

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 31st July, 1997

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Mr. Speaker: Dr. Kituyi's Question!

Question No. 271

AIRLIFT OF REFUGEES INTO KENYA

Mr. Speaker: Dr. Kituyi not here?

Mr. Rotino's Question!

Question No.435

PAYMENT OF RETIREMENT BENEFITS TO MR. KAPELILE

Mr. Speaker: Mr. Rotino not here?

Mr. Kamuyu's Question!

Question No.197

INSTALLATION OF ELECTRICITY IN DAGORETTI

Mr. Speaker: Mr. Kamuyu not here?

Mr. Imana's Question!

Question No.562

EXTENSION OF POWER LINE TO KAINUK TOWN

Mr. Imana asked the Minister for Energy:-

(a) if he is aware that the proposed extension of power line to Kainuk Town in Turkana District has not been effected, despite the fact that Turkana District was allocated K£150,000 in 1996/97 Budget; and,

(b) if he could undertake to extend power line to Kainuk and Lodwar to enable the local people start beef, fish and hides and skin industries.

Mr. Speaker: Is the Minister for Energy not here?

Mr. Musyoki's Question.

Question No.044

FINANCING OF RURAL ELECTRIFICATION PROJECTS

Mr. Speaker: Mr. Musyoki not here?

Next Question, Mr. Nyagah!

Question No.209

PROVISION OF SERVICES TO EMBU
MUNICIPALITY RESIDENTS

Mr. Nyagah asked the Minister for Local Government:-

- (a) when the residents of Dallas, Majengo, Blue Valley, Kawi, Kangaru and Gatunduri of Embu Municipality be supplied with street lights;
- (b) since the residents of Mbeti North do not wish to be within Embu Municipality, when he will revoke his earlier directive; and,
- (c) what services Embu Municipality provides to the residents of Mbeti North, other than higher rates for water and refuse collection.

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

(a) Dallas is partly covered by street lights. So is Majengo, Blue Valley and Kangaru. Kawi and Gatunduri have no street lights. They will be supplied with street lights along with the remaining areas as soon as the Council has sufficient funds.

(b) A boundary Commission was set up to look into the boundary of Embu Municipality in 1990. The Commission findings were that, Mbeti North Location be carved from Gachoka Division to form part of Embu Municipality. The same was gazetted in 1992 vide Legal Notice No.308.

(c) (i) The Embu Municipal Council maintains all the unclassified roads in the Mbeti North Location.

(ii) The Council does not charge any rates in Mbeti North Location as the area has not been rated. Equally, there is no charge on refuse collection since these are individually owned parcels of land.

(iii) Water in that location is being supplied by the National Water Conservation and Pipeline Corporation and payments are made to the Corporation.

Mr. Nyagah: Mr. Speaker, Sir, I would like the Minister to listen very well. I have two things to say very fast before I ask a supplementary question. One, the street lights have not worked for many years. Secondly, there was no commission that was set to make Kangaru and Mbeti North be part of the Municipality and there is a big fight up to now. The District Development Committee has approved that the National Water Conservation does not feed water into Embu. This is because, when the water is disconnected by the National Water Conservation to the Municipality, the people suffer. We want the Embu Municipality to supply water to the residents.

Mr. Speaker, Sir, now that Plan International plans to give us lighting system within Embu and we have already paid a deposit of Kshs124,000 being 10 per cent, of the total amount could the Government consider at least waiving VAT, so that this NGO can compliment and help the Government.

Mr. Kamuren: Mr. Speaker, Sir, that is a very good question. What we will do is to liaise with the Municipality officers so that the Ministry can find a way to assist, if they have already paid Kshs120,000.

Mr. Nyagah: Mr. Speaker, Sir, let me be categorical, so that you know what I am saying is the truth. A payment vide Ref: No.705034110/KNC/JKL/EM of Kshs124,726-70 being 10 per cent of the total figure was paid three weeks ago by Councillor Nelson Rintari Mbuko to Plan International. Now our request not to the County Council or the Municipal Council, but to you as a Government is: Could you consider waiving VAT on this NGO so that they can cover a wider scope of Embu Municipality?

Lastly, I have brought this Question here three times, and my predecessor who was in Parliament from 1958 to 1992, who I do not think would lie to me, told me that the question of incorporating Mbeti North and Kangaru did not arise and there was no Commission that was set up to put it under the Municipality. The people of this area, I, being one of them are crying.

Mr. Kamuren: Mr. Speaker, Sir, the VAT issue will be looked into if that is the obstacle as we have already realized from hon. Nyagah that payment of Kshs124,726.70 has already been deposited. So we are going to liaise with the Council Treasurer to find out how fast they can go and then we see what the Ministry can do.

Mr. Mak'Onyango: Mr. Speaker, Sir, the problem of street lighting is nationwide in this country, yet street lighting is a very important component in terms of security and other things. Could the Assistant Minister tell this House the Government's policy on street lighting? In Siaya Town, for example, there is not a single street light and this applies to very many other towns in this country. What is the Government's policy with regard to provision of street lighting?

Mr. Kamuren: Mr. Speaker, Sir, it is true that street lighting enhances of security in all the towns and the Government's policy it to make sure that, when funds are available, all these streets in towns should have lights.

Mr. Mak'Onyango: On a point of order, Mr. Speaker, Sir. I am seeking some guidance from you Mr. Speaker, Sir. Can a policy be based on the availability or non-availability of funds? Is the Assistant Minister not joking with the House?

Mr. Speaker: I did not hear what he said!

Mr. Mak'Onyango: Well, would you request him to repeat what he said?

Mr. Kamuren: Mr. Speaker, Sir, the question is on Government policy and the hon. Member was raising a Question on street lights which is part of security. Then I said that there is street light that will ever come without money and when funds are available, then the policy is that the Government will look into it seriously to make sure that, at least, including the hon. Member, should be able to walk in the streets which have lights as part of security.

Mr. Rotino: Mr. Speaker, Sir, the Assistant Minister is saying that street lights will be provided when funds become available. But we know very well that people in those towns pay service charge. Where does that money go? Could the Assistant Minister tell us whether that installing street lights is part of the services they get for the money they pay? How does the Ministry use that money?

Mr. Kamuren: Mr. Speaker, Sir, certain municipalities and county councils must be sustained through the revenue collected. If the revenue collected is not sufficient, then installation of lights has got to be delayed for a while.

Question No.530

GRAVELLING OF ROADS IN NDARAGWA

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

- (a) what plans does the Ministry have to gravel Maili-Kumi-Subuko-Kirima/Ol-Bollasat Road;
- (b) when will the Ol-Joro-Orok Research Station-Ngano-Charagita Road be gravelled; and,
- (c) what plans are there to tarmac Ol-Joro-Orok-Melangine-Dundori Road.

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

(a) The Ministry has no immediate plans to gravel Maili-Kumi-Subuko-Kirima/Ol-Bollasat Road, but the whole Road will be regularly maintained to keep it fairly motorable.

(b) There are no immediate plans to gravel Ol-Joro-Orok Research Station-Ngano-Charagita Road. However, it will be graded during the current financial year, 1997/98, as and when need arises, to keep it motorable.

(c) There are no immediate plans also, to tarmac Ol-Joro-Orok-Melangine-Dundori Road due to lack of funds, but the normal maintenance will be done to keep it motorable.

Mr. Gichuki: Mr. Speaker, Sir, arising from the unfavourable answers from the Assistant Minister, I would like to tell the him that these roads are very important in our area because they traverse a very rich agricultural area in terms of milk and horticultural production. In view of that, and bearing in mind the fact that the other day we increased the petroleum levy, could the Assistant Minister tell this House how much money he has allocated to these roads because he has said that he is going to keep them motorable by maintaining them? This is a serious issue because right now there is a lot of rain and some of the roads may be impassable.

Mr. Mwamzandi: Mr. Speaker, Sir, the Ministry has not allocated a specific figure for the roads in question except that when the need arises, we will go there and maintain the roads.

Mr. Ndicho: Mr. Speaker, Sir, I happened to be an agricultural officer in this area for many years. This road from Lanet Nakuru-Melangine-Ol-Joro-Orok, as the hon. Member from that area says, serves a very, very important agricultural area. The President himself came to a place called Wakiongo at Melangine and directed that the road be tarmacked from Nakuru up to Ol-Joro-Orok and then the people who were tarmacking the road, tarmacked it up to Melangine and refused to reach Ol-Joro-Orok. Could the Assistant Minister tell us why the people who were given that contract said in their report that they had tarmacked the whole road from Nakuru to Ol-Joro-Orok through Melangine whereas they only reached Melangine and left the other portion? They presented to the President the report saying that work had been completed. Tell us what happened, or say you do not know?

Mr. Mwamzandi: Mr. Speaker, Sir, in the first instance, it is out of order for the hon. Member to use the name of the President as a basis of his argument. So, he is out of order and I will not reply.

Mr. Gichuki: Mr. Speaker, Sir, have you heard what the Assistant Minister has said about this, in the name of the President? It is common knowledge that the President visited that area several times just before the 1992 General Elections, and those roads in question were tarmacked up to the place called Nyakiambi. In view of that, the President said it himself---

An hon. Member: He said that the roads be tarmacked to Dundori!

Mr. Gichuki: Whatever it is. Could the Assistant Minister tell this House--- Is he in order to say that the name of the President is being misused here whereas he knows that it is the President who said that this road should be tarmacked up to Ol-Joro-Orok?

Mr. Speaker: Mr. Gichuki, you should understand the provisions of our Standing Orders!

Mr. Anyona: Mr. Speaker, Sir, whereas it is true that our rules for the some good reasons, I imagine, provide that Members cannot use the name of the President to support their cases, but here is a matter where a statement has been made categorically by the Government, at the highest levels, and the Member is making reference to that fact. Should the people of Kenya be denied services they deserve because of some technicality in the Standing Orders? Is the Assistant Minister not required to answer the Question anyway?

Mr. Speaker: I suppose that you have put it in a way that he is now bound to reply.

Mr. Anyona: Thank you, Sir.

Mr. Speaker: So, Mr. Assistant Minister, could you reply?

Mr. Mwamzandi: Mr. Speaker, Sir, Maili-Kumi-Subuko Road was actually somehow tarmacked.

(Laughter)

Mr. Gichuki: On a point of order, Mr. Speaker, Sir. Did you hear the Assistant Minister say that Maili-Kumi was "somehow tarmacked"? What does that mean, because it is not tarmacked anywhere? The road has been gravelled. What does "somehow tarmacked" mean?

Mr. Speaker: Well, I would like to know it from you; how do you "somehow tarmac" a road?

An hon. Member: Mr. Assistant Minister, will answer it!

Mr. Speaker: Mr. Assistant Minister, how do you somehow tarmac a road?

Mr. Mwamzandi: In fact, Mr. Speaker, Sir, I wanted to say that the intention to tarmac this road is there, but we do not have the funds right now to tarmac the road.

Mr. Mathenge: Mr. Speaker, Sir, roads are classified for the purpose of being given money for annual maintenance. Could the Assistant Minister tell us, in view of the fact these roads are classified roads, how much money has been set aside for the maintenance of these classified roads?

Mr. Mwamzandi: Mr. Speaker, Sir, as I stated earlier, we will set aside money for this particular road. We will set aside money for the whole district for normal maintenance.

Mr. Speaker: Dr. Kituyi's Question for the second time!

Dr. Kituyi: Mr. Speaker, Sir, I beg to apologise to the House for coming late.

Question No. 271

AIRLIFT OF REFUGEES INTO KENYA

Dr. Kituyi asked a Minister of State, Officer of the President:-

(a) the air companies which have been flying refugees into Kenya from Eastern Zaire without State authorities; and,

(b) what measures the Government intends to take against them.

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

(a) Tawakal Airline and Skyways Airline airlifted a total of 102 refugees from Tingi-tingi and Kisangani on 28th of February and 1st of March, 1997, respectively.

(b) The Government is not going to take any action against them because they committed no crime.

Dr. Kituyi: Mr. Speaker, Sir, notwithstanding the fact that in the written reply I have, the first sentence is: "I am not aware of any air companies which have been flying refugees into Kenya", which the Assistant Minister has conveniently left out of what he has read to the House--- I know of Tawakal and Skyways flying refugees into Kenya after the formal arrangements with the United Nations High Commission for Refugees (UNHCR). But I am asking about a number of refugees who mysteriously showed up at Wilson Airport in January, 1997. Could the Assistant Minister tell us, away from the ones who were brought by these two airlines, who brought those refugees that the Government complained about, and what action has been taken against the airline that did that?

Mr. Awori: Mr. Speaker, Sir, I am only aware of those two incidents. I am not aware of the refugees that might have come in January, 1997. If the hon. Member has got the information and gives it to me, I will investigate and action will be taken.

Dr. Kituyi: Mr. Speaker, Sir, unfortunately, this Assistant Minister did not even follow the voice of KANU,

Kenya Broadcasting Corporation (KBC), which announced the arrival of unauthorised refugees. But can he confirm or deny that Simba Airline of Raymond Moi, flew a contingent of refugees without normal procedures being followed, from Eastern Congo to Kenya in January, 1997?

Mr. Awori: Mr. Speaker, Sir, I can neither confirm nor deny the incident stated. But let me once again repeat my answer in respect to the other two incidents. It is not the responsibility of the airline; the airline offers itself to carry passengers. It is the responsibility of the Immigration Department to see who is the passenger that is moving into the country.

Mr. Anyona: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead the House that the passenger is not the responsibility of the airline, whereas the IATA regulations are quite clear, that, the airline must comply with the regulations that are in place, both in terms of countries and internationally? Is he in order?

Mr. Awori: Mr. Speaker, Sir, yes, I am in order. I will give an example of Sheikh Balala, who turned up in Mombasa on an airline. The airline had committed no crime.

Dr. Kituyi: Mr. Speaker, Sir, the hon. Assistant Minister should understand that the reason why the courier of Sheikh Balala took him back to Germany is that they breached their contract according to IATA, that they could not bring a person without safe passage and confirmed conditions for landing in the destination country. It is an obligation of every airline to adhere to the immigration rules of the destination country. If this Assistant Minister did not know that, he had better know it now. But that being the knowledge that I have imparted into him, can he explain to this House, what action his Government took against Simba Airline when they discovered that they were bringing in people without adhering to the conditions of IATA, to which they were supposed to be a signatory?

Mr. Awori: Mr. Speaker, Sir, once again, may I ask the hon. Member to give me the details. I will investigate and if there is action that needs to be taken, it will be taken.

Mr. Anyona: On a point of order, Mr. Speaker, Sir. This is an important matter. There are international regulations about how airlines should operate. Here is an Assistant Minister of Government, in the Office of the President, telling us that there are no such regulations, thus, making it free for all. Is this in order? Should this Assistant Minister not go back and find out what the rule is so that we can send the correct messages to the airline and other people?

Mr. Awori: No, Mr. Speaker, Sir. I am not going back to find out anything. I have simply stated that I need to be appraised of this particular incident then I will take action.

Mr. Speaker: Mr. Rotino's Question for the second time!

Mr. Rotino: Mr. Speaker, Sir, I apologise to the House for coming late.

Question No. 435

PAYMENT OF RETIREMENT BENEFITS TO MR. KAPELILE

Mr. Rotino asked a Minister of State, Office of the President:-

(a) if he is aware that Mr. Nguriareng Kapelile, P/No.142101/65015010, retired on 1st of July, 1994, and has not been paid his retirement benefits; and,

(b) when the Ministry will pay the entire benefits of the complainant.

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

(a) Yes, I am aware.

(b) The entire benefits will be processed and passed over to the Treasury for the payment upon Mr. Nguriareng Kapelile submitting his identity card, last Payslip, commutation of pension form and his bank account number to which his compassionate gratuity will be paid.

Mr. Rotino: Mr. Speaker, Sir, I think there is something wrong with the Office of the President. In the first place, when any civil servant is employed, a file is opened and all his documents are put in the file. I do not know where those documents went. I want to inform the Assistant Minister now if he does not understand that he has been misled by his Office. I personally brought all those documents to the Office of the President (OP) six months ago, and nothing has happened up to now. Can the Assistant Minister confirm or deny that those documents are not there?

Mr. Manga: Mr. Speaker, Sir, I was not aware that the hon. Member had taken up the responsibility of the claimant by bringing the documents to the OP. To whom did he give them? If he has the copies of those documents now, let him bring them to my office on 10th Floor, Harambee House, and I will take action.

Mr. Rotino: On a point of order, Mr. Speaker, Sir. I know the Assistant Minister is misleading the House. I took the responsibility because the person had been there several times, and on all occasions, he was told to bring the documents. I took the documents to the person responsible, whom I thought should have taken the trouble to process

the payment. However, six months have elapsed and nothing has happened. Is it in order to mislead the House that he does not know whether those documents are there or not?

Mr. Manga: Mr. Speaker, Sir, I say I do not know and I do not think they were brought. I am now challenging the hon. Member to bring those documents personally to me and I will take action.

Mr. G.I. Ndwiga: On a point of order, Mr. Speaker, Sir. I think what hon. Rotino is saying is correct. A senior chief, Mr. Ireri Igambi Kiambere, was retired four months ago. I personally took the documents to OP because when I followed up the case with OP, there was no file. Unless the Assistant Minister confirms that there is something going underground in his office--- He should go and make a follow-up of what is happening in his office, otherwise, files are disappearing. Unless the officers want to tell us to produce *kitu kidogo*; short of that, let him investigate and give an undertaking that he will do it.

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. There are many officers who serve in an office like the Office of the President, and they are assigned to do various jobs. The Assistant Minister is being informed by an hon. Member of this House that documents were taken to his office. He is now saying that the responsibility should go back to the hon. Member, instead of him undertaking to investigate by asking the hon. Member the name of the officer to whom he gave the documents, then he brings back the answer to the House. He is now telling the hon. Member to do the work of the officers in the OP.

Mr. Speaker: You are right, Mr. Nthenge. The job of civil servants is to take care of those files and not for hon. Members to do the filing. Hon. Manga, would you like to respond?

Mr. Manga: Mr. Speaker, Sir, before I came here to answer this Question, I made investigations regarding this document. I was told that the documents have not been brought and that is why I am requesting the hon. Member not to take the documents to where he took them as he claims. Let him bring the documents to me. It is not my responsibility to do so, but because the documents have been requested by him and every officer says that he has not seen them, I want to make sure that I hand them over to the officer concerned. If the officer concerned does not do it, then I can take a disciplinary action against him.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, after the Assistant Minister has heard what is happening, and after knowing that any of his Ministry's official or any other official from another Ministry must have a file with all documents including even certificates, these files cannot suddenly disappear because the person has retired. Why can the Assistant Minister, therefore, not sense that there is something wrong because his office wants to get bribes before paying the final benefits to the retirees? Could he undertake to do a research so that these people do not suffer after retirement because of *kitu kidogo*?

Mr. Manga: Mr. Speaker, Sir, I have not refused to take action against any corrupt officer but I am saying that the concerned officer should bring the documents to me and I will take action.

Question No.197

INSTALLATION OF ELECTRICITY IN DAGORETTI

Mr. Speaker: Mr. Kamuyu still not in? His Question is dropped. Next Question.

(Question dropped)

Question No.562

EXTENSION OF POWER LINE TO KAINUK TOWN

Mr. Imana asked the Minister for Energy:-

- (a) whether he is aware that the proposed extension of power line to Kainuk Town in Turkana District has not been effected, despite the fact that Turkana District was allocated K£150,000 in the 1996/97 Budget; and,
- (b) if he could undertake to extend power line to Kainuk and Lodwar to enable the local people start beef, fish, hides and skin industries.

The Minister for Energy (Mr. M'Mukindia): Mr. Speaker, Sir, I apologise for coming late and beg to answer as follows:

- (a) Yes, I am aware. However, I would like to inform the hon. Member for Turkana Central that Turkana District was allocated K£75,000 during the 1996/97 Financial Year and not K£150,000 as indicated in his Question.

The project, however, requires K£1 million to implement to its completion.

(b) My Ministry will extend that power line to Kainuk and Lodwar towns when adequate funds are made available.

Mr. Imana: Mr. Speaker, Sir, the amount indicated in the answer given by the Minister is equivalent to K£20 million and the money that he has said has been provided, is equivalent to Kshs1.5 million. What will Kshs1.5 million do if the amount that is required is Kshs20 million? Could he, therefore, undertake if they do not have enough funds, to start the project in phases?

Mr. M'Mukindia: Mr. Speaker, Sir, the hon. Member is quite right. The funds that are available for rural electrification in general are very minimal and it is true that we need Kshs20 million to undertake and complete this project. In the next three years, we have budgeted for about Kshs6 million, bearing in mind that the whole country requires some rural electrification funds. Therefore, it is true that we do have a problem in terms of financing, but we are trying all the best that we can to get money to finance rural electrification projects.

Mr. Salat: Mr. Speaker, Sir, arising from that reply, could the Minister tell us what he has done with the K£75,000 that was allocated in the 1996/1997 Financial Year?

Mr. M'Mukindia: Mr. Speaker, Sir, K£75,000 is really only Kshs31.5 million. It is not useful to start a project which costs Kshs20 million with only Kshs1.5 million. I am aware that some of this money actually---

Mr. Mak'Onyango: On a point of order, Mr. Speaker, Sir. Arising from the Minister's figure, is it in order for him to mislead us because, in the first place, if this money was not going to serve any useful purpose, then why, in the first place, did he ever give it?

Mr. M'Mukindia: Mr. Speaker, Sir, in fact, I am trying to explain to hon. Members that, indeed, there is a problem in the way the budgeting process has been carried out in the past and it is my intention to change the whole system in future, to ensure that the projects that appear in our estimates are actually fully-funded. This is because it does not make much sense. So, I do agree with the hon. Member. Nevertheless, we cannot do this without carrying out a major study so that we can have a major rural electrification master plan for the whole country. We have done a study. Then we will be able to now focus on specific projects and look for funds for these projects, so that whatever appears in the budget for the future has to be fully-funded. Otherwise, it will not make any sense.

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

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

Mr. Speaker: Mr. M'Mukindia, what is making them very uneasy is the question that Mr. Salat put to you: "What happened to the Kshs1.5 million that you did not utilise in Turkana District?" That is the question.

Mr. M'Mukindia: Mr. Speaker, Sir, you are quite right. I beg to reply as follows:

Looking at, for example, the budgeted amounts, for example, 1994/95 Financial Year, for rural electrification, we were given in the Printed Estimates K£15 million. Only K£1.4 million was actually disbursed from the Treasury. That is even less than 10 per cent. In the Financial Year 1995/96, almost K£28 million was budgeted for rural electrification projects. Only K£2.7 million was actually disbursed. So, this money was never really given to us as a Ministry to use.

Mr. Anyona: On a point of order, Mr. Speaker, Sir. There are areas in this country and Turkana is one of them, which are marginalised in every respect, and this is truly a case of the proverbial biblical irony that: Those who have more, more shall be given unto them and those who have less, even the little that they have will be taken away. This is a very serious matter. Will the Minister tell us what master plan there is for areas like Turkana and such other areas that have been marginalised, including an important place like Kisii where there is no rural electrification? What are you going to do, so that those who have less can also benefit?

Mr. M'Mukindia: Mr. Speaker, Sir, I support hon. Anyona in principle that the areas that are so-called marginalised, in fact, should have more money budgeted for them, not only in terms of electricity, but also education, water and other things. So, in terms of principle, if we want to be one single country, we must bring the areas that are marginalised to the same level as places like Kisii. Like I mentioned earlier, we have now carried out our rural master plan study. The reports are ready and we have now embarked on the search for funds and I would urge Members of Parliament, especially Members across the House to support the Ministry, World Bank and other institutions in trying to get this money to fund rural electrification.

Question No.044

FINANCING OF RURAL ELECTRIFICATION PROJECTS

Mr. Musyoki asked the Minister for Energy:-

- (a) How much money was budgeted for rural electrification projects for Machakos Town Constituency between 1985 and 1995; and,
 (b) how much money was spent and on which projects.

The Minister for Energy (Mr. M'Mukindia): Mr. Speaker, Sir, I beg to reply.

(a) Between 1985 and 1995 Kshs12.2 which is a ten-year period, Kshs12.2 million was budgeted for Rural Electrification Projects in Machakos Town Constituency.

(b) A sum of Kshs10.8 million was released by the Government and spent on the following projects:

- (i) Kimutwa Market, Mangauni Secondary School and environs;
 (ii) Musilili, Mungala, Kithima, Kamuthanga coffee factories and environs;
 (iii) Ngelani, Kisikani, Metuma, Kwa Ngila Markets and environs.

Mr. Speaker, Sir, in addition to the Kshs10 million, those projects cost actually more than Kshs10.3 million. The additional difference of about Kshs1.5 million came from the two per cent charges by the KPLC.

Mr. Musyoki: Mr. Speaker, Sir, arising from that answer given by the Minister, this project was supposed to be in three phases. Phase I was targeting coffee factories, Phase II was targeting primary and secondary schools, and Phase III was targeting churches in the constituency, so that villagers could benefit from this power supply. Even now, the Phase I which was supposed to end at Kyamutheke Village Polytechnic is not completed and the Minister is telling us that there was money to be paid. Could he tell us how much money has been set aside to complete this programme as per earlier projection in the constituency?

Mr. M'Mukindia: Mr. Speaker, Sir, as we speak now, some work is going on to supply Muthakwani Coffee Factory with electricity and I hope that this work will be commissioned soon. In 1997/98 budget, we have K£300,000 budgeted for Machakos town. It is my hope that this will go some way towards provision of electricity to Machakos town. But I am not pretending that this money is going to be enough because we need a lot more than that.

Mr. Ndilinge: Mr. Speaker, Sir, if the Minister is serious on what he is tell us about rural electrification in the country, could he tell us whether there is any other district headquarters other than Makueni which has no electricity?

Mr. M'Mukindia: Mr. Speaker, Sir, I want to assure the hon. Member that I am very serious about rural electrification in the country. I am also aware of the difficulties that Makueni Town residents are having and the Government is taking this into account in the forward plan. We intend to ensure that it is supplied with electricity as soon as we get funds.

Mr. Nthenge: Mr. Speaker, Sir, can the Minister tell us whether he is still on Phase I alone or he is going to complete Phase II and III of that project in Machakos Town Constituency?

Mr. M'Mukindia: Mr. Speaker, Sir, our intention and mission as a Ministry is to supply electricity to the whole country. So, whether it is in Phase I, II or III, it does not matter. We want to ensure that everybody is supplied with electricity.

Mr. Musyoki: Mr. Speaker, Sir, the Minister should be specific in his answer. He has talked about Muthakwani Coffee Factory as being supplied with power which was done last year and not this year. Which areas are to benefit from this year's budget, as far as rural electrification programme is concerned? Furthermore, the transformers the Ministry has installed in my area, Kasinga, residents are not getting enough power supply because transformers are very weak. Can he undertake to replace those transformers and complete this project?

Mr. M'Mukindia: Mr. Speaker, Sir, as I mentioned earlier, for this year 1997/98, there is about K£300,000 budgeted for Machakos Town. It is really upon the hon. Member and DDC to give us priorities on how to spend this money. If he wants a particular village within Machakos town to benefit, so be it. We shall do that.

Mr. Speaker: Questions by Private Notice, Mr. Munyasia.

QUESTIONS BY PRIVATE NOTICE

CAUSES OF DEATHS IN BUNGOMA PRISON

Mr. Munyasia: Mr. Speaker, Sir, I beg to ask, for the third time, the Minister for Home Affairs and National Heritage the following Question by Private Notice.

- (a) Is the Minister aware that 22 inmates have died in Bungoma Prison since January, 1997?
 (b) What have been the prevalent causes of these deaths?
 (c) What urgent steps is the Minister taking to avert this problem?

The Minister for Home Affairs and National Heritage (Mr. Ntimama): Mr. Speaker, Sir, first of all, I want to apologise for not answering this Question yesterday because it was assigned to the Assistant Minister, Mr.

Mutiso who unfortunately, was held up because of the disaster that took place in Matuu where a former Commissioner of Police died. I really apologise for that.

However, I beg to reply.

(a) It is true that 20 inmates have died in Bungoma prison from January 1997 to-date.

(b) The prevalent causes of death are as follows:- Tuberculosis, diarrhoea, malaria, pneumonia, chronic bronchitis, AIDS, dysentery, meningitis, dehydration and gastroenteritis.

(c) The Ministry of Health through the Medical Officer, Bungoma, together with his staff have already taken action by providing the necessary treatment to the inmates.

Mr. Munyasia: Mr. Speaker, Sir, when I put in this Question about three weeks ago, the number of inmates who had died was 22. I expected the Minister when he stood up to answer, to update the figure because the latest figure which I collected yesterday is 37. So, 15 more inmates have died after that, making it appear that if you are sentenced to prison for any length of time in Bungoma prison or if you are taken to remand there, it is as good as having been sentenced to death. If the Minister is serious about the answer that he has given us, he has said there are nine prevalent causes for only 20 deaths. I would have liked him to itemise, how many of those died from tuberculosis, diarrhoea and so on; then he would not have come up with nine causes. But be that as it may, could the Minister tell us what preventive measures his Ministry is taking to ensure that the true prevalent causes of these deaths, that is diarrhoea and dysentery, are checked? What are the preventive measures the Ministry is taking?

Mr. Ntimama: Mr. Speaker, Sir, I do not deny that a few more have died since we prepared this Question, but we have not confirmed and I would like to confirm the number of the inmates who died just before we came to answer this Question in Parliament. Secondly, the Questioner did not ask us to tell him what was the cause of death of each prisoner. Part "b" of the Question was what have been prevalent causes of these deaths. I have answered him. In part "c" of his Question, the Ministry of Health is continuing taking action in visiting the prisoners and trying to prevent and control all these diseases within the prison.

Mr. Wetangula: Mr. Speaker, Sir, apart from this sad case of Bungoma, every prison in this country is overflowing with prisoners, most of whom are victims of petty offenses and most of whom are serving fairly short sentences. Can the Minister assure this House that he will liaise with the Office of the Attorney-General and ensure that petty offenders are given alternative sentences other than custodial sentences and that bail sums are made easier and accessible to people charged with petty criminal offenses, so that we do not lose life the way we are losing it?

Mr. Ntimama: Can you repeat your question? I did not get what you said.

Mr. Wetangula: Mr. Speaker, Sir, could the Minister liaise with the Office of the Attorney-General and make bail easily accessible to petty offenders and that petty offenders are not sentenced to custody?

Mr. Ntimama: Mr. Speaker, Sir, we are looking into the whole exercise of trying to reduce the number of inmates, especially those who commit petty offenses and we are now discussing this one, not only with the Attorney-General but also with the rest of the Government departments to see whether we can put these people on extra mural employment.

Mr. Munyasia: Mr. Speaker, Sir, the Minister has avoided the question that I asked. I asked about the preventive measures which this Ministry is taking to ensure that the rate of deaths is checked. Is the Minister aware that there has been no water in Bungoma Prison for the past six months and that the prison warders are selling a jerrican of five litres of water to the inmates at Kshs20?

Mr. Ntimama: Mr. Speaker, Sir, I am not aware of that and I think I have told the hon. Member that the Ministry of Health is trying very hard to prevent these diseases by visiting the inmates almost every day.

MEASURES TO CURB CHOLERA

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

(a) What is the Minister doing to urgently supply drugs to curb the spread of cholera which has hit Nyatike and Ndhwa constituencies?

(b) How many people have, so far, died since the outbreak?

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

(a) My Ministry has supplied adequate drugs and transport to curb cholera which has hit Nyatike and Ndhwa constituencies. A total of Kshs280,000 has been given to Migori District to support mobile teams and active surveillance plus on the spot treatment of cases.

(b) A total of 19 deaths, due to cholera have been confirmed in Migori District since the outbreak started.

Mr. Ojode: Mr. Speaker, Sir, as I am talking here right now, the residents of the entire South Kabuoch Location are hospitalised at Ombo Health Centre.

(Laughter)

Mr. Speaker, Sir, they are laughing because this has not affected their constituencies. I will not even have voters to vote for me during the next General Elections as a result of this. This is a very sensitive issue and I would want the Assistant Minister to tell the House how many people have so far died within Homa Bay District or Ndhwa Constituency and how much money has been allocated to Homa Bay District to curb the outbreak of cholera.

Mr. Criticos: Mr. Speaker, Sir, I was asked particularly about two constituencies, Nyatike and Ndhwa which is part of Migori District and I said 19---

Mr. Ojode: On a point of order, Mr. Speaker, Sir, I would want you to save me from this Assistant Minister who does not even know the geography of my constituency. My constituency falls under Homa Bay District and Nyatike falls under Migori District. I would like him to tell the House how much money has been allocated for Homa Bay District to curb the outbreak of cholera.

Mr. Criticos: Mr. Speaker, Sir, I have been informed about the mistake on Homa Bay and Migori. What the hon. Member asked for was concerning two constituencies. I have said that a total of 19 people have passed away because of cholera and we have spent Kshs280,000 on it. This is the information available to me right now. If the hon. Member wants to put another one for that particular constituency, I am willing to provide the answer.

Mr. Onyango: Mr. Speaker, Sir, could the Assistant Minister tell the House what preventive measures the Ministry has taken to control the spread of the disease? Could he also tell the House how much money they have used in Nyatike Constituency in particular?

Mr. Criticos: Mr. Speaker, Sir, what I have right now is the total amount. We have sent a mobile team to cover the affected areas to treat people. The total amount from the Ministry used in this exercise is Kshs280,000.

Mr. Mbeo: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to answer a different question from the one that he has been asked? He has been asked a specific question: What preventive measures is the Ministry taking to reduce the epidemic? If he does not have an answer, I have one for him.

Mr. Criticos: Mr. Speaker, Sir, I have just said we have mobile vehicles moving around the area. This is the preventive measure at hand. We have got drugs which have been supplied there and an extra allocation of money to the tune of Kshs290,000 allocated. I think that is a good measure. It is not only that, but the figures of cholera cases have also been reduced since last week.

Mr. Ojode: Mr. Speaker, Sir, of those people who were hospitalised at Ombo Health Centre, by yesterday, five of them had died.

(Laughter)

Mr. Speaker, Sir, this is a very serious matter but KANU Members of Parliament are laughing. By yesterday, of those who were admitted, five of them had passed away. The reason is that there are not enough drugs and ambulances to transport the patients to Homa Bay District Hospital---

Mr. Speaker: Order, hon. Ojode! If you do not care about time, I do care.

Mr. Ojode: With due respect to the Chair, may I request you to defer this Question and let him bring a satisfactory answer because it is not only 19 people who have died but over 155 people.

Mr. Speaker: Order! I will not defer this Question. Most of the time on this Question has been taken by you, by not asking your questions in a precise manner.

I do sympathise with the Member for Kieni, Mr. Kairu because all the time his Question comes last. All the time for Questions has been consumed and, therefore, his Question is deferred again but this time, I order that it should appear as Question No.1 by Private Notice on Tuesday.

Mr. Kairu: Mr. Speaker, Sir, I prefer to ask the Question on Wednesday.

Mr. Speaker: In the morning or afternoon session?

Mr. Kairu: In the afternoon session.

Mr. Speaker: Very well, so be it.

(Question deferred)

Next Order.

COMMITTEE OF SUPPLY

*(Order for Committee read
being Eighth Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 121 - Ministry of Environment
and Natural Resources

*(The Minister for Environment and
Natural Resources on 30.7.97)*

(Resumption of Debate interrupted on 30.7.97)

Mr. Speaker: Hon. Ogeka was on the Floor when the House adjourned yesterday. Is he there?

An hon. Member: Alimaliza!

Mr. Speaker: Oh, yes he concluded. Yes, Mr. Rotino.

Mr. Rotino: Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. This is a very important Ministry because it takes care of our natural resources. "Natural resources" refers to what God has bestowed upon our land.

(There were loud consultations in the House)

Mr. Speaker, Sir, there are loud consultations in the House.

Mr. Speaker: Order! Order, Mr. Salat! Proceed.

Mr. Rotino: Mr. Speaker, Sir, I was saying that we are dealing with a very important Ministry because it deals entirely with our natural resources. "Natural resources" refers to what God has bestowed upon our land. These are God-given things and we should be able to take care of what God has given us freely. Nobody can take it away from us and destroy it.

I want to say that God has blessed West Pokot District with a lot of mineral resources. These minerals are gold, gemstones and other minerals which have not been exploited. In the entire West Pokot District, local people do gold panning every day. Gold panning is our "bank", from which we get cash everyday. However, as I speak now the entire district has been leased away to 'big fishes.' There are many people who have come to West Pokot District with prospectors' certificates from the Commissioner of Mines. I want to sound a warning to the Commissioner of Mines, that West Pokot

District is for the Pokots. What God has given the Pokots is theirs. Nobody should think that when he gets a prospector's certificate from the Ministry, he also gets a certificate from the Pokot people. These certificates are used by these people to exploit the local people in West Pokot District. This has left our people really suffering.

Mr. Speaker, Sir, about six months ago there was boom in rubies in West Pokot District. Then, thousands of people, including Asians, flocked into the district in order to prospect for ruby stones. This was unfair. Anybody who wants to get ruby stones can buy them from Kapenguria Town. People should not go into the interior of West Pokot District and try to mine ruby stones or any other minerals which exist there. They should leave the local people to do the mining and then sell their minerals to whoever wants them. People should not move from beautiful lands in the former White Highlands, Meru or Nairobi to go and try to exploit other people. They should not use big tractors in order to exploit what belongs to other people. They should leave mineral prospecting to Pokots. The Pokots are trying to start co-operative societies, obtain loans from banks and exploit their resources. This should be taken very seriously by the Commissioner of Mines. I can see him sitting in the Civil Servants' Bench, and he should take note of what I am saying with a lot of seriousness. If a person goes to his office for a prospector's certificate, he should consult local leaders, the county council and other people who matter in the district before issuing the certificate.

Kerio Valley Development Authority (KVDA) was formed in 1979 through an Act of Parliament. One of its objectives is to prospect for minerals. It has a geological department, but it has done very little in the area of mineral prospecting in Turkana, West Pokot and Baringo Districts. I urge the KVDA to be more active, because it is supposed to serve seven or eight districts. Its Managing Director should stop sitting in Nairobi. He and his officers should go out and tour those areas in order to discover what there is.

The environment is very important, and is part of the concern of this Ministry. I was fortunate to work and

live in Rural Housing Estate in Eldoret Town. Every morning in that estate, you find a lot of dust on almost all the windows. This is the situation in other estates like Huruma. This dust comes from Rai Plywood Factory. The Ministry should use its officers to help the residents of those estates. Most of the people who live to the south of the Rai Plywood Limited suffer from the effects of this dust. The Ministry should look for a way of reducing the effect of dust from plywood.

At this point I want to thank the Government of Netherlands for the arid and semi-arid lands (ASAL) programme. When the Minister was moving this Vote, he touched on this programme. The ASAL programme, which is being funded by the Government of Netherlands, is doing a wonderful job in those remote areas, through what is called "agro-forestation programme". The Minister knows that ASAL programmes in some areas are being phased out. The Government should be able to come in and take over some of the activities that are being run by these wonderful programmes. The Lutheran and Catholic churches have done a lot of work as far as agro-forest is concerned. The Ministry should be able to take over some of these activities that are being run by these NGOs.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, some five or ten years ago, district environmental officers were sent into the district and I can tell you that these officers earn money for doing nothing. It is my appeal to the Minister to review the work of these officers because they are duplicating jobs. Several times we have told the officers, through the DDC and DEC, that they should sit down with the various organizations that are concerned with the conservation of environment in the area and share out activities. They should know what activities each organization in the district is doing. There is another organization called "BI" which is also involved in the conservation of environment. All these organizations should meet with the district environmental officers and have a plan of action. It is important that, that is done very soon.

Students from West Pokot have not been taken into the Kenya Forest College, Londiani. Can something be done very fast?

With those few remarks, I beg to support.

Dr. Kituyi: Thank you, Mr. Temporary Deputy Speaker, Sir. In my contribution, I wish to say the following things from the outset.

For the past ten years, the Ministry in charge of environment has been very long on promise and very short on delivery. For the past ten years, the Kenya Government has been preparing blue prints on how to convert the National Environmental Secretariat into a formidable force for effective management and effective application of sophisticated instruments for environmental monitoring and even possible experimentation with carbon taxes. Up to date, the National Environmental Secretariat has remained an institution with a great potential, but with a lot of frustrations for those who work there. It has remained an important hunting ground for institutions looking for personnel with competence in the environmental management, but not adequately utilized by the Kenya Government.

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

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

This country has a crisis. There is a crisis of a Government which has no clear idea about the interface between scientific sustainable resource management and social sustainability of those scientific applications. We dream up ideas about the importance of forests, but we lack the political will to interface between the human requirements and sustainable management of forest resources.

I was amused yesterday when I listened to the Minister while moving this Vote talking about the importance of natural forests and the importance of protecting the indigenous trees. Two problems came to mind immediately. The first one: How can a Government which is supposed to know that sustainable resource management, particularly of indigenous forests, has been occurring before this Government came along, because the local communities perceived themselves to be stakeholders in the management of the forests? If this Government knew that, one of the first things it should have done is to think of ways of managing a positive linkage between local communities interests and the global interests in maintaining those forests. What solutions does the Government have? They start the Nyayo

Tea Zones. They blow trumpets that they are starting tea zones around forests to stop people from messing up forests not knowing that they are creating competition between the interests of the local community and the forests. Any person who has been involved in social ecology will tell you something, that forests do not just happen. That indigenous trees varieties have been nurtured by a sequence of managed use between game and human beings. That the continued action of locals walking into forests to harvest dry wood as firewood has an important contribution to the nurturing of these forests. If Government policy is to create a boundary between the local communities and the forests and it appropriates the right of ownership of those forests, the first thing you are doing is to create a competitive relationship between Government and the people on a resource which has survived because of the people, not in spite of the people.

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

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

The second thing that you do is that the positive action of humans, which has been going on for many years and which has been responsible for the survival of the indigenous forests, has been curtailed by the growing of tea under a programme that has been such a major disaster. It never sends any money to the Exchequer through the sale of tea. It just broaches the bureaucracy under the Office of the President, one of those crazy examples of the Office of the President producing tea to compete with tea farmers. If this Government genuinely believes in the management and maintenance of public forests, particularly indigenous trees, they must lead by example. Why is it that today towards the end of this millennium, when we are talking about the fragile ecology and when we are talking about the importance of indigenous trees, Raiply Company of Eldoret, where a chief stakeholder is the President of this Government, is the principal culprit in the uncontrolled exploitation of the natural forests in Mt. Elgon? Why has this Government not stopped Raiply from harvesting Elgon teak? Why must they wait until we confront them in acts of lawlessness before they realize the outrage we feel when we see a Raiply track enter Mt. Elgon Forest and harvest Elgon teak and Ministers in the same Government are declaring the importance of natural forests?

Today, as we talk, this country is on the brink of a major crisis because of the likelihood that principal donors to this economy might trope out, if IMF sustains the US\$37 million it is supposed to clear today, this Thursday. Some of that has to do with the question of environment. Instead of a Government voting that it wants to protect Sajjad to import 6,000 tonnes of sugar without paying duty, it should think about such issues. There are two components here. The first component is related to the firing of Chebii which has something to do with Sajjad, and the second component is about an environmentally-important matter; the awarding of contract for power generation. The generation of power, if not properly managed, is one of the main abusers of environment, particularly if you are experimenting with diesel powered generator as the one being brought to Mombasa. Every country usually insists on a pre-investment environmental impact assessment of a project. Today, we are fighting IMF because of projects which have not had any pre-investment environmental impact assessment.

Two, the contract with Westmont Holdings of Malaysia, who have brought a barge to Mombasa in the past one week and the contract with Aibea Africa, can only make sense if they have a duration of at least 15 years. Today, Government went ahead and entered a contract with Westmont through which contract the Kenya Government is offering that these people can recoup their costs within seven years. The Government does not tell us why Aibea Africa, who shares directors with Postel, the company which produces the most expensive telephone directories in the world, have entered a contract for seven years? Why has there not been a pre-investment environmental impact assessment of the technology which is being brought to South "B"? Most seriously, the technology of Westmont Holdings, the barge which is being assembled to start generating power through use of diesel in Mombasa, they have not told us about environmental consequences of that barge operation in Kenya. The Government should even tell us more. If you are entering a contract with a Malaysian registered company called Westmont for the production of electricity, how does the Government explain the fact that right now, as we talk, Westmont Company is trying to buy the Grand Regency Hotel? Does it tell us something about the ownership of Westmont? Are those interests more important to this country than the threatened withdrawal of internal funding?

Mr. Temporary Deputy Speaker, Sir, I wish to touch on another matter of environmental concern. The rangelands are just at stake. The Minister yesterday recounted his geography lessons about square kilometres and population. What he did not tell this country is that non-viable land use practises, particularly on the fragile ecosystems of the rangelands, is a major threat to biodiversity of Kenya's territory. The destruction of trees in the dry areas from Narok, Kajiado to northern Kenya in an ecology which takes a long time before the resuscitation, natural

reproduction of the indigenous trees, is a major compromise to the ecology and the national biodiversity. We are sacrificing that ecology at the expense of production of cereals for urban consumption.

The destruction of the natural plant regime of Narok for the interest of production of barley for the brewing industry and dryland wheat for the bread-eaters of Nairobi, is a critical ecological sacrifice which we are going to bequeath to posterity while we are talking about our interests in environmental management. To-date, hon. Members here, particularly hon. Busolo, have been telling this House many times about the disastrous disappearance of the entire riverine fish population in River Nzoia below the Pan African Paper Mills. Nothing has been done and the Government has not prepared any legislation about carbon taxes. The Government has not prepared any independent instrument of assessing the impact of water treatment by Pan African Paper Mills. They depend on the propaganda arm of the Pan African Paper Mills. They come here to tell this House they want money because they are involved in environmental management.

Mr. Temporary Deputy Speaker, Sir, this is a crisis why we see such a major gap between promises and the performance by this Government.

Mr. Ndicho: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Vote of this Ministry. I share the sentiments that were expressed by some of the previous speakers that this is one of the most important Ministries we have in this country because it deals with the protection of our environment.

Mr. Temporary Deputy Speaker, Sir, I wonder why this Ministry does not come in handy and discipline the officers who are running Nairobi City council as far as garbage collection and dumping is concerned. If there is a city in the world that has got rats and stench, it is the City of Nairobi because the garbage that is dumped at the backyard of the streets is never collected at all. Also, there is no much degradation as the one that is done by the residents of Nairobi. We have a Council that does not care to collect that garbage posing health hazards and other socio-economic problems to the residents. Mr. Temporary Deputy Speaker, Sir, I hope the Nairobi City Council and the Ministry of Environment and Natural Resources are not again waiting for President Moi to order the National Youth Service (NYS) trucks to collect garbage in the City as he did some time ago. It is the responsibility of Nairobi City Council to ensure that the environment of the City is kept clean.

Mr. Temporary Deputy Speaker, Sir, I come from an industrial constituency called Juja---

QUORUM

Mr. Mak'Onyango: On a point of order, Mr. Temporary Deputy Speaker, Sir. I really hate to interrupt my colleague, but there is no quorum. I do not like him speaking to an empty House.

The Temporary Deputy Speaker (Mr. Wetangula): Yes, indeed, there is no quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Wetangula): We have a quorum now. You may proceed, hon. Ndicho.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, I was saying that I come from an industrial constituency called Juja, where we have **[Mr. Ndicho]** got so many industries in Thika and Ruiru towns. At Ruiru, there is a factory called Galvanised Steel Works that makes nails, barbed wires and all the other metallic products. This is one of the most notorious industries we have in this country as far as environmental degradation is concerned. When hon. Sambu was the Minister for Environment and Natural Resources, I raised this issue with him. He promised to come to Ruiru to see what this factory has done with its effluent. This is a factory that has destroyed the Ruiru river because it releases its effluent into this river. The people downstream are living in danger of diseases because of the by-products of steel, lead and other metal residues. This affects other people like the Pokomo in Tana River. They are living in danger because of this factory.

We have also other factories called Greystone and Hardstone at Juja. They are excavating stones using very heavy machines from Italy. These people are not only destroying the environment in that area, but they are also affecting the vegetation. These machines are producing a lot of waste. All the waste is poured on the banks of River Ndarugu. The people downstream are suffering so much. I have personally raised this matter with the Ministry, and they are doing nothing. I quite agree with hon. Rotino that there are people who are called special district officers (DOs), who are assigned to do special jobs. They are also referred to as environmental officers. The work of these officers is only to receive bribes from the industrialists. When they go there to check what is happening in factories, especially these factories at Ruiru, they are called in by the owner of the factory. When he comes out, he tells me that

he has agreed with these people, and they are going to look into the matter. Then, that is the end of it.

The Minister is here listening, and his officers are also here. They should advise the President that these special DOs should be disbanded. They must be removed from the Ministry's headquarters. Let the Ministry officials who are technically trained to handle environmental matters perform these duties. These people were brought there for political reasons. The people who brought them there are no longer there. But it is very important that Kenyans should learn not to be given money to compromise on the issue of their countrymen's health. It is evil, wrong and very bad for somebody to be given money just to keep quiet.

We have another factory called KEL Chemicals Ltd. It is very notorious. It was advised to spend about Kshs150 million to purchase scrappers from Europe, so that they could harness the sulphur oxide that is a by-product of what they do. When they were advised to do that by the Government, they only said that they would look into the matter, and they have never done it. This is why the Catholic priest at Thika called Father Ndikaru of St. Mulumba Catholic Church is always up in arms against them. You can imagine what sulphur oxide does to roofing materials like iron sheets as well as the environment. Our people are suffering at Thika. Everybody in Thika is suffering from chronic flues and fevers that never come to an end, despite being treated by the doctors now and then. We hold the Government responsible for all the diseases and health problems that Kenyans are suffering in industrial towns like Thika, Webuye and all the other places.

We also have leather industries at Thika. Leather is one of the by-products which does not rot. There was a team from the Ministry of Environment and Natural Resources which came to Thika and advised Bully Stanley and the Leather Industries of Kenya to burn or destroy the leather by-products by any available means, and never to dump them at the dumping sites. They never followed that advice. We have Government officers here who are never respected by the industrialists, most of whom are Indians. Most of the industrialists bribe these Government officers at the expense of our people's health. I hope the Minister will be serious and that he will treat these matters with the seriousness that they deserve. This is because our people are adversely affected.

Finally, there is a 40-acre afforestation area at Gatuanaga that was left by the Ministry of Lands and Settlement. A lot of trees were planted in that afforestation area, bearing in mind that Gatuanaga is a semi-arid area. I believe that this is land which does not belong to anybody. I believe that it belongs to the Ministry. Now, there are grabbers who have come to this piece of land and sub-divided it into one and two acre plots. They were at the point of erecting beacons in order to sub-divide it and allocate it to themselves. I was there in time and stopped them. But my worry is that this thing is already in paper form. It might not be there in future. What will prevent these people from cutting down these trees and allocating themselves this land? I think it is the responsibility of the Government to ensure that all our trees are left intact in order to guard our environment.

The Government is responsible for the degradation of the environment that is currently going on. We are having problems even in the Nyandarua Ranges, where we hear now that, the people who agree to be in KANU are being allocated forest land in, the lower parts of Kinare and Kamae forests. What is being done will affect the catchment area and the people downstream will suffer.

We all recall what hon. Ntimama did sometime ago, when he was campaigning for his people at Enoosupukia. It should also be noted that the people in Central Province need their trees, water and forests, just like any other people. I appeal to the Minister to ensure that Kinare and Kamae forests are not sub-divided and given to politically correct people, just because they have indicated that they are in KANU. They were elected in the recently held KANU elections. I am telling my friend, hon. Kariuki, that these people are not genuine KANU. They are only there to cut down the trees and receive that land. Then after elections, since they will have been given the title deeds, they will not even vote for KANU. So, hon. Kariuki should advise the Minister that these are not genuine KANU people. They are only there to exploit the environment by being allocated forest land. This forest does not belong to KANU or the Minister. The land, trees and forests belong to the current generation and posterity. Otherwise, if we are going to have another election by the year 2002, and KANU will still be there - although I hope it will not be there - they will go into the interior. We shall hear that even the mountain itself will be allocated because there will be no more land. I hope the Minister will be strict about the allocation of forests. I can see him smiling, and that tells me something about him.

Thank you.

The Assistant Minister for Education (Mr. Komora): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this important Vote.

Mr. Temporary Deputy Speaker, Sir, it is unfortunate that any Member of Parliament should stand here and talk on a partisan basis, because, environment knows no political party. We all breath the same air, live in the same towns and share the same services. So, it is not a question of KANU versus the Opposition or vice-versa. It is not a question of who supports or does not support KANU, because, if the environment is bad, it is bad for everybody. It is a national issue and we should all contribute positively and forget any partisan bitterness in this House.

Mr. Temporary Deputy Speaker, Sir, every hill and mountain in this country is a catchment of some type for water supply and reserve for this country. If we let these mountains and hills disappear by cutting all the forests, we are actually turning this country into a desert. Therefore, if we are forced by circumstances, as we are sometimes, to cut down trees, we must have an immediate and automatic replacement of the trees we cut down. From the trees up on the hills, we have the lower ridges of those areas. If we have to use the rivers on the mountains and by nature of utility of the rivers we find we have to destroy the environment to the extent of polluting the rivers, then we have to take action to make sure that the lower ridges do not suffer the consequences of mismanagement and deposition of waste matter into these rivers.

Mr. Temporary Deputy Speaker, Sir, we have our towns and cities where many of our people are living. We now have a substantial ratio of our population living in these cities. If we do not allow these cities to be properly taken care of in terms of environment being properly planned, with trees in between houses and streets, I think we need to visit a few cities which are well planned with trees along the roads and everywhere else. You pass through trees, and it is beautiful and nice. The air is cool, compounds are clean and it is good to go to those cities.

Mr. Temporary Deputy Speaker, Sir, I think a few members of the Ministry and other related organizations should visit cities like Islamabad where millions and millions of trees have been planted within the and around the City. Every year, more trees are planted so that, the whole City is catered for with trees and decorations. We of course have trees which are natural and important for firewood. These are the fast-growing trees and they are the ones which must be planted everywhere, because our need for fuel and population are growing. The issues which hon. Members talked about in Maasailand and other areas, are related to a fast growing population that requires food and economic growth. Therefore, it must utilise the resources which are available. The easiest resource which is available is land. If land is available and yet I am hungry, I will go and cut down the trees and plant crops instead. The only edible tree that I can plant there is a fruit tree. Therefore, maybe where the population is high, the Minister for Environment and Natural Resources should encourage the growing of more and more fruit trees and where necessary, create private forests. The idea of planting private forests should be encouraged in all our schools which have room for them. Each school should have a plot for trees all around it for decoration, fruits, firewood and other utilities as we go educating our people regarding the usage of trees and vegetation.

Mr. Temporary Deputy Speaker, Sir, I agree with the contribution from one Member of the Opposition that, this should be closer working relationships between the Ministry of Education and the Ministry of Environment and Natural Resources. We tend to put emphasis on planting of trees only on certain days like national days, May 1st, or something like that. But I think this should be made a regular habit. Trees should be grown in line with the growth of our population. It is good to plant a tree every year. If 25 million Kenyans embraced the habit of planting one tree per year, we would plant 25 million trees per year and we will then be able to have enough trees all the time.

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

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

Mr. Temporary Deputy Speaker, Sir, we have huge water basins whose water resources are disappearing. The catchment is being destroyed uphill. The flow of water is very fast. When there are floods, all the water runs into the ocean. The water that should be sinking under the ground to keep reserves for future utility disappear to the ocean. There is need, in this connection for the Ministry concerned, to liaise with the Ministry of Agriculture, Livestock Development and Marketing and the Ministry of Land Reclamation, Regional and Water Development, to ensure that water is conserved in the land. Therefore, the Ministry of Environment and Natural Resources will be a major contributor in making sure that the water, in millions and millions of gallons, that rushes all the way into the Indian Ocean through the Tana basin is conserved. We have countries like Spain which create internal man-made lakes. I think it is time the Ministry of Environment and Natural Resources and other related Ministries considered putting money into creating man made lakes to conserve the water for better utilization of these areas where we have a lot of water flowing on the surface. That water can sink into the soil or be conserved in lakes that will be utilised later on.

Mr. Temporary Deputy Speaker, Sir, when you look at the actual allocation to the Ministry, it is a pity that there is very little money that we are talking about and yet, the job is so big that the money we are giving to this Ministry is like a drop in the sea. It does not make any sense, for example, to reserve only K£71,000 for arid and semi-arid lands. What ratio does arid and semi-arid land make of the country? Certainly, it is nearly two-thirds of the country. Therefore, the money that we are giving to these areas is less than a drop and yet, it is in those arid areas where more trees need to be planted. That is where we need more water to be conserved and where we need to take

more care of the river banks which, if destroyed, will make the country drier. It is in those areas again, where the Ministry is required to have a big input, but they cannot because there is no money. So, we seem to be wasting time talking about so many things to be done and yet, there is very little money we have given to these gentlemen. Even if we say they are corrupt, how can they be corrupt when they lack money and jobs, or when we tell them to do a job and we do not give them the money. I think we should urge the Minister for Environment and Natural Resources to ask for more money and be more realistic.

Mr. Temporary Deputy Speaker, Sir, we want effective participation of the Ministry of Environment and Natural Resources in making sure that our cities and environment are clean and our valleys are protected. We also want to know what minerals we would get, if we went to the centre of the Tana basin. We should have some survey done in this country. For example, to know that, if you are going on top of Mt. Kilimanjaro, Mt. Kenya or any other, we expect to get these type of minerals. We have a problem with regard to prospecting. A lot of prospectors are not necessarily related to the local people. You would find a foreigner or an outsider given mining rights over a big piece of land and the local people are not involved. When he finds some minerals which he wants to exploit, he exploits them in a way that it is only him who gains.

With those few remarks, I support.

Dr. Opere: Thank you, Mr. Temporary Deputy Speaker, Sir. It appears that the Minister for Environment and Natural Resources is very busy on some local consultations and that, he hardly has time to listen to the debate on his Ministry. Of course the officials are here.

The Ministry of Environment and Natural resources is, indeed, a very important Ministry charged with an important responsibility for the development of our country, and as such, it needs a lot of encouragement and support from all of us. Accordingly, the Ministry ought to be effectively managed so that it can discharge its responsibilities. In the past, what seems to have been happening is that the turn-over has been extremely high; at the top of the Ministry, that is at the level of Ministers and Permanent Secretaries. Every few months, there is a new Minister and a new Permanent Secretary, and this has tended to frustrate the functioning of the Ministries. Sometimes you talk to the officers and they tell you that: "Okay, the Minister is going to change and the PS is going to change again. What can we do?" I think this is a serious problem that ought to be looked into, not of course, only in the context of the Ministry of Environment and Natural Resources, but more generally. I think this problem has been plaguing, very seriously, the Ministry of Environment and Natural Resources. It has, of course, been taken in some quarters as a kind of dumping ground; that when you do not need somebody in a certain quarter, you dump him in this Ministry. I think these kinds of ill-conceived managerial practices ought to be stopped so that the Ministry is properly managed to cater for the needs of the country.

Now, Mr. Temporary Deputy Speaker, the Ministry should effectively co-ordinate the activities related to its area of operation. For example, let us take the environment, we have so many different chapters on environment in different Ministries and, of course, there is nothing wrong with that. But they should be centrally co-ordinated so that the Ministry, through its Environmental Secretariat, effectively co-ordinates its activities because that is important.

Now, the Ministry, as somebody said earlier, is long in promises and sometimes very, very short in delivering. I have here, the policy framework paper which is supposed to be the Bible of economic policy for our country until the year, 1998. In that policy framework paper, there are a number of actions that the Ministry of Environment and Natural Resources should take. If the Minister cares to hear--- He will say that his officers are telling him and that he did not hear it himself. Now, a number of these important activities have been promised, not only to the Kenyans, but also to the donors. Some of the monies we are supposed to get from the donors have conditions to be fulfilled by the Ministry of Environment and Natural Resources. Mr. Minister Sir, what do we do?

The policy framework paper states that the Government will soon be presenting to Parliament a Sessional Paper, on a comprehensive environmental programme. This was stated at the beginning of 1996 and we are soon ending the year, 1997. We have not had that statement from the Ministry to Parliament. It further states that the Government is currently preparing an environmental legislation which, after broad based consultation, will be presented to Parliament by the end of the third quarter of 1996. This was promised to the donors in Paris, Mr. Minister Sir. Now we are soon ending the year, 1997, and we do not have that legislation and next time there is a Consultative Group Meeting (CGM), if at all, it will be convened, you are going to be hanged, and you will have to look for another scapegoat. Of course, we in the Opposition side shall hang you before the donors do so. But I think, it is important that something written in form of a document ought to be respected and be done. Further more, there was a promise that the policy statement will be presented in respect of forestry to Parliament in March, 1996. Nothing of the sort has been done to date. So, I think these are very lofty promises and very good, which should come to Parliament but they are not presented to Parliament. I think this is very serious and the Ministry ought to take appropriate action.

In respect of industrialisation, we are advised that by the year 2020, Kenya should become a newly industrialized country (NIC). Of course, there is an environmental component to that, which ought to be addressed and

the Ministry ought to play an active role.

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

[Mr. Deputy Speaker took the Chair]

On local issues, there is a forest in my area called Gwasi Forest on the Gwasi Hills. In fact, the Gwasi Hills used to provide water to the laibons who lived among us and who were chased away by the Colonialist. We were very nice to the Nandis as well as the Kipsigis. Now, this forest is quickly disappearing. The local people tried to protect it, but there are people who plant all kinds of things in the forest; they cut the trees and the forest is disappearing. The Gwasi Hills have a very unique ecosystem which controls the rain system of over six or seven districts. I am requesting the Minister to attend to the Gwasi Hills afforestation programme including its gazettment. I do not know why it should take over 20 years to gazette it. There is no obstacle, except gerrymandering and bureaucratic red tape. So, it is a very important forest and all the waters, rains and the environment are controlled by the Gwasi Hills. I would, perhaps, invite you to come and visit it sometimes, if you care to visit that part of the country. I think, it is part of Kenya, although it is very close to Uganda and Tanzania. So if you do not take action, one day it may be part of Uganda or Tanzania.

With these few remarks, Mr. Deputy Speaker, Sir, I support this allocation.

Thank you.

Mr. Kariuki: Mr. Deputy Speaker, Sir, I would, first of all, thank you very much for giving me this chance to say a few things about this particular Ministry.

Most of us have said that this Ministry is a very important one. This should not have even been said because it is obvious that is very, very important. What we should be concerned about is the philosophy behind those who decided that a certain portion of land, in a given country, should be left untouched. Those people of long time ago had a vision that, if we do not reserve some areas for this particular purpose, the country may run into problems in many years to come. Following what the philosophy was then, it becomes very difficult for any one of us to conceive what is happening today and what was intended by the Colonialists or by those who decided that forests need to be preserved.

Mr. Deputy Speaker, Sir, there is a very big contradiction. Instead of increasing forests or planting more trees, today, we are destroying what we did not plant. We are also destroying rivers and streams which we did not work for. All these are natural works. That is why this Ministry is called Ministry of Environment and Natural Resources. That means the entire environment was not put in place by anybody in this country and the resources were not created by any one person or by any party. The environment and the natural resources were not created by the Ministry or by the experts in this Ministry. They found all these things there but today, we are destroying what we found. It is most unfortunate that we cannot even protect, leave alone increase, or support our environment. Instead, we are destroying what we found. Yet all of us here keep on saying that we would want to leave this world better than we found it. I do not agree with that view. It would have been better if the human beings were not on the earth because I think the earth would have been better off without the human beings. The human beings are just destroying whatever they found on earth.

Most people are talking of reforms. I give a challenge to the Ministry that time has come for them to find a way of reforming this Ministry. They should have new ideas based on Kenyans' requirements, instead of just following what they found. That is what bothers me in my head. You find that our officers are educated and trained, but they are injected with that virus of colonialism in their heads. People get educated to be able to think broadly, and to think about their own country. But here, you will find that the officers go overseas just to be injected with this colonial virus that makes them not to change. I think time has come for the forests to be transferred to the local people. Forests should be managed by local people. For instance, if you get an officer from Nyanza Province and post him to manage Laikipia forest, this person is not interested in whether or not we shall be left dry for years to come.

He will just come, cut trees, make money and go away. As far as I am concerned, this Ministry is superfluous.

It needs to be reduced to nothing but a small department. We should let the people manage their forests. Let the people have a say in where trees are to be cut down and where they should be planted. That is the only way to save our forests. If we can build schools and manage them through the boards of governors, why can we not manage forests which are already built by our Heavenly Father? We are only required to manage them. Therefore, we should not leave it to a person to travel all the way from Nandi to come and manage our natural resources in Laikipia. For what reason does he think he can manage this for us? That question of nationalising everything should come to an end. We have to privatise this Ministry and all natural resources should be given to the local people. It is the local

people who will suffer in years to come. In that way, we will be able to preserve and protect our natural resources because we would know what the problem is and where it is coming from. But as things are now, people have no respect at all for even indigenous trees. Although the person found it there, his main aim is just to make several thousand shillings and that is the end of it. I think if God is there to condemn anybody, this Ministry will stand condemned for the atrocities that they are committing to these trees. I am saying this because I come from an area where the forest is being destroyed at the expense of our people. We have raised voices before, but who listens? Nowadays, the Forest Officers look at the forests in terms of money. They do not go there to protect, they go there and start thinking of how they will make money out of these forests.

Mr. Deputy Speaker, Sir, I support my friend, the Minister for Environment and Natural Resources because I know he is a serious man. I have no grudge against the Permanent Secretary and some senior officers. But I would like them to sit down and decide what Kenya really wants, not what the Europeans want. All these officers are educated and they should find out whether there is any advantage in transferring these natural resources to the local people.

Before my time is over, I would like to talk about Laikipia District. I have said now and then that uncontrolled felling of trees is a very sad thing. There is also an idea of allocating Marmanet Forest to Saw Millers. I want to say to both the Minister and the PS that, before any other activity takes place in this area, they should visit the area and see that what Forest officers are doing is nothing but to make sure that the people in Laikipia will be poor forever. I say so because all the catchment areas are being cleared. If that is going to happen, people from Marsabit, where Mr. Deputy Speaker comes from and further down in Wajir, will have no water in many years to come. In a few years to come, there will be serious tribal clashes because the Somalis will follow water up-stream and there will be no water. It is going to be a crisis and I do not know why these officers cannot even recommend to the Government that it is better to suspend the felling of trees for the next ten years and find money to import timber for our timber industry. That would be much better. We better pay tax in order to preserve our natural resources. I think it is high time that the Government approached this Ministry's activities differently. I would like the Ministry officials to sit down and see whether they are really doing any service to Kenyans. If the Sahara Desert is extending Southwards at the rate of 90 kilometres per year, it will find us here and our land will be dry. This is a fact that the Ministry does not appreciate.

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

Mr. Mwaure: Thank you very much, Mr. Deputy Speaker, Sir, for giving this opportunity to contribute to this important Vote of the Ministry of Environment and Natural Resources.

Mr Deputy Speaker, Sir, Kenya is an agricultural country. Kenya has a beautiful climate and as we know now, there is a lot of tree destruction going on in the country. I would like to say that this was not the case in the past and, particularly, during the colonial times. We have witnessed more destruction of tree over the last 15 to 20 years. As a result of this destruction, most of our rivers have dried up. Consequently, the country has continued to experience drought. So, the issue here is: How do we really stop environmental degradation? I envisage an end to this environmental degradation if we could start teaching afforestation-related subjects with particular emphasis being laid on primary schools. This is because it is only through such a programme that the youth can be encouraged to plant trees.

Mr. Deputy Speaker, Sir, this country has been lucky since for the first time, in the last 20 years, the Habitat offices were opened here in Nairobi after a lot of efforts. But as it is now, I do not think we have a leading nation in terms of environmental protection. We are not an industrialised country. Most of our rural folks still depend on trees in form of firewood for cooking their meals. This is because we lack electricity in most of the rural areas. Therefore, the rural folks have to resort to tree felling in order to use them as firewood for cooking their meals. If the trees are destroyed without being replaced, then it is high time the Ministry introduced education seminars targeted at educating the rural folks in public barazas on tree conservation. Over the years, we have also witnessed some NGOs which have interests in the environment. I think these NGOs must be encouraged. They must be supported because sometimes you will find officers who are not dedicated working in this Ministry. This is one factor that has led to environmental degradation. We have seen the grabbing of forests, a practice which has taken place over the last few years resulting, in tree destruction.

Mr. Deputy Speaker, Sir, some of the developed countries have put the issue of environmental conservation as a top priority in their agenda. Not too long ago, the UN held a conference which was attended by most leading world countries. Its main topic of discussion was none other than the question of environmental conservation in the world. I think, if we were to show the way, our country could benefit from the industrialised world. Kenya, as it has been said by an earlier speaker, is mostly semi-arid. We have witnessed countries like Israel, which hitherto had bare and unproductive land being turned into green and fertile land and yet Israel, as we know, has been a desert. I see no reason why most of our areas like North Eastern and Ukambani cannot be irrigated and made productive agriculturally.

This will consequently lead to increased rainfall in the country since forests attract rain.

Mr. Deputy Speaker, Sir, as a leading tourist country, I believe, if we were to continue to conserve our environment particularly in the City, as other speakers have talked here--- What has happened to our urban City? Look at Nairobi today and you will witness a lot of garbage accumulation. The same problem is happening in Mombasa and yet we have to attract tourists to come to this country. It is, therefore, very important that the Ministry of Tourism and Wildlife should really continue engaging itself in environmental conservation practices especially by creating more tree nurseries. Many years back, and, particularly, during the colonial times, the Ministry of Environment and Natural Resources used to have large tree nurseries. If you went to Nyeri District, particularly, Muringato, there used to be all sorts of trees because of the tree nurseries there. It is, therefore, most important that this Ministry should be given more resources in order to create tree nursery beds which will enhance afforestation.

Mr. Deputy Speaker, Sir, the issue of soil erosion is another area in which needs attention. As long as we continue with destroy forests, we shall experience more of that soil erosion. Therefore, it shows how important it is to try and help our rural folk to avoid soil erosion practices. During the recent World Habitat Conference which was held here in Nairobi, a lot of efforts were made to reduce the effectiveness of the Habitat offices here in Nairobi. We know that South Africa has been trying to host the headquarters of some of the UN bodies and it will be very bad if the Habitat offices in this country were to be shifted to a country like South Africa. We can only retain these headquarters here by showing the world that we are a leading country in environmental preservation.

Mr. Deputy Speaker, Sir, the timber industry is another industry which can also help this country to earn a lot of foreign exchange. I believe, that the Ministry of Environment and Natural Resources should be able to help in afforestation programmes which will help Kenya to become a timber producing country. We border tropical forests and, therefore, we should learn how to conserve our own indigenous trees in order to be self-sufficient when it comes to timber export.

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

The Minister for Land Reclamation, Regional and Water Development (Mr. Nyachae): Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to support this Vote.

Mr. Deputy Speaker, Sir, listening to the hon. Members talking about the Ministry of Environment and Natural Resources, one gets the impression that we are sitting in this House lecturing to the Minister for Environment and Natural Resources forgetting that it is the responsibility of every Kenyan to preserve the natural resources and to be concerned about the environment of our country. The Ministry of Environment and Natural Resources should be seen as a motivating and co-ordinating body in support of preservation of our environment.

Mr. Deputy Speaker, Sir, when we talk about our forests being destroyed, I think, the first thing for the leaders of this country is to be concerned about our own trees. How many leaders in this country have actually planted trees in their plots or compounds? Very few have done it, but they are very good in encouraging the felling of trees. I am saying this and anybody can challenge me about this because I have my own tree-nursery because I believe that the trees that I found on my farm were planted by somebody else, and if I make use of them, I must plant some for my successors because land is there to stay. But I am about to go. People are cutting trees these days forgetting they were planted by somebody else. It is a question of what I will call "greed"; people want to make money today thinking that the future does not need money as well.

Mr. Deputy Speaker, Sir, in order to preserve our forests, can we then avoid putting pressure on the Government and the Ministry concerned in this area of forest excision? I feel very strongly about this and I know what I am talking about because I used to be in the Public Service previously. There has never been a time when a department of forestry has decided they are going to excise this area for occupation. It is the leaders who demand to be given land. In some places, there are leaders who have persuaded the Government to allow them to have forest workers to plant crops together with the trees. After one or two years, they put up houses. The leaders should have self-discipline on environment. The environment and natural resources we are talking about were created by some people and the future generations will also want this to be done for them.

Mr. Deputy Speaker, Sir, talking about the environment, every one of us has a responsibility. When we walk through the streets of Nairobi, when we look at Nairobi River or when you visit any town in the country, we find a lot of things which we should not be accommodating among ourselves. For example, sometimes, even university students organise themselves to clean garbage in the City. How many leaders have joined them in this exercise? There was one time only I saw a former mayor of Nairobi who later became an hon. Member of Parliament, Steve Mwangi, getting involved in trying to clean up the City. How many leaders have come out to clean the City? The same leaders who are complaining about the environment are living in the same areas and do not even talk about the problems of environment with their communities. We cannot leave it to Government officers in one Ministry or one Minister. This is a responsibility of us all.

Mr. Deputy Speaker, Sir, if one goes to a country like Finland or Germany, for example, even to cut a branch

of a tree, you have to consult the local people because they believe that even if the tree is in your compound, it is not yours. It is creating good air for the community and, therefore, you have no right to cut it down without the consent of the community. But here, somebody clears a lot of trees and people do not bother at all.

Mr. Deputy Speaker, Sir, one thing I would like to recommend very strongly is that these fellows who are involved in timber industry I heard hon. Mwaura saying it is good industry which can make money--- Why do we call it a good industry which can make good money and yet people are cutting down a lot of trees leaving empty land? The people who have been allowed to saw or to run timber industry should be required to plant trees. They should not just be licensed to cut down trees, but should be forced to pay for those trees because they have been looked after until they are mature. In the same licence, they should be required to plant so many trees. People should not just be allowed to cut trees which were planted before their mothers were married and then all of a sudden they make money and leave land empty.

Mr. Deputy Speaker, Sir, if you go to those places which were known as "White Highlands", the Mzungu planted trees for wind-break, timber and so on. Those trees have been felled without replacement. We are getting worried because there is going to be shortage of water and there is going to be a desert. We are creating problems and not accepting them as of our own creation. We must accept that we have a responsibility to look after our own environment and anybody who wants to enjoy what is there in the forests must also know that the future generation should like to enjoy what they will find in the forests.

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

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Deputy Speaker, Sir, I now wish to take this opportunity to reply to the remarks raised by hon. Members. I will try to touch on a few things very briefly.

First of all, I would like to thank hon. Members for their very valuable contributions to this debate. I am very sure that I have listened very carefully and I hope my officers have also done the same. As hon. Members did rightly say, the environment is the responsibility of all of us. It is not the responsibility of the Ministry of Environment and Natural Resources alone. We breathe the same air, drink the same water, till the same land and therefore, it is our responsibility to take care of the environment.

Mr. Deputy Speaker, Sir, environmental education is our responsibility because there is need to educate our people about the concerns of the environment. At the moment, there is active consultation between various Government Ministries, including the Ministry of Education, with a view to introducing environmentally related subjects in our schools. We know that the primary education syllabus is already overloaded and the Minister for Education is here. But we need to create environmental awareness at a very early stage, so that our young people can grow up knowing what they have to take care of. Prof. Ouma did say that we promise quite a lot and that officers in the Ministry are a bit lethargic, but I would like to say that we will remove the lactic acid which is causing the lethargy.

An all-encompassing environmental law has been recognised for quite some time and I regret that, it was promised that it would come to this House last year and has not yet come, as we are approaching the end of 1997. The Environmental Bill has already been drafted and although it has not yet been published, it is ready for publication. Adequate consultation has been done and I was hoping that I would have the privilege of moving that Bill. I still hope that I will have that privilege in future.

Mr. Deputy Speaker, Sir, the Mining Act--

Mr. Mulusya: But you will not be in the Government after the General Elections!

The Minister for Environment and Natural Resources (Mr. Kosgey): We are going to be in the Government. We are here to stay.

Mr. Deputy Speaker, Sir, the other Act which has been under consideration in the Ministry is the Mining Act which is being revised. We do hope that we will bring it here for presentation to the House.

Mr. Deputy Speaker, Sir, as far as the forest is concerned, I am glad that hon. Nyachae did say that we are committed to protecting our forests. Encroachment is not being done by any person other than Kenyans themselves. The forest Department does not request the Government to excise land. Wananchi are pressuring the Government from all quarters to excise land. I think it is time we say enough is enough. There cannot be enough land for everybody. The little forest area which is there has to be protected at all costs. I agree with the sentiments--

Mr. Mulusya: On a point of order, Mr. Deputy Speaker, Sir. Is it not out of order for the Minister to mislead this House, and the country at large, by saying that it is wananchi who request the Government to excise Government forest? For example, in the cases of Karura and Ngong forests, which wananchi asked the Government to de-gazette them?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Deputy Speaker, Sir, I am told that hon. Mulusya was one of them. Let me put the record right. The local population, whether the forest is in Nandi--- This is the Committee of Supply and I am replying!

Mr. Mak'Onyango: On a point of order, Mr. Deputy Speaker, Sir, I think you heard with your own ears the hon. Minister say that hon. Mulusya is one of those who acquired land from a Government forest. Can he substantiate that?

Mr. Deputy Speaker: No, I did not hear him say that.

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Deputy Speaker, Sir, allow me to continue uninterrupted.

Mr. Mulusya: On a point of order, Mr. Deputy Speaker, Sir. The statement which the Minister made was categorical. He said: "I understand that Mr. Mulusya is one of them." Can he substantiate that I once pressurised the Government and that I was allocated land in Karura or anywhere else by this Government?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Deputy Speaker, Sir, I do not know whether Mr. Mulusya was allocated land and, therefore, the point does not arise. Let us not miss the point. What I am trying to say is that for all the forests within any area, it should be the responsibility of all of us to protect them. I am calling upon the leaders from all parties to protect those forests. If need be, make enough noise for everybody to hear.

Mr. Deputy Speaker, Sir, there have been various requests for settlement or excision of forests and I wish to mention one, which is Arabuko-Sokoke at the Coast. I think we should all be very clear that, that forest is not for alienation at all. It will remain a forest for ever. Very often, I get requests for the excision of that forest.

Mr. Deputy Speaker, Sir, we are hoping to industrialise by the year 2020 and we require the concerted effort of every Kenyan to achieve that goal and I think it is better for one to have a goal than to have no goal at all. I know that Members from the Opposition have no goal at all. With the new Environmental Bill, we will protect our waters and air, so that we do not have air and water pollution. I have taken note of the various industries which are at the moment polluting our rivers. A lot has been said about the Webuye Paper Mills and the factories at Ruiru and Thika. That featured prominently in hon. Ndicho's contribution. Action will be taken to curb air and water pollution.

Mr. Deputy Speaker, Sir, hon. Members did mention something about using unleaded petrol, or lead free petrol, in this country. Consultations will be undertaken with the Ministry of Energy to see to it that action is taken to this end. We are a signatory to various conventions of the United Nations (UN), which specifically mention some of the measures that we need to take in order to control air pollution.

While still on the environment, let me mention our responsibility in respect of it as citizens of this country. Hon. Wetangula did mention yesterday about the litter all along our roads around Naivasha by us. A lot of paper and rubbish is just being allowed to litter the country. I think we should be careful and make sure that we do not throw rubbish all around. Action will be taken against factories that produce a lot of polythene paper and throw it around without caring that they pollute the environment.

M/s Delamere Dairies are doing a good job in packaging milk and selling it to wananchi. Wananchi are drinking the milk, but the empty packets are thrown around and litter the environment. Action will be taken in that regard. Even in towns and cities, you will see that the front part of every shop, especially fish and chips shops, is just littered with a lot of old newspapers and dirt. Why do shop owners not clear this dirt from the front of their premises? By-laws should be introduced to ensure that these people clean up their areas of operation.

Let me turn to the Lake Region. Various hon. Members said in their contributions that Lake Victoria is becoming a cess pool. A lot of pollutants are flowing into the Lake. As I said yesterday, we will plant trees to make sure that soil is not carried into the Lake. But it is the responsibility of each one of us to make sure that we take care of that Lake. As for the water hyacinth, I want to state categorically that the beetles have not died or been eaten by birds. They are very tiny or microscopic. So, how do the birds see these little beetles and go for them? They are in their millions. We did control the weed that was in Lake Naivasha using a biological agent. I am very sure that we will succeed in controlling the weed in Lake Victoria biologically. In the mean time, since we know that the biological agent that we have will take a long time to produce the desired result, we will use mechanical harvesters to assist in removing the weed, particularly in areas where fishermen land their fish. We want them to continue fishing and bringing in fish. That will happen simultaneously with the biological control.

As far as the agent, the beetle, is concerned, it will die when the hyacinth will no longer be there. It is what is called "host-specific". This means that when there is no host, it just dies. It will not eat anything else. That is why it took the Kenya Agricultural Research Institute (KARI) four years to do research. We wanted to make sure that we did not introduce something that would eat the water hyacinth and anything else in sight, including human beings and fish. So, we are fairly safe with this beetle. It is slow but we are sure it will do its work.

Mr. Deputy Speaker, Sir, with respect to the environmental degradation that results from human settlements, particularly in arid and semi-arid areas, I did mention yesterday that we are introducing agro-forestry in the arid and semi-arid areas in Kajiado, Kitui and Machakos districts. Specific species of forests are being introduced with the help of the World Food Programme so that these areas can also have trees for fuelwood and for keeping them well

covered by trees. These areas are very important. In trying to fight desertification we must afforest semi-arid areas, otherwise desertification will continue encroaching.

Mr. Deputy Speaker, Sir, with respect to minerals I wish to say that we have a lot of minerals. Although we are basically an agricultural country and are not very much endowed with mineral wealth, we have gold. I said yesterday that with new technology all the alluvial gold which is found in Kakamega, South Nyanza and other parts of our country, is being revived now and can be mined economically. Those people who come from South Nyanza know that we are quite active at the moment in trying to assess how this gold can be mined economically.

In other areas, we have gemstones in West Pokot District, Tsavo in Taita Taveta District and in Kwale District we have gemstones. We have enough gypsum for cement manufacture and export. All these areas will be open for Kenyans to invest in, either jointly with other investors or even individually. We have sufficient lime, Homa Lime, in Nyanza to warrant the construction of a cement factory there. We also have gypsum in Kerio Valley and elsewhere.

Without repeating what I said yesterday, I wish to state once again that--- One hon. Member said that we are promising a lot and doing very little. But I want to say that we will do all that we have promised.

With those few remarks, I beg to move.

(Question put and agreed to)

[Mr. Deputy Speaker left the Chair]

IN THE COMMITTEE

*[The Temporary Deputy Chairman
(Mr. Wetangula) took the Chair]*

Vote 21 - Ministry of Environment
and Natural Resources

The Minister for Environment and Natural Resources (Mr. Kosgey) Mr. Temporary Deputy Chairman, I beg to move:-

THAT a sum not exceeding K£31,752,925 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1998, in respect of:-

Vote 21 - Ministry of Environment
and Natural Resources

(Question Proposed)

VOTE 21 - RECURRENT EXPENDITURE

SUB-VOTE 210 - GENERAL ADMINISTRATION AND PLANNING

Head 670 - Headquarters Administrative Services

Dr. Kituyi: Mr. Temporary Deputy Chairman, Sir, I stand under the provisions of Standing Order No.142(3). I have given notice of the following Motion and do wish to move that a sum of K£1 be deducted from the sum of K£39,830,180 that is being requested under Vote 21, Ministry of Environment and Natural Resources, and that the said sum of K£1 be deducted from Item 110, Head 670 of the Recurrent Estimates.

Mr. Temporary Deputy Chairman, Sir, we have been talking about the importance of environment and it is painful to notice that the total request for this Ministry is less than the amount of money allocated for the construction of dams and provision of rural water supplies. If this Government had any prioritization, it could not have given so little money to Development allocation. Most of the money has been given Recurrent Expenditure, particularly on travelling when there are no rural activities.

With those few remarks, I wish to move.

(Question of the reduction proposed)

The Assistant Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, I wish to oppose this move by the hon. Member. The reason given by hon. Dr. Kituyi for the deduction of that amount of money is not convincing. This Ministry is so important--

The Temporary Deputy Chairman (Mr. Wetangula): Mr. Minister, are you opposing or supporting the Motion?. Just say what you want to say so that I put the Question.

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, I am trying to state that the Ministry is so important that it requires each and every pound, and hon. Kituyi agrees with me that it--

The Temporary Deputy Chairman (Mr. Wetangula): I will now put the Question.

(Question of the reduction put and negated)

(Head 670 agreed to)

(Sub-Vote 210 agreed to)

SUB-VOTE 211 - FORESTRY DEVELOPMENT

Head 675 - Headquarters Forestry Development

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, under this Head, Item 000 - Personal emoluments, it is shown that last year a sum of K£232,192 was provided and this year this sum has been reduced to K£188,027. Can the Minister explain why there is a drop in this fund instead of an increase?

The Minister for Environment and Natural Resources (Mr. Kosgey): The staff of the Londiani Forest College, particularly subordinate staff, did leave with the "golden handshake" and that is why there is that reduction. The staff has been reduced by almost a half.

Mr. Munyasia: Mr. Temporary Deputy Chairman, Sir, if they have reduced the staff, why is it that the amount of house allowance has increased?

The Minister for Environment and Natural Resources (Mr. Kosgey): The amount of house allowance has increased marginally by K£1,000.

Mr. Munyasia: Mr. Temporary Deputy Chairman, the Minister has not answered my [Mr. Munyasia]

question. I asked why the amount of house allowance has increased when that of personal emoluments has dropped?

The Minister for Environment and Natural Resources (Mr. Kosgey): The amount of house allowance went up because most of those lecturers who are paid that house allowance are still there. We have 34 lecturers. What reduced was the subordinate staff. Most of these lower cadre staff were not enjoying any house allowance. They were housed within the college.

*(Heads 672, 674, 675, 676, 678,
679, 681 and 738 agreed to)*

(Sub-Vote 211 agreed to)

SUB-VOTE 212 - MINERAL DEVELOPMENT

(Heads 690, 691, 692 and 693 agreed to)

(Sub-Vote 212 agreed to)

SUB-VOTE 215 - NATIONAL ENVIRONMENT PROTECTION

Head 722 - District Environment Support

Mr. Mak'Onyango: Mr. Temporary Deputy Speaker, Sir, I wish to draw your attention to Head 722, Item

100 - Transport Operating Expenses. Last year, the Minister allocated K£1,125 to Homa-Bay for transport operating expenses, but this figure has skyrocketed in this financial year to K£4,500. What is the justification for this huge increase?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, most of our district offices, particularly where transport is concerned, are underprovided and because of budgetary ceilings, it has not been possible to increase their funding. So, if you go to each district, you will find each district officer or officers are all the time curtailing their supervisory duties for lack of transport. We have been fighting very hard with the Treasury to see that all our officers are provided with adequate transport, and that they are mobile. So, the provision of only Kshs90,000 for Homa-Bay is not a lot of money at all. In fact, it is insufficient. Last year, it was even in a worse position. Thank you.

(Heads 702 and 722 agreed to)

(Sub-Vote 215 agreed to)

(Vote R21 agreed to)

VOTE D21 - DEVELOPMENT EXPENDITURE

SUB-VOTE 210 - GENERAL ADMINISTRATION AND PLANNING

(Head 670 agreed to)

(Sub-Vote 210 agreed to)

SUB-VOTE 211 - FORESTRY DEVELOPMENT

Head 672 - Headquarters Forestry Development

Mr. Achola: Thank you, Mr. Temporary Deputy Chairman, Sir. Under Head 672, Item 275 - Forestry Sector Support, could the Minister explain why he has doubled the Estimates for this Item from K£3 million to K£6.8 million?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, this is money from Finland (FINNIDA), and it is a follow-up of the master-plan. After the master-plan had been drawn up, now it is the implementation stage. As I explained yesterday, some of this money would be used to protect indigenous forests in Kakamega, Nandi and the lake region. So, it is now that we are receiving the donor money and it is explained there in the Appropriations-In-Aid under Item 902.

Head 678 - Forestry and Plantation Development

Mr. Achola: Thank you, Mr. Temporary Deputy Chairman, Sir. I wish to draw your attention to Head 678, Item 150 - Purchase of Supplies for Production. Last year, we spent K£503,000 plus and he is proposing to spend K£1 million. Could the Minister give an explanation as to why there is such a huge increase?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, when we talk of the purchase of supplies for production, we have in mind the quality of bags, boxes and other materials that are required to produce tree seedlings and so on. The situation in the country is a backlog of about 20,000 hectares of land which has not been planted. We are trying to raise enough seedlings to catch up with the afforestation programme, hence this attempt to increase the nurseries.

Head 672 - Headquarters Forestry Development

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, under Head 672, Item 261 - Conservation of Indigenous Forests, last year the Government provided K£5,302,161 for the conservation of indigenous forests, but this has been reduced to K£4 million. We are trying to improve on our environment, but this proves to be the contrary. Could the Minister explain why there is this huge reduction?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, during the debate on this Vote, one hon. Member did, in fact, mention this Item 261. This is meant for the conservation of indigenous forests around the Aberdares and Mt. Kenya region. We felt that since we are conserving, this reduction is not going to affect the preservation of these indigenous trees in that area.

Head 738 - Arid and Semi-Arid Lands Forestry Development

Mr. Munyasia: Mr. Temporary Deputy Chairman, under Head 738, Item 001 - Personal Emoluments (Casual Workers), we are talking about workers in ASAL areas, Forestry Department. This is an area which requires afforestation more than any other region. Can the Minister tell us why he wishes to reduce the number of casual workers on that project so drastically?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, we normally employ casual workers when we are planting or re-planting trees. Our experience last year of involving the community is that Kenyans are very good people because they are always ready to help us plant more trees. That amount which is being provided there is sufficient. I admit that there is a drop in the allocations, but there is community contribution.

*(Heads 672, 674, 675, 676, 678,
679, 681 and 738 agreed to)*

(Sub-Vote 211 agreed to)

SUB-VOTE 212 - MINERAL DEVELOPMENT

(Head 692 agreed to)

(Sub-Vote 212 agreed to)

SUB-VOTE 215 - NATIONAL ENVIRONMENTAL PROTECTION

Head 702 - National Environmental Secretariat - Headquarters

Mr. Achola: Mr. Temporary Deputy Chairman, Sir, on page 889, Head 702, Item 187 - Reduction of Loss by Bio-diversity, could the Minister explain why there was nothing allocated last year, while K£2 million has been allocated this year?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, the project is starting now. It was not there last year.

Mr. Achola: On Head 702, Item 221 - Purchase of Plant and Equipment (Water Hyacinth), is the Minister satisfied that K£400,000 is sufficient to remove the water hyacinth which is a big problem?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, yes, it will be enough. But let me explain a little. The quotations which we have received for mechanical harvesters range from Kshs300 million per unit, to as low as Kshs20 million per unit. At the moment, that figure is what the Treasury has put in. We are consulting with various donors, including the Global Environment Fund, which will fund some of these mechanical harvesters. If that goes through, I will probably be coming back to this House for supplementary funds for that Item.

Mr. Achola: Are these mechanical harvesters not going to also harvest the beetles that are supposed to eliminate the water hyacinth?

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Temporary Deputy Chairman, Sir, the beetles will unfortunately be harvested. But those are in their millions. We are not going to harvest the whole lake. We will harvest certain areas to open up certain corridors. It is going to be a continuous process of opening up because as the weeds grow, we will keep on harvesting them. The beetles will continue eating the water hyacinth.

(Head 702 agreed to)

(Sub-Vote 215 agreed to)

(Vote D21 agreed to)

(Question put and agreed to)

(Resolution to be reported without amendment)

(The House resumed)

(Mr. Deputy Speaker in the Chair)

REPORT

Vote 21 - Ministry of Environment
and Natural Resources

Mr. Wetangula: Mr. Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding K£31,752,925 be issued from the Consolidated Fund, to complete the sum necessary to meet the expenditure during the year ending 30th June, 1998, in respect of Vote 21 - Ministry of Environment and Natural Resources, and has approved the same without amendment.

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Assistant Minister, Office of the President (Mr. Sunkuli) seconded.

(Question proposed)

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: There being no further business, the House stands adjourned until Tuesday, 3rd of August, 1997, at 2.30 p.m.

The House rose at 5.45 p.m.