

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 20th August, 1997

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.237

SEIZURE OF CATTLE BY CHIEF OF NDANAI LOCATION

Dr. Lwali-Oyondi asked the Minister of State, Office of the President:-

(a) if he is aware that Chief Julius Kipketer Ngeno of Ndanai Location on 29th November, 1993, took eight animals from the following people: Messrs Segemi arap Koskei, two cows; Mwaita arap Segei, one cow; Joseph arap Koskei, two cows; Nyambegi arap Mibei, two cows and Joseph Austine arap Chepkwony, one cow; and,

(b) if he is further aware that the aforesaid cattle were illegally sold by the same Chief in the presence of the District Officer, Ndanai Division; and,

(c) what steps he is taking to compensate the complainants.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the Chief of Ndanai Location took four cows from the suspect of a cattle raid as follows: One cow from Kipyarat Lang'at; two cows from Augustine Chepkwony; one cow from Augustine Kirui Mibei and two cows from Joseph Austine Chepkwony.

(b) The cows were not sold by the Chief as alleged, but were handed over to Mr. Ondari who was the victim of a cattle raid.

(c) Arising from foregoing answers, the issue of compensation does not arise.

Dr. Lwali-Oyondi: Mr. Deputy Speaker, Sir, the answer given by the Assistant Minister is incorrect in that this Chief took these animals as he has stated to the DO with whom he sold them. In any case, may I ask the Assistant Minister; if he is sure that these cows belonged to Mr. Ondari, then were they the same cows that were stolen?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, if the hon. Dr. Lwali-Oyondi lived in the rural area where cattle raids are very prevalent, then he would understand that there is a general understanding that when tracks are followed and they lead somewhere, the areas where these tracks end up are treated as the suspects dens. It is a general agreement of the people around the area that when you are a suspect, you compensate the victim of the cattle raid. It was not the same cattle at all but this is how the owner of the cows was supposed to be compensated because that is the law down there.

Mr. Maore: Mr. Deputy Speaker, Sir, is the Assistant Minister in order to mislead this House by giving a statement that presumes that there is no law against cattle rustling? Is he in order, therefore, not to have arrested these people who are suspected to be cattle rustlers and taken this matter before a court of law rather than hand over the cows to the Chief and the DO as if they constitute a different court of law?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, it is usually after a *baraza* is held under the chairmanship of a chief that, that kind of decision is reached by consensus. You are an African.

Mr. Maundu: Mr. Deputy Speaker, Sir, I am afraid my hon. friend is misleading this House miserably because there is no law that allows anybody to compound a serious offence described as a felony under our laws such as cattle rustling or even theft of stock. Now, could this Assistant Minister tell this House that in the proposed Bill, the Chiefs Act will be locally straightened to make sure that these instruments that chiefs use to collect ploughs, chicken and cows from wananchi are not settled by chiefs, but are settled probably by the law?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, I do not know whether my learned friend here has grasped the facts correctly. This is a situation where cows were stolen. There is a victim who is the complainant. Some suspects are

discovered around Ndanai Location. It is necessary to also look carefully at the interests of the victim and not just the interests of the suspects. This is because in every case there is a criminal element and the civil element. We utilise the civil element.

Prof. Mzee: Mr. Deputy Speaker, Sir, I am shocked to hear an Assistant Minister in charge of internal security stand in this House and talk about collective punishment. If these people committed a crime, we have laws under which they can be charged. There is no exception for the Government but to follow laws which have been laid down. Which law has been followed in getting these cattle by force and giving them to somebody else? That is collective punishment. If they were guilty of a crime, then they should have been taken to court. Do we not have any courts any more?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, the hon. Prof. Mzee does not come from a pastoral area. If he did, he would understand the difficulties that we face in trying to track down stolen cows.

Mr. Deputy Speaker: Next Question!

Dr. Lwali-Oyondi: But I have not exhausted my Question!

Mr. Deputy Speaker: Order! For heavens sake, we have ten Questions confined to one hour. We are already on the tenth minute, on the first question. I have given you double the time set aside for this question.

Question No. 520

PAYMENT OF BONUS TO TEA FARMERS

Mr. Anyona asked the Minister for Agriculture, Livestock Development and Marketing:-

(a) how many tea growers from Kebirigo, Nyankoba, Nyansiongo, Sang'anyi and Tombe Tea factories in Nyamira District have not been paid their second payment (bonus) for the years 1994, 1995 and 1996; and,

(b) why Messrs Charles Bichanga (SAO9102); Nemuel Buruchara (SAO9893); Samuel Moturi (SAO9866) and Joyce Tai (SAO9293) of Sang'anyi Tea factory have not been paid for their green leaf deliveries since November, 1994; and,

(c) when the growers in "a" and "b" above will be paid their dues, with interest.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Osogo): Mr. Deputy Speaker, Sir, may I crave for the indulgence of the House and beg that this Question be listed on the Order Paper next week. The answer that I have got is not adequate.

Mr. Anyona: On a point order, Mr. Deputy Speaker, Sir. Here are farmers who have not been paid for the last three years and now we hear that the answer is not ready. I appreciate the sense of justice of hon. Osogo to make sure that farmers are not treated this way. But surely, what is the reason for the Ministry not getting a proper answer after being given adequate time? Can the Assistant Minister tell us when he is likely to have this Question answered?

Mr. Osogo: Mr. Deputy Speaker, Sir, I have said that if the Question is listed to be answered next week then I will be able to answer it. I got the answer this morning, but as the hon. Anyona knows, I try to get as much information as possible so that I can satisfy him and this is what I am trying to do. The answer that was put on my desk this morning was not satisfactory to me and I have just told the Permanent Secretary to go back and get more information.

Mr. Deputy Speaker: So, you are asking for the question to be deferred?

Mr. Osogo: Yes.

(Question deferred)

Question No.181

PRIVATISATION OF NON-STRATEGIC PARASTATALS

Mr. Ruhii asked the Minister for Finance:-

(a) how many non-strategic public enterprises/parastatals have been privatised from 1993 to 1995; and,

(b) how many of these enterprises have been bought by indigenous Kenyans; and,

(c) how much money has been realised over the period out of the sale of these parastatals and how much has gone to the Treasury.

Mr. Deputy Speaker: Any one from the Ministry of Finance? Next Question.

Question No.481

DESILTING OF RIVER MIRIU

Mrs. Asiyu asked the Minister for land Reclamation, Regional and Water Development:-

(a) if he is aware that River Miriu has left its course at the Kobala/Kobuya area, claiming large portions of land from Wang'chieng' Location of Rachuonyo District and threatening beaches, farms and cattle grazing grounds in the area; and,

(b) if he could take immediate steps to clear the silt which has built up at the mouth of the river and restore the river back to its course.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that River Miriu has left its course. This natural phenomenon took place in the early 1970's due to the silting of the river's mouth as a result of increased human activities in the upper and lower catchments of the river.

(b) The silt can be removed manually especially during the dry season. In this regard, I would appeal to the hon. Member of Parliament to mobilise her constituents in removing the silt and also to protect the catchment in the upper and the middle ridges of the river in order to avoid further silting. However, in the meantime, the Ministry plans to construct the Magwagwa Dam to reduce the silting at the river's mouth.

Mrs. Asiyu: Mr. Deputy Speaker, Sir, I am disappointed by the Assistant Minister's answer. The river only changed its entire course in the last two years. But in the last few years, it has built a real hill, in fact, a mini mountain at the mouth of the river. If the Ministry has been monitoring rivers, which it is supposed to do, why did they not notice this phenomenon which has been happening over all these years, from the 1970s until now? Can the Assistant Minister now take action to deploy all the machineries, which I know they have, to remove the mountain that has been built by silt from Kisii, Kericho and Bomet districts at this end of the river? It is not the fault of the Karachuonyo people that this phenomenon has happened. Can the Assistant Minister now take action to deploy machineries to remove the mountain that has developed at the mouth of the river?

Mr. Ligale: Mr. Deputy Speaker, Sir, I am not aware of a mountain having been built, I am aware of the river changing its course. But indeed, if a mountain has been built, I will investigate further and see if action can be taken.

Prof. Ouma: Mr. Deputy Speaker, Sir, I am surprised at that answer which has come from a technological Ministry. The Assistant Minister says that people should remove the silt manually. That is never done. I expected the Assistant Minister to tell us what they are going to do to build artificial levies to contain and drain the river. That is a way of maintaining it by regular dredging of the mouth. This is not only happening a Miriu, but also in Oluchi, Ongoche and Migori valleys. Certainly, it is happening in Nzoia and Yala. What I am asking the Assistant Minister is: Can they not, as a Ministry, adopt a system that will maintain these rivers going through, rather than asking for a thing which was done in the thirteenth century? Removing silt by hand is never done. That is very backward.

Mr. Ligale: Mr. Deputy Speaker, Sir, it is indeed, done. I am asking the residents, not only of Rachuonyo district, but also of those other districts concerned, including Nyamira and Bomet, that they try and reduce farming right up to the mouth of the river. Part of this silt is as a result of that increased farming activity.

Prof. Ouma: On a point of order, Mr. Deputy Speaker, Sir. I am asking for a very humble answer; a permanent solution to an on-going problem which will not be solved tomorrow. We are asking: Can they not adopt this system of draining the river and building artificial levies at the mouth of every river which threatens the people? I agree that catchment management is a long term process, but the immediate process at the mouth of each river, including your own Nzoia, Sio and Yala rivers is draining and building artificial levies. What will they do about that?

Mr. Ligale: Mr. Deputy Speaker, Sir, I intend to tap on the hon. Member of Parliament's technological know-how in addressing this problem.

Mrs. Asiyu: Mr. Deputy Speaker, Sir, the Assistant Minister is avoiding giving me a direct answer to my very simple question. What is the Ministry going to do to remove the silt so that river Miriu can go back to its course?

Already now, there is over 3,000 acres that has been claimed by this river, throwing many people of Karachuonyo and their farms into an island at the mouth of the river. Can he now treat this issue as an emergency and deploy machinery to remove the silt? The people are not technically qualified and they will not even know where to start. They need some guidance even if they were to do it by hand. But can he please deploy the machinery that he already has there,

very near, on Kano Plains to remove the silt?

Mr. Ligale: Mr. Deputy Speaker, Sir, I did give an undertaking earlier on to the gracious lady [**Mr. Ligale**] that I will seek further information and ensure that work is done immediately.

Mr. Deputy Speaker: Hon. Mutani's Question!

Mr. Mutani: Thank you, Mr. Deputy Speaker, Sir. But with your permission, before my Question is answered, I would like to correct one misleading statement in the third line, in part (a) of the Question where it reads; "is being constructed". It should read; "is completed by wananchi on harambee basis."

Question No.500

CONSTRUCTION OF IRIGU BRIDGE

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

(a) whether he is aware that the construction of one side of Irigu Bridge in Kithangani Location, Chuka Division (near Weru Market) has been completed by wananchi on harambee basis?

(b) if the answer to "a" is in the affirmative, what financial assistance he is considering to give to those residents in order to complete the bridge and ease communication between Kithangani and Gitareni locations.

Mr. Deputy Speaker: Is there anyone from the Ministry of Public Works and Housing?

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Osogo): Mr. Deputy Speaker, Sir, the correction that the hon. Questioner raised in the Question could not be correct because part "b" of the Question then becomes irrelevant.

Mr. Mutani: Mr. Deputy Speaker, Sir, I have the answer with me here. Even if I have made a correction, the answer I have received is okay. The bridge is not being constructed, but one side of the bridge is completed by wananchi on harambee basis. I am now asking the Government to help construct the other side. So the answer is okay.

Mr. Deputy Speaker: You are satisfied with the answer?

Mr. Mutani: Mr. Deputy Speaker, Sir, the answer is okay.

Mr. Deputy Speaker: Well, as far as the Chair is concerned, there has been no answer yet. That Question is stood over for the moment. We therefore, move on to Question No.579.

Question No. 579

PAYMENT OF RETIREMENT BENEFITS TO MR. ODOO

Is Prof. Anyang'-Nyong'o not here? This Question is also stood over.
Mr. Ruhii's Question for the second time!

Question No. 181

PRIVATISATION OF NON-STRATEGIC PARASTATALS

Mr. Ruhii asked the Minister for Finance:-

(a) how many non-strategic public enterprises/parastatals have been privatised from 1993 to 1995;

(b) how many of these enterprises have been bought by indigenous Kenyans; and,

(c) how much money has been realised over the period out of the sale of these parastatals and how much has gone to the Treasury.

The Assistant Minister for Finance (Mr. Keah): Mr. Deputy Speaker, Sir, I am sorry I was late when the Question was asked for the first time. I beg to reply.

(a) Since the launching of the privatization programme in 1992, the Government has privatised a total of 143 non-strategic parastatals out of the original list of 207 companies.

(b) A total of 25 companies have been sold to indigenous Kenyans while Kenya Tea Development Authority (KTDA) shares in 39 tea factories were sold to local tea growers.

(c) Through privatization, the Government has realised a total gross proceeds of Kshs9.695 billion out of which Kshs5.645 billion went to the Treasury.

Mr. Ruhiu: Mr. Deputy Speaker, Sir, I am surprised that only 25 parastatals have been indigenised. I thought that one of the prime objectives of privatisation is to ensure that indigenous Kenyans participate or have a stake in these enterprises. The imbalance between our African enterprises, which are very much dominated by the Indians, should be the objective of this Government to empower our indigenous businessmen to control our economy. The amount realised by privatisation of these parastatals was Kshs9.65 billion, and the amount that has gone to the Treasury is Kshs5.645 billion. Now, can the Assistant Minister tell this House what happened to Kshs4 billion? Where did it go?

Mr. Keah: Mr. Deputy Speaker, Sir, when I talked of a total gross proceeds of Kshs9.695 billion, I mentioned that the net of Kshs5.6 billion went to the Treasury and the balance has gone to pay off whatever liabilities were due at the time of the divestiture. You will recollect that this divestiture was processed through a number of mechanisms such as liquidation, receiverships, pre-emptive rights, as well as competitive bidding. So, the net, after defraying expenses and paying off due liabilities on the liquidation or the receivership or the divestiture, is what went to the Treasury.

Mr. Muite: Mr. Deputy Speaker, Sir, what guarantee do we have from the Assistant Minister that we can take the figures and explanation he has given and accept that no money has actually ended up in the pockets of certain individuals? For example, with regard to the Continental House, the Attorney-General prevailed on the Official Receiver who works under him to sell it at an undervalue at Kshs225 million, in fact, not to Walji Shah but to B.P. Vora who is a personal friend to his colleague, the Minister for Finance. Then the same building was sold to the National Assembly at Kshs465 million; the difference being divided between his colleague, the Minister, and the Attorney-General. What guarantee do we have that these figures that we are now being given represent the correct position?

Mr. Keah: Mr. Deputy Speaker, Sir, the hon. Muite has made some very serious allegation that there is a difference that was shared between my colleagues. He should bring a substantive Motion if he wants to discuss and debate a conduct relating to his fellow colleague in this Parliament. Is the hon. Muite in order to actually impute improper motives on the Minister for Finance? Mr. Muite should revoke what he has said unless he brings in a proper motion on the hon. Minister for Finance. I am asking the hon. Muite, first and foremost, not to substantiate, but to actually bring a substantive Motion.

Mr. Deputy Speaker: Mr. Muite, do you have any response?

Mr. Muite: Mr. Deputy Speaker, Sir, the Assistant Minister who I agree did not get any part of this particular share is rumbling on and on. I asked him: What guarantee do we have that we can accept his word? We talk to lawyers who do these conveyance and Kshs200 million was shared out!

The Assistant Minister, Office of the President (Mr. Sunkuli): On a point of order, Mr. Deputy Speaker, Sir. We require your guidance on this because the hon. Mathias Keah has asked the Chair to rule hon. Muite out of order because he has brought matters about hon. Members without a substantive Motion. Is he in order?

Mr. Keah: Mr. Deputy Speaker, Sir, before I answer that question, is the hon. Muite in order to impute improper motive on an hon. Member and, in fact, state seriously here that the hon. Member, Minister for Finance, my colleague, shared the proceeds of Continental Building? Can he substantiate that because this is imputing improper motive?

Mr. Deputy Speaker: Order! Hon. Muite, it is incumbent upon you to substantiate the allegation or withdraw it and we go on with the business.

Mr. Muite: Mr. Deputy Speaker, Sir, I have spoken to the lawyers who did the transaction and I know that the Attorney-General prevailed on the Official Receiver---

Mr. Deputy Speaker: Order, hon. Muite! This is a somewhat difficult situation. Standing Order No.73 prohibits discussion of a conduct of a Member except on a substantive Motion or the imputation of improper motive except by the Standing Orders. Another Standing Order says every Hon. Member shall be responsible for the accuracy of the facts which he states to be true, which he is to substantiate; he has an obligation to substantiate when asked to do so, and if he cannot, he will have to withdraw with a suitable apology, if need be. Hon. Muite, you are a lawyer and, I think, the standard of measure of responsibility that the Chair rests on you under this Standing Order is much greater than that I would expect to be discharged by other hon. Members. You may have been told by your lawyers, but I will accept nothing short of documentary evidence here, or withdraw it, and we go on with the business of the House.

Mr. Muite: Mr. Deputy Speaker, Sir, I will endeavour to bring the documents tomorrow. There is absolutely nothing to withdraw here because what I am saying is a fact.

Mr. Deputy Speaker: Order! Hon. Muite, if I did understand you correctly, you are insisting that you will, tomorrow, substantiate the allegation that Member X and Y shared the proceeds of that sale, being the difference

between that amount and the second amount. That is what you have said. It is a very serious undertaking.

Mr. Keah: Mr. Deputy Speaker, Sir, with your ruling, I will proceed to answer the question of the guarantee. I do not know what sort of guarantee hon. Ruhiu wants me to give to this House. Suffice it to say that every penny out of the proceeds of the divestiture programme, I shall state here with all certainty that I have, will be given or paid to the Treasury. Thank you.

Mr. Anyona: The Assistant Minister is wondering what kind of guarantee is expected from him. These were sales and so, there is evidence of the sales. I expected that this money would be reflected in the records of the Treasury, maybe, by way of Estimates as Appropriations-in-Aid. Can he answer the question?

Mr. Keah: Mr. Deputy Speaker, Sir, there is nothing more to guarantee there, other than the fact that all the proceeds will be shown in the books of accounts of the Government.

Dr. Otieno-Kopiyo: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead the House that all the proceeds will go to the Treasury when we know that the Milling Corporation of Kenya was sold in Nakuru, the proceeds of sales and the interest that accrued for two years was shared out before the money was paid to the Treasury? Is he in order to mislead the House and he talks with so much pride over this kind of gallus theft?

Mr. Deputy Speaker: Next Question! What is it Mr. Ruhiu?

Mr. Ruhiu: On a point of order, Mr. Deputy Speaker, Sir, I wish to---

Mr. Deputy Speaker: Order! Order, Mr. Ruhiu! We have moved to the next Question. Question No.500, for the Second Time!

Question No.500

CONSTRUCTION OF IRIGU BRIDGE

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

(a) whether he is aware that the construction of one side of Irigu Bridge in Kithangani Location, Chuka Division has been completed by wananchi on Harambee basis; and,

(b) if the answer to "a" above is in the affirmative, what financial assistance he is considering to give to those residents in order to complete the bridge and ease communication between Kithangani and Gitareni locations.

Mr. Deputy Speaker: Is there anybody from the Ministry of Public Works and Housing? That Question will be deferred.

(Question deferred)

We will now move to Question No.579, for the Second Time.

Question No.579

PAYMENT OF RETIREMENT BENEFITS TO MR. ODOO

Mr. Deputy Speaker: Prof. Anyang'-Nyong'o is not here? That Question is dropped.

(Question dropped)

QUESTIONS BY PRIVATE NOTICE

Mr. Cheserek: Mr. Deputy Speaker, Sir, before I ask my Question, I would like to bring to you attention the fact that I have not received a written answer.

KILLING OF MR. KIBOR

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

(a) Is the Minister aware that Mr. Julius Cheboi Kibor was killed on 19th July, 1995, at Anin in Central

Division, Keiyo District and the matter reported to Iten Police Station?

(b) Why were the suspects released from Eldoret Remand Cells before an inquiry/inquest was conducted?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the deceased was killed on 21st July, 1995 by a mob on suspicion that he was a cattle rustler.

(b) The suspects were released due to lack of sufficient evidence to sustain a charge of murder. However, the Office of the Attorney-General has directed that a public inquest be heard by the Senior Resident Magistrate at Iten. Iten Inquiry File No.5/95 is, therefore, pending before the court.

Mr. Cheserek: Mr. Deputy Speaker, Sir, this is a very serious matter because many Kenyans have lost their lives due to political interference and this is one example. Our officers cannot work because of "godfatherism". Mr. Julius Cheboi Kibor was killed by three people namely: Mr. Zecharia Kokoi who owns a garage at Iten and he is doing a thriving business, Mr. Joseph Kiplagat and Mr. Philip Rotich. These people were arrested, remanded in Eldoret Prison Cells, but because of political interference by the late Chepkok and others, they were released. Mr. Kibor was dragged from his house under the pretext that there was a war cry somewhere and so, the killers are known. Can we know why these people were arrested and released, despite the fact that an inquest file has been opened?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, I wish to confirm that indeed, Mr. Zecharia Kipkosgei Kokoi and Mr. Philip Kangogo Rotich, but not the third person mentioned by the hon. Member, were arrested following the death of Mr. Kibor. These persons were taken to court under the law and a murder case file was opened. According to criminal procedure code, the file was sent to the Attorney-General who delegated his responsibilities to the State Counsel in Eldoret. Upon perusal of the committal documents, the State Counsel, on behalf of the Attorney-General, found that there was no sufficient evidence to prosecute these persons. Under Section 233(1) of the Criminal Procedure Code, the Magistrate in Iten, therefore, discharged these persons. That is perfectly in accordance with the law and the hon. Member will appreciate that the facts are such that it is difficult to know who actually killed the deceased. The offence was committed at mid-night and the killers of Mr. Kibor are not known. The reason why the Government has proceeded to the next possible step of opening an inquest file is to enable persons who believe that they have evidence that may lead to the prosecution of these particular suspects or any other suspects, to come forward. The Government wants to take this matter seriously.

Mr. Moiben: Now that the Assistant Minister is aware that this man was not a cattle rustler, but he was dragged from his house and killed, can he promise that the killers of Mr. Kibor will be brought to book? They cannot just kill somebody like a chicken. This is very serious!

Mr. Sunkuli: I promise that as soon as the Senior Resident Magistrate in Iten has been able to find who the killers are, the Government will take appropriate action.

Mr. Nthenge: On a point of order, Mr. Deputy Speaker, Sir. The Questioner has said that influential politicians interfered with the case to the extent that these people were released. Can the Assistant Minister answer that little bit which he has been evading?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, I wish to answer a question whose facts can be proved. What I am saying is that I have placed the file before the Attorney-General who has taken the matter to court. The court has not come up with any findings. We have now put back the files to the Magistrate at Iten and I hope that the Judiciary will act impartially on this matter.

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

Mr. Orendo: Mr. Deputy Speaker, Sir, who has the Floor?

Mr. Deputy Speaker: Order! Order, hon. Members! I recognised the hon. Member for Lagdera, unless you think he has no right to speak here. I hope that is not the case! Mr. Farah, proceed!

Mr. Farah: Mr. Deputy Speaker, Sir, my point of order is that, the hon. Questioner has made a categorical statement. He said that these people who killed Mr. Kibor were released because there was political interference. Can he tell us the politicians who were involved by mentioning their names and how they got involved?

Mr. Cheserek: Mr. Deputy Speaker, Sir, I had mentioned before that, those who interfered with the investigation which led to the release of these killers is the late Chepkok and his colleague. It is not possible that the killers were arrested, a file opened and that they are released within two months. What kind of investigation is the Assistant Minister talking about? Can the Assistant Minister tell us what interests he has in this case because he does not want to tell this House the truth?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, dead men tell no tales and I hope the hon. Cheserek can let the spirit of the late Chepkok rest in peace. Let us deal with the fact and the fact is that the file is in the Resident Magistrate's Court pending the hearing of an inquest and anybody with evidence is welcome to give it to the Magistrate.

Mr. Sambu: Mr. Deputy Speaker, Sir, these inquests are now becoming a way of cover-up and they are

leading to a dangerous precedence in this nation. People kill others deliberately. It is known that these three persons killed the late Kibor and there is evidence because they were remanded in the police cells for two months. They were later released, even after witnesses had made their statements. We have a similar case in Eldoret where two Administration Policemen shot dead two employees of the Kenya Power and Lighting Company. They were arrested and later released, and yet they admitted killing these employees because they thought that they were thieves. Do we shoot people because we simply "think" they are thieves without proof? Why are we not charging them, yet there is evidence which was collected both in Eldoret and Iten? I would prefer an undertaking from the Assistant Minister that they should be taken to court in Eldoret and not in Iten where there is political influence?

(Applause)

Mr. Sunkuli: Mr. Deputy Speaker, Sir, either we believe in the rule of law or we do not, because the law of this country presumes everybody to be innocent until he is proved guilty. The procedure of committal documents is under the Criminal Procedure Code. If you are charged under murder, you are not required to answer the charge until the committal documents have been prepared, perused by the Attorney-General and presented to court. That is what has happened. The Attorney-General cannot prosecute persons where there is no sufficient evidence.

Hon. Members: No! No!

Mr. Deputy Speaker: Order! Order! We have had enough time on that Question and I would not change my mind on my decision to call for the next Question, hon. Obwocha.

Hon. Members: No! No!

Mr. Deputy Speaker: Order! Order! You have ventilated sufficiently on that Question and you can do it again elsewhere. My responsibility is to allocate the remaining time between the remaining Questions. The Order Paper still has three Questions unanswered whose Questioners have as much right as you to have them asked and answered, and for the 15 minutes, I have said, I would not give you an extra minute on that Question because I have already given you enough time. Next Question, hon. Obwocha.

NON-REGISTRATION OF KCSE CANDIDATES

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

(a) Is the Minister aware that 99 Form Four students from Marindi Secondary School in West Mugirango Constituency have not been registered for the 1997 Kenya Certificate of Secondary Education examinations?

(b) If the answer to "a" above is in the affirmative, what circumstances resulted in the failure of the Headmaster to register the students, despite the fact that they had paid their examination registration fees in good time?

(c) Could the Minister order the Kenya National Examinations Council (KNEC) to register the students?

Mr. Deputy Speaker: Is there anybody from the Ministry of Education? None.

Mr. Obwocha: Mr. Deputy Speaker, Sir, this is a very serious matter because the examinations are starting next month and these students who paid their examination fees have not been registered. Would I plead with the Chair that this Question be listed for today afternoon or tomorrow afternoon?

Mr. Deputy Speaker: I direct that the Question be deferred until tomorrow afternoon and that the Minister be informed that the Question is listed for tomorrow.

(Question deferred)

Next Question, Prof. Mzee.

ALLOCATION OF SCHOOL LAND TO PRIVATE DEVELOPER

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

(a) Is the Minister aware that a big portion of Mombasa Primary School land (Plot No.926/XXXIV) has been allocated to private developers by the Municipal Council of Mombasa, among them the local councillor?

(b) Is he further aware that private developers have started to erect a fence within the school compound and this has created a lot of tension and anxiety between parents and the Municipal Council of Mombasa?

(c) Could the Minister undertake to stop the construction of the fence and nullify the allocation immediately?

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

(a) I am aware.

(b) I am aware.

(c) The Municipal Council of Mombasa has contacted the Commissioner of Lands on the matter and has strongly recommended that the allocation should be nullified. Two, the Municipal Council of Mombasa has also served the private developer with appropriate notices under the Building By-laws to stop any development on the said plot. Further, the Municipal Council of Mombasa is undertaking survey work on the entire original plot with the objective of obtaining a legal title deed for the school.

Prof. Mzee: Mr. Deputy Speaker, Sir, I am very pleased with the honest answer that the Assistant Minister has given this House, but I am shocked that the Ministry of Lands and Settlement could illegally allocate land which does not belong to them. First of all, can the Assistant Minister tell us who the allottees of these plots are? Also, in pursuant to his reply in part "b", "that the developers have been ordered to stop any construction on the land", can he also promise this House that he will use all legitimate authority to stop the developers from ignoring his order? Can he accept to enlist the assistance of the parents and students of the school to stop the developers from proceeding with the work?

Dr. Wameyo: Mr. Deputy Speaker, Sir, I have already said that the developers have been served with that notice, and let me promise the hon. Member that definitely, I asked for this answer, but I did not get it. It is only this morning when I received it and I saw that point about the allottees. Therefore, I am going to the Ministry to find out who allocated these plots because the plot numbers which have been allocated have been given. Therefore, they must bear the names of the allottees. I am going to find out

Prof. Mzee: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has indicated that he is going to contact the Ministry and give us the names of the allottees. Can this Question be deferred and answered later since the answer is not complete?

Dr. Wameyo: Mr. Deputy Speaker, Sir, I have answered the Question except where the hon. Member raised a supplementary question which I do not have information. That is what I am going to find out and I will give him the answer tomorrow afternoon.

Mr. Ndicho: Mr. Deputy Speaker, Sir, can the Assistant Minister consider to instruct Municipal Education Officers all over the country to ensure that all primary schools within the municipalities in this country obtain title deeds for their land? In Thika, St. Patrick Primary School has been portioned by the Deputy Mayor of Thika who has taken six plots and exchanged one for a vehicle with an Asian. He is now threatening to sue the headmaster and the chairman of that primary school. This can be stopped if the Ministry can direct the Municipal Education Officers to order or obtain title deeds for the schools' land within their jurisdiction, so that they are not interfered with by land grabbers.

Dr. Wameyo: I am not aware of the matter, but if we are given the facts, we will take action.

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

Mr. Deputy Speaker: I am afraid you are seeking to ask a question under the guise of a point of order. It had better be a point of order, strictly so-called.

Mr. Ndicho: I gave an example of St. Patrick's Primary School where the land on which the school stands was grabbed. I am asking whether the Government can issue a directive that all primary schools be issued with title deeds for the land on which they stand so that this habit of land grabbing can stop?

Mr. Deputy Speaker: That is not a point of order.

Mr. Ndicho: He has not answered my question.

Dr. Wameyo: Mr. Deputy Speaker, Sir, matters relating to schools and title deeds to their plots, are issues for the Ministry of Education and not Ministry of Local Government.

Mr. Ndilinge: Mr. Deputy Speaker, Sir, is the Assistant Minister aware that the Malindi Town Clerk and a few politicians were behind the burning of about 237 kiosks owned by Kambas in Malindi, yesterday?

Dr. Wameyo: Mr. Deputy Speaker, Sir, I am aware that some kiosks have been burnt down in Malindi, but I am not aware that the Malindi Town Clerk and a few politicians are behind it.

Mr. Farah: Mr. Deputy Speaker, Sir, we are all constrained to grill the Assistant Minister, who is very capable, because he has come out of hospital. He did say that he is aware that the school property has been allocated by the municipal council. Now, where is the loophole in our system that allows a public property like a school to be grabbed by individuals? Why is that possible?

Dr. Wameyo: Mr. Deputy Speaker, Sir, I did not say that I was aware that the school property was allocated

by the municipal council, but I said that I was aware that it was allocated by the Ministry of Lands and Settlement.

NUMBER OF PEOPLE SETTLED IN
GARITHE AND MAMBRUI

Mr. Ndzai: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Lands and Settlement the following Question by Private Notice.

- (a) Is the Minister aware that Ngomeni, Garithe and Mambrui areas were adjudicated in 1994?
- (b) How many people were settled in these areas, their names and plot numbers?
- (c) What is delaying the issuance of title deeds?

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): Mr Deputy Speaker, Sir, I would like to seek the indulgence of the House that this Question be deferred to Thursday, next week, because the answer I got did not contain enough details to satisfy the Questioner and the House.

Mr. Ruhiu: On a point of order, Mr. Deputy Speaker, Sir. The request by the Assistant Minister is very unfair. Before the Assistant Minister left his office, he should have studied the Question and made sure that it was properly answered by the civil servants. This is a waste of time!

Mr. Deputy Speaker: The Question is deferred to Thursday, next week.

(Question deferred)

Question No.2, for the second time by hon. Obwocha.

NON-REGISTRATION OF KCSE CANDIDATES

Mr. Obwocha: Thank you, Mr. Deputy Speaker, for having mercy on these students in West Mugirango Constituency. I wish to ask the Question now that I have "fished" the Assistant Minister from the deep waters. I beg to ask the Minister for Education the following Question by Private Notice.

- (a) Is the Minister aware that 99 Form Four students from Marindi Secondary School in West Mugirango Constituency have not been registered for the 1997 KCSE examinations?
- (b) If the answer to "a" above is in the affirmative, what circumstances resulted in the failure of the Headmaster to register the students, despite the fact that they had paid their examination registration fees in good time?
- (c) Could the Minister order the Kenya National Examinations Council (KNEC) to register the students?

The Assistant Minister for Education (Mr. Komora): Mr. Deputy Speaker, Sir, I beg to apologise for coming in late. In fact, the hon. Member would be glad to know that I was hunting the information required. I beg to reply, Sir.

- (a) Yes, I am aware.
- (b) The headmaster of Marindi Secondary School Centre Code No.706107 remitted to the Kenya National Examinations Council, the 1997 Kenya Certificate of Secondary School Education examination registration fees for only 40 form four students before the official expiry date of registration of these people on 30th March, 1997. The headmaster withheld registration fees for 96 other candidates who had paid.
- (c) On the 18th August, 1997, the Kenya National Examinations Council received and accepted Kshs292,350 from the headmaster being registration fees for 99 other students of Marindi Secondary School inclusive of late registration penalties. My Ministry is, therefore, processing the late registration of these students and is taking the necessary disciplinary action against this headmaster and any other headmaster who has behaved in the same way.

Mr. Obwocha: Mr. Deputy Speaker, Sir, for the first time this Ministry has taken Questions asked by hon. Members seriously. Now, if these students are not registered for examinations, this Ministry will be responsible for the destruction of any property in that school. These students paid the examination fees in good time. The headmaster paid the money to the Kenya National Examinations Council and there is an officer there who took away the money. Could the Assistant Minister assure this House that he will take disciplinary action against the officer who took this money? Could you also assure us that the parents are not going to be asked to pay additional money?

Mr. Komora: Mr. Deputy Speaker, Sir, I am sure the hon. Member knows that it is necessary sometimes to give the devil his due. I would have expected the hon. Member to thank me for the answer I have given him. I am sure the hon. Members knows that the Ministry of Education is very serious in answering the hon. Member's Questions satisfactorily and satisfying the needs of the House. As I have already said, disciplinary action will be taken against anybody who has been involved in any malpractice.

Mr. Rotino: On a point of order, Mr. Deputy Speaker, Sir. I do not know whether I heard it right. Hon. Obwocha said that somebody in the Ministry of Education took the money and failed to register these students. The headmaster paid this money in time, but the money was stolen. Can the hon. Member name that particular person because he is the one who is supposed to be punished and not the headmaster?

Mr. Obwocha: Mr. Deputy Speaker, Sir, the Assistant Minister is going to punish the wrong person because money was paid to the National Examinations Council by the headmaster and then a certain officer there misappropriated this money. The money that has now been paid has been raised from other sources.

Hon. Members: Who is this officer?

Mr. Obwocha: The Assistant Minister knows him.

Mr. Komora: Mr. Deputy Speaker, sir, I have already said that any person involved in this malpractice will be punished.

Mr. Deputy Speaker: We will now move on to the next Order. We have had one hour for Questions and it is exactly 10.00 o'clock, one hour after the start of the House. Next Order!

PERSONAL STATEMENT

REACTION TO ALLEGATIONS BY HON. KILIKU

The Assistant Minister for Research, Technical Training and Technology (Mr. Sajjad): Mr. Deputy Speaker, Sir, I would like to make a personal statement.

I wish to take this opportunity to express very strong exception to the malicious utterances made against me by hon. Kiliku yesterday. At that time, I was not in the House, but I have read the HANSARD.

I would like this House to know that there exist personal differences between hon. Kiliku and myself since last year. Hon. Kiliku cheated me in a land transaction and took Kshs---

An hon. Members: On a point of order---

Mr. Deputy Speaker: This is a point of order and it is not subject to other points of order and interruptions. Hon. Sajjad, the word "cheating" is unparliamentary. Can you withdraw it?

Mr. Orengo: On a point of order, Mr. Deputy Speaker, Sir. The fact that he is on a point of order does not allow him to flout the rules of this House. Any negative reference to hon. Kiliku, unless it is through a Substantive Motion, is out of order.

Mr. Deputy Speaker: Order! Order! Hon. Sajjad came to me to complain that a serious allegation was made against him on the Floor of the House yesterday, that he wanted to raise a point of order. I said; "not until I see the HANSARD and I am satisfied that it is a matter on which you can rise under Standing Order No. 69". I saw the HANSARD and there were, indeed, very serious allegations from hon. Kiliku, who is subject to the same Standing Orders, against hon. Sajjad. It is in the HANSARD. He has a right to rebut in his language. All that I insist on is that he must not use unparliamentary language. Proceed, hon. Sajjad.

The Assistant Minister for Research, Technical Training and Technology (Mr. Sajjad): I would like this House to know that there exist personal differences between hon. Kiliku and myself since last year. Hon. Kiliku defrauded me in a land transaction and took Kshs500,000 from me under the guise of selling me a plot in Mombasa. When I discovered that the plot in question was reserved for public use, I declined to proceed with the transaction and, therefore, demanded to get my money back. He has not refunded the money and this has created bad feelings between us.

It is an abuse of the privileges of this House, for hon. Kiliku to come to this House and make wild allegations about me on serious matters of security, which have terribly affected lives of people in Mombasa. If hon. Kiliku has any evidence of anyone, including myself, who may be involved in causing the terrible situation in Mombasa, he should give written evidence to those dealing with the security of this country, so that appropriate action can be taken against him, or them. It does not make sense to come to this House and make wild allegations against individuals you do not like for personal reasons, and yet you are not prepared to convert such allegations into proper evidence outside Parliament. This House was never intended for individuals to square personal differences. Such conduct should never be allowed to exist in this House.

Mr. Deputy Speaker, Sir, I am a peace loving person and an investor in this country. Therefore, I have a personal and national obligation to support peace and tranquillity in our country. Indeed, I am among peace loving Kenyans, who are condemning the heinous thuggery in Mombasa and its environs. I am, therefore, very concerned about the situation in Mombasa, as many other peace loving Kenyans.

Thank you very much.

Mr. Kiliku: On a point of order---

Mr. Deputy Speaker: Order, hon. Kiliku! This is a difficult issue!

Mr. Kiliku: I would like to give a clarification!

Mr. Deputy Speaker: What clarification? We will not allow a debate on this! There is nothing for hon. Kiliku to clarify. Proceed, Prof. Ouma!

POINT OF ORDER

MINISTERIAL STATEMENT SOUGHT: REMOVAL OF WATER HYACINTH

Prof. Ouma: Mr. Deputy Speaker, Sir, I rise on a point of order on a different issue. For two weeks now, the people of Nyanza are faced with the death of their economy and the threat to their lives. I came to Parliament and asked for a Ministerial Statement on the Floor of this House. The Minister has shied to come here. Last week, he assured me that he will come on Tuesday and give us a categorical statement on the emergency measures that are being taken to make Homa Bay, Kendu Bay, Kisumu, Siaya and other places open. There is no fishing and people are dying of hunger. The economy has collapsed. We cannot drink water. Homa Bay is stinking. There is no water to the municipality of Kisumu. There is over Kshs100 million given by the World Bank. Has it been "eaten" already? Why are we suffering like this? Are we not Kenyans? Where is the Minister? They "eat" big money! Where is he now? Why is he hiding from his responsibility? The people of Nyanza as Kenyans demand to be heard and be assisted. The Minister in question is hon. Kosgey. Where is he? Maybe he does not understand that the water hyacinth has made the water to stink and there is no drinking water in Homa Bay. My mother has to walk five kilometres to draw water from a river, and yet we live one quarter of a mile from a river. There is no fish. The boats cannot go to the water. There is no boat which can cross from Kisumu to Homa Bay. We are land-locked on the edge of the water. We demand this Minister to work.

Mr. Deputy Speaker: Order! I appreciate Prof. Ouma's statement and I think this is the third time this matter is being raised. I hope the Government side has heard and the Minister will come to give his statement.

Mr. Kiliku: On a point of order, Mr. Deputy Speaker, Sir. I rise under Standing Order No. 69---

Mr. Deputy Speaker: Order, hon. Kiliku! This is a serious matter! I do not enjoy having to referee between hon. Members who want to quarrel or fight across the Bench verbally. You raised this matter in my absence yesterday. That is why when I was told by the hon. Member, I insisted that I must first see the HANSARD to make up my mind whether there was really a rebuttable matter. I was satisfied that there was and I gave him the Floor under Standing Order No. 69. You know very well that Standing Order No. 69 authorises you to make a personal statement, and it is a matter which is not subject to debate. You did not see me earlier about a personal statement today. Therefore, your insisting on making a personal statement can only be by way of creating an opportunity for debate, which is forbidden by the rules, and which I do not intend to allow.

Next Order!

MOTIONS

FINANCIAL ASSISTANCE TO YOUTH POLYTECHNICS

THAT, given the crucial importance and role of youth polytechnics in the technological transformation of the rural and urban areas in the country through the informal and *jua kali* sectors, and in view of the serious financial, management and organisational problems facing and threatening the collapse of the youth polytechnics in the country, this House resolves as follows:

- (i) that all youth polytechnics in the country be financed through the Exchequer and supervised by the Ministry of Research, Technical Training and Technology in the same manner as all public educational and technical institutions;
- (ii) that the remuneration and other terms and conditions of service of instructors and other employees of youth polytechnics be based on a regular Scheme of Service in accordance with the Public Service Regulations.
- (iii) that the graduates of the youth polytechnics be absorbed into regular employment both in the public and private sectors and/or be assisted with capital (financial and/or material) to join the informal and *jua kali* sectors in self-employment.

(Mr. Anyona on 6.8.97)

(Resumption of Debate interrupted on 13.8.97)

Mr. Deputy Speaker: Who was on the Floor? Proceed, hon. Keah!

The Assistant Minister for Finance (Mr. Keah): Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to make my contributions on this Motion by hon. Anyona. The Motion calls upon the Exchequer to finance the youth polytechnics, and that the remuneration and other terms and conditions of service of the instructors and other employees of youth polytechnics be based on a regular scheme of service, in accordance with the public service regulations. The graduates of youth polytechnics should be absorbed into regular employment, both in the public and private sector.

Mr. Deputy Speaker, Sir, this is a good Motion because, indeed, we all recognise the crucial importance and role of the youth polytechnics in the technological transformation of the rural as well as the urban areas in our country. The informal and Jua Kali sectors are important as far as employment is concerned within our Republic. I agree, that these polytechnics are facing very serious financial management and organisational problems which are threatening their collapse. Therefore, this Motion is timely, should be supported and will certainly achieve the results that we would like to see in technological transformation.

Mr. Deputy Speaker, Sir, many youth polytechnics in this country were started through private initiatives of the local communities. I would like to take this opportunity to commend those initiatives. Youth polytechnics have assisted Standard Eight as well as form Four school leavers. I would be happier to see a much more structured pattern in the establishment of the youth polytechnics and a code established in their formation. I would like to call upon the Ministry to come up with guidelines, rules, regulations and the criteria for setting up youth polytechnics. Some of them leave a lot to be desired. Many of them are suffering from imminent collapse for lack of funding. Whereas we are aware that there are funds available in the Ministry, I wonder how the distribution of these funds are made to the various youth polytechnics in the Republic. In my own constituency there is a youth polytechnic that has closed down because we have no instructors. It is in this respect that I whole-heartedly support this Motion.

Mr. Deputy Speaker, Sir, there is one point which I feel will be constraining on the Treasury, unless we put certain limitations. This Motion states: "All youth polytechnics in the country", which could mean present as well as future youth polytechnics. If we limit ourselves to the present youth polytechnics, I have no problem, because they are known and the cost involved can be factored into the budgetary processes, but if we say: "All youth polytechnics", which could mean present as well as future youth polytechnics, this leaves it too wide and onerous. It makes it burdensome for the Treasury to accommodate future youth polytechnics which can be started by anyone or everybody. In this respect, I am calling upon the mover of this Motion to clearly define what he means by "all". If "all" means present and future youth polytechnics, I would not accept, because it has a financial obligation which the Treasury may not be able to meet without a proper pattern of establishment.

Mr. Deputy Speaker, Sir, if we draw guidelines on the formation of youth polytechnics, for example, if there are approval processes which will bring in checks and balances as to whether polytechnics are first of all approved by DDC's and the Ministry of Research, Technical Training and Technology, then I have no problem with the word "all" in this Motion. Otherwise, I have misgivings in leaving it too wide and open to future polytechnics which could be started by everybody. Having given that rider - I am not the Minister in charge - I am objecting therefore, to the word "all". It should be replaced by the words: "Youth polytechnics approved by the Ministry of Research, Technical Training and Technology in the country---"; then it will be acceptable. Otherwise I am objecting to the word "all" without proper definition. I hope when the Minister will be responding to this Motion, he will make that clarification. This will enable the Ministry to incorporate this in its budgetary processes.

Mr. Deputy Speaker, Sir, I would also like to caution that it should not be limited only to private youth polytechnics, but also give room for entrepreneurs who are able to start their private youth polytechnics to do so. This is therefore, the rider that I am bringing to this Motion. Otherwise, I support the Motion in principle.

Mr. Deputy Speaker, Sir, I would like to make certain observations about the youth polytechnics, particularly in the rural areas. Many of the youth polytechnics in the rural areas have been run-down. I am concerned about the quality of education that these run-down youth polytechnics are providing. Therefore, I would like to see certain standards set. I know there are Government Grade Test examinations I to III, but I would like to see a review of the syllabus contained in these Grade Test examinations, so as to be in line with the modern changes.

With these remarks, I would like to support the Motion, subject to that amendment.

The Minister for Labour and Manpower Development (Mr. Masinde): Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. Polytechnics are very important in this country because of their role of producing middle level manpower to man agricultural and industrial activities in this country. It appears that initially when the youth polytechnics were under the National Council of the Churches of Kenya they had a defined mode of operation. However, after the Government took them over they have been left to

operate as they wish.

I feel that youth polytechnics should be started with specific aims. Their sponsors should be identified so that they assist the local community in running and managing them. At the moment the management of these polytechnics is very loose. Most of the youth polytechnics are not doing well in terms of management and academically. I feel that management committees of these polytechnics should operate along the same lines as boards of governors of secondary schools. We should have in these Committees strictly efficient people who will, at least, help in the running of the polytechnics.

The other thing is that all youth polytechnics in various parts of the country should not have to run similar courses. Each polytechnic should design courses which will utilise local materials and personnel in order to help the community. After all, these institutions used to be called village polytechnics because it was hoped that they would help people who lived around them. Now we have youth groups in various areas of the country, who should be taught courses which are relevant to the needs of their areas. For example, we have areas which have a lot of hides and skins.

We assume that a youth polytechnic in such an area should be able to teach courses which make use of these products, instead of teaching courses for which there are no local materials and which will not enable graduates to serve the local people. There are other areas which are suitable for farming. Here courses which provide skills in the use of farm machinery and making of farm implements should be taught in order to help the local people. In other words, youth polytechnics should aim to meet the needs of the local people and also help their graduates to be self-reliant.

One other problem with polytechnics is that we do not have enough qualified teachers for them. As a result, you will find a teacher teaching a subject for which he is not qualified. This will mean that he does not have teaching methods. It is no use picking on a person who has Trade Test Grade I or II when he does not know teaching methods. Teaching is an art and you have to train in it. You have to know student or child psychology. You have to know the method of delivering your message to the students. It is, therefore, not enough to pick on trade test graduates and push them to youth polytechnics to teach. This is because such people will not give the kind of quality of education that is important for our people. I know that where we need one engineer we may need 50 technicians. Technicians are very important because they do the actual job of repairs and maintenance in a particular line, be it agricultural or industrial. So, we really need teachers who are qualified in their respective fields.

We also have to get rid of the feeling that polytechnics are only for stupid people who cannot pursue further education. We have to emphasise that polytechnics are in technical areas where we actually need good brains who can understand what is taught. What is taught may be at a low level, but it is normally scientific and needs good brains.

Mr. Deputy Speaker, Sir, I know of one or two polytechnics in my constituency where we have more teachers than the pupils being taught. I know one specific polytechnic where we had 12 teachers and 10 students. Obviously, this is a big anomaly. The reason is that you may find that you have one student for tailoring and so you need a teacher for this subject. You may also have probably three carpentry students and so on. That is why we need good members of the management committees who can get the local communities to push their children to youth polytechnics. I think that youth polytechnics will in the near future be very important as we think of the industrialisation of this country.

School fees in youth polytechnics should also be standardised. Many polytechnics charge a lot of money while the courses they offer are inferior. I would ask the Ministry to standardise fees in youth polytechnics and ensure that courses offered are of good quality and uniform, so that they benefit those who take them.

Management of equipment is also important. I know that the Ministry has tried very hard to equip most of the youth polytechnics, but this equipment does not last. In my constituency I had quite a number of properly equipped youth polytechnics. But when I went back to check on them after six months many of them had hardly any equipment left. So, one begins to wonder how the equipment disappears from a polytechnic which has a management committee and instructors who are responsible for making sure that the equipment is properly maintained and safe. I think it is important for equipment in youth polytechnics to be maintained and secured.

Finally, after the training of these students, when they leave the polytechnic, they are not going to be readily employed. However, they have the skills with which they can help themselves. To do so, they should be assisted with equipment and tools so that when they finish their course, while they are looking for salaried employment, they can still maintain themselves because they have the tools and they know how to use them and they should also be assisted with some money to be able to get the raw materials to use.

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

[Mr. Deputy Speaker left the Chair]

[The Temporary Deputy Speaker]

(Mr. Wetangula) took the Chair]

Mr. Mbeo: Thank you, Mr. Temporary Deputy Speaker, Sir. This Motion being debated today is a very important one but, unfortunately, listening to the contributions of our friends on the other side, it appears very clearly that this Government does not have any proper policy set aside for the development of either curriculum or polytechnics as such.

Mr. Temporary Deputy Speaker, Sir, I said that this is a very important Motion because, truly speaking, looking at the history of youth polytechnics, they were created and established to somehow invigorate and create a bottom-up policy in terms of employment and the general welfare of our people. It is shocking that in 1997, when we are now busy talking about the *Jua Kali* sector, lack of employment and infant mortality rate are on the increase. We wonder how our people are going to be fed, yet we know very well that when we introduced youth polytechnics, we had a purpose. The need for these youth polytechnics has been there since Independence. When I was a young man, I saw youth polytechnics mushrooming all over the place. It is so surprising because the Government side is debating as if none of these policies is being prepared for implementation in order to invigorate the economy.

Mr. Temporary Deputy Speaker, Sir, I would like to dwell on the *Jua Kali* sector, which I believe should be recognised as part and parcel of the youth polytechnics and, I have a reason for it. When we talk of the informal sector, there is very little co-ordination between the Ministry of Research, Technical Training and Technology and other Ministries, like the Ministry of Education, and the major funding institution, which is the Ministry of Finance. A lot of money comes in from the World Bank. Every year we hear of more than Kshs2.2 billion being given. Last year alone, more than Kshs2.2 billion was pumped into the *Jua Kali* sector. The UNDB pumps in a lot of money through the Ministry of Finance, in trying to promote the *Jua Kali* sector. But one thing is always missing; the co-ordination of what actually takes place between the end user and the giver on the other side because everything revolves around money. A lot of money is invested in the *Jua Kali* sector. So, my request here, is to ask the Government to look very seriously into the question of getting this money straight from the Treasury to the Ministry of Research, Technical Training and Technology, so that proper co-ordination of this sector is realised. We would like to promote youth polytechnics because that is where there is action. We know that there is serious unemployment, in double digit, yet we know very well that the Government cannot employ anybody now because we are saturated. We request this Government to consider very seriously removing the powers given to the Ministry of Finance, in handling the *Jua Kali*, and taking such powers straight to the Ministry of Research, Technical Training and Technology which must be best suited to handle this. This will help us create a properly constituted department to deal with youth polytechnics and other institutions that are being financed by the Government so that we can have properly co-ordinated activities.

Mr. Temporary Deputy Speaker, Sir, we have heard that various youth polytechnics do not actually teach a properly integrated syllabus. We would request that, once the youth polytechnics are properly handed over to the Ministry of Research, Technical Training and Technology, the syllabus that should be created as has been said earlier, should be tailored to cater for various regions that we have today. I know for a fact that, when you are in Nyanza, you are looking---

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): On a point of order, Mr. Temporary Deputy Speaker, Sir. I thought I heard the hon. Member saying that some of the youth polytechnics are supervised or handled directly by the Ministry of Finance. If he has said that, it is not---

The Temporary Deputy Speaker (Mr. Wetangula): But you will reply!

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): But I would like to put the record straight by saying that all youth polytechnics are supervised by the Ministry of Research, Technical Training and Technology, not the Ministry of Finance.

Mr. Mbeo: Mr. Temporary Deputy Speaker, Sir, I clearly said that most of the finances earmarked for *Jua Kali* activities are still being handled by the Ministry of Finance. I know this for a fact and I can produce documents. I only said that the monies that are being handled directly by the Ministry of Finance, which come through the World Bank and UNPB--- The departments that deal with *Jua Kali*, that are in the Ministry of Finance, need to be consolidated under the Ministry of Research, Technical Training and Technology. I am stating facts and I could help the Minister. When he has time, I can explain to him what is happening, if he does not know.

Mr. Temporary Deputy Speaker, Sir, before I was rudely interrupted, I was suggesting that--- If you are in Nyanza, for example, obviously, you will find that the youth polytechnics that are there would not be having the same curriculum as those in the Coast Province or Eastern and North Eastern Provinces. I know for a fact that, we should be looking for ways of improving fishing activities along Lake Victoria especially in Suba District. Because of this, we need to come up with policies that will help us promote this kind of industry within the area.

Mr. Temporary Deputy Speaker, Sir, obviously, the *Jua Kali* sector, as I said, plays a major role in our society

today and I emphasised it so much. Because of this, we need to train proper teachers in order to train our Jua Kali artisans. The kind of courses which are offered today, to Jua Kali people, are not directly through the youth polytechnics.

Mr. Deputy Speaker, Sir, these are haphazard programmes drawn up in such a way that if one person brings money, somebody will then later on draw up a programme to train *Jua Kali* artisans for three weeks and move them to the market place without a follow-up programme. I would request the Government to consider seriously looking into this issue of polytechnic instructors who are specifically designed for the *Jua Kali* sector. If we could succeed in doing this, it is obvious that a lot would be achieved in the promotion of Kenyan's welfare.

With these few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Minister, I understand that you are moving an amendment and your time will run out at 11 O'clock. You better share your time with your seconder because you have not informed me of the amendment. In fact, I wanted to reject it.

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): Thank you very much, Mr. Temporary Deputy Speaker, Sir. I agree with the spirit of the Motion and I am not going to change its spirit. All that I am trying to do is make the Motion applicable and practicable. This is to make it possible for the Ministry to adopt the Motion.

Mr. Temporary Deputy Speaker, Sir, I want to move very quickly by saying that this is a very very good Motion and it is in line with the thinking of the Government. It is in line with what we are planning to do as a Ministry. This is to enable us to speak in harmony both with the mover and the other Members of Parliament. I want to move that the Motion be amended as follows:

By inserting the word "public" between the word "all" and the word "youth" in the sixth line and also by inserting the words "that are approved by the Ministry of Research Technical Training and Technology" between the word "polytechnic" and the words "in the country".

Mr. Temporary Deputy Speaker, Sir, that small amendment maintains the spirit of the Motion. I want to request hon. Members, since this is the Motion of the whole House, in future the House to support the Ministry of Research, Technical Training and Technology to obtain more money from the Ministry of Finance so that we can meet these obligations as stated in the Motion. I am aware that some of our polytechnics are in financial crisis. So, that is why I wholeheartedly propose that the Ministry should be given more finances than what we are given at the moment. Most Kenyans do not appreciate the role that the Ministry plays. I want at this moment to tell all Kenyans that this Ministry should be taken the way other Ministries are taken. This is because the future of the country rests squarely on this Ministry. For a long time we have been talking about making Kenya an industrialised country by the year 2020. Unless this Ministry gets more finances, then that is going to be a dream.

Mr. Temporary Deputy Speaker, Sir, we can divert some of the money given to the Ministry of Education to my Ministry so that instead of continuing to train people looking for white collar jobs, we train people that are practicable and who can work in the industries. If we could do that, we would then be doing the right thing. Otherwise, as we speak, the Ministry of Education has more teachers than the country requires. Unfortunately, those teachers are defeated in their work in the long run. We have some districts that are overstaffed by as many as 1,000 teachers. We have other districts that are under-staffed by 200 teachers. If the Ministry of Education acted appropriately and distributed those teachers to the areas that are required, then we would not require to train more primary teachers. We would rather train people that would go to the industries or people that would provide manpower in the rural areas and, therefore, we would be getting closer to what we have talking about by the year 2020.

Mr. Temporary Deputy Speaker, Sir, having said that, I want to say that I am also embarrassed to note that the instructors who are also on the payroll of the Government have been underpaid for many years. We are pushing very hard for them to have a scheme of service. We have finished the first part of it and we are also going to do the same thing for instructors in the youth polytechnics.

With these few remarks, I beg to move the amendment.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I beg to second this important amendment by the Assistant Minister for Research, Technical Training and Technology. The role of village and youth polytechnics is certainly undeniable. It is important to know that when we say that we are heading towards industrialisation, the most important aspect of industrialisation is the development of skills towards that industrialisation so that the personnel is prepared when eventually this country, in fact, becomes industrialised.

Mr. Temporary Deputy Speaker, Sir, if you visit most of our polytechnics in the country, one will discover something that I hope that the Minister will seriously consider. That is the fact that instructors and trainers in our youth in the polytechnics are sometimes not competent enough to do the work. I think it is important for the Ministry of Research, Technical Training and Technology to actually consider sending competent personnel to train our youth. This is because there is no use of trying to teach a youth polytechnic student how to make a table and yet he is being

taught by a person, who himself, is not competent enough to do so. I think it is important that we do send nothing less than graduates to go to instruct so that we can perform highly. It is not possible to expect from a polytechnic any success if those who are instructing the students are themselves below standard. It is very crucial that the Minister does take this proposal into account.

I do know that most of the polytechnics are terribly mismanaged. For instance, I know that for a long time we have had a polytechnic in Transmara which has been very intransparent. The past managers took away the facilities there, and there is no way of bringing them back. They took away equipment like sewing machines, machines that are necessary for masonry and carpentry. Nobody knows how to bring those things back. It is important that the Ministry introduces new ways of managing youth polytechnics so that they can become efficient, affective, accountable and transparent. Otherwise, if we let them run the way they are doing now, it is not possible for us to expect any good results from them.

I think it is also good, that because we are in a poor country, and most of these students come from poor families, it would be a good idea that after our students have been properly equipped with the knowledge and the skills from the polytechnics, they should also be equipped with the facilities. It should be possible that on their graduation, a part from just being told that they have been given the power, they should actually be given the tools to take home and go and begin their work. They should be told that: "Here is a tool box, go and begin your work in peace." What we intend to do is to make them self-reliant and this can only be possible if we can inject some capital into them and they go into the market and begin to work hard. It is crucial that we rejuvenate and resuscitate the youth polytechnics so that they can become the vibrant catalysts of industrialisation as we had expected them to be.

Mr. Temporary Deputy Speaker, Sir, I second.

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

(Question of the Motion as amended proposed)

Mr. Rotino: Thank you, very much, Mr. Temporary Deputy Speaker, Sir for the time you have given me to put my input to this very important Motion.

It is very important to realise that this Ministry is a very vital Ministry and it should act as a lead Ministry into leading this country into an era of industrialisation. We speak about industrialisation, but the Ministry should take the lead in order to take this country into an era where we will see this country being industrialised. In this country we face two major problems. One problem is unemployment and the second one is the looming poverty in this country. We see poor people increasing yearly. The Ministry should be able to address the vital unemployment problem. The only way to address this problem is through this Ministry of Research, Technical Training and Technology. Every year, a lot of our youths finish their secondary education and we are not creating avenues for them to go. The Ministry of Research, Technical Training and Technology should be able to address this.

Mr. Temporary Deputy Speaker, Sir, to avoid a revolution in future, we should be able to make it clear to this Ministry that they are the people to take the lead. This Ministry can solicit for a lot of funds from Non-Governmental Organisations (NGOs). They can get a lot of funds to run these polytechnics, but I think the people there are not very competent. The Permanent Secretary should be aware that we can get a lot of money from outside donors to finance these polytechnics. I would like to cite a very nice example from India. The strategy taken by the Indian Government in 1969 is something that is worth for us to consider. In 1969, the then Prime Minister, the late Indira Gandhi, on seeing the looming poverty and the problem of unemployment, asked her Cabinet what they should do in order to solve these problems. They had to nationalise the banks so that they could get 60 per cent of their deposits to lend to the youth coming out from polytechnics and secondary schools. A lot of money is getting out of this country. Even as we speak now, about Kshs800 million has been taken out of this country by a very rich Asian. We should have spent this Kshs800 million on our youth polytechnics. That money which is being stolen everyday by "big and rich Asians" who are corrupting this country should be used in our polytechnics. There is a lot of corruption in this country and yet we want to solve the unemployment problem. The Ministry of Research, Technical Training and Technology should address this problem with a lot of attention.

Many of my colleagues have talked about the problems facing particular polytechnics. One other big problem facing our polytechnics is payment of salary and this has made the morale of the instructors to be very low. These are people we depend on in our day to day activities in the rural area. In various districts, there are people known as District Youth Officers, who do absolutely nothing and I think the Ministry should get rid of them. They do nothing as far as the polytechnics are concerned, and as a result, the management in various polytechnic is going down. When these district youth officers are told to go and inspect and revitalise the management Committee, they do

not even have a bicycle to go with. They do not even have any Votes or AIE to run. It is very important that the Ministry should allocate certain amount of money, to at least help these officers pay their matatu fares to reach places where their services are required. Otherwise, these district youth officers should be withdrawn if the Ministry is not able to allocate any money to them to assist them in their day to day operations. It is better if these officers are withdrawn instead of letting them just sit there, occupying offices rented by the Government while they render no service. It is very important that we address the issue of syllabus in these polytechnics so that we become relevant to the particular districts we serve.

With those few remarks, I beg to support.

The Temporary Deputy Speaker Mr. Wetangula): Mr. Anyona, it is your time now, unless you want to surrender a bit of it.

Mr. Anyona: Mr. Temporary Deputy Speaker, Sir, how much time do I have left?

The Temporary Deputy Speaker (Mr. Wetangula): You have ten minutes.

Mr. Anyona: I can surrender five minutes to Mr. Moiben since he is my friend.

Mr. Moiben: Thank you very much for giving me this opportunity. The issue of polytechnics is of great concern to most people in this country. This is a way in which the Ministry of Research, Technical Training and Technology should view themselves as being the possessor of skills. They can only impart the skills to our people through the polytechnics. In fact, this Ministry is like the Ministry of Health. It is very important to Kenyans because it is the only way through which our people can learn new ways of life and survival. Shoemakers, masons, and carpenters come out of these polytechnics. The most important thing for the Ministry is not to develop cold feet after the World Bank has channelled resources to them. They should be active enough so that they can run the Ministry effectively. Actually, the issue here is mismanagement.

Mr. Temporary Deputy Speaker, Sir, the issue here is management of equipment. If they can take care of all the equipment given to polytechnics - inventory - and take them all into account so that there is a checking unit, I am sure nobody can ever put his hands into these equipment. There is no way we can teach somebody "art of trade" without using the tools.

Mr. Temporary Deputy Speaker, Sir, in this country, we so much run short of energy. This is another way where the Ministry of Research, Technical Training and Technology could show Kenyans how to generate electricity from the many rivers in this country. For example, if we go to Magadi, there is an European who has generated electricity from a small river called Bagathi instead of relying on the KPTC for electricity. This is the way that this country could be self-sufficient in energy. We need electricity all the time so that people can make use of it. There are no skills imparted by the polytechnics. All they do is that after starting polytechnics and channelling little funds to them, they just run away with funds and tools. The Ministry should come up with a clear policy, say, of restarting the polytechnics afresh so that there is uniform management throughout the country. A polytechnic in Nyanza, for example, should offer the same skills with a polytechnic in Nyeri.

Mr. Temporary Deputy Speaker, Sir, again, we have various needs in the Republic. The pastoralist communities like the Maasai may want to learn better ways of keeping livestock. The problem with pastoralists is water. The Ministry should come up with a way of getting water through boreholes to serve those communities.

Similarly, in places like Trans Nzoia, for example, where we have rivers every half a kilometre, there should be a way the Ministry can teach people to do canal irrigation in order to generate income for our people and increase food production in this country.

Mr. Temporary Deputy Chairman, there is no point for the Government creating resources or avenues for imparted skills only to mismanage the same skills without benefiting the people. We believe that there are some nations with a lot of funds to spend, for example, the European Pension Fund. They can easily channel this money to us. It is not that we lack funds, but we have got our priorities wrong. If we get our priorities right, I do not see why we should not benefit. Through polytechnics, every community in this country can benefit because polytechnics can be set up in villages, sub-locational and locational levels depending on the needs within the locality. Unless the management of these polytechnics is improved, it will be very difficult for our people to get the skills we want them to get.

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

Mr. Anyona: Mr. Temporary Deputy Speaker, Sir, I want to take this opportunity to sincerely thank all the hon. Members who made very useful contributions to this Motion. I would also like to thank the Ministry and the Government generally for accepting both the spirit of this Motion and the sentiments that have been expressed by hon. Members here.

Mr. Temporary Deputy Speaker, Sir, I was a little unhappy that we were not given enough information as to what the Ministry intends to do. The Ministry has accepted the Motion. But this is such an important and urgent matter that we would have wished to be told what kind of time-frame the Ministry has in dealing with this issue. Be

that as it may, we did appreciate the spirit and sincerity that has been expressed by the Assistant Minister.

Mr. Deputy Speaker, Sir, from both the contributions of the Members and the Government, the importance of youth polytechnics has been underscored. At the same time, the very serious problems that face polytechnics have also been fully recognised. If you look at the current Development Plan and also the Sessional Paper on Industrialisation, you will see that the future of this country in terms of industrialisation lies squarely in the technological sector. As long as there is a gap in the technological skills, then clearly that dream will not be realised.

Mr. Temporary Deputy Speaker, Sir, if you look at the structure of technical education in this country, and I am quite in agreement with what the hon. Kagwima was saying, the whole issue is lopsided. There is so much resources that are deployed in the Ministry of Education for purely academic education and too little in the technical side of education. If you look at that structure of technical education in this country, it is clearly like a body that has neither limb nor head. In the middle, we have polytechnics, on the ground, we have youth polytechnics which really do not exist, and at the top of polytechnics we having nothing higher. There was a Motion, once a upon time here, that we should establish a technical university or universities. That the polytechnics, Nairobi and Mombasa and others, should be elevated to the level of university status so that the whole structure is complete. But as I said, it is like a body without a head or limb. That body is a dead body.

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

[Mr. Speaker resumed the Chair]

Mr. Speaker, Sir, we would like the Ministry of Research, Technical Training and Technology, the Ministry of Education and the rest of the Government to get their Acts together and restructure both academic education and technical education so that the right balance and emphasis is placed on both sides of the scale.

Mr. Speaker, Sir, I would like to finish by saying this, that this is one issue that should not have gone beyond the life of this Parliament. We were hoping that before this Parliament ends its life that the Ministry and the Government will come with a Bill because we were told that the Bill is required in order to make this aspect of education applicable. That the Bill was required to incorporate technical education. Now, we were told that all that was remaining was to take that Bill to the Cabinet. But today, I did not hear that information, whether the Bill has gone to the Cabinet, whether the Bill has been prepared and when it is going to come. Since we all agree, the Attorney-General is busying drafting very "strange Bills", this is one Bill that the Attorney-General can draft one afternoon so that tomorrow or next week, we have that Bill in place. That Bill is brought here and we pass it and we can go home and feel that we have done a job for Kenyans so that when we are involved in the electioneering process, Kenya still moves ahead, our technical side of education will be restructured and when we have a new House here we will have this matter in full gear.

Mr. Speaker, Sir, with those few remarks, I beg to move.

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

Resolved accordingly:

THAT, given the crucial importance and role of the public youth polytechnics that are approved by the Ministry of Research, Technical Training and Technology, in the technological transformation of the rural and urban areas in the country through the informal and Jua Kali sectors, and in view of the serious financial, management and organisational problems facing and threatening the collapse of the youth polytechnics in the country, this House resolves as follows:

- (i) that all public youth polytechnics that are approved by the Government in the country be financed through the Exchequer and supervised by the Ministry of Research, Technical Training and Technology in the same manner as all public educational and technical institutions;
- (ii) that the remuneration and other terms and conditions of service of instructors and other employees of the youth polytechnics be based on a regular scheme of service in accordance with the Public Service Regulations.
- (iii) that the graduates of the youth polytechnics be absorbed into regular employment both in the public and private sectors and/or be assisted with capital (financial and/or material) to join the inform and jua kali sectors in self-employment.

ESTABLISHMENT OF SELECT COMMITTEE
TO LOOK INTO THE LIVESTOCK INDUSTRY

Mr. Rotino: Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, in view of the fact that the livestock industry is a major undertaking for over 75 per cent of the population; realising that the industry has been neglected over the years, to the extent that livestock farmers have almost abandoned both dairy and beef farming; noting that the country continues to lose a lot of foreign exchange through importation of dairy and beef products, this House resolves to establish a Select Committee to study and recommend viable methods of revitalising the livestock industry and in particular, the revival of the Kenya Meat Commission and establishment of livestock marketing centres in all primary livestock producing districts such as Turkana, West Pokot, Samburu, Marsabit, Laikipia, Isiolo and Garissa.

Mr. Speaker, Sir, this Motion intends to have a Select Committee formed in this House because 75 per cent of this country is Arid and Semi Arid. It is only 25 per cent of our land that we depend on for our daily activities. About 90 per cent of the people in this country own livestock; at least, all the Members of Parliament in this House own a cow, a goat or any other domestic animal. It is very important that we look at how best the Ministry can revitalise this very important sector.

Mr. Speaker, Sir, the Ministry of Agriculture, Livestock Development and Marketing has concentrated so much on the agricultural sector and neglected the livestock sector. We hear so much about the development of horticulture, floriculture, coffee production, tea production and construction of roads to serve the tea areas, but very little has been said on how to improve our livestock. I want to thank those involved in the Artificial Insemination and other aspects of livestock production, but the marketing sector in this Ministry has been neglected. This is the avenue of development for those of us who live in those districts because our livelihood depends on the livestock sector. Our banks are the animals. Parents in those districts have got to sell their cows or goats in order to be able to pay school fees for their children and meet their day to day activities. This is a business that must be seriously addressed by the Ministry and that is why this Motion seeks to have this House appoint a special Select Committee to study and recommend ways and means of revitalising the livestock sector with a view to making it very active.

Mr. Speaker, Sir, the Coffee Board of Kenya and the Kenya Tea Development Authority are wonderful marketing channels for those farmers in the agricultural sector. The horticultural sector is also very organised because they have a way in which they can market their flowers in Europe and even locally. The coffee, tea and even maize producers have a wonderful network of marketing their produce. The maize producers market their produce through the National Cereals and Produce Board. But the livestock industry has been left aside and yet, it is the means of livelihood for the local people in those districts. The Select Committee should be able to look into ways and means of resolving the marketing issue.

Mr. Speaker, Sir, in the 1960s, there were marketing centres known as the Livestock Marketing Divisions (LMDs) which were very active. They were started by the local authorities within the livestock producing districts. The LMDs died off and no reasons were given for their collapse. So, the LMDs must be revitalised to help the poor farmers. This country spends a lot of money on dairy and beef products. When one goes to the supermarket, one gets a lot of beef cones coming from South Africa and Europe. We import a lot of meat to this country. Sometimes back Nakumatt had its license withdrawn because it was claimed that it had imported infected meat. If we went today to the port of Mombasa or Jomo Kenyatta International Airport, we would find a lot of meat which has been imported to this country. This meat is not necessarily better than what we produce. We need to control the amount of meat that is coming to this country. We spend the foreign currency we have to import meat and yet our country is capable of producing meat.

Mr. Speaker, Sir, there was the White Revolution in India in the early 1960s. This was geared towards milk sufficiency in that country. India went through a revolution of milk production. This was only achieved through a policy of milk sufficiency charted out by the Ministry of Agriculture of that country.

Mr. Speaker, Sir, it was through that revolution that now---There is a lot of loud consultation going on in the Chambers.

Order, Mr. Speaker, Sir!

Mr. Speaker: Order! Order, Mr. Rotino! You should never order, Mr. Speaker. Proceed!

(Laughter)

Mr. Rotino: Mr. Speaker, Sir, I was going on to explain the importance of having this very vital Select

Committee to look at this vital industry. I was talking about a lot of meat being imported into this country. A lot of countries are exporting beef to this country and Kenya has become a dumping market for all other countries in Europe and Africa which are exporting meat here on the pretext that this country is not able to meet its full meat demand. It is important that the Ministry of Agriculture, Livestock Development and Marketing should have a strong unit of marketing livestock products.

Mr. Speaker, Sir, up to now, we do not understand what happened to the Kenya Meat Commission (KMC). Several years ago, KMC was very active, but we do not understand what really went wrong with KMC. We need the Ministry, through that Select Committee, that this Motion wants to have, to explain what went wrong with the KMC. The corruption that was in the KMC must be addressed to. This Select Committee must address the problems that faced KMC so that we can have a strong marketing unit for our livestock products.

Mr. Speaker, Sir, it was just the other day when there were problems with Kenya Co-operative Creameries (KCC) and I thank God that those problems have now been ironed out. We should address ourselves to the problems of the marketing of the dairy products from KCC to support the Marketing Division within the marketing sector so that KCC is able to market its products without any bias. In those districts that depend so much on livestock, KCC should be able to open branches in those districts so that they can help the farmers in those areas.

Mr. Speaker, Sir, we should be able to improve artificial insemination services so that we can improve the breed of our livestock and have quality animals. The Ministry should extend the artificial insemination services in those remote areas. Before Independence, there were big farms whose intention was to keep animals there to boost the production of animals and meat. Those farms are now being sub-divided and making those small plots uneconomical. This is one of the reasons that reduces our milk and meat production in the country. It is important that a special Ministry of Livestock Development and Marketing be separated from the Ministry of Agriculture, so that a lot of emphasis is put into livestock.

Mr. Speaker, Sir, I want to move this Motion:

"THAT, this House do select a committee to look at these problems".

With those few remarks, Mr. Speaker, Sir, I beg to move. My seconder is hon. Moiben.

Mr. Speaker: I am sorry we do not have any time for the Seconder now. The Motion will be seconded next time. I would ask the Deputy Leader of Government Business to move that, the House do now adjourn.

MOTION FOR THE ADJOURNMENT UNDER STANDING ORDER NO.20:

VIOLENCE AT THE COAST PROVINCE

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

Prof. Mzee: Mr. Speaker, Sir, I would like to thank you for allowing this Motion---

Mr. Speaker: Order! Order! For the benefit of the House, I think it would be in the interest of the House for hon. Members speaking other than the Mover and the Government Responder to have five minutes instead of 10 so that we have more Members participate. Is that agreed to? Proceed.

(Applause)

Prof. Mzee: Mr. Speaker, Sir, I would like to thank you for allowing this debate to discuss the violence which erupted in Mombasa, Kilifi and now Malindi District. Briefly, this violence started on Wednesday 13th August at night about 2 a.m. when about 100-200 people, who seemed to be organised and well-trained, attacked and petrol-bombed the Likoni Police Station together with the DO's Office and the Tourist Police Post at Likoni Ferry Jetty. On the first day, there were a lot of casualties and about 13 people were killed which included six policemen, the police station was totally gutted down and about 40 guns and other types of arms were stolen from the armoury at the police station, including about 5,000 rounds of ammunition.

Mr. Speaker, Sir, it is needless to say that this is an absolutely senseless orgy of violence and it has been going on now for a week unabated. Every night and every day, we hear of new cases. If my estimation is correct and if I add up all the figures, over 40 people have been savagely slaughtered in this violence and property worth millions destroyed, including houses, assets, tools of profession, vehicles and so on. It is a very serious situation in Mombasa at the present time and everybody feels totally unsafe.

In addition, there is a lot of suspicion and animosity between groups of people living in Mombasa and the Coast at the present time, which makes this situation serious, in particular and the fact that a combined force of the

Police, the Navy, the Army, the Administration Police and GSU are unable to contain the situation until the present time causing it to spread from the South Coast to the North Coast, Malindi and God knows where.

Mr. Speaker, Sir, a number of locations have been affected, houses in Kisauni, Kisumu Ndogo, Maweni, Shauri Yako, Mishomoroni and Mwandoni have been totally destroyed. I am very sad to say that these areas are high density areas of upcountry people mostly. But both local Mombasa indigenous people and upcountry people are affected seriously in this violence.

Mr. Speaker, Sir, we have to look at the prelude of this violence. There were very strong rumours before Wednesday that there were people taking oath. Even it was in the newspapers that oath-taking ceremonies took place in North Coast. Following that, there were reckless statements made by senior politicians. I will not name any politician, but one politician had asked to have one week of civil war and another one had talked about non-Kalenjins leaving Rift Valley. This is very serious. The significance of these statements immediately pointed that something was simmering. This would have been sufficient warning to the security personnel to take precautions, but none was taken.

There is also unequal distribution of natural resources. You will find that some areas are more developed in this country than others. Coast Province has been lagging behind in education, employment and the land there has been used for political means. All these factors combined, is a perfect recipe for uprisings.

There is also an element of corruption. Nobody can deny that Kenya is listed as the third most corrupt nation in the world. The police force is highly corrupt. We have to be blind not to see Traffic Police spending the whole day collecting money from matatus and the police arresting youth for being unemployed. It is a crime to be poor in this country. Under this background, it is not surprising that we have had an uprising in Coast. Security forces do not seem to be sincere in trying to stop the violence that is on-going. It is very sad to note that, at a security meeting which was held on Saturday at the Provincial Headquarters, under the chairmanship of the Deputy Provincial Commissioner and the PPO, among those who attended the meeting is a known political thug in Mombasa in the name of Emanuel Karisa Maitha, the Kisauni KANU Secretary. Such a name to be included in a top security meeting, points out to a lot of complications in this matter.

It is also important to note that after the meeting he is quoted as saying: "Government should withdrew the new hand". He feared that this activity would dent KANU's image in view of the forthcoming general elections. This was said in the precinct of the PPO immediately after the security meeting. To date, there has been no official explanation on who is behind the violence except that the violence at the South Coast is not connected to the violence in the North Coast. It is very difficult for us to believe that there is no connection since the targeted individuals seem to be the same.

I can only conclude by saying that this violence has political motives. I can only point out that there is a possibility that this violence is created possibly to enforce ethnic federalism or majiboism in this country. The other possibility is that this violence has been perpetrated to derail the on-going reform debate. Also, there is a possibility that this violence is aimed at scaring up-country voters at the Coast who are strongly identified as Opposition supporters. This was done during the 1992 General Elections and was also repeated in the 1993 Kisauni by-elections where Maitha's campaign tactics were similar to what is happening at the present time; calling for the up-country people to go back to their original homes. It could be noted that in 1993, again, a similar thing happened right in the heart of Mombasa Town where 14 cars were burnt down in one hour along Digo Road and Jomo Kenyatta, and which resulted in the killing of a boy at Mama Ngina Drive. This is a pointless brutal killing. These operations have resulted in the killing of innocent people. Two days ago, a Mr. Emanuel Awino Omolo was shot by the police simply because he came out of his house armed with a panga to protect himself after thinking that thugs had struck his house. A number of people were killed this way. A number of innocent people have been arrested and have not been produced in court, to date. Mr. Amir Banda, the Imam of Jihad Markaz Mosque was arrested, Ali Said Chidzondo was arrested, Khelef Khalifa has been arrested and released on bond and a lot of fishermen and farmers too in the area have been arrested. The total results of these operations is damaged property and this affects tourism industry.

Finally, I would like to state that it is not by accident that the present PC, Mr. Sirma, was also the DC in Kericho at the height of the Rift Valley tribal clashes. This question has to be looked into.

With those remarks, I beg to move.

Mr. Mwavumo: Ahstante sana, Bw. Spika, kwa kunipatia nafasi hii ili niongee juu ya jambo hili. Jambo la kwanza ni kwamba baada ya mkasa huu, Waziri alichukua hatua nzuri sana kufika katika vituo ambavyo vilikuwa vimeshambuliwa na kuahidi nchi hii kwamba angeeleza chanzo cha mambo haya. Ni jambo la kusikitisha kwamba walinda usalama waliuwawa na majambazi, ambao pia walichukua silaha na kuwaachilia huru wafungwa. Baada ya kitendo hicho kule Likoni, walizuia ferry kuvuka kutoka saa mbili usiku hadi asubuhi. Hili ni jambo la kushangaza sana kwa sababu Jeshi la Wanamaji liko mwendo mfupi sana kutoka pahali hapo. Hawa watu wana uwezo wa kuzuia kitendo kama hiki. Hii ni wazi kwamba Serikali haifanyi kazi yake ya kulinda wananchi. Haiwezekani kamwe jambo

kama hili kutendeka na hali tuna Serikali. Hadi sasa Waziri hajatueleza ni kwa sababu gani kitendo hiki kilifanyika na waliohusika kutotiwa mbaroni. Badala yake, raia wasio na hatia wanashikwa. Waziri atueleze kiini cha mambo haya.

Tungependa kufahamu chanzo cha jambo hili. Tungependa kujua kama ni ukabila, siasa ama jambo hili lina lengo la kuwafukuza watu wanaowasaidia Upinzani kupata kura. Hatuwezi kukaa namna hii na hali raia wanapigwa na nyumba zao kuchomwa. Polisi wakifika mahali pale, wanaamrisha wananchi kutoka na bunduki na wakitoka, wanapigwa. Sasa ikiwa Serikali inahitaji msaada kutoka kwa raia, ni afadhali waongee vizuri ili wapate kuelezwa ukweli wa maneno. Hatuwezi kupata suluhisho tukifanya hivyo. Sote tunahusika kwa jambo hili. Tunataka amani katika Kenya.

Leo kuna watu ambao wamepoteza jamii zao bila sababu yoyote. Nyumba zimechomwa. Sasa tunaishi kwa hofu. Ni juu ya Serikali kuondoa uvumi mwingi unaoenea. Hatuwezi kuishi namna hii. Bw. Spika, sasa ni wiki mbili tangu mambo haya yaanze huko Likoni. Yameenea Ukunda, Kisauni na sasa yako Malindi. Tunataka kuambiwa ikiwa Serikali iko au haiko. Hatuwezi kuishi namna hii. Hatuwezi kujua baada ya Malindi kuvamiwa, mambo haya yatafika wapi.

Bw. Spika, hii habari ya kuchanganya mambo ya siasa na mambo ya dini, kama alivyosema msemaji mmoja hapa, kwamba kiongozi wa Kiislamu kutoka Ukunda, Bw. Amir Banda amekamatwa, hayafai. Alishikwa kwa sababu ya Msikiti wa Ukunda. Mambo haya sasa yamechanganywa. Ni juu ya Serikali kufafanua haya mambo ili yawe mbali mbali. Mambo ya siasa na mambo ya Msikiti wa Ukunda yawe mbali mbali. Tukichanganya mambo haya, hayatasaidia nchi hii. Historia itaelezwa na kuandikwa juu ya wale viongozi ambao wanataka amani na wale wanaotaka vita katika nchi hii. Hii ni kwa sababu hatuwezi kueneza uvumi katika nchi hii ikiwa tunataka usalama upatikane.

Hili ni jambo la kusikitisha sana. Ni nani ataenda kwa kituo cha polisi huko Likoni, apige watu na achukue silaha? Haiwezekani! Hatuna ujuzi huo na wala watu wa Pwani wasibandikwe kwamba wanataka ukabila na kufukuza watu. Hiyo haiwezekani. Tumekaa na watu wengine, tumeoa na tumezaa nao, na tunaishi kama ndugu. Tunatarajia kuishi kama ndugu ili tupate usalama katika nchi hii. Ni jambo la kusikitisha kwamba mambo ambayo yanabadikwa watu wa Pwani - najua ni kweli tumekuwa wanyonge kwa mambo ya ardhi - lakini hoja kama hiyo isiletwe. Mambo hayo yako lakini yasiletwe wakati wa vita hivi. Haya ni mambo mengine. Mambo ya watu wa Pwani yako vile vile, lakini yasichanganywe na mambo mengine. Tungeiomba Serikali isichanganye mambo. Lazima Serikali ieleze ni kwa sababu gani watu wamepigwa. Tuko na wasiwasi kwa sababu hatujui silaha 40 zilizoibwa zitadhuru nani. Ni jambo la kusikitisha kuwa mambo kama haya yatadhuru watu wetu. Ni sehemu yetu ambayo imedhurika.

Kwa hayo machache, ahsante sana, Bw. Spika.

(Question proposed)

Mr. Badawy: Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii. Umefanya vizuri kunipatia nafasi mimi mtu wa Pwani kwa sababu sisi ndiyo tunastahili zaidi kuzungumza juu ya jambo hili kuliko mtu mwingine yeyote. Sisi tutazungumza yale yaliyo katika roho zetu.

Jambo hili si jambo la kuingizwa siasa. Ni kweli kwamba mkasa huu ulifika Malindi juzi usiku, na mimi mwenyewe nilishuhudia kwa macho yangu. Niliona kwa huzuni kabisa lile soko la sanamu linalomilikiwa na watu wa makabila yote likichomwa. Kuna Wakamba, Wakisii, Bajuni na Miji-Kenda ambao wanafanya biashara. Limeungushwa kabisa. Kwa bahati nzuri, kinyume na vile tulisoma katika magazeti leo, hakuna roho iliopotea au mtu aliyeumia kwa sababu watu hawakai hapo. Lakini nina masikitiko makubwa. Mimi pia nauliza, na Bunge hili lina haki ya kujua, ni kwa nini mambo haya yanafanyika.

Wakati wake ni mbaya lakini mimi kama Mbunge na mkaazi wa Malindi, najua matatizo ya pahali hapo kwa wakati huu. Ninawaomba Mawaziri katika Ofisi ya Rais na Wizara ya Serikali za Wilaya wachunguze kwa sababu watu hawa hawa walikuwa wanasumbuliwa waondoke pahali hapo kwa muda wa miezi mitatu iliopita. Wanaambiwa waende pahali pengine ambapo hawawezi kufanyia biashara zao sawasawa, kulingana na biashara wanayoifanya ya kiutalii pale. Kwa hivyo, jambo hilo lapaswa kuchunguzwa kabisa.

Haya ni mambo yaliotokea baada ya yale yaliotokea Likoni, na naunga mkono maneno ya wenzangu hapa kwamba ni lazima chanzo chake kijulikane. Hii ni kwa sababu mambo haya yameleta fikira mbaya, uhusiano mbaya na chuki. Nasikitika kuona kwamba mzee tunayemheshimu, mhe. Ruhii, ametutusi kabisa. Amesema hataki kuona watu wa Pwani na kwamba sisi ni washenzi kabisa. Hiyo ni chuki ambayo imeanza kuingia. Lugha kama hiyo ndiyo itachafua na kuharibu. Watu wa Pwani wanaishi kwa amani. Tumedhulumiwa na kunyimwa haki zetu. Wakati huu ambapo tunaongea, mali na ardhi inapewa watu ambao hawastahili kupewa na maskwota wamekaa vile vile. Lakini mambo kama haya yanafanyika na watu wachache.

Pamoja na hayo yote, watu wa Pwani ni wapenda amani. Kama alivyosema mhe. Mwavumo, mimi niko na ndugu yangu ambaye ameoa Mkamba. Ninahisi uchungu kuona Wakamba wameharibiwa mali yao pale. Nina ndugu zangu ambao wameoa Wajaluo. Ninahisi uchungu kuona mambo kama hayo. Leo katika Malindi, hakuna mtaa ambao unaweza kusema ni wa Wakikuyu, Wajaluo au Wakamba. Huko Kisumu Ndogo, palianza kukaa Wajaluo. Lakini leo, kuna Wabajuni na Wamiji-Kenda ambao ni wengi kushinda watu wengine. Mkasa ambao utaingia katika mtaa huo utawaadhiri watu wa Pwani kuliko mtu mwingine yeyote. Ningeomba Wizara hizi zichunguze mambo haya.

Bw. Spika, kuna mambo ya wadhamini. Jambo hili, kama Prof. Mzee alivyosema, linatokana na frustrations. Watu wengi wana frustrations nyingi sana. Vijana wanajiunga na wale wanaofanya biashara za utalii. Kuna Wakamba na watu wengine wa bara ambao wanataka kuandikisha chama chao cha Tour Guides Association. Tunaomba wapatiwe leseni moja kama vile UTC wanapewa leseni moja kufanya biashara. Hata hivyo, hiyo haitakuwa sababu ya hawa vijana kwenda kuchoma, kuuu na kufukuza wenzi wao. Biashara inayofanywa na Wakisii na Wakamba wa Malindi ni tofauti. Ni biashara ambayo haina sababu ya kuwafanya watu wa Pwani kuwafanyia chuki Wakamba au Wakisii na kuwaambia waende makwao.

Ikiwa mambo haya yana chembe ya siasa au ni uporaji na uchomaji ovyo, mimi naona kuwa yamepangwa kwa wakati usiofaa. Ikiwa ni siasa, mimi nasema kwamba watu wa Malindi wanapinga siasa mbaya. Tungependa Serikali ijitokeze na kufanya uchunguzi ili tujue ukweli wa mambo, ili tuendelee kuishi kwa amani. Tatizo la ardhilazima liangaliwe. Mimi nasema hivyo ili kuonyesha nia njema, na ikiwa sababu ya kuuu ni kuwaondosha wale watu hapo, ningemuomba Waziri wa Serikali za Wilaya aliamrishe baraza la manispaa ya Malindi, badala ya kuwaondoa hao watu pale, liwasaidie ili waweze kujenga nyumba zao pale pale. Ikiwa ni kazi ya Special Branch, watakoma na hii nia yao mbaya. Lazima leo hii watu hao waruhusiwe kujenga katika mahali hapo. Ningeomba mambo yote ambayo yangesaidia yaangaliwe kwa makini, ili kuwafanya watu wasichemke hivi kwamba wakipata sababu ndogo kabisa, iwe ni ya kisiasa - hasa wakati huu wa siasa- wizi wa kibiashara na kadhalika, yarekebishwe ili watu wetu wasiwe na frustrations, na ikawa ni rahisi kwa vijana kutumiwa. Ningemuomba Waziri katika Ofisi ya Rais aangalie mambo ya wadhamini hasa Waitaliano ambao hawana raha. Wanataka kuchukua kazi zote, hata zile za kuuza sanamu. Juzi tu, kijana wetu mmoja alichukuliwa na Mwitaliano anaitwa Valerio, ambaye alimfungia kwa nyumba na kumtilia kisu shingoni. Alimuamrisha ampigie simu tajiri wake, Mwitaliano mwingine, amwambie kwamba ameacha kazi kwa sababu ya wizi.

Mr. Kibaki: Mr. Speaker, Sir, this matter is beyond ordinary politics. What we are really telling the Government - and there is no case for excuses - when Likoni was attacked by more than 300 organised people who killed people and operated the whole night, the Government had the machinery to know what was going to happen. Those people must have met somewhere. We have been told that they have been organising themselves since April. The Government is now saying that it did not know a thing. This is not possible. In many other parts of Kenya, you know that when ten people meet, they are arrested immediately. It is done very quickly because there is Government machinery. But here, we are told that people were organising to attack, armed themselves and were able to go ahead and they were not caught.

Secondly, when they were chased into the forests, and everybody thought that they were now being rounded up because the security forces had surrounded them, there started a question of asking some of them to withdraw. They said that they did not want the help of the Military or the Navy and left it to the police. Why was that action taken? Is it because somebody did not want those people arrested? More important, the individuals who have been mentioned from the beginning as being involved in this matter have not been arrested, but we are only being told that they are being pursued. Only yesterday, we were told that the so-called "most wanted people" had been talking to the police on so many occasions. Now it turns out that they are the most wanted, but they have not been arrested.

Mr. Speaker, Sir, it is clear to people who think, that this is well organised and the purpose is to disturb the peace and calm of those people for the purposes of the forthcoming general elections. It is not enough for us to be told other stories. Thuggery of this scale involving trained ex-servicemen could not have been organised without the Government having information of what is happening. The Government should not pretend that it did not have information, because that would be owning up. They have ceased to do any governing of this nation and they are not using the police and the intelligent services that they have.

Mr. Speaker, Sir, the truth of the matter will turn out, that there is an organized group exactly like the one in 1992 with the intention of disturbing the urban areas. In 1992, we had attacks in the rural areas and now, we are going to experience them in urban areas. The scheme started the same way in different parts. This dimension of ex-servicemen who are no longer in the service being rounded up and put in organised groups is very dangerous. So, the Government should come out as Government and tell Kenyans the truth of the matter. What do you know? If you do not know anything, say: "We do not know anything, we have failed". There is no way Kenyans are going to be left to drift like this.

Mr. Speaker, Sir, I am annoyed that police officers are telling people not to organise vigilante groups and yet, it is a human instinct, when you do not know when you may be attacked to talk to fellow villagers and organise a vigilante group, so as to protect your village. If the Government cannot protect its citizens, they must protect themselves; it is normal instinct. There is no way anybody, anywhere, can deprive us of that right to protect our lives. I know and agree with the hon. Member for Malindi that people in the Coast Province have always been very peaceful. The gang that is agitating chaos there has been clearly brought to the Coast and they have recruited some Coast people. I am sure it shall be proved that the gang which has been agitating this chaos has been brought there and recruited some people in the Coast and others who had their own local groups which were taking oaths. The core of this group which is creating the problem has been brought there. It is the same experience of 1992 when people who were in charge and supervising chaos were from the armed forces.

The Minister for Land Reclamation, Regional and Water Development (Mr. Nyachae): Thank you very much Mr. Speaker, Sir. I am going to speak as a Member of Parliament for Nyaribari Chache!

Mr. Speaker, Sir, the situation that has cropped up in the Coast Province is of great concern to every family in Kenya. It has started in the Coast Province, taking everybody by surprise and we do not know where it is going to occur next. As a parent, I did not sleep the whole of last night. My daughter who is married to somebody from Western Province and they have lived in the Coast for several years, rang me up and said: "We cannot stay here now; can we move to your house? Because where we are a fight is going to start". When a daughter who has three to four children rings you up that she has nowhere to take the children and here I am, a Minister who cannot explain to her what is going to happen - I cannot give her an assurance that: "Mama, mwambie bwana wako, things are being sorted out" - it is a very worrying issue.

Mr. Speaker, Sir, I do not know why we have not been told the motive behind it, which can then lead us to the conclusion. The motive will help us not to come to the wrong conclusions and, perhaps, name people who may be innocent while the criminals will be laughing at us, because we do not know what is going on. Once a criminal knows that you are following a different route from his, he enjoys that life because he is escaping. We should be told what is going on.

Mr. Speaker, Sir, I have been a civil servant and involved in security operations for many years in the past. There is something we call, operational plan and communication. In an emergency, there is a system of communication. How come that a police station is run-down totally, several policemen killed and none among the raiders is killed at that particular time? The fact that thugs can just walk into a police station and beat up policemen who have tactics of dealing with security, and are supposed to protect people, erodes their confidence in our police force and worries them. We need some system of operation. If, for example, you are run-down financially and have no communication equipment or vehicles, you should say so and this Parliament can give support. We want good security and communication systems.

Mr. Speaker, Sir, I have even watched on television, occurrences indicating that there is no operational plan or communication system in dealing with thugs and looters in the City. Watu wakikimbishana na polisi kwa rungu--- It not management of security. I think we should get organised and support the police in beefing up security.

Mr. Speaker, Sir, why I did not sleep is because, besides these worries from the Coast Province, over there in Kisii - I happen to be the KANU Chairman of Kisii - I am told that Kisii tribesmen have been beaten and one young man has been killed on the border of Kilgoris. Now, what is going to happen next? We want confidence to be established. Thank you.

Mr. Nthenge: Bw. Spika, mimi nina furaha kubwa sana kwa kupata nafasi hii. Wengi wetu katika Bunge hili hawajaona vita. Mimi na wazee wenzangu tuliona Vita vya Pili vya Dunia na tunajua kwamba vijana walikufa. Juzi tuliona vita ambapo watu walikufa. Kwa nini sisi tunauana wenyewe kwa wenyewe? Watu hawakutoka Ulaya kuja kutuua! Watu hawa walitoka hapa Kenya, na hali sisi tuna jeshi. Pia tuna kikosi cha polisi na kikosi cha kupambana na ghasia. Vikosi hivi vilikuwa wapi?

(There were loud consultations in the House)

Mr. Speaker: Order, hon. Members! I think this is a grievous matter and we must hear what is going on. Can we have some silence? Proceed, Mr. Nthenge.

Mr. Nthenge: Bw. Spika, kifo ni kibaya kwa sababu kinanihusu mimi na watoto na wajukuu wangu. Tunajua kwamba Serikali ina jeshi. Kwa nini tangu ghasia zianze kule Mombasa jeshi letu halijatumwa kuzituliza? Kwani wanaohusika ni wakali kuliko jeshi letu? Kama polisi wetu wameshindwa na jambo fulani kwa kawaida tunatumia jeshi letu ambalo lina ndege. Kwa nini ndege za kijeshi hazikutumiwa kupambana na wenye kueneza ghasia huko Mombasa? Ikiwa maofisa wetu wa polisi waliuawa, sasa tunangoja nini? Ikiwa watu waliovianzisha vita hivi hawauawi sisi tutafikiri kwamba baadhi ya wanasiasa wanahusika. Hii ni kwa sababu wanasaisa wana uwezo

wa kuwazuia watu fulani wasitiwe nguvuni.

Inafaa tujue kwamba watu wanaouawa ni wale wanaotupigia kura. Wale wanaouawa ni watu wanaoamini kwamba sisi tukiwa mbele nchi yao itakuwa na amani. Ikiwa sasa tunashuku kwamba baadhi yetu hawana haja na usalama katika nchi yetu tunaenda wapi? Hata kama Waziri bado hajaongea kwa niaba ya Serikali mimi naiomba Serikali ilipeleke jeshi kule Mombasa. Kama haijui itaanzia wapi, tuna mtaalmu wa kijeshi katika Bunge hili na Serikali inaweza kumtuma kwenda Mombasa na kuzimaliza ghasia hizo mara moja.

Ikiwa Serikali haivimalizi vita hivi tutazidi kuwashuku wenzetu. Ikiwa vita vimeanza huko Kisii na Pwani tunajuaje sisi Wabunge hatutashambuliwa kesho? Hatulikubali jambo hili. Mimi nawaomba Wabunge wenzangu tupitische leo kwamba jeshi litumwe huko Mombasa ili likatulize ghasia zilizoko huko. Hata kama wenye kufanya ghasia hizo wametayarishwa na mmoja wetu ambaye ana pesa nyingi, au na watu wengine, wenye kufanya ghasia hizo hawawezi kuyashinda majeshi yetu. Mimi ninataka majeshi yetu yaende kule Mombasa na kukomesha ghasia hizo.

Wale wanaotaka kuwalinda hao wauaji pia ni watu wabaya. Mhe Wameyo jana aliniambia kwamba kama hangelikuwa mgonjwa nyumbani kwake angeliuawa. Hii ni kwa sababu watu waliuawa katika sehemu anayoishi huko Mombasa. Mimi naomba njia inayofaa itumiwe ili tuwamalize hawa vinyangarika. Kwani ni wangapi? Hata ningependa tummalize kiongozi wao.

Pia ingefaa tumwombe Mungu ili ayabadilisha mawazo ya watu wanaotaka kutenda maovu na kuua. Watu hawa wanafikiri sisi hatuwezi kuwagusa watoto na wajukuu wao. Ningependa tuwaombe watu hawa ili wajue kwamba kifo ni kibaya.

Kwa hayo machache naunga mkono.

Mr. Falana: Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. We saw a similar thing happen in 1992, as previous speakers have said. Kenyans should know that the effects and damage of the 1992 ethnic clashes still exist. Although the fighting stopped the hatred and damage it caused still exist.

Mr. Speaker, Sir, the ethnic clashes occurred on the eve of the 1992 elections. Again, on the eve this year's election killings have taken place. If this is going to be the trend in this country in every election year then we are going to be in a very big problem.

These attacks occurred in a well set system, and yet we have been made to believe that Kenya's security system is known for its effectiveness. I, for one, find it very difficult to be convinced that the intelligence organ in this country did not have any clue of these attacks until they took place. At a given time there was no law and order in Likoni. In fact, there was no government. With the intelligence and security system which we have in this country, can we be told that no one knew what was coming until it came? Unless other details will come out later, I believe that - I am sure this is what leaders across the Floor believe - an armoury is very much secured with metal doors. How come that a group of people just walked in, blew up the armoury and took out everything from a place we have been made to believe is burglar-proof?

This has happened in Likoni and Kenyans everywhere are wondering where it will happen next. This is a matter of life or death and I beseech my colleagues to take it seriously, irrespective of our party affiliation and beliefs. I seriously believe that those who are killing and those who are being killed are Kenyans. The Kenya Government should come out clear in this matter. The security arm of our Government should tell us who did it, why and whether he has been arrested and taken to court.

Accusations that KANU youths are involved in the killing and counter accusations that the Opposition is involved does not help us. Be it Kanu or the Opposition supporters, or none of them, those involved are criminals who are setting this country on fire. I have some common sense and know that a few individuals are doing what is happening for some funny purpose. However, surely the Kenyan security network cannot fail to detect what is happening and they should tell us all.

Mr. Raila: Thank you, Mr. Speaker, Sir. Those who watched TV news last night saw the body of an innocent Kenyan smouldering. That Kenyan who was burning was called Mr. Peter Masila Onchonyo, an employee of Kenya Broadcasting Corporation. He was burned by people who knew him. That fellow is a cousin to Raila Odinga and that is the reason why he was being burned yesterday. He is one of the several Kenyans who have died in this senseless genocide.

Mr. Speaker, Sir, it took just the death of a prince in Sarajevo to trigger off a whole world war. The resilience of Kenyans cannot be taken for granted. The resilience of Kenyans to withstand this kind of abuse and murder cannot be taken to be inexhaustible. There are so many similarities between what is going on now and what happened in Molo, in the Rift Valley Province, in 1992. There is a Mr. Sirma who is now the Provincial Commissioner in the Coast Province. He was the District Commissioner in Nakuru, and he is the one who supervised the burning of houses in Kedowa, Molo and other places. The Deputy Provincial Commissioner is Mr. Haji, son of Mr. Haji, who was the PC, Rift Valley. That is Mr. Haji who was known to have been involved in the clashes. A number of people's

lives are---

Mr. Farah: On a point of order, Mr. Speaker, Sir.

Hon. Members: Mr. Farah, give him time!

Mr. Raila: Mr. Speaker, Sir, the names of people who were involved in the ---

Mr. Speaker: Order! Order, hon. Raila! I do not like Members to mete out mob justice against any Member here. Any Member is entitled to stand on a point of order. Proceed!

Mr. Raila: Mr. Speaker, Sir, the Kiliku Report named people who were involved or organised the so-called ethnic clashes in the Rift Valley. The report was never taken seriously by this Government.

I know, for example, that the Member for Kerio South was named and he is also now involved---

(Loud consultations)

The Minister of State, Office of the President (Mr. Biwott): On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to impute wrong motive to the hon. Nicholas Biwott?

Hon. Members: Where is Ouko?

The Minister of State, Office of the President (Mr. Biwott): You know where he is! If the hon. Member knows anything about hon. Biwott, he knows what to do. If he has anything about hon. Biwott, he should move a substantive Motion instead of using my name unfairly.

(Several Members stood up in their places)

Mr. Speaker: Order! Order, all of you! This is the tragedy we face because when we have serious issues being discussed in this House, we divert and trivialize. Let us discuss the Motion before the House. Can you stop debating individuals, hon. Raila?

Mr. Raila: Mr. Speaker, Sir, I have a very limited amount of time and I would like to be heard in silence. I do not want to impute improper motive. But during the week these incidents happened in Mombasa, there were several police officers who had taken leave and were seen roaming in the streets of Mombasa. Policemen are not known to be going to Mombasa for a holiday. Their salaries cannot justify it. Some of these policemen are known to be associated with the Member of Parliament for Kerio South.

Mr. Speaker, Sir, we are talking about known killers---

The Minister for State, Office of the President (Mr. Biwott): On a point of order, Mr. Speaker, Sir. He---

Hon. Members: You cannot escape it! You are involved! Sit down!

Mr. Speaker: Order! Order, Members! I beseech upon you hon. Members; you cannot impose silence on a Member whose name has been called here. Hon. Members must desist from dragging each other's feet. But if they are, they are entitled to a defence. Yes, what was it hon. Biwott?

The Minister for State, Office of the President (Mr. Biwott): On a point of order, Mr. Speaker, Sir.

Hon. Members: No! You cannot cover your sins!

Mr. Speaker: Order! This is not what debate is supposed to be. I have already cautioned the hon. Member and I caution all other hon. Members. Follow the rules of debate. If you are aggrieved about any other Member, you know how to go about bringing a Motion against that Member. I am afraid, I must call the Minister to respond.

The Minister of State, Office of the President (Mr. Kalweo): May I take this opportunity to convey my sincere condolences to the bereaved families as a result of the Coastal skirmishes. What has happened in the Coast Province is sad and it should be condemned by all peace loving Kenyans and by any person who really thinks of a brighter future for Kenyans.

Mr. Speaker, Sir, it is true that I went to Mombasa on that very morning and what I saw there was not something to laugh at. It is something tragic and the Government will take stern action. But we do not just rush to things and take action because as hon. Nyachae said, you may take some action and the crooked ones will just laugh at you. The Government will not condone any violence and it is not going to sit idle and let people get killed here and there. As of now---

Mr. G.I. Ndwigwa: On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to tell us about the Government when he is a Minister in the same Government? He should tell us who is in charge, otherwise we will assume that there is a clique of some Ministers who want to topple the Government. What is he telling us?

The Minister of State, Office of President (Mr. Kalweo): Mr. Speaker, Sir, this is not a laughing matter. It is a serious matter.

(Several hon. Members stood up in their places)

Mr. Anyona: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order!

The Minister for State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I cannot just jump up and start saying things. We are not condoning anything. The Government has set its machinery in motion and we have deployed our security personnel on the ground. As of now---

(Several hon. Members stood up in their places)

Mr. Speaker: Order!

Mr. Anyona: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! This is a serious matter. I hope hon. Members take it seriously. Mr. Minister, will you proceed?

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir---

Mr. Anyona: On a point of order, Mr. Speaker, Sir. I think one of the most important aspects of this debate---

Bishop Kimani: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Bishop! The Chair is, at least, entitled to hear what Mr. Anyona is saying. Shall we hear him?

Mr. Anyona: Thank you, Mr. Speaker, Sir. One of the most important aspects of this debate is that this Parliament, which is the Parliament of the Republic of Kenya, should restore some confidence in the people of Kenya.

The Member who moved this Motion moved it very well. All the other Members who spoke were bringing a sense of confidence in this matter, and we thought that the Minister of State, Office of the President, in charge of internal security, would seal that confidence. It looks like he is running away from the issue. He is covering it up and it is going to escalate. Could we have a proper answer to this question?

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, hon. Members should bear with me. As of now, we have set the machinery rolling and we want to know the root cause of this violence so that tomorrow I will issue a comprehensive Government Statement analysing each and every incident that has taken place in Mombasa with data to support it. Of course, the whole issue is that we must know the root cause of this violence. Up to now---

(Mr. Kiliku stood up in his place)

Mr. Speaker: Order! The basic rule is that everybody is entitled to his view. The Minister is trying to give you facts. Can we, at least, first of all, hear him? That is according to him.

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, no force can make me reveal the instigators behind the Mombasa mayhem until the investigations are completed. Otherwise, up to now it is completely immaterial to just reveal the culprits.

(Several Members stood up in their places)

Mr. Speaker: Order! Order, Members! I suppose this is a grave issue and we must be serious about it.

Mr. Sambu: On a point of order, Mr. Speaker, Sir. The Minister is saying that he is going to investigate. Would he, for certain, tell this House what he was doing with Messrs Maitha and Masumbuko on the day the violence broke out?

(Applause)

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, as concerns this incident, we shall not spare anybody from any party or from any quarter.

(Several Members stood up in their place)

Mr. Nyanja: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Mr Nyanja, I know that you love being excluded. I will not give you that dignity today. You will sit till the very end. What was your point of order, Mr. Farah?

Mr. Farah: Mr. Speaker, Sir, my point of order is that the hon. Sambu has said categorically that on the day this spate of violence took place, the hon. Minister himself was seen in the company of Messrs Maitha and Masumbuko who are the prime suspects in this issue. Can he substantiate that claim? We seem to know who was responsible for this spate of violence.

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, already Mr. Maitha is in the cells.

(Laughter)

This is not a laughing matter and some of the people are on record as having said that they will make this country ungovernable.

Mr. Speaker: Order, hon. Aluoch! Can we have some form of order? It does not pay for us to trivialise a grievous matter. Can we have some order?

Proceed, Mr. Kalweo.

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, as of now---

(Loud consultations)

Mr. Speaker: Order! Order, all of you! Order, hon. Ndilinge! What is wrong with you? Hon. Members should not behave that way. Mr. Kalweo, what is irking the House is a very simple question put to you by Mr. Sambu. He is making an allegation that on the following morning, you, the Minister in charge of internal security, were seen with certain persons, namely, Masumbuko and Maitha, who are prime suspects. What is irking these fellows is your response to that question.

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, on the material day, I was in Kitale and the following day, I went to the Coast with all my security men. Therefore, we left Mombasa--I even do not know Masumbuko, I have never met him. I did not even see Maitha the whole of last week because I was in the northern corridor. So, I do not know anything about that allegation, neither am I concerned. Therefore, it is a wrong allegation.

Mr. Maore: On a point of order, Mr. Speaker, Sir. This is a very important Motion. Can the Minister state at least some facts through which he can assure this nation, as the essence of his reply? For instance, he should state that, this is the preliminary investigation, this is where we have reached and this is the next step.

(Applause)

Mr. Speaker: Very, well! Can we then hear that?

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I promise the House that very soon, I will issue a Ministerial Statement, analyzing each and every step taken. But revealing everything now, while the investigations are going, on is immaterial.

(Several hon. Members stood in their places)

Mr. Speaker: Order, hon. Members! I know hon. Members are very interested in this issue. I know they are very interested, and so am I. The time is up, but hon. Members have a consolation in this; this very afternoon, in the Committee of Supply, we will consider the Vote of the Office of the President. Maybe, hon. Members can ask the Minister several questions this afternoon.

ADJOURNMENT

Mr. Speaker: Hon. Members, on that note, we now adjourn the House to 2.30 p.m. this afternoon.

The House rose at 12.30 p.m.