Temporary Deputy Speaker, Sir, indeed, if you actually look at previous reports in this country--- I am a person who has worked for several years on issues of equalization of opportunities. One of the things you would have seen in this Report before is--- Since Mrs. Ngilu is from Eastern Province you would have seen that from number one to 412 were in Lower Eastern. For the first time, we are seeing huge diversities. I want to encourage the Minister to continue in the same manner. I said that, as a Committee, we have a very specific focus. We have a very specific mandate. I would once again draw the hon. Members’ attention to page 2, which is what our mandate is. It was about whether North Horr was provided for, and we are convinced it was provided for. It was whether there was diversity across the country and we are convinced. So, it is not a question of whether charity begins at home, although it is good if it begins at home.

With those few remarks, I beg to second.

(Question proposed)

Eng. Gumbo: Mr. Temporary Deputy Speaker, Sir, thank you for giving this opportunity to support this Report by the Committee.

I want to start by thanking the Committee for the Report, but I would have suggested to the chairman and Members of his Committee that it may help the country, and this House, if they try to go out and verify some of the information given to us in the Report, even if it means doing some sort of a basic sample.

I also want to thank the Minister for her efforts to take water to every part of the country. As you know, water is a political commodity. We have been told since we were born that water is life. Because water sustains life, it is a political commodity. Communities have fought over water. Countries have fought over water.

Mr. Temporary Deputy Speaker, Sir, the Minister should, therefore, take heart. It is not possible to distribute such a scarce commodity without evoking emotions. Some people will feel they have been left out, and others will also feel that justice has been done to them. Personally, I thank her because the part of the country where I come from water services were never there, but now, at least, we are getting to see some of the water services.

One of the challenges highlighted in the Report, which poses constraints in the provision of water in the country, is the declining water resources due to catchment degradation and climate change. Our country, Kenya, has a total land surface of 582,000 square kilometers. That is equivalent to 582 billion square meters. The average annual rainfall in Kenya is 1,500 millimeters. This works out to 873 billion cubic meters per year, or 2.3 billion cubic meters per day. If you divide this by the population of Kenya it comes to about 57.5 cubic meters per person per day, if we were to rely on rain water.

Mr. Temporary Deputy Speaker, Sir, just harvesting a mere one per cent of all the rain water that falls on the Kenyan land surface will guarantee every Kenyan 575 litres of water a day, which is more than ten times the average daily requirement for domestic use. Why am I saying this? Everyone knows the world is now going green. We are trying to use the natural resources that we have as much as possible. The challenge has been put to us. Only last week, I am sure the Minister noticed it, the United Nations (UN) Secretary-General opened the first green building, I think, in the world. That building uses exclusively rain water. I want to encourage the Minister and I have said it here before, that we have this big and available resource called rain water. I know that efforts are being made to try to maximize the use of rainwater, but this resource is available. It is free and in plenty. In fact, sometimes it is a bit of a challenge to us. Yemen which is in a state of war only receives 50 millimeters of rain in a year, but the main source of water is rain. Ours is 1,500 millimeters in a year, which is about 30 times what Yemen receives. I would encourage the Minister to come up with policies, so that Kenyans can benefit from this freely available resource.

Mr. Temporary Deputy Speaker, Sir, as we make these policies a lot of urban developments are going on. There are countries in the world where when you are putting up a house either in the urban or rural areas, one of the requirements for the local authorities to give you approval is to show what steps you are taking to maximize the use of rainwater. I think we can build policies to help us with that.

Mr. Temporary Deputy Speaker, Sir, the other area where a lot of water is wasted is in most of our houses, including where hon. Members live. Does it make sense that we still continue to use treated water to flush toilets? Now it is possible to eliminate the use of this water. When the treatment plants are being built they consider even the clean water that is being used just to take away waste. These are areas that I want the Minister to consider, so that we can have policies to even compel those who are developing new estates in our country to show the steps they have taken to maximize on the use of non-treated water for waste disposal.

Mr. Temporary Deputy Speaker, Sir, with those remarks, I thank the Committee and support the Report.

Mrs. Shebesh: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this Motion. In my support, I really want to congratulate this Committee for doing the work that it was mandated to do.

Mr. Temporary Deputy Speaker, Sir, I also speak as a person who has come from the civil society background where we have fought for equal opportunities, especially for women and young people, for many years. Therefore, when we speak about equal opportunities and ensuring that everybody has access to equal opportunity, we know what we are talking about. Therefore, what has been confirmed to us in this Report is something that I am very happy about. This is because when this Question was raised there was the perception created that there were areas in this country that were being discriminated against. Discrimination as you know, in our new Constitution, is something that is outlawed. Therefore, it is good to see that the Ministry of Water and Irrigation has endeavoured to ensure that there is access to water in all parts of this country.

Mr. Temporary Deputy Speaker, Sir, equal opportunities and access to equal opportunities is a process that continues to be improved with time. Even in countries that are developed, you will find that even today women are not represented in the number that is constitutionally mandated in their countries, yet those are developed countries. So, wherever steps are taken to ensure equal opportunities for all, we would like to applaud rather than criticize. You will realize that many of the hon. Members who could have raised concerns here, maybe did not see their constituencies reflected. Just as my colleague, hon. Odhiambo-Mabona has said, many times as women, we are happy when we see women getting opportunities. If that opportunity does not come to you, you are happy that another woman is getting an opportunity elsewhere. This is really the spirit behind equal opportunity; that even if you do not see it within you, be happy that you are seeing it elsewhere.

Mr. Temporary Deputy Speaker, Sir, I want to really look critically, like my colleague, hon. Odhiambo-Mabona has done, at where water has gone in this country. It is historical if you ask me because we have heard the history of this Ministry and where water was allocated. That was where discrimination happened. In this case, I seriously see no discrimination. I see an attempt to ensure equal opportunities for everybody. I want to commend the Minister and tell her that even as she continues with this, I have seen other recommendations in terms of challenges. I really want to speak about the challenge of climate change, because I think we never put enough emphasis on the fact that climate change is here to stay and that money mostly allocated to the Ministries that deal with food security, especially water, should deal with the impact of climate change, because it cannot be business as usual.

Mr. Temporary Deputy Speaker, Sir, with those remarks, I really want to support this Motion.

Mr. Midiwo: Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion.

Mr. Temporary Deputy Speaker, Sir, I want to first of all, take this opportunity to thank especially the Chair who guided the Committee with a lot of consultation. I am happy and impressed. I also want to thank the Minister. A lot of things that come before this Parliament, especially this issue, are actually meant to make the Minister look bad. The issues of boreholes and all those are obvious. People know them and they are easily visible. This issue was one like another one which is also about to come, which was meant to make the Minister look different from what she is. I want to ask my colleagues that I think it is the high time that we moved forward and stopped unnecessary witch-hunting. I want to thank the Committee for going down to the ground.

Mr. Temporary Deputy Speaker, Sir, I want to ask Madam Minister not to be afraid. Wherever you are taking water, it is much needed. In this Report, you will see that Gem is not one of the constituencies which have received even a borehole, but I am not worried because I know that somebody somewhere in North Eastern or upper Eastern needs water sooner than people in Gem. That is just a principle of fairness and equal opportunity. So, it is fair that all Ministers behave in this manner. In the upcoming Budget, so that there is fairness, everybody should feel included. If you give ten to the most needy places, you must also consider some other constituencies which have not receive any water.

Mr. Temporary Deputy Speaker, Sir, in some of our constituencies there is water but the problem is with distribution. We have many streams which organizations like KWAO and NAO have tried to help us to distribute or protect. But if the Ministry could come up with simple methods of just getting water from the streams up to the villages where people live and just put water points, I think we would go a long way in alleviating unnecessary water problems.

Mr. Temporary Deputy Speaker, Sir, some money must be put aside, especially in line with the *Kazi Kwa Vijana* (KKV) initiative, just for desilting of water pans. During the drought many of them are clogged and the process of just getting somebody to desilt a water pan should have been easily done by line Ministry officers on the ground, but they do not do it. It is very hard to get them to do that job. Could the Ministry just find simple solutions so that we can alleviate unnecessary suffering of our people?

Mr. Temporary Deputy Speaker, Sir with those remarks, I wish to support.

The Assistant Minister for Information and Communications (Mr. Godhana):
Mr. Temporary Deputy Speaker, Sir, I want to congratulate the Committee for bringing out the real issues; the actual facts about the whole issue. The outcome of this Report has painted a very good picture to all of us that probably, what the Ministry was doing was really in favour of what this country needed. I was not worried when it was said in this House that we required to have the Report because I was confident with the hon. Minister. Probably, I am not saying this out of anything. Hon. Ngilu has been an example to most of us in terms of how she has been conducting herself in leadership. I want to say loudly here that even the women you are seeing in this House are all products of hon. Ngilu. I am being honest because hon. Ngilu has been in this House and in leadership positions for many years. It is out of her example that most of these women got encouraged to join politics. They are now with us in this House. Therefore, I was not worried about Madam Ngilu's performance.

I want to thank her, congratulate her and encourage her to continue doing what she has been doing. I am personally a beneficiary of the Ministry of Water and Irrigation. As you know, Bura Irrigation Scheme, Hola Irrigation Scheme and other projects including boreholes and dams have been done in my area. One of the major projects that have stimulated the economy of this country and generally in the Tana Delta is the Hola Irrigation Scheme. We have been working very closely with the Minister, other Members of Parliament and Government Ministries to see that Bura and Hola irrigation schemes are revived. Today, we are not just talking about the food that we have generated for this country. We also have money because last year, we sold our produce. This year, we are about to sell again. I believe that my people will get out of poverty very soon.

I just want to say that we went to Israel with the Minister in 2008 to see how that country was performing in terms of management of water. I was surprised and shocked to see that the Ministry officials we went with had gone to the same universities with the ones from Israel. When we got there, they were hugging, smiling at one another and reminding themselves about those things. I also realized that the models that the Israelis were using came out of the thesis papers written by Kenyans; the same Kenyans we had gone with. I then wondered why we had to go to Israel to see what the Israelis were doing if the experts are from Kenya; the same Ministry officials in the Ministry of Water and Irrigation and Ministry of Agriculture, among other Ministries. They were in the same schools with those people! They are the ones who wrote the papers that were adopted by the Israelis. The Israelis have now solved the problem that they used to have. What makes it difficult for us to apply the same in this country, so that we can probably be where Israel is? I would like to encourage the Minister that it is high time we shifted from our old practices and adopted practices that can help us transform from a country that has scarcity of water to a country that has enough water for our use.

I want to agree with Eng. Gumbo that this country has a lot of water. Most of the water is from rain. It is un-harvested and goes to waste. The volume of water that Tana River and other major rivers drain into the Indian Ocean is enormous. Just within one rainy season, a lot of water is wasted. I want to encourage the Minister to enter into very dry areas like Tana River and tap the water that drains from the high grounds of Kitui and the larger Ukambani which she knows best. She knows that area very well. We have gone with her to several places using an aircraft. So, she knows what I am talking about. That can help us put up mega dams and transform those areas into rich agricultural areas so that the people in the hinterland do not scramble and congest themselves in small water bodies. They should expand and practice agriculture in those dry areas. I believe that the soils in some of those areas are very rich and fertile. The soils in Tana and North Eastern are very fertile. The soils in Turkana are also fertile. Kenya is rich because we have very rich fertile soils. However, we do not have programmes deliberately tailored to harness those waters and use them for agricultural use.

With those few remarks, I beg to support.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I am torn between supporting this Report and rejecting it. That is because if you look at the observations of the Committee and the recommendations, you will see that they do not tally. You cannot argue that in some areas, that is happening and then you recommend the opposite. The recommendations should come from the observations of the Committee. However, the Mover, hon. Affey, a man I respect, has conceded that they were doing armchair practice, getting, relying and trusting on the Ministers to provide information. So, the information given here is purely from the hon. Minister.

The hon. Minister was in my constituency last weekend. She asked me what country is it that we lived in. Sometimes, I commend Ministers who are female because they have the feeling of a mother. They look at a place like Turkana and wonder if it is part of Kenya. So, it appears to me as if Ministers need to visit those areas. If hon. Ngilu had not visited the area before doing this Report, she would not have allocated me Kshs400 million and sunk 13 boreholes in the Turkana County. Out of the 13 boreholes, ten are not equipped. They are dry. We get boreholes so that we can get water. We do not drill holes so that we can bury something in them. As I speak now, in my home village

known as Kapua, people are demonstrating before the District Commissioner's place because they do not have water. We are doing water tankering. Fortunately, she gave us some little money to do water tankering. However, for how long shall we deliver water to people when we should be drilling boreholes so that they can have permanent sources of water? The last time we checked with UNICEF, the cost of drilling a borehole in Turkana with a windmill was Kshs4 million.

Last time, Turkana was allocated Kshs400 million. This included the UNICEF component. But look at Kiambu, with due respect and all its rivers, it was given Kshs1 billion. Nairobi was given Kshs7 billion. If it is a matter of equity, then put money where the need is greatest. I could understand Ukambani 30 per cent on the condition that Turkana was 50 per cent, because that is how relative the need is.

So, while this report is a good attempt to look at what the Ministry has done, I want to plead with the Committee that they need to go beyond this one. Let us treat this preliminary report, because this mandate is completely limited. It is misleading. It is very easy for us to support the Minister and say she has done a good job, when she herself last weekend realized that she has a lot of work to do, specially where we come from.

Madam Minister, if you look at other sections of the report, you will see in Lokichogio Airport, there is one borehole. This is where the UN has been having swimming pools in the camp, when our people are standing outside there, with those 20-litre jerricans looking for water. This is a County where refugees in the camp have boreholes and free citizens of the Republic of Kenya are just watching and thirsty.

Mr. Temporary Deputy Speaker, Sir, is it not a wonder when a child in the area where I come from asks a local priest: Which is better; to be a free Kenyan or to be a refugee? This is because the conditions of the free independent Kenyans are worse than the refugees who ran from political turmoil in their countries.

Mr. Temporary Deputy Speaker, Sir, I have a report here. It is called "The Pastoralist Child". I will give you some statistics. In 2003, a survey done by Oxfam, my former employer before I came here, found that 69 per cent of a sample population in northern Turkana in Kenya had access to less than five litres of water per day, while 25 per cent of between five to 10 litres per day, when they should be having a minimum of 20 litres of water per day.

The average distance to the nearest water point is 40 kilometres in Ijara. The Mover of the Motion has admitted that Ijara was not factored in this report. How do you expect me, in all honesty and sincerity, to support this report when the nearest water point is 30 kilometres in Garissa and 25 kilometres in Marsabit?

Madam Minister, we want a serious policy like the one of the health facilities that for every one kilometre, there is a water point for our people. At least, the health policy is such that, they say every ten kilometres, which they have now reduced to five kilometres, there is a health facility. She must give us one kilometre, at the very maximum, to get to the next water point. This is because water is life. This report says that the difference between life and death is access to safe water. It can reduce our chances of death by 50 per cent. Access to safe water means less incidence of illness. It means more time to be in school and so higher levels of prosperity, well being, and human dignity can be realized.

Madam Minister, what we are talking is about provision. Somehow I think you have what it takes. But I do not know why you are not exercising yourself to ensure that water is available to the rest of this country, especially where there is need.

Mr. Temporary Deputy Speaker, Sir, I support this Motion, but with a very heavy heart.

(Laughter)

Mrs Noor: Mr. Temporary Deputy Speaker, Sir, I also want to support this Motion with a very heavy heart. I want to first thank the Minister, because there was a time, we went with her to a place called Takaba. That was her first time to go to Northern Kenya. We showed her where women and monkeys fought over water. She collected the water in a bottle and took it to the Cabinet. Today, women of Takaba have water. Thank you for that. That is why I want to forgive hon. Affey because of you. But I am very bitter with him and I have told him so. I told him that coming from the background that he does, he should not have presented a report like this one. I feel as if I do not want to continue.

Mr. Temporary Deputy Speaker, Sir, the Chair has told us that the Minister's hands were tied and she could not identify the places because most of the water points were donor driven projects. However, when I looked at this report, there are only 44 water points that were supported by donors. But 399 water points are supported by the Government of Kenya. I believe that the Minister has a responsibility in guiding the donors. The donors are here to support us and we are supposed to guide them. We are supposed to tell them where our needs are.

Mr. Temporary Deputy Speaker, Sir, I just want to do a little comparison from this table report of the Equal Opportunity Committee. The Committee did not go out of Nairobi. They just did a table research document. They had a mandate to investigate, inquire and look into all matters by going to everywhere to find out what the situation is on the ground. However, they did not do so. They opted to do a table research report. For instance, Dagoretti Constituency has 11 new boreholes; Embakasi has 19 new boreholes and Kasarani has 11 new boreholes. Dujis has two new boreholes, Fafi has one new borehole, Wajir South, one borehole; Wajir East, one borehole; Ijara, none; Wajir North, none; Bura has one dry borehole. To me, that is an element of discrimination.

The Committee did some work. The Minister has done a lot. I do not dispute the work the Ministry has done for Kenyans. I want to say thank you. But honestly, northern Kenyan and particularly North Eastern Province, where right now, animals are dying, women are dying--- In some districts, you will not get tap water completely. I think the Minister has a responsibility to look beyond the kind of scenario we are seeing here.

Mr. Temporary Deputy Speaker, Sir, as alluded to by earlier contributors, we have a lot of resources in this country. We have rivers that are not tapped in this country. For instance, we have River Tana which passes through Ijara. It goes to waste into the Indian Ocean. Nobody uses that water. If we can just get a canal that crosses from Tana River to Hulugho we will get enough water. That will be a source of water for irrigation, animals and drinking purposes. We will not have a scenario like today, where we will always say there is an emergency issue. If we can have rain water harvested in all schools in the country, we will be able to do a lot for this country.

Mr. Temporary Deputy Speaker, Sir, this report has a lot of contradictions as my brother has said. If you look at the observations and recommendations that have been made, there is a contradiction. You continue supporting, bringing good arguments, but

when you come to observations, you give a contrary view of what you have been talking about. Then you give a contrary recommendation. We need consistency in Committee reports, so that we know that proper investigations have been done. We should get proper recommendations that will help even the Minister to do her work properly.

The Minister for Water and Irrigation has huge responsibilities. She has obligations to address issues of water in this country. We demand that the Treasury properly facilitates the Ministry of Water and Irrigation, so that they address our cries. The Minister should not be in a problem to answer Question in here. She will be able to go round and do her work. I know the Minister is capable. She has the capacity. However, her hands will be tied when a Committee like this, cannot give a proper report, so that she can be financed and proper resources can be given to the Ministry, so that they can undertake and implement their mandate.

With those few remarks, I support the Report with a heavy heart.

The Minister for Forestry and Wildlife (Dr. Wekesa): Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to support this Report with reservations. My own district has one borehole and we are next to West Pokot which is partly semi-arid. Kwanza is partly semi-arid.

I think the issue of equitable distribution of national resources is a challenge to all of us in the Government. The story of water is the same story as that of roads. Every Kenyan wants roads in their area. We all want water. I think we should try to find out the cheapest way of providing water.

Mr. Temporary Deputy Speaker, Sir, I want to give you an example. I live very close to Mt. Elgon. Mt. Elgon has forests as you know. We have several rivers emanating from Mt. Elgon. River Nzoia is one of them. There is also a River Suam which goes to West Pokot.. We have a lot of other smaller rivers flowing from Mt. Elgon. For example, we have Sabwani River. There are natural springs within this mountain. For quite a long time, we have been trying to see if the Ministry will assist us, not to dig boreholes in our region, but to give us piping, so that we can harness this water from Mt. Elgon and distribute it through Kwanza and West Pokot districts.

A lot of the problems you hear between West Pokot and Trans Nzoia is over grazing issues and water. Many people from West Pokot District would like to come to Trans Nzoia with their livestock to access water. This sometimes causes a lot of conflict between communities.

In my area, it is easier and cheaper to harness water from Mt. Elgon through piping, through Kwanza to West Pokot and Elgeyo Marakwet. But I do not think we want to do this.

Mr. Temporary Deputy Speaker, Sir, I have tried to sink boreholes on my farm. It is a very expensive affair. If you want to dig down 300 metres to access water, it is a very expensive affair. We can get water by gravity from Mt. Elgon. Just through gravity we can supply a lot of Kenyans with water.

So, the Minister and the technical experts in her Ministry should also look at a cheaper way of supplying water.

I came in when a colleague was talking about harvesting water. This is something we have not done. We should be able to harvest rain water. It is easier to harvest rainwater than to dig boreholes. So, I think the Minister should really look at these avenues so that we can supply water.

I do realize that the bottleneck is finance. All of us within these Ministries have a problem because we are trying to supply services to Kenyans, but finance is a challenge.

Mr. Temporary Deputy Speaker, Sir, I also want to talk about climate change. Mrs. Shebesh, others and I were in Copenhagen three years ago. The issue of climate change is not realized by many people. People do not know that if we do not create mitigation and adaptation, we will lose our ground water.

*[The Temporary Deputy Speaker
(Mr. Manyara) left the Chair]*

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

In fact, listening to one of the presidents from West Africa, he said that for a long time they have been relying on ground water. However, because of challenges of climate change, they can still now access the water, but it is now saline. There is a lot of salt in that water because of climate change. So, the Ministry of Agriculture, the Ministry of Water and Irrigation, the Ministry of Environment and Mineral Resources and the Ministry of Forestry and Wildlife should work together to make sure that we plant a lot of trees to mitigate against climate change.

With those few remarks, I want to support.

Mr. C. Kilonzo: Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to support. Before I entered elective politics, and was still a voter, the area where I come from was one area whereby if you wanted to get votes, you gave relief food as promise number one. You would say: "If you elect me, I will bring you relief food." You would be voted in. Secondly, you would promise to give them water. That has been a song. Even the Prime Minister today understands a bit of Kikamba Language. When he went there campaigning, he said: "*Mwienda kiw'u muiyenda mwolyo.*" Those were the words of the Prime Minister. That has been a slogan which has been used in Ukambani by leader after leader. For once, we have seen the Government give 30 per cent of the money for boreholes to lower Eastern Province. It was a start, but there are challenges.

We have northern Kenya. We have Turkana. You know very well that whenever you tell me: "I have gone upcountry" I always tell you: "Say you have gone to another country" because it is as if Turkana is not part of this country. The same applies to North Eastern Province.

I went to school in Garissa. In Standard Two I was in Garissa. Today, there is still not much change in those areas.

Mr. Temporary Deputy Speaker, Sir, the same problem is prevalent in Coast Province. There is also upper Eastern Province where we face the same problems. We do appreciate that there are challenges within the Ministry. However, it is also difficult to understand the operations of the Government.

We would want the Minister to lobby seriously within the Government and first say you want Kshs10 billion which should be shared equally. You should then bring affirmative action in these other constituencies. If you use simple arithmetic, if an amount of Kshs10 billion is allocated to the Ministry, each constituency will get Kshs40 million.

If you get Kshs40 million, you can get at least 10 boreholes per constituency. You will then be assured that each constituency will get boreholes.

I am saying so, because in my constituency after eight years in Parliament, I have only got four boreholes from the Government. Under CDF, I have close to 35 boreholes. The reason why there is the CDF is failure by the Government to plan according to the needs of the people.

We, as Members of Parliament, would hardly be managing the CDF if the Executive was able to plan. My work as an MP will not be organizing on how to drill a borehole. I will be asking the Government on the quality of the work done.

Mr. Temporary Deputy Speaker, Sir, so, the Government still needs to go back to the drawing board and assist the Ministry. We appreciate the Minister has done a lot. One challenge which I do recognize is that when the Minister took over this ministry, there was barely Kshs15 billion for water. We are now close to Kshs60 plus billion. That is a plus but there are challenges. I have noted that the Committee has said clearly that: "One of the biggest challenges we have is pollution of our water sources, bodies and rivers".

Mr. Temporary Deputy Speaker, Sir, many years back, there was a very popular question about roofs being blown away by wind. That has gone. It has been replaced with the issue of pollution of our lakes and rivers. Every other day, there is a Question appearing on the Order Paper. In fact, every day, there are not less than two questions dealing with the issue of pollution. We have issues with the Athi and Chania rivers. Today, it was Ruiru. We have Lake Naivasha. The problems is all over. These are some of the new challenges. But it appears there is lack of co-ordination within the Government. The issue of pollution of our water sources is becoming complicated. I want to give a good example, just to confirm what hon. Wekesa has said. I drilled a borehole in my constituency about a year ago. The water was tested and it was good for human consumption. This year, I got a donor to equip it. The second test shows that the borehole is now contaminated. These are some of the challenges. So, what we are asking the Government to do, in as much as we are supporting the Minister--- She needs us more than her Ministry. She needs the involvement of all the players, and the Government itself. It appears that, as we provide those water sources, they are also getting contaminated. We have a Ministry of Environment and Mineral Resources which is a lame duck. Unless it is pushed, it cannot even take somebody to court. The Government itself should not leave this ministry to do the work alone. This ministry is life. Water is life. More money should be given to it.

Mr. Temporary Deputy Speaker, Sir, there is a Member of Parliament from Turkana. There are no names for you but it could be you. He keeps on inviting me to go to Turkana but I ask myself: "Is there water in Turkana in the first place?" That is because the pictures I see on television are very sad. So, the Minister has done a lot and we have no question about it. But the Government needs to come in squarely. If you go to Garissa, there is Tana River. But is the Government pumping more money in the canals there? Surely, we cannot leave that to the Minister alone.

Madam Minister, you are in the Cabinet and, therefore, you need to push the Government to understand that barely a day goes in this House without a Question being asked about the water sector. That means priorities have gradually changed. They are now focused on water. You rarely get a Question on roads in a week. You may get one

Question if you are lucky. But, today, water is the issue. So, the Government should focus more on water.

Mr. Temporary Deputy Speaker, Sir, to finalise, I read in the report that - and this is one of the challenges - whenever there is donor funding, those donors do not want to co-ordinate with the Government and agree over which areas are hard pressed. The Government has all the data. The recommendation on page 28 reads as follows:-

“The Committee further observed that the funding by other development partners has not been equally distributed to all needy regions in the country.”

This is a big challenge. You get a donor coming into the country and they still want to put money where there is already a lot of money by the Government. Where are the other players? I want to give an example. In the last Parliament, I got a donor called Danish International Development Agency (DANIDA). They came to a centre in a market called Kyasome. They drilled a borehole. A month later, we got Egyptians coming to drill a borehole in the same market in a secondary school. My plea to the Ministry of Water and Irrigation to convince the Egyptians to move to another centre did not bear any fruits. These are some of the challenges. Yes, we want the aid, but that aid has to meet certain standards here. They must liaise with our ministry. We know that, sometimes, they want to liaise because of issues of office. But I want to imagine that, that is happening today.

Mr. Temporary Deputy Speaker, Sir, to finalize, and this has been from the Minister’s own words and it is a challenge to the ministry, there is the issue of pollution. As a ministry, what are you doing? This is no longer your docket alone. Water in Athi River today is not suitable for irrigation and human consumption. Water from boreholes which was consumable before is now turning to be unfit for human consumption. We really want to know whether the Government is aware of the challenges that you are facing.

With those remarks, I wish to support.

The Assistant Minister for Tourism (Ms. Mbarire): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this Motion and, at the outset, I want to begin by saying that I think the Committee has done a good job. In the past - and I have been in the Ninth Parliament - we have never gone to this level of transparency in terms of how money in the water sector is distributed across the country.

Mr. Temporary Deputy Speaker, Sir, at one point, I remember there was a national budget that was read in the Ninth Parliament and one particular region got over Kshs800 million. The region that looked most needy to us and had over six districts got Kshs32 million. Therefore, I want to say that this is a good beginning. I think much more needs to be done. Looking at how the boreholes have been distributed across the country, I think it will be unrealistic for us to have expected the Committee to go to every single borehole in this country unless, of course, we want to spend a lot of money airlifting people to go and physically check the boreholes. So, I am assuming that the Report we have here comes from the officers on the ground and we can depend on it.

Mr. Temporary Deputy Speaker, Sir, I have looked at this Report and I think we need to also appreciate what has been done well and what has not been done well. Looking at page 11, I have heard many people say that certain areas have been completely ignored. When you look at page 17, you will find Marsabit South, Laisamis, North Horr, Marsabit North and Mandera East. All of them are getting quite a number of

boreholes. To go further, if you turn to page 27, you will find that North Eastern and Upper Eastern alone, other than boreholes, the resource distribution for the years 2009/2010 and 2010/2011 amounts to Kshs2.79 billion. Now, I am not sure whether that kind of money can be given to a region if the ministry is not seriously focusing on that region. I believe this may be the first time that region has been seriously thought of. I am hoping that we can also begin to say thank you for work well done and ask for more rather than saying that nothing has been done. I have been in this Parliament and I have never seen this kind of money being allocated to North Eastern and Upper Eastern as far as water is concerned. This is the first time. So, I hope that we can also begin to appreciate when work has been done well and ask for more. That is the way to go. Let us not always rubbish what has been done. Even when we are unhappy about a particular district or constituency that has been left out, let us always appreciate the good work that has been done.

Mr. Temporary Deputy Speaker, Sir, Mbeere in Embu County is very dry and half of Embu is like Mbeere and yet, we only got Kshs48 million. I would have wished for more and I will push for more but there is a general feeling that Embu is very comfortable as far as water is concerned. I want to state here that we have serious challenges in the whole of Embu County, especially with the climate change that Mrs. Shebesh has alluded to. For the first time since I was born, I have seen a river that I used to swim in and I never saw a single rock but this particular year, that river dried completely. So, what I am saying is that let us not just think that the problem of water is in dry zones. Even we, in the areas that are normally known to have water are facing challenges. So, we must focus on certain things in my view. We must seriously focus on water harvesting and storage because at the moment when it rains, there is too much water; we have seen flooding in Narok and elsewhere but when it becomes dry, there is no water at all. So, we need to focus on water harvesting. I hope that the Ministry of Water and Irrigation will come up with a comprehensive water harvesting policy so that we can begin to focus on taking care of the climate change issues that are with us for a long time and we do not know for how long.

The Office of the Deputy Prime Minister and Ministry of Finance should realise that with climate change, they have to begin re-focusing their priorities. First, I think the biggest challenge we have during drought is water and food insecurity. We need to start seeing more money being pumped into this Ministry. I am happy that since the Minister got into office, the total allocation rose from Kshs9 billion to Kshs32.5 billion but I think we need much more. I hope that even the Budget Committee of this House will seriously focus into that. I want to support Mr. C. Kilonzo who said that if we could set aside Kshs10 billion and distribute it equally like we do it in the Constituencies Development Fund (CDF) to every constituency then get the rest allocated in terms of affirmative action to the more affected areas, I promise the Minister that she will have very few questions to answer in this House as far as water is concerned. I hope they can now re-focus the way they are distributing the money so that they can be able to deal with my issues in Runyenjes; Mrs. Noor can do the same and others can do the same. By doing that, we cannot go to the Minister talking about villages and yet she is dealing with the whole country. So, if you can give us some of that money equally, you will have very little problems with hon. Members.

Mr. Temporary Deputy Speaker, Sir, this is a special appeal. Before we went on recess last year, I remember that there was a very big debate about the way money had been allocated and the formula that had been used to allocate money for the CDF. I remember I was very unhappy with Mr. Ethuro, who is now occupying the Chair because I could not understand why Runyenjes has been denied Kshs8 million and Mr. Ethuro got over Kshs100 million. I could not understand at that point in time. I watched a documentary about Turkana on television and now I understand 100 per cent where Mr. Ethuro comes from. I will actually be at the frontline pushing for more money to go to Turkana because there is nowhere in my constituency where one covers even ten kilometres to go to a dispensary. However, I saw people walk for four hours to get to a dispensary in Turkana. I think we have to begin to be sensitive to the plight of all Kenyans wherever they are and realise that they have a right to---

Dr. Eseli: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member contributing is an assistant Minister in the Government of Kenya and she is implying that she only got to know about Turkana from a documentary and she has never been there. Is she in order?

The Assistant Minister for Tourism (Ms. Mbarire): Mr. Temporary Deputy Speaker, Sir, we have to be honest with each other. I have not been to Turkana and I better say the truth. I am sure very many hon. Members in this House have not been to Turkana. I look forward to going there one of these fine days especially on tourism matters because I think that is an area that needs to be looked into. It is not just the Government but all of us hon. Members because we pass a national Budget. This will enable us to know what it is we are focusing on.

Mr. Temporary Deputy Speaker, Sir, I look forward to more equitable distribution of resources, especially on water. This House has a moral mandate to push for more resources from the Treasury into this important sector.

With those few remarks, I support the Motion.

Dr. Nuh: Mr. Temporary Deputy Speaker, Sir, I would like to support this Motion but with amendment.

I beg to move:-

THAT, the Motion be amended by deleting the fullstop at the end of the Motion and inserting the following words; subject to deletion of the words "regions which have traditionally relied on boreholes" appearing on page 29 of the Report and substituting therefor with the words "constituencies which are prone to drought and famine with emphasis on those which have been marginalized in the drilling of boreholes as per the report."

Mr. Temporary Deputy Speaker, Sir, the basis in moving this amendment is, at least, to make this report more comprehensive and flowing. As the previous speakers have said, even when regions have been looked at fairly, the disparities within and among constituencies in those regions are alarming. When we say that we drill boreholes in regions which have been relying on boreholes traditionally--- If you have never been given the opportunity to even rely on that borehole traditionally, how do you expect to get the opportunity to even get one borehole? This is because some of the constituencies would have traditionally relied on boreholes but they never had the opportunity. So, if we say that we give more emphasis, funding and resources to regions which have relied

traditionally on boreholes, we are just saying that let us add to those who have them. We are just saying that let us duplicate and give more boreholes to places which have been proven to rely on boreholes. What about those constituencies which would have relied on boreholes but no attempt was made by the Ministry?

Mr. Temporary Deputy Speaker, Sir, to have this report, at least, correspond with what is in the main report and for it to be full, the recommendation on page 29 has to have some shift.

With that amendment, I would like to call on Mrs. Noor to support it.

Mrs. Noor: Mr. Temporary Deputy Speaker, Sir, I would like to second the amendment to the Motion. As I support this amendment, I would like to allude to some issues that Ms. Mbarire has talked about. This is to do with how diverse we are in this country. I remember that in this House, we passed a Motion brought by Mr. Affey on rotational sitting of Parliament. We always pass Motions but we do not implement them. If we had implemented that Motion, went and sat in Turkana, we could have seen the problems in that place and we could have addressed them. If we could have gone to Marsabit, we would have known the challenges that area faces and we could have addressed them too. That is why we are saying that if Motions are passed in this House, then we have a responsibility to implement them. I just want to support the amendment by saying that we would like the Minister to look critically at the areas that were left out. We know that she cannot address all regions, all constituencies and all villages at a go. There must be a person who will feel that something was left out. That is why I said that the Minister must be facilitated so that she can reach many people and serve them. We appreciate what she has done. She has reached 2.5 million Kenyans and we thank her for that. However, we are saying that let us reach those we have not reached.

Mr. Temporary Deputy Speaker, Sir, I second the amendment.

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

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I want to support the Motion as amended. I want to start by saying that resources will never be enough. Resources will never be adequate, and it is the responsibility of---

Hon. Members: The Motion is not amended yet!

Mr. Midiwo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I just want to bring to your attention that you did not put the question of the amendment, and the hon. Member contributing is supporting the Motion as amended. No question has been put to the House.

Hon. Members: Put the question! Put the question!

The Temporary Deputy Speaker (Mr. Ethuro): No! No! I am not putting the question. I was proposing the question and then he is contributing to the proposed question.

Order, hon. Members, let me propose the question. I have proposed the question, so that you may contribute. Then after one or two contributions I will put the question.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I want to contribute to the main Motion---

Hon. Members: How? How?

Mr. Mbadi: What is your problem? Let me contribute to the amendment.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Mbadi! The Standing Orders are very clear. You can contribute to the Motion as amended, and still raise the issues you wanted to raise on the main Motion.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I have supported the amendment.

Thank you.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Members! Since there is no other Member contributing I will put the question.

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

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

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

(Question of the Motion as amended proposed)

Ms. A. Abdalla: On a point of order, Mr. Temporary Deputy Speaker, Sir. Having listened to most of the contributors, including those who supported with a heavy heart, no one is opposing. So, may I move that the Mover be now called upon to reply.

(Applause)

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I am very ready to contribute to this Motion. I want to speak on the main Motion. Can you allow me to continue?

Mr. Temporary Deputy Speaker, Sir---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Mbadi! The Chair was very generous to you. You squandered the opportunity not only once, but twice. So, you have previously contributed to the Motion.

I will, therefore, put the question.

(Question, that the Mover be now called upon to reply put and agreed to)

(Loud consultations)

Mr. Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! We have put the question for the Mover to reply. Therefore, it is upon the Mover to reply.

Mr. Affey: Mr. Temporary Deputy Speaker, Sir, I want to thank hon. Members because the amendment by Dr. Nuh only improves the Motion. It does not negate its spirit. There is a difference between discrimination and under-funding. We did not, in this

context, establish discrimination. There is a possibility that there has been under-funding, which the Minister is going to act on. However, we have not established outright discrimination. This is what we wanted the House to know. This issue came from the request by the Member for North Horr, who felt that there was discrimination, particularly in North Horr.

We established that in North Horr, six boreholes were drilled. That clearly tells you that even in areas where traditionally drilling should have happened, there are no boreholes. Now that the Minister has understood the sentiments of the hon. Members, in areas where boreholes have not been drilled but deserve boreholes, she should look for money and drill them.

With those few remarks, I beg to move.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Members! Let us allow the Minister to reply.

The Minister for Water and Irrigation (Mrs. Ngilu): Mr. Temporary Deputy Speaker, Sir, first and foremost, I want to thank the Members of the Committee headed by the Chairman, Mr. Affey; I thank all Members of Parliament who have made their contributions.

I have taken note and heard where we have not done well. I think where we have done well, I do not have to be told. It is where I have not done well that I need to hear, so that I can improve.

I must say that the Committee listened very carefully when I met them. They took notes, and I am happy that this Report, other than for those who supported with heavy hearts, really reflects what we have been able to do. I also thank those who have supported with heavy hearts. I want to assure them that I am going to make a difference in their areas.

Mr. Temporary Deputy Speaker, Sir, it is true that when I took over the Ministry of Water and Irrigation in April 2008, it had a very small budget. It had a budget of Kshs5 billion from the Government and Kshs4 billion from donors, making a total of Kshs9 billion. Today, the Ministry is enjoying a budget of Kshs36 billion, Kshs20 billion from donors and Kshs12 billion from the Government. Then Kshs 3 billion is from appropriations-in-aid. This is a great improvement from what there used to be. That shows the confidence that both the Government and donors have in the work that we are doing. You will even remember that during his Speech in Parliament, the President did commend the progress that the Ministry of Water and Irrigation has done in distribution and delivery of water services around the country.

Mr. Temporary Deputy Speaker, Sir, listening to all hon. Members who made their contribution, surely a lot more work needs to be done. It is true that I visited your constituency last Friday and saw for myself. I feel sorry that women of Kenya can still be travelling for up to 20 kilometres in search of water and not even necessarily clean water. Surely, this shows that there is somewhere in the history of this country where we have not done well; in ensuring that we put money where the need is. There are also men and women in this country who do not know the difference between having water or not having it because they have never known the value of water; they have it in plenty. I think it is important that we look at how it is going to be distributed around the country.

Mr. Temporary Deputy Speaker, Sir, it is not true that Lower Eastern got much more than other areas in the country. In actual fact, I think the Question was wrongly put

by the person who put it. This is because I had just given that constituency two water bowzers. As you know the size of North Horr, even if I wanted and had all the resources, I would not be able to provide piped water to all those many villages. You also said that it is important that we pipe water to those villages. However, I think we must also find another way of ensuring that people get water. One of the ways of doing so is through water tankering. I do not want to say that this is not possible because of distances that we cover.

Mr. Temporary Deputy Speaker, Sir, I have taken the amendments that have been made to this Motion. We are going to ensure that those constituencies that have not been taken care of as should have been will be done.

Mr. Temporary Deputy Speaker, Sir, hon. Members here talked about climate change. It is true that the issue of climate change is not getting the attention that it should. Most rivers which were the source of water for people have now dried up. As we now look at the Lower Eastern and North Eastern where we are doing boreholes, the other areas where rivers used to flow have dried up. Therefore, again, we need to look at issues of climate change.

Mr. Temporary Deputy Speaker, Sir, the Ministry has been able to do a lot of water conservation, which has not been done before. There has been a lot of talk about money lost in the Ministry of Water and Irrigation but I want to say here that people are looking at the amount of money that we have. They have even talked about the dams that we are constructing. I heard somebody talk about Badasa in Marsabit. For the first time in history, we are constructing a dam in Marsabit worth Kshs3 billion. We know very well that five years ago, we lost hon. Members because they were going to deal with issues of insecurity. Those issues of insecurity were as a result of lack of water and now, we are constructing a dam there that is going to deal with the issue of water in Marsabit. We are doing another large dam in a place called Chemususu. Koibatek and Baringo in Rift Valley have never seen water but we are now constructing another large dam. There is also Umaa Dam in Kitui. Ukambani is also part of Kenya, even if that is where the Minister comes from. Surely, if charity cannot begin at home, where will it begin? How come in this country it is only in Ukambani, North Eastern and Arid and Semi-Arid Lands (ASALs) where you will find people getting relief food? Surely, it is demeaning. Therefore, if hon. Members in this House will support me, I will put more money in ASALs. In the last three years, we have been able to provide clean water to 2.5 million people both in ASALs and urban slums. I think this is a great improvement.

Mr. Temporary Deputy Speaker, Sir, you will notice that we have also reduced the number of people who have been treated for many types of diseases, especially waterborne diseases. All in all, the Ministry has done well. We have also revived irrigation schemes for the first time. I do not know why the Member for Bura did not talk about this. In Bura and Hola, we have been able to revive the irrigation schemes that had died. Last year, we were able to produce 185,000 bags of maize and 805,000 bags of rice. I think this is a great improvement. It has never happened before. Instead of being given a pat on the back, I am being bashed left, right and centre. I think it is because some of the people who were doing this are those who benefited from all the money for water, but it will not go to their pockets. The money will go where it is supposed to go.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I want to thank the Committee and all hon. Members for the support they have given me.

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

Resolved accordingly:

THAT, this House adopts the Report of the Committee on Equal Opportunity on the distribution of water boreholes in the Country for the last three years laid on the Table of the House on 1st March, 2011, subject to deletion of the words “regions which have traditionally relied on boreholes” appearing on page 29 of the Report, and substituting therefor the words “constituencies which are prone to drought and famine, with emphasis on those which have been marginalized in the drilling of boreholes as per the said Report”.

The Temporary Deputy Speaker (Mr. Ethuro): Next Order!

QUORUM

Mr. Mbadi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Looking around, I do not see the required quorum for us to proceed with business.

Hon. Members: Aaaah!

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! The hon. Member has a right to rise on that particular point of order.

Ring the Division Bell!

(The Division Bell was rung)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ethuro): Due to lack of quorum, the House is, adjourned until tomorrow Thursday, 7th April, 2011 at 2.30 p.m.

The House rose at 6.20 p.m.