

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 12th April, 1995

The House met at 9.00 a.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 025

RE-DEPLOYMENT OF OFFICER

Dr. Otieno Kopyo asked a Minister of State, Office of the President what is the Government policy on the re-deployment of officers who have mismanaged funds in other parastatals.

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

It is usually not Government policy to re-deploy an officer who has mismanaged funds in other parastatals. Usually if allegations are made against an officer, investigations are carried out and if so proved, the necessary action is taken.

Dr. Otieno Kopyo: Mr. Deputy Speaker, Sir, that is a very surprising answer coming from the Office of the President. Previously, it was just an ordinary auditor's query that necessitated police action. Over the last ten years, the country has lost not less than accumulative losses up to KShs.100 billion. After losing KShs.550 million at the Milling Corporation of Kenya, the officer is transferred to the Executive Secretariat for privatisation then moved to National Housing Corporation. The people who mismanaged funds at the National Social Security Fund (NSSF) have been promoted and moved to Export Processing Zone. What other proof does the Assistant Minister need to realise that the public is losing too much?

Mr. Manga: Mr. Deputy Speaker, Sir, I have said, and I want to repeat again for the benefit of the hon. Member that if allegations of mismanagement are brought to light concerning an officer, normally that officer is removed from the organisation so that investigations can be carried out without hindrance. It is normal for the officer to be assigned other duties in a different organisation while investigations are going on. When the investigations are completed, and he is found to be at fault, then action is taken against him.

Dr. Otieno Kopyo: Mr. Deputy Speaker, Sir, I am not talking about allegations. I am stating before the House that the Auditor-General of State Corporations has stated these losses in his Reports over the last ten years. These queries are in the audit Reports and they have been examined by the Public Investments Committee (PIC). If you think that

A.2 - 12.04.95

Goldenberg is a big scandal, you have to await the Report of the Public Investments Committee to realise what the public has lost.

Mr. Deputy Speaker, Sir, what I am saying is: Once you have had the Auditor-General (Corporations)) querying the activities of the management of a State corporation, why do you need to transfer that person to another State corporation so that he can continue to mismanage? Why is this being done? Why is the Government insensitive to public outcry against funds that are being swindled by people who are hired by the Government? I have given you the example of the Milling Corporation of Kenya; the National Social Security Fund, where there was an award of a tender of KShs.400 million. That building has now cost the public, the pension fund, KShs.3.2 billion! Do you need further proof?

Mr. Manga: Mr. Deputy Speaker, Sir, I do not want to defend anybody who mismanages public funds. But at the same time, the officer has a right to defend himself and there is a right also to carry out investigations to see whether he is to blame.

Mr. Sifuna: Mr. Deputy Speaker, Sir, is the Assistant Minister aware that the Chief Executive, that the Questioner has just mentioned, Lawi Kiplagat, mismanaged Government money and instead of being locked in, was promoted? The case is still pending in the court of law and instead of the Government taking him to court, he is promoted. Now, he is the Chief Executive of the National Housing Corporation. What is this so?

Mr. Manga: Mr. deputy Speaker, Sir, I am not aware of that allegation, but I am aware that when a case is pending in court, then that means investigations is being carried out and until the person is proved guilty, then we cannot say anything.

Mr. Michuki: Mr. Deputy Speaker, Sir, would the Assistant Minister agree with me that there is a need to restore Kenya Institute of Administration (KIA) in its old form? At the KIA officers used to be trained on management and other fields,. Would he agree with me that this lack of training has contributed to the behaviour of officers in the management of the parastatals, where they do not seem to recognise the mistakes they make because they are not trained?

Mr. Manga: Mr. Deputy Speaker, Sir, I will not agree. In the case of KIE, it was proved that the former Managing Director, who was alleged to have misappropriated funds worth KShs.5 million. Investigations were carried out and the matter is pending in court and she has been sued.

A.3 - 12.04.95

Question No. 011

KENYANS STUDYING OVERSEAS

Mr. Deputy Speaker: Has Mr. Owino Achola not arrived?

Question deferred

Question No. 064

DRAINAGE FOR DAGORETTI ROADS

Mr. Deputy Speaker: Mr. Kamuyu is also not here. Well, we defer that Question for the

moment. Next Question.

Question 028

UPGRADING OF HEALTH WORKERS

Mr. Deputy Speaker: Is anyone here from the Ministry of Health? It is rather serious now. We defer that Question too.

End of A.

JKK

B.1 12.4.95

(Question deferred)

Mr. Muite: On a point of order, Mr. Deputy Speaker, Sir. Could you assist us to ensure that Government Ministers are here to answer Questions. Health is very important. The health system in this country has collapsed and it is very important that---

The Minister for Education (Mr. Kamotho): On a point of order, Mr. Deputy Speaker, Sir. My point of order is on the point of order raised by hon. Muite. I am also here as Minister for Education and the hon. Member who was supposed to ask Question No.11 is not here. So, the blame should not be placed on the Government side alone; it should be on both sides of the House.

Mr. Deputy Speaker: The Chair can only facilitate hon. Members to ask Questions and Ministers to answer them. The Speaker's powers fall short of power to force Members to ask Questions and Ministers to answer them. I can only appeal to both sides to play their role. Where a Question has failed to be answered because the Minister is not here the convention is to have the Question be put on the Order Paper again whereas where on the other hand the hon. Questioner is not here, the Question automatically lapses; unless there is somebody with authority to ask the same Question on his behalf.

Question No.54

ACCOMMODATION FOR INMATES

Mr. Mbui asked the Minister for Home Affairs and National Heritage:-

- (a) how many inmates are Kenya remand homes supposed to accommodate; and
- (b) how many inmates were accommodated in these homes as at 31st January, 1995.

The Minister for Home Affairs and National Heritage (Mr. Lotodo): Mr. Deputy Speaker, Sir, I beg to reply.

- (b) The established capacity for juvenile remand homes is 1,130 inmates.
- (b) There were 737 inmates in the juvenile remand homes as 31st January, 1995.

Mr. Mbui: Mr. Deputy Speaker, Sir, could the Minister tell this House how many juvenile inmates escaped from these homes last year.

(Hon. started walking towards the door)

Mr. Deputy Speaker: Hon. Muite, well if I may gratuitously say so, I could as well have left you to leave the Chamber. But you were complaining the Ministers are not here to answer Questions and you start to walk out the very moment the Minister in charge of the Ministry comes in! I hope you do know that I am being very gracious to you. If you walk out, your Question lapses automatically. But the Minister is here and I just wanted to alert you to that fact.

Mr. Muite: Mr. Deputy Speaker, Sir, I was going to make an urgent phone call.

(Mr. Muite left the Chamber)

B.2 - 12.04.95

Mr. Lotodo: Mr. Deputy Speaker, Sir, I have no information about the escapees the hon. Member wants to know about.

Mr. Mbui: Mr. Deputy Speaker, Sir, this is a very serious issue. Inmates are escaping from remand homes and they are back in the streets terrorising other people. Could the Minister promise to give that answer this afternoon or tomorrow afternoon?

Mr. Lotodo: Mr. Deputy Speaker, Sir, it is not possible for me to get the information the hon. Member wants. This is because the 11 remands homes are scattered all over the Republic and it would take time to find out from each remand home whether there were any escapees in the period mentioned.

Mr. Mbui: On a point of order, Mr. Deputy Speaker, Sir. The Minister who is in charge of home affairs and national heritage should not say that he does not have figures because he has got returns. Could he go back and check the returns of last year which indicate how many juveniles ran away from juvenile remand homes?

Mr. Lotodo: Mr. Deputy Speaker, Sir, the hon. Member wants me to provide that information this afternoon and I am saying it is not possible. But if he gives me time, until next week, I will be able to provide the answer on Tuesday next week in the afternoon.

Dr. Otieno-Kopiyo: Mr. Deputy Speaker, Sir, is the Minister aware that remand homes in Kenya are pathetically congested? Could he tell us what plans he has to expand these remand homes if their policy of criminal justice is to put people who have not been convicted into prison?

Mr. Lotodo: Mr. Deputy Speaker, Sir, I think the hon. Member is asking a question about prisons and not remand homes. If I may give a breakdown of the 11 remand homes in Kenya, there is still room for 393 inmates. The Nairobi Remand Home is supposed to hold 300 inmates but in the period mentioned in the Question, there were 286 inmates. So, there was room for about 14 more inmates. We are talking about juvenile remand homes and not ordinary remand.

Mr. Muite: Mr. Deputy Speaker, Sir, is the Minister aware that due to this sort of overcrowding only last week alone, four Kenyans died in Nakuru Remand Prison?

Mr. Lotodo: Mr. Deputy Speaker, Sir, there is total confusion here. We are talking about juvenile remand homes. The Member for Kikuyu and hon. Dr. Otieno-Kopiyo are talking about ordinary remand prisons. There is no congestion as far as juvenile remand homes are concerned. But I admit that there is congestion in ordinary prison remands. You have to frame a different Question about remand prisons.

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. The hon. Minister is talking about juvenile remand homes yet this Question has nothing to do with juvenile remand homes. The Questioner wants to know how many inmates are there in Kenya remand homes supposed to accommodate and how many inmates were accommodated in these homes as at 31st January,

1995. The word "juvenile" does not appear anywhere in this Question. Can he not see that there is confusion? Let him reply to the Question asking about "inmates" and not "juveniles."

B.3 - 12.04.95

Mr. Lotodo: Mr. Deputy Speaker, Sir, hon. Member for Butere is misleading me. I know what I am talking about and the hon. Questioner knows what he is talking about. Hon. Shikuku is therefore confusing us.

Dr. Lwali-Oyondi: Mr. Deputy Speaker, Sir, in view of the fact that the Minister has stated here that there are over 350 vacancies in these juvenile remand homes, could he admit some of the delinquents that we have in the City streets, suffering and begging, into some of those remand homes instead of resorting to shooting them?

End of B.

TEWK

C.1 - 12.04.95

Mr. Deputy Speaker, Sir, the Minister has just stated here that the Remand Homes are in fact under-utilised because they do not have enough children, and there is no congestion at all and that there are over 350 vacancies. Could these vacancies not be filled by these children who are delinquent and who are stealing here and there and whom the reserve policemen resort to shooting down every now and then? Could he not admit them there so that they are taught skills that can provide for their livelihood?

Mr. Lotodo: Mr. Speaker, Sir, as at 31st January 1995, we had 737 inmates in our Juvenile Remand Homes, and there were vacancies for 393 and not 350 as hon. Member is saying. As regards to what he is saying, we do not pick the children ourselves from the streets. It is the police who do it. So, we receive the ones brought to us by the police.

Question 023

PROVISION OF ELECTRICITY

Mr. Mak'Onyango asked the Minister for Energy:

- (a) whether he is aware that no rural electrification programme of any sort has taken place in Alego-Usonga during the last five years, and
- (b) what steps the Ministry is taking to provide Awelo, as well as other areas around Siaya Municipality and schools in the neighbourhood, with electricity under the said programme.

The Assistant Minister for Energy (Mr. Nang'ole): Mr. Deputy Speaker, Sir, I beg to reply:

(a) I am not aware. Within the last five years, the Government constructed 2.5 kilometre high tension overhead lines and also sublined 2 transformers and the associated networks at a cost of Kshs.1.162 million near Siaya Municipality in Alego/Usonga Constituency. It is, therefore, not true to say that no rural electrification programme has been implemented in Alego/Usonga during the last five years.

(b) Awelo as well as other areas around Siaya Municipality, and schools in the neighbourhood, will be considered for electrification after prioritisation by the District Development Committee (DDC).

Mr. Mak'Onyango: Of course, Mr. Deputy Speaker, Sir, there is no way the Assistant

Minister could have been aware because nothing has been done. Could the Assistant Minister tell this House what are the specific projects that he speaks of having been implemented in respect of which this Kshs.1.162 million was spent are?

Mr. Nang'ole: I hope I have answered the Question according to how it was asked by the hon. Member, which I have said there was something which was done, unlike what he is alleging that there was nothing which was done.

Mr. Mak'Onyango: On a point of order, Mr. Deputy Speaker, Sir. I have asked the Assistant Minister to tell this House the specific projects in which this Kshs.1.162 million was spent.

Mr. Nang'ole: Mr. Speaker, Sir, I hope the hon. Member was listening to me. The 2.5 kilometre high tension overhead tension line was done in Siaya Municipality, in Alego/Usonga Constituency.

C.2 - 12.04.95

Mr. Murungi: Thank you, Mr. Deputy Speaker, Sir. The Ministry of Energy is one of the most incompetent Ministries in this Government. Last year, Parliament allocated Kshs.6 million for rural electrification programme in Meru District. Todate, although we are nearing the end of the Financial Year, the Kshs.6 million has not yet been released to the District. Can the Assistant Minister explain why this money has not been released to the District and why no officer has been appointed by the Ministry to man the Ministry of Energy at the District Headquarters in Meru?

Mr. Nang'ole: Mr. Deputy Speaker, Sir, I hope you will protect me. That one is totally a different Question altogether. We are in Alego/Usonga and he is taking me to Meru.

Mr. Mak'Onyango: Mr. Speaker, Sir, is the Minister aware that allocation for rural electrification fund allocated to different areas in the Republic is being grabbed by senior civil servants, the District Commissioners and the Provincial Commissioners to electrify their rural homes instead of sending electricity to public institutions?

Mr. Nang'ole: Mr. Deputy Speaker, Sir, it is a serious allegation, and to prove this, I do not know whether Oloo Aringo is a District Commissioner or a Provincial Commissioner because he is served with electricity in his own home.

Mr. Ogur: On a point of order, Mr. Deputy Speaker, Sir. Maybe the Assistant Minister is not remembering what the late Minister promised the House. He told the House that we should wait for the Budget, and that even Nyatike would benefit after the Budget from the same source. Has the Assistant Minister forgotten because the Minister for Energy died? It is a point of order because you forgot what the late Minister had promised us that we wait for the Budget. He repeated that very many times before he died.

Mr. Deputy Speaker: That is a point of information!

Mr. Nang'ole: Mr. Deputy Speaker, Sir, you have answered him. I thought I was going to reply on a point of order, but then it has ended up being a point of information.

Mr. Deputy Speaker: Question 011, Mr. George Owino Achola for the second time.

Question No. 011

KENYANS STUDYING OVERSEAS

Mr. Mak'Onyango, on behalf of Mr. Awino Achola, apologised for coming late and asked the Minister for Education:

(a) whether he could give the total number of private Kenyan students and their respective foreign universities during 1990/91, 1991/92 and 1993/94 financial years.

(b) how much foreign exchange was involved to educate these students in each country during the three years referred to above.

(c) what is the employment rate of these returning graduates within the civil service.

C.3 - 12.04.95

The Minister for Education (Mr. Kamotho): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The total number of Kenyan students enrolled on privately-sponsored basis in various foreign universities during the years 1991 to 1993 may be estimated as follows:-

1991 - 9606 students

1992 - 9512 students

1993 - 7655 students

The figures are based on the number of students who registered with my Ministry before departure during the period 1989 to 1993. However, the number in each year may have been higher.

End C

CNJ.

D.1 - 12.4.95.

[The Minister for Education]

(b) The information availed to my Ministry by the Central Bank on the amount of foreign exchange paid for the education of Kenyans in foreign educational institutions in the period in question was as follows:-

<u>Year</u>	<u>Amount in Kshs.(Millions)</u>	<u>Amount in U.S.\$ (Millions)</u>
1991	1,185.83	39.5
1992	11,720.01	38.2
1993	523.31	7.0
	-----	-----
Total	3429.24	84.7
	-----	-----

(c) With regard to employment rate of Kenyans who have graduated from foreign universities within the Civil Service, I would like to inform the hon.Member that my Ministry is neither responsible for the employment of graduates of our schools system nor those who graduate from foreign universities. Hence, I am not in a position to supply the information required but I am aware that graduates from foreign universities compete for the available employment opportunities on an equal footing with those graduate from our local universities.

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, arising from that unfortunate reply, could the Minister tell this House who is responsible for the Kenya citizens who graduate in foreign universities if the Kenya Government is not?

Mr. Kamotho: Mr. Deputy Speaker, Sir, all the graduates from our school system, whether local or international are employed under our economy and therefore, it is the economy

that is responsible and not the civil service. Anybody graduating from any institution, whether public or private, has a right to seek employment in the national, regional or international economy.

Mr. Gitau: Mr. Deputy Speaker, Sir, arising from the answer given by the Minister, what is the Government doing to ensure that the country does not continue to suffer loss through the drain of foreign currency to other countries in providing education for our youth in those foreign countries?

Mr. Kamotho: Mr. Deputy speaker, Sir, I am not quite clear about that question. However, if I got the hon. Member correctly, I would like to say that the Government is doing everything practically possible to create an environment conducive for employment of graduates from educational institutions both here and abroad. Also, I think the public policy on encouragement of both local foreign investments, aims exactly at what the hon. Member is complaining about.

Mr. Icharia: Mr. Deputy Speaker, Sir, is the Minister aware that most of the students who study in overseas universities have turned down offers in Nairobi University or other Government universities because the educational programmes at our Universities have been run down very badly. Today it takes a student from five to six years to complete a degree course which in normal circumstances would take three years. It is the mismanagement at our universities which is encouraging our students to seek admission in foreign universities, hence the drain of our foreign exchange. Is the Minister aware of this, and if he is, what is he going to do about it?

Mr. Kamotho: Mr. Deputy Speaker, Sir, I am not aware.

D.2. - 12.4.95

Mr. Murungi: Mr. Deputy Speaker, Sir, it is surprising to note that hon. Kamotho is giving very short answers today. Could he try to give more detailed answers to supplementary questions asked by the hon. Members? Could he attempt to give a more detailed answer to my question which is: Is he aware that many parents are sending their children for study abroad because the academic standards at our National Universities have seriously deteriorated as a result of resignation competent academic staff, especially after the University Academic Staff Union (UASO) strike last year. I am aware, for example, that the Secretary General of (UASO) is now teaching at the University of Witwatersrand in South African. Could the Minister consider improving the terms of service of University lecturers and also registering UASO so that we can retain our high level manpower in our universities?

Mr. Kamotho: Mr. Deputy Speaker, Sir, I am sure the hon. Member also knows that if one asks a shoddy question, one should naturally expect a shoddy answer. I am saying this because---

Mr. Murungi: On a point of order, Mr. Deputy Speaker, Sir. There are many ways of camouflaging ignorance. Is the Minister in order to insult me under the pretext of answering my question?

Mr. Kamotho: Mr. Deputy Speaker, Sir, the hon. Member said that I am giving shoddy answers and I said that shoddy questions deserve shoddy answers---

Mr. Murungi: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister really in order to mislead this House. I did not say he is giving shoddy answers but rather that he is giving short answers. We appreciate the fact that he is a very short man, but that does not entitle him to give us short answers.

(Laughter)

Mr. Kamotho: Mr. Deputy Speaker, Sir, I am happier that way. I would like to tell the hon. Member that our five public universities have not suffered from brain-drain. Any of the member of the staff who has decided to go and give his or her services to a foreign country lacks patriotism. However, it is true to say that the best Kenyan brains are still teaching in our public universities and therefore, we have nothing to worry about. I would therefore like to assure this House that students undertaking educational programmes in our public universities, are as good as any students from any part of the world.

Mr. Deputy Speaker: Next Question! Hon. Kamuyu!

Mr. Kamuyu: Mr. Deputy Speaker, Sir, I apologize for coming late.

Question No.064

DRAINAGE FOR DAGORETTI ROADS

Mr. Kamuyu asked the Minister for Local Government:-

- (a) whether he is aware that Thiong'o, Wanyee, Mutuini, Salim, Gatina and Ngando roads in Dagoretti Constituency do not have drainage system, and
- (b) how much money is estimated for the construction of proper drainage systems on these roads and when this project will begin.

D.3. - 12.4.95

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

- (a) Yes, I am aware.

Mr. Kamuyu: Mr. Deputy Speaker, Sir, you can now see the kind of answers we are receiving from these Government Ministers. Is the Assistant Minister really in order to stand here and say he is aware and then proceeds to sit down without answering part (b) of the Question? Could he be more serious and give us the answer to part (b) of the Question?

Dr. Wameyo: Mr. Deputy Speaker, Sir, I gave an answer to part (a) of the Question to the effect that I am aware of what the hon. Member is complaining about. What more does he want me to say?

Mr. Deputy Speaker: Order Dr. Wameyo! You realize that there is part (b) of the Question. I think the hon. Questioner is right in complaining that you have not answered it.

Dr. Wameyo: Mr. Deputy Speaker, Sir, it is estimated that Ksh.23 million will be required to construct proper drainage system on the roads in question. Unfortunately, the Nairobi City council has no immediate plans to undertake the project due to lack of funds.

Mr. Kamuyu: Mr. Deputy Speaker, Sir, this answer is quite typical of the kind of answers that we are receiving from Government Ministers these days. Arising from the Assistant Minister's reply that shs.23 million is estimated for the improvement of drainage on the roads mentioned in this Question, would he not agree with me that this is a very small amount of money? I am saying this because we pay over shs.50 million through services charge from Dagoretti Constituency every year. Could the Assistant Minister be serious enough in answering this question? Since the roads in question are totally impassable due to lack of drainage, could he tell us when these funds he has

indicated would be made available so that we can be able to participate in the development of this nation? Since the Kanu Government rigged themselves into power in 1993, there has not been any form of development in Dagoretti.

END D

ART

E. 1 - 12.04.95

Mr. Deputy Speaker: What is your question, Mr. Kamuyu?

Mr. Kamuyu: It is because we did not vote for Kanu and that is why they are hiding the money. When will it be available?

An Hon. Member: Tell him to defect to Kanu!

Dr. Wameyo: Mr. Deputy Speaker, Sir, may I plead with the hon. Member to be serious and ask questions instead of making allegations that "Kanu Government rigged itself into power" because that is not part of the question. The hon. Member will be aware that recently it was shown that Nairobi City Council was in the red; it had no funds until the officers had to be sent on compulsory leave. Therefore, I wish to draw his attention to the fact that Nairobi City Council, as of now, has no funds to undertake the project.

Mr. Kamuyu: On a point of information, Mr. Deputy Speaker, Sir. I would like to inform the Minister that since the Task Force took over the running of the Nairobi City Council, the City Council is no longer in the red. Indeed, they recently announced that they had well over KSh.100 million in credit. Can they now be serious and take KSh.23 million out of this KSh.100 million to be spent on drainage system in Dagoretti Constituency?

Dr. Wameyo: Mr. Deputy Speaker, Sir, indeed, I am aware that the Nairobi City Council is no longer in the red, as of now, following the action taken by the Government. But as far as --

Dr. Lwali-Oyondi: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to keep on turning us round and round? He has just told us that he cannot make the drainage system in Dagoretti simply because the Nairobi City Council is in the red. But now he has been given information that funds are available. Why is he still saying it cannot be undertaken? We want the work done now and not the following year. Is he in order to mislead the House?

Dr. Wameyo: I have not misled the House, Mr. Deputy Speaker, Sir. I said that for this particular project, there are no funds to undertake it.

Mr. Shikuku: Mr. Deputy Speaker, Sir, arising from that rather contradictory reply from the Minister, he has been told by the Questioner that the Nairobi City Council is getting more than KSh.50 million by way of services charge from Dagoretti area alone. Why can he not take only KSh.23 million from the KSh.50 million and put those roads in order?

Dr. Wameyo: As of now, Mr. Deputy Speaker, Sir, may I repeat that for this particular project in Dagoretti area, there are no funds for the time being to undertake it. But when funds become available, we shall undertake it.

Mr. Kamuyu: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is misleading the House that there are no funds, but I have just given him information and he has accepted it that the Nairobi City Council has funds right now at this point in time. Can he now direct the Nairobi City Council to start working on drainage system in Dagoretti from today?

Dr. Wameyo: Mr. Deputy Speaker, Sir, may I repeat that for this particular project, and as of now, we cannot undertake it because of lack of funds. I come from the Ministry and I know and can quote information from the Ministry - not from hearsay -that we have no funds. But for this particular project, it does not come as a priority because the problem has arisen due to rain.

Mr. Deputy Speaker: Next Question, Mr. Muite.

Question No. 028

UPGRADING OF HEALTH WORKERS

Mr. Muite asked the Minister for Health what method is used to upgrade health workers.

The Minister for Health (Mr. Angatia): Mr. Deputy Speaker, Sir, I am sorry that when the Question came up first, I was not in the House. But I beg to reply.

The method used to upgrade health workers is the same method that is used to upgrade all other civil servants in other Ministries; that is through the Directorate of Personnel Management and the Public Service Commission. Each cadre of health workers has its own scheme of service which is applied when any individuals in that cadre are being upgraded.

Mr. Muite: Mr. Deputy Speaker, Sir, if that is so, how is it that there is very widespread complaint from health workers all over the country that there is a lot of nepotism in the promotion and it is no longer on the basis of merit? This has contributed very significantly to the collapse of health services in the country. Is he aware of the grave suffering that the ordinary wananchi are enduring as a result of total collapse of the health services in the country?

Mr. Angatia: Mr. Deputy Speaker, Sir, the upgrading of health workers has been undertaken on a more massive scale in the Ministry of Health than in any other Ministry in the last six months. From last September, all technical staff in the Ministry of Health are due for upgrading and while this is being implemented, I am not aware that there are any widespread complaints.

Mr. Gitau: Mr. Deputy Speaker, Sir, arising from that answer, the health services have collapsed due to demoralised workers in all hospitals. In fact, health workers have neglected the patients and major operations and even resign from service. This has resorted to the ordinary Kenyans going to private hospitals and we in the Opposition subjected to weekly or monthly harambee to meet medical bills for the sick wananchi. Can the Minister tell the House what the Government is doing to rectify the situation?

Mr. Angatia: Mr. Deputy Speaker, Sir, health services are working very well within what can be done with the funds provided for so far. So, there is no question of health services having collapsed anywhere in the country. That is a very wild and sweeping allegation to which I have no answer.

Mr. Shikuku: Mr. Deputy Speaker, Sir, I am surprised that the Minister denies that health services have not collapsed in the country. Is he aware that even medicine and bedding are not there? Even the other day, Opposition Members went to Kiambu Hospital and found patients with no blankets, sheets, the place was filthy and so on. After that visit, the Government provided sheets, blankets, medicine and so on. Is he aware of that? If that is not total collapse, what is it?

(End E.)

Mr. Angatia: Mr. Deputy Speaker, Sir, those beds, blankets, sheets and whatever were found at Kiambu Hospital, were in the stores at the time the Members of Parliament were there. They have a local board and if they choose to keep the beddings in their stores, that is their own business. I will not leave Afya House to go and issue beds and beddings which I have already given to the hospital! If the hospital staff choose not to give them to the patients for use that is their own problem. The beddings were there in the store at that time and, therefore, that as such does not indicate that health services have collapsed. The health services are running very well.

Mr. Galgalo: On a point of order, Mr. Deputy Speaker, Sir. Since in various districts of this country wananchi have been suffering from meningitis, dysentery and all those diseases and hospitals have not been able to meet their needs, is the Minister accepting, therefore, that the health services are at the verge of collapsing because he has accepted that health services are unable to meet the needs of the people.

Mr. Angatia: Mr. Deputy Speaker, Sir, on diseases like dysentery which are caused by drinking bad water, I would not say that medicine is the sole solution to that and you cannot use that to judge that health services have collapsed. If wananchi choose to drink dirty water and they get diarrhoea, it is up to them. The Ministry is doing its best and anybody who reports to our health institutions when he is ill--

Mr. Kamuyu: On a point of order, Mr. Deputy Speaker, Sir. Can the Minister very honestly comment on the mismanagement and the quoted nepotism by the Questioner in terms of upgrading health workers in hospitals?

Mr. Angatia: Mr. Deputy Speaker, Sir, if the Member of Parliament has a specific case on nepotism that is reported I would like to attend to it but I have just said that since the doctors strike and all health workers demand for upgrading, we have upgraded everybody in the Technical Departments. There are some people whose papers have not been proceeded because we are dealing with over 30,000 workers from last september. Half of them have now been upgraded and their schemes of service are being implemented. So, as far as we are concerned what is supposed to be done in terms of upgrading of workers in terms of their schemes of service is being done but if there are cases of nepotism anywhere, I would like to have them reported because we may not be aware that anything amiss is going on because it would have no relation with upgrading.

Mr. Deputy Speaker: Next Order!

POINT OF ORDER

MINISTERIAL STATEMENT ON SECURITY

Mr. Achieng' Oneko: On a point of order, Mr. Deputy Speaker, Sir. On the 29th of last month, the Assistant Minister in the Office of the President promised the House that the Office of the President would issue a Statement on the security situation regarding guerrilla activities thereby, revealing people, parties and communities involved in the whole exercise. The Statement would have been given on Thursday, last week but the Assistant Minister failed to give any Statement in relation to security which is a very disturbing situation in the country today. Can the Assistant Minister now give the House a Statement on the security situation and in particular regarding guerrilla activities in the country? Thank you.

F.2 - 12.04.95

The Deputy Speaker: I am sorry Mr. Oneko I must state that you kind of took advantage of my absence from the House during that week when the promise was made. I had been out of the country on a mission. I now understand and had I this information when you came to me I would not have given you the Floor. I understand that subsequent to that promise, there was a motion on that subject which was debated on the Floor of the House which gave the Minister the opportunity to issue or make statement that he had promised to make. So, in that light, I think your point of order requiring the Assistant Minister to honour the promise of 29th is clearly misplaced. Let us move to the next Order.

MOTION

ESTABLISHMENT OF COTTON FUND

THAT, in view of the colossal investments in the textile industry in Kenya and the vast potential of the cotton industry in the country, this House calls on the Government to immediately establish a Cotton Fund, to promote a systematic production of the crop to sustain these industries.

(Mr. MaK'Onyango on 5.4.95)

(Resumption of Debate interrupted on 5.4.95)

The Assistant Minister of State, Office of the President (Mr. Awori): Ahsante sana Bw. Naibu Spika kwa kunipatia nafasi hii ili niseme machache kuhusu Hoja hii.

Bw. Naibu Spika, wakoloni walipokuja hapa na wakaleta ukulima wa kisasa, walileta mimea mbali mbali. Walileta mimea kama michai, pareto, mkahawa na kadhalika lakini waliona hiyo mimea ambayo ilikuwa inaleta faida kubwa sana isipandwe na wananchi. Waliendelea kufanya mambo mengi ya kuimalisha hiyo mimea. Nyuma yake, walileta mmea wa pamba na huu ukawa kama mmea wa Waafrika. Hawakuanzisha utafiti kwa njia yoyote kuhusu huo mmea kwa sababu walifikiri kwamba wakifanya hivyo, huo mmea utakuja kuimalika na kuleta usaidizi kwa wananchi. Ingawa hivyo, wananchi kutoka upande wa Nyanza na Magharibi waliendelea kukuza huo mmea na uliwaleta manufaa mengi sana. Ninafikiria kwamba wakoloni hawakutaka kushughulika na huo mmea wa pamba kwa sababu unahitaji kazi nyingi sana. Pamba huchukuwa karibu miezi mitano au sita kuwa tayari na kwa hiyo miezi inatajikana karibu kila wiki kuupalilia na kama hufanyi hivyo, huo mmea unafifia.

F.3 - 12.04.95

Bw. Naibu Spika vikwazo ambavyo vilikumba wakulima wa pamba hasa upande wa Magharibu vilikuwa vingi moja ikiwa ni shirika la Cotton Lint and Seed Marketing Board ambayo ilikuwa inasimamia mmea wa pamba. Hii Bodi ilieleza wakulima wa pamba kwamba pamba si mali yao mbali ni mali ya Cotton Lint and Seed Marketing Board licha ya kuupanda na kuuvuna. Hii ilianza kuleta udhaifu kwa upande wa uuzaji. Nyuma yake, pamba ilisimamiwa na shirika na hapo ndiyo taabu ilingia hata zaidi kwa sababu wenye kusimamia ushirika hawakuwa watu waaminifu. Walikuwa ndiyo wenye kununua pamba kwa wakulima na walikuwa wanapendelea jamii zao na marifiki zao. Sasa ikawa kwamba shirika au ofisa wa ushirika ambaye aliletewa pamba anadanganya kuhusu uzani wa ile pamba. Ikiwa pamba ilikuwa ni ya uzani wa kilo ishirini yeye ataandika kwamba ni kilo 200.

End F

JNM

G.1. - 12.04.05

Huyu rafiki yake atakuja kulipwa ratili 200 na hali alikuwa ameleta ratili 20 peke yake. Hii iliufanya ukuzaji na uuzaji wa pamba kufifia sana.

Bw. Naibu Spika, kwa kuwa Hoja hii inataka kuwe na mfuko maalumu wa kuimarisha ukuzaji wa pamba nafikiri kwamba kuwa sio tu mfuko maalumu wa kusaidia kuimarisha ukuzaji pamba ambao unatakikana. Jambo la kwanza ni kwamba tungetaka sana Serikali isaidie kuleta utafiti katika ukuzaji pamba. Kwa miaka 60 tangu pamba ianze kukuzwa humu nchini hakujakuwa na utafiti wowote wa kutafuta na kupata mbegu ambayo inaweza kuongeza mavuno. Kama utafiti ungekuwa umefanywa tungekuwa tunaukuza mmea wa pamba kwa miezi mitatu peke yake badala ya miezi mitano ya wakati huu. Hii ingetufanya tufanikiwe sana.

Ningetaka usaidize kutoka kwa Serikali uwe wa kusambaza maji katika mashamba ya pamba. Tuna ziwa kubwa sana la Victoria ambalo linaweza kutumiwa kupeleka maji katika sehemu za Siaya, Busia and kwingineko ili kutuwezesho kukuza pamba mara mbili au mara tatu kwa mwaka. Kama tungekuwa tukifanya hivi mitambo ambayo huichambua pamba inngekuwa ikifanya kazi kwa mwaka mzima. Kwa wakati huu mitambo hii inafanya kazi kwa miezi mitatu peke yake kwa mwaka.

Usaidizi mwingine ungetokana na utozaji pamba kodi. Nchi zote duniani huwa na mmea au kitu fulani ambacho kinahitaji kinga kutokana na mashindano yasiyofaa, na njia ya kutoza kodi pamba inayotoka nje ingeziuia kuingizwa pamba kutoka nje humu nchini. Vile vile tunataka tuwe na mashamba makubwa ili kutuwezasha kusambaza maji ambayo yatasaidia ukusaji pamba. Tunaweza kutumia mfano wa Waisraeli, ambao wanakuza pamba kwa wingi na wanafanya hivyo mara tatu kwa mwaka. Hii ni kwa sababu hawategemei mvua, bali wanategemea usambazaji maji.

Ijakuwa tumekuli kuuweka uchumi wetu huru ni lazima tuilinde kutona na mashindano yasiyofaa baadhi ya mmea yetu kwa sababu uchumi wetu unategemea kilimo. Tukiweza kukiongeza kilimo cha pamba na pamba yetu iwe nzuri tutakuwa na mitambo ya kuchambua pamba na pia mitambo yakutengeneza nyuzi kutokana na pamba; na hizo nyuzi tunaweza kuzitumia katika uvumaji nguo zetu. Kwa sababu malipo kwa wafanyakazi katika nchi yetu ni ya chini nguo zetu zitauza sana katika nchi za nje, na hii itatupatia pesa nyingi za kigeni.

[Mr. Deputy Speaker left the Chair]

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

Bali na faida tutakayopata kutokana na nyuzi na nguo ikiwa tutaimarisha ukuzaji pamba pia tutafaidika kutokana na mbegu za pamba, ambazo hutoa mafuta mengi na ya aina mbali mbali. Baadhi ya mafuta haya yanaweza kutumiwa kwa kupigia, kutengeneza sabauni na kwa mambo mengine mengi. Ikiwa Wizara inayohusika na kilimo itatusadia kwa njia ambazo nimeeleza pamba yetu itazidi kuongozeka na jambo hili litatusaidia kupunguza

G.2 - 12.04.95

ukosefu wa kazi. Tunataka watoto wetu wanaomaliza masomo waweze kufanya kazi mashambani badala ya kumiminika mijini. Hii itapunguza shida ya nyumba na visa vya uvunjaji sheria mijini. Uhaini mwingi unaofanyika mijini unatokana na ukosefu wa kazi na nyumba za kuishi Mimi namuunga mkono mwenye kuileta Hoja hii kwamba kwa sababu inafaa tutafute njia za kuimarisha kilimo cha pamba.

Kwa hayo machache naunga mkono.

Mr. Mwiraria: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise in support of the Motion and wish to make two comments on it. In the first one I urge the Government to reconsider liberalisation of trade which has made it possible for businessmen in Kenya to import and dump textile goods into the country. This has had the effect, of course, of bringing in very cheap textile goods from abroad which has, in effect, put many of our own textile industries out of operation. When these local textile industries go out production not only do we lose jobs for Kenyan workers but we also lose other jobs in the agricultural industry, particularly in the growing of cotton. I think it is really essential for our Government to have another look at liberalisation. Much as we want liberalisation of trade we must be prepared to protect infant industries, particularly in the textile sector, which is the basis for industrialisation in many countries around the world.

One other problem which I would like to address relates to the cotton ginneries around the country which were being run by the Government and most of which are now up for sale as part of the Government policy of reducing the number of state corporations. Let me give an example of the Gaitu Cotton Ginnery in Meru District which, I understand, is up for sale, and which was started many years ago, with 51 per cent of the shares being held by cotton farmers in Meru District. That ginnery has gone through problems, like most of the other ginneries. There were times when it was unable to pay farmers for cotton delivered. In a sense, I think it is good for the Government to agree to privatise the ginnery.

End of G.

GKI

H-1. 12.04.95

The question which now arises is: How should these ginneries be privatized? Should it be sold to private individuals without taking into account the fact that the ordinary mwananchi, the farmers of Meru, own 51 per cent of that ginnery? I understand from the office in charge of parastatals reform and privatization that the Gaitu Cotton Ginnery is up for the sale. In fact, an agreement has already been made to sell it to a company called Mugongai Farmers Company Ltd. On checking the records at the Registrar's office, I found that Mugongai Farmers Company Ltd. is owned by three individuals whose names I will not bother to mention, but after talking to the farmers who still hold those shares of the Gaitu Ginnery, none of them is aware of what is happening to their ginnery. The question that I would really like to put to the Government is that; in all fairness, if this ginnery is being sold, the interests of those farmers who own 51 per cent of the shares in the Gaitu Cotton Ginnery should be taken care of. If, as it is being stated now, the Mugongai Farmers Company Ltd. is going to buy the ginnery without taking into account the interests of the farmers, then I am afraid we are likely to end up in a no-win situation. The farmers are likely not to continue growing cotton and, even if they do, I suspect very strongly that they will not be willing to sell their cotton to a ginnery which they feel should belong to them.

Mr. Temporary Deputy Speaker, Sir, the question of disposing of this ginneries has been the subject of discussion and I am aware that most Kenyans would prefer these ginneries to be sold

to local people. I want to make it clear that I am not opposed to the sale of the Gaitu Cotton Ginnery to the Mugongai Farmers Company Ltd. What I am interested in is to ensure that those who own Mugongai Farmers Company Ltd. negotiate with the farmers for the purchase of the 51 per cent shares in the original Gaitu Cotton Ginnery if they really wish to continue operating with the farmers. Turning now to the question of the establishment of a Cotton Fund, I believe that this is an excellent proposal because, if implemented, it will sort out some of the problems which have led to the collapse of the cotton industry in the past. I am here thinking of the possibility of having a Fund which will be used to purchase cotton from the farmers and pay for it in good time so that the kind of suffering which the farmers of this country seem to be going through, like the milk farmers who have not been paid for their milk for the last five months, will not occur in the cotton industry. Secondly, this Fund could be used to subsidize local cotton, should it be found to be more expensive than imported cotton from neighbouring countries such as Tanzania, Uganda and even Egypt. Quite candidly, if we manage our agriculture properly, we have beautiful land, adequate rainfall and hard-working farmers, I do not see any reason why our cotton should be more expensive than cotton from elsewhere. Given the fact that this country is very short of jobs, I, personally, believe that this is an excellent Motion which should be supported by all Members of the House because of the job-generation opportunity it offers in the agricultural sector. Personally, I fully support the Motion and I urge my colleagues to do likewise. Finally, I appeal to the Government that, when selling parastatals, it should ensure that the sale of cotton ginneries is done in such a way that the farmers are not made to suffer for having had shares in the ginneries before the sale was undertaken.

Thank you, Mr. Temporary Deputy Speaker, Sir.

H.2 - 12.04.95

The Assistant Minister for Education (Mr. Komora): Thank you, Mr. Temporary Deputy Speaker, Sir. I also rise to support this Motion. This country's economy is based on agriculture. However, it is known that most countries which have moved away from a purely agricultural economy moved through the strengthening of the industrialisation of the agricultural sector first before going to other areas. We are fortunate that we have a land that can produce cotton almost everywhere, provided that we have water. We have proved that we produce the best cotton in the world and our cotton is on demand both locally and internationally. We had very successful cotton schemes in my area at Hola and in Bura. These two schemes were doing a wonderful job. They provided employment for thousands of farmers. They provided housing facilities for thousands of people, they also provided means of education for a lot of children in that district. They also provided means of construction of schools and other facilities through the contribution of farmers in that district. They also provided the opportunity of industrialization through the ginneries and other activities related to the cotton industry. In addition to all these, they provided secondary products in terms of seasonal food crops like beans and vegetables which, in fact, improved the health and nutritional standards of the population in that district. Unfortunately, either for lack of proper management or funds, the Hola scheme is completely dead and the Bura one is in its death throes and it requires immediate and very rapid resuscitation to remain alive.

Mr. Temporary Deputy Speaker, Sir, if such a Fund was available, valuable schemes like the Hola one would not have been allowed to die. I am standing to support this Motion because I believe this country should have adequate financial provision to make sure that where we have schemes which have proved to be useful and effective like the Hola one, they should never be

allowed to die out. Such a Fund should be able to take care of the emergencies, remedial measures, sustenance and expansion of the schemes. These schemes have various advantages, including the generation of employment opportunities and the improvement of the living standards of the people concerned. Presently, we are faced with a high number of school leavers who cannot find immediate employment. We must look into the development of the agricultural industry because we have no other way through which we can achieve rapid expansion other than the agricultural sector. As I said, cotton can be developed in many parts, provided that we irrigate the land.

End H.

PAO

I.1 - 12.04.95

There is no doubt about the experiments we have carried out. Tana River Basin can produce much more cotton than those two schemes. Some schemes can also be developed in that area. Other hon. Members have also mentioned cotton production in their own areas. There is no doubt in my mind that the textile industry is important. Since our population is growing rapidly and everyone, including all of us need clothing, it is obvious that the textile industry is marketable. There is no reason why we should depend on imported materials from the Far East or from any other country when we can manufacture clothing locally. The only way to do this is to ensure that we have raw materials, and cotton is second to none in this line.

Mr. Temporary Deputy Speaker, Sir, it is important that we should develop and support this industry. We should also make sure that when we revive these schemes, we make provisions for the farmers to be investors in the secondary production of goods in industry. Ginneries should be based on the interests of farmers and marketing facilities for these products should also be aimed at helping the farmers more than in helping the middlemen and those who do not have the interest of the farmers at heart. It is important that we revive the schemes that existed before and make this fund paramount.

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

*[Another Temporary Deputy speaker, (Mr. Mcharo),
took the Chair]*

Mr. Temporary Deputy Speaker, Sir, I would like to appeal to the Ministry of Agriculture, Livestock Development and Marketing to take this matter much more seriously and not just take this Motion just as a mere Motion from an hon. Member. It is a Motion in the interest of the whole country, and it should be supported.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I support the Motion. Thank you very much.

Dr. Lwali- Oyondi: Thank very much, Mr. Temporary Deputy Speaker, Sir for allowing me to contribute on this particular Motion. Much has been said about the importance of this industry. Of course the cotton industry collapsed due to reasons that have been given by various hon. Members. But we should find out the root cause as to why it collapsed. To start with, this was due to the farmers being discouraged in his efforts. The farmer was not paid on time. Most of the people who were responsible for paying them got the money when the spinning and clothing industries, like KICOMI, Mount Kenya, Rivertext *etcetera* were still operational. The Asians who

were managing those industries paid money in cash and somewhere along the line, the money did not reach the farmer, just like in a case where now money is not reaching the farmer in the milk industry. Milk is sold and the farmer is not paid his dues. We have to carry out a post mortem on why this is happening. We need a political will, particularly on the part of Government, which is in charge of running this country. We need to carry out a post mortem and find out why the farmers are not being paid.

I.2 - 12.04.95

Mr. Temporary Deputy Speaker, Sir, secondly, we have to have a go at these greedy people who are in charge of this country's affairs under the guise of liberalising our economy, import massively various items which impede various fledging industries from progressing. One such industry that has been hard hit is the cotton industry. There is a lot of importation of clothing, both ready made and, of course the *mitumbas*. However, in the present economic situation today, I think mwananchi would be walking naked if it were not for *mitumbas*. It is a vicious cycle because to start with, you impoverish somebody so much that he is unable to get anything. Therefore you have to import cheap clothing and other items for him. We should try to stop this importation of clothings that are ruining our cotton industry.

Mr. Temporary Speaker, Sir, thirdly, the cotton industry, if ever is resuscitated again, will go a long way in taking care of the various qualified personnel in the agricultural sector, who presently are unemployed. Some of these people, having had basic agricultural training, could easily go into the agricultural industry, including growing of cotton and then boost our services and economy and save a lot of foreign exchange which is being wasted on importations. The cotton industry, will, of course, generate a lot of work, first of all, in the actual plantations and secondly, in the actual use of the products in the ginnery and germinating the cotton seed. There is a good machine available locally, which can be used for pressing oil out of various seeds, for example, *simsim*, cotton or sunflower. That oil is immediately edible after just very little purification. This oil could be a better alternative to many Kenyans instead of the vegetable oil which has become very expensive, particularly in very impoverished areas like Samia, *etcetera* where I saw people who have been severely run down by the present economic situation. Yet, this is a cotton growing area. They could have their oil; their cotton seed cake and feed their cattle and probably improve production of milk.

In addition, we could also get small looms either from India or make them locally to start small industries. With these looms people can be taught yarning and begin manufacturing clothing that can be used on a local scale and even exported. Some people overseas like hand made clothing.

End of I

JKK

J.1 12.4.95

Some people from overseas love hand-woven clothes. Hand-woven cloths from West Africa are very expensive. We have very advanced tie and dye systems in this country. It would be interesting to weave your own clothing and bleach it and dye locally in the village. This could be done by Maendeleo ya Wanawake groups. So, the sky is the limit in this particular industry.

Mr. Temporary Deputy Speaker, Sir, I would like to take this opportunity to ask the greedy people who happen to be next to the seat of power to stop attempting to ruin this country because tomorrow is there. For example, you will find that currently people are sub-dividing all the forests as if the world is coming to an end tomorrow. Why are we ruining our agricultural industry? Why are importing maize and milk? If you try to find out who is involved, you will find

that it is the very people who are in charge and who should know better. Greed will not help anyone. Wananchi are too enlightened; you will not be able to deceive them with money. If you think you will rule this country just because you have a lot of money then you are mistaken. People know what we are doing and no amount of lies will cover it up. There is no need of being the richest man on earth when everybody is else is going hungry.

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

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Miso): Thank you, Mr. Temporary Deputy Speaker, Sir.

I stand to respond to this very important Motion which is very timely and somehow overdue. The cotton industry is a very vital sub-sector of our economy and it is unfortunate that the production of cotton in this country has gone so low that now we produce only 20,00 bales per year which is just 20 per cent of the demand for cotton in this country. At the moment the industry requires 130,000 bales of cotton every year. So, cotton production has declined so much that we need to take immediate action. In this regard, the Government, in collaboration with the World Bank has instituted a study to stop this decline and improve the production of cotton in this country. In this study the consultants are looking into various aspects of the cotton industry which include the following: Sustainable production and distribution of high-yielding certified seeds; development of sustainable cotton research and cotton extension services; revision of the Cotton Act which is currently out-dated and is not in line with the liberalised market system which has been introduced in this country.

The consultancy is also looking into the possibility of establishing internationally acceptable seed cotton classification procedures and lint grading system. This effort is being speeded up so that we are able to assist the farmers not only in the production but also in the marketing of cotton.

Out of this study, it is expected that we will come up with a sustainable way of funding the vital activities in the sub-sector. The Government is supporting this idea. The idea is to form a Cotton Development Fund which will be used only for the development of the cotton industry. That is why I said that this Motion has been brought here at the right time and that it will go a long way in enhancing, motivating and promoting farmers to venture into this industry.

Mr. Temporary Deputy Speaker, Sir, the development activities to be funded by the Fund will include areas such as cotton research, extension, certified seed production, lint classification and provision of credit to farmers. We know that to do farming one needs finances. So, unless ways and means are provided to give this service no meaningful farming will take place. This is not only in the area of cotton production but also in the other areas

J.2 - 12.04.95

of farming; where farmers are facing extreme hardships in raising the necessary capital. The issue of the establishment of the Cotton Development Fund is one of the most crucial areas the project is looking into.

For your information, Mr. Temporary Deputy Speaker, Sir, the study team has already identified some possible sustainable sources of funding and ways of effectively collecting and managing this Fund. We also have to take this matter seriously. The Fund is not meant to be misused or misapplied or exploited by those who will be charged with these responsibilities. We know that some of our people are prone to corrupt practices and so on. This country has been plunged into a lot of mess because of the activities of some unpatriotic and greedy personalities who had been given responsibility to manage public funds for the good of the public and this nation. It is time that this cancer of corruption was removed, even if it means doing so using surgical

methods. This is because this country is more important those individuals who make money out of shady deals. The people of Kenya are more important than personalities. The Government of the day is more important than individuals who have been given these jobs to do. Therefore, we expect that a fund of this nature will not be a source of riches for some people; to enable them to build a heaven on earth. At the end of day we are all going to leave this world. So, it is vanity for a person to spend all the days of his life trying to amass wealth which he will leave behind.

So, the funding of this project will be based on many possible sources of funds and this might include cess as we have seen in other sub-sectors; the tea industry and others. We might also introduce a levy on cotton exports or cess on every kilogramme of lint imported into this country.

End of J

EWK

K.1 - 12.04.95

It also includes other measures. It might also be used on imported yarns, imported cotton fabrics, and even imported second hand clothes. Let me hasten to add that this *mitumba* clothing industry has penetrated every corner of this country, and in a way, it has also assisted our poor people to cloth themselves. If *Mitumba* are not there, we do not know how our people would dress themselves. The only unfortunate thing is that those who import are benefiting more than our people. The other problem is perhaps that this material should be taxed so that the funds which are collected can be used to develop our local cotton industry.

Mr. Temporary Deputy Speaker, Sir, the other activity that the Government is doing is research in various places under Kenya Agricultural Research Institute (KARI). We have research going on in Kibos Farmers Training Centre, Homa Bay, Farmers Training Centre, Siaya, Alupe in Busia, and also in parts of Eastern Kenya which are due to start in September. There are also other demonstrations being carried out like the extension services in various places carrying out few trials. So far we have 121 Demonstration Plots of which 10 are in Migori District, 25 in Homa Bay, 41 in Kisumu, 28 in Siaya, 18 in Busia, 12 in Bungoma and one in Siaya Farmers training Centre. These are supposed to assist the farmers with information and the best cotton husbandry which will raise the production of cotton per hectare. This country has good land for cotton production. It is unfortunate that the production per hectare is below what is expected and even the quality of cotton can be improved. This is where the extension officers can do a great service for the farmers. It is also a challenge for the farmers to go into this farming business more professionally and do it as a commercial venture because it is only in this way that they will be able to reap benefits; higher production, good quality, and therefore, good income.

In addition, Mr. Temporary Deputy Speaker, Sir, the consultants, with the help of the districts, agricultural staff are also carrying out spraying field tests in various districts, especially at Masii, in order to introduce new techniques of spraying against harmful insects and the rest of it. This work is continuing and more modern sprayers have been ordered so that the farmers can take care of the cotton in a better way.

Mr. Temporary Deputy Speaker, Sir, the major problem we have had in the cotton industry is that related to certified seeds. In fact, Kenya has been using only the seeds that originated from Tanzania and Uganda, and which had already been over-recycled and had lost their genetic vigour. This has been one constrain which should have been identified before. This has led to very poor yields to farmers. That is why yields per hectare has been very low, and this has also resulted in the run-down of the cotton industry and yet we know that textile manufacturing industries require cotton. This has been a serious oversight, particularly by our research institutions. That is why they were established to be there to do the job. We have even learnt that we are using seeds which

are not suitable and which have been overused. It is a serious matters. This, of course, has led to the poor yields, and therefore, poor economy to farmers and the whole nation.

Mr. Temporary Deputy Speaker, Sir, with liberalisation, the ginneries have even messed up because they mix the seeds meant for different ecological zones, and even with imported seed cotton. This has caused alot of confusion to the farmers because you deliver seeds which are meant for another place to areas which the seed does not do well. This is an area which the Government is taking various strong measures to control.

K.2 - 12.04.95

(Members of the Oppoiton kept on smiling)

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Misoi): Mr. Temporary Deputy Speaker, Sir, I hope you can defend me from my colleagues on the other side. They are smiling. They are not attacking me anyway. So, Mr. Speaker, this is a very unfortunate situation and the ginneries should be warned to stop this practice. Agricultural Extension Officers in those areas should take their jobs much more seriously than they have done in the past. Of course, the information I have has come from provisional officers. I cannot tolerate this matter. I think time has come for them to pull up their socks because as you know we are the ruling Party. Whatever goes wrong they should understand that they are undermining our rule and we cannot carry their burden any more. This applies to all luggers, civil servants and so on. They are there because we are there, and for us to survive, they have to be responsible, transparent and accountable. I think this is the message the ruling Party should give to all its employees because we cannot continue carrying the burden of people who have messed everything. I will not agree to go down with them. Let them go down on their own.

Mr. Temporary Deputy Speaker, Sir, as I said before, we are soon getting 200 sprayers which have been ordered for our farmers. This shows how serious we are in trying to solve the problem facing our people. This is the seriousness we would want every Accounting Officer to implement and to show to the people. With the little resources we have, the little public funds we approve in this House, those funds should be used well. I will not tolerate conspiracies and all this sheer looting of public property. The law should take its own course for those who have committed these crimes. Those who have been employed to implement the law should be above corruption, bribery and the other vices. As I said, cotton industries like all others affect us, are important to the survival of this country. We cannot depend on imported goods, materials and other agricultural products when we have land and rain. In other places we have adjudicated farms.

We should be able to build a base where our people can feel proud, satisfied, and produce more to sell to the outside market. We will look like stupid people if we go out begging money all over the world. Tanzania, for example, is even exporting cotton to us, and we are saying we are better, we have good economy and everything, and we are healthy. What health is there? We must be serious.

We do not want to see things like what is happening in dairy industry and so on, or in other industries where they import commodities from foreign markets like milk, *etcetera*.

End K

When you say that this milk is not good, other people go round and say that the milk is good. Why should this happen? However, the most unfortunate thing is that the people who have been responsible for this mess are still there. Where are we going?

An hon. Member: If you do not know where you are going, I hope you know where you come from.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi) If people have committed errors, they should be removed and their places taken over by others. There are, after all, so many Kenyans who are capable of doing a good job. Nobody is indispensable. What will happen if you die tomorrow? Somebody will take up the job you were doing. So, let the people who cannot deliver the goods to the people be removed to give way for others. After all, somebody was doing this job before these fellows took it over. So, I do not think the right thing to do is to allow them continue doing more and more mess. This has happened, not only in the dairy industry, but also in the sugar industry. How can certain people decide to import sugar when we already have a lot of sugar in the country which cannot be sold? Mumias Sugar Factory has been having 160,000 tons of sugar unsold and yet certain individuals continue importing sugar into this country. They even sell the sugar to the Kenya National Trading Corporation at a higher price but at the end of the day, the Corporation cannot sell that sugar. Consequently, we find the same people blaming the Corporation. It would be necessary to summon these chief executives to a seminar to address them on this matter. If they decided to import the sugar which was highly priced and expect to sell the same sugar to the local market, then they are doing a great deal of disservice to this country. This is a challenge to the Ministers. Why should they tolerate these things? A Government Minister has been appointed to serve and protect the interests of the people against exploitation or unfair practices.

Mr Temporary Deputy Speaker, Sir, we cannot in this country afford to adopt double standards. Today, you tell people in a public gathering that you always strive to take care of their interests, but when you go back to your office in the Ministry, you become the biggest sucker or looter for that matter. Leaders in this country must realize that this is a deferent era altogether. The time when we used to hide when one after speaking the truth, is over. We now have a free political environment!

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is all so well for the Assistant Minister to say that we in Kenya are enjoying a liberalized political environment whereby even they in Kanu can now speak freely. However, is he really in order to forget thanking the Opposition for bringing about this kind of a free political environment.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Deputy Speaker, Sir, everybody even in the village knows that we have had a liberalized political and economic environment due to the efforts of the Kanu Government and I wonder where the hon. Member has been hibernating. He should know that what is happening now is as a result of Kanu Government effort in removing Section 2 (a)

L.2. - 12.4.95.

of the Constitution. The Opposition was not there at that time and therefore they cannot demand a credit for what they did not do. It was us in the Kanu Government who brought about this change when we held a conference at Kasarani. So, what has the Opposition done to deserve a credit on this matter? The only thing they have so far done is to introduce civil disobedience in this country, but I would like to warn them that this Government is not going to tolerate this. It is good to note that Kenyans are mature people and you should not divide them along tribal lines simply because you want to be the President. There is not point in trying to make tribal alliances. Why form a tribal alliance? If you cannot sell ideologies to other people or even be able to say something good about your own country, what kind of a politicians are you. You read in the press about the so-called "Kikuyu-Luo alliance". Just what is wrong with our people these days? It is a well known fact that the Kikuyu are the majority in this country. They form 30 per cent of the population in this country. Why do they want to align themselves with people from other tribes? I think things have gone serious wrong in this country. Why do you not say something that can please the people and they will see you as an individual and not as a person from a certain tribe? You do not have to identify yourself as a Kikuyu for people to appreciate what you have said or done. If you something good for the people, they will give you the votes without caring to find out what tribe you belong to. Why do you have to tribalize everything?

Mr. Temporary Deputy Speaker, Sir, we must fight against all evils in this country because these are the same evils that have brought down governments in other countries and caused catastrophes. These things happen because of leaders who put their interest before the interest of the people. These are the people who have always considered themselves to be better than others. These people imagine that they will be there all the time. Who ever said that you are the only one who can lead this country?

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Mcharo): It is now time for the Mover to reply.

Mr. Mak'Onyango: Thank you, Mr. Temporary Deputy Speaker, Sir. May I on the very onset thank my hon. colleagues who have contributed in support to this Motion. I would like to say that the points they have raised, I believe, are going to be given due consideration. I was particularly impressed by the Minister's response to this Motion and I am pleased that he did accept this Motion. As the Motion suggests, cotton has a great potential for development in this country and I am sure, with the necessary support, this is an industry that can benefit this country enormously. I am saying this because cotton, as I did say in moving this Motion, does not need heavy rain. Therefore, given the fact that large portion of this country is semi-arid or arid with very little rain, cotton is a crop that can do in many parts of this country. Given that we are an agricultural country, I think if we count promote the growing of cotton on a large-scale level, I am sure we would be able to earn a lot of foreign exchange for this country through mass cotton production.

L.3. - 12.4.95.

Having said that, I would like to touch on one point that was raised by hon. Anyang'Nyong'o when second this Motion. He said that cotton industry is one area that we need to focus attention and invest substantially for the future of this country. If we did that, we would be able to create employment opportunities for our people.

END L.

Although I may not have the statistics to prove that, but I have every reason to believe that not less than 20,000 Kenyans are employed by the industry. This means that close to 80,000 Kenyans or so derive their livelihood from this sector. As I have said, this industry or sector has been able to support such a large number of people with dwindling or very little support from the Government. However, given the necessary support, I am sure this figure will more than treble. With that we shall be able to have a big change in our economic lives in this country.

The other beauty of cotton, Sir, is that it is a rural-based economy in that it is able to support a large number of our population in the rural areas. They do not need to add to the problem of our urban centres. So, this is one more reason why there is need for some special facilities for the promotion of cotton. I say so because it can be very supportive of our rural population in terms of cotton-based cotton industries. As one or two speakers did observe in their contributions, we also can be able to extend the many cotton-based occupations in the rural areas by getting people to learn the necessary skills for producing things like towels and hand-made clothes generally.

Now, Sir, I do also want to emphasise again that with the necessary support in order to make the industry viable, there is also the question of pricing which has been a big problem here. So, in addressing this question, I would like special attention to be paid to pricing. The present price of cotton is about KSh.15.00 per kilo which is paid to the western part of the country. This is an insult to the farmers and it is more of a disincentive. We should go for such pricing as will encourage as many farmers as possible to come forward and grow cotton.

I would also like to see the levelling of price differentials between the eastern and western part of the country. Whereas we are paid KSh.15.00 per kilo in the western part of the country, I think in the eastern part of the country they get more than KSh.25.00 per kilo. It would help if this anomaly was removed so that farmers wherever they maybe should be given adequate pay for their produce.

The question of seed, Sir, is also a crucial one as the Minister did rightly observe. Our farmers have not been getting the right seeds all the time, especially in recent years. Previously, I think, there was some arrangement that ensured that seeds did not move from one area to another anyhow. But come liberalisation of the economy, seeds started moving from one area to another and this has resorted into a situation in which seeds have been mixed up. So, we end up with seeds not suitable for a given area being supplied and this has seriously undermined the production of cotton.

Sir, there is also the question of marketing. As of now, I think, many farmers rely almost entirely on the ginneries whose management leaves a lot to be desired. So, something has to be done to rehabilitate the ginneries all over the country and ensure that they are properly running.

In addition, Sir, I want to mention something in connection with the Cotton, Lint and Seed Marketing Board which is the body entrusted with the day to day running and management of cotton in this country. The management of the Board leaves a lot to be desired because of, among other things, inefficiency, corruption, and a chain of other evils. So, as the Minister did rightly observe, something has to be done by way of streamlining the Board in order to ensure that all is well within the Board.

M.2 - 12.04.95

There is also the question of fertilizer which has become a necessity now. I think many farmers have had problems in securing the right kind of fertilizers for cotton. So, something should

be done to streamline the provision of the right kind of fertilizers so that every time a farmer will be able to have access to the right kind of fertilizer.

Now, I want to come to the question of cotton fund which is being proposed in this Motion which will be of great importance in terms of providing the necessary credit not just to cotton the farmers but also to up and coming entrepreneurs who want to involve themselves in cotton trade. This is not a new idea. In fact, I recall way back in 1976, there was an agreement between the Kenya Government and the International Bank of Reconstruction and Development which established some kind of facilities that was meant to promote the development of cotton in the country.

We are right now spending colossal sums of money on importation of cotton. As the Minister has already indicated, this country's annual requirement of cotton is 130,000 bales of cotton when we only produce 20,000 bales of cotton. So, the difference is colossal, but we have the capacity not only to provide enough for our domestic needs but also surplus for export. This country needs every bit of our foreign exchange and hence the need to go in for such sectors of our economy that can help it earn the badly needed foreign exchange.

In conclusion, Sir, I would like to call on the House or the Government to do something about the existing textile industries like Kicomi and the rest which are at the verge of total collapse. We do need to have them rehabilitated in order to create jobs for our people.

With those few remarks, Sir, I beg to move.

(Question put and agreed to)

The Temporary Deputy Speaker (Mr. Mcharo): Next Order.

ESTABLISHMENT OF PARTIES FUND

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

THAT, given the crucial role played by political parties in a multi-party parliamentary democracy in promoting active participation of the people in governance, promoting accountability and transparency, providing alternative socio-economic programmes, and putting up candidates for election to public office, noting with concern the lack of an adequate constitutional and legal framework; acute financial constraints, and absence of visible sources of adequate funding for all political parties in Kenya, this House urges the Government to introduce a Political Parties bill establishing:-

M.3 - 12.04.95

(a) a clear constitutional and legal framework for the existence and democratic management of national political parties; and

(b) providing a mechanism for adequate funding of all political parties from the Consolidated Fund.

(End M.)

Mr. Temporary Deputy Speaker, Sir, this motion is interested in only two things. It is interested in urging the Government to introduce a law, a Political Parties Bill which will provide a clear Constitutional and legal framework for the existence, management and operation of political parties. Two, the law should also provide a mechanism for funding of political parties from public resources, from the Consolidated Funds. In the past, we have in this House rejected good Motions because they were allegedly introduced by the wrong people. There was an occasion in which some people from the other side of the House came to see me after they rejected a Motion and told me that the motion was good but they rejected it because I got hon. Paul Muite to second it. It was a shame that the hon. Members refused to look at the intrinsic merits or demerits of the motion and rejected it merely because of an individual.

The Minister for Labour and Manpower Development (Mr. Masinde): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it really in order for the hon. Member to say that the Motion as good as it may have been, was rejected because the wrong person in the name of hon. Muite supported it when Motions here are debated publicly by individuals and supported by individuals without having to sit together to decide on whether they are going to oppose the motion or not? Can the hon. Member substantiate that allegation because it is serious and I think it should be withdrawn?

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, that is a frivolous point of order because I was reporting what I was told so there is no question of substantiation.

Mr. Temporary Deputy Speaker, Sir, I do not want us to engage in time wasting devices. I want to concentrate on my Motion. I want to be very serious. The political parties in Kenya and I mean all the political parties represented in this House and others which are not represented in this House are in a mess. We have political parties in this country which only exist in Press conferences. We have political parties which have no offices, telephones and membership lists to enable them tell who their members are. We also have political parties whose party structures are non-existent. The leadership of some of the political parties revolve around individuals. Vital organs of the party are non-existent. So, the primary reason for this is likely lack of finances. Parties do not have efficient management and organizational structures simply because they have no funds. We are not able to tell for instance what difference there is between Ford Kenya (Ford-K) Democratic Party of Kenya (DP) and Ford Asili. If you ask people in the streets the difference between these parties they will tell you that they support Ford Asili because of Matiba, DP because of Kibaki and Kanu because of Moi. They are not able to tell you what policies these parties pursue. So, we have reduced our parties to individual rackets. I remember I talked to a Samburu watchman in Meru sometimes back in 1992 during the General Elections and I asked him whether he belonged to Kanu, Ford-K, Ford Asili or DP. The watchman told me that he did not belong to any of these parties, he was a Samburu. I wish other Kenyans are as honest as that watchman because many of the supporters of our political parties do so because of reasons other than party policies. They support parties on tribal or regional grounds. I also met one person who was carrying party membership cards for KANU, DP, Ford Asili and Ford-K and I asked him what he was doing with all those cards. He told me that he was multi-party. That he belonged to all the political parties and therefore, he himself was multi-party. So, it is quite clear that a person who votes in all the political parties defeats the very essence of

N.2 - 12.04.95

multi-partysm. This is a person who does not even understand what multi-partysm is all about. So,

I think it is the high time that we put party politics in this country on a more permanent basis. What is totally lacking in this country is an adequate constitutional and legal framework for the existence and management of the political parties. When we repealed Section 2(A) of the Constitution in December, 1991, we did not replace it with another section in the Constitution. So, we are left with a constitutional vacuum.

Our Constitution only makes three references to political parties. The first reference is in Section 55 (3a) which provides for nomination of the president by a political party. The next reference is Section 34 (d) which provides for nomination of Members of Parliament by a political party. Section 123 of the Constitution defines a political party as follows:-

A political party is one which is duly registered under a law which requires political parties to be registered.

What definition is this? The other reference that we have in our laws on political parties is the National Assembly and Presidential Elections Act, Section 17 which provides for nomination of candidates by political parties. Then we have Section 17(3) which provides that:-

Each political party shall bear the expenses relating to nominations of candidates.

So, this Act does not have any definition of a political party. The political parties in the country are registered under the Societies Act and does not give it any distinct or special status. The Societies Act is the law under which clan associations, welfare associations, water associations, nuns organisations and other associations are registered. There is no special provision made under that Societies Act for political parties. Under the Societies Act, the registrar has broad digressionary powers to register or cancel registration of societies. I think this can be found in section 11 and 12 of the Act which states that the registrar can cancel the registration of any society including a political party which is considered to be dangerous to the good Government of Kenya. If you read good Government of Kenya to be Kanu Government the registrar has power to cancel the registration of any political party which is considered dangerous to the Kanu Government. So, I am not talking in abstract. In 1969 Kenya Peoples Union (KPU) was deregistered under Section 12 of the Societies Act because it was considered to be a society dangerous to the good Government of Kenya.

End N

There is nothing to prevent the Registrar of Societies from, using his powers under Section 12 of the Societies Act, deregistering Ford-Kenya, Ford-Asili, DP and any other party which poses a strong challenge to the Kanu Government, because it will be considered dangerous to the good Government of Kenya; it will be considered dangerous to the Kanu Government.

The Attorney-General (Mr. Wako): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member implying that the good government is the Kanu Government?

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, our Government is a Kanu Government. Now, the law talks about a good Government and, of course, Kanu functionaries say our Government is a good Government. So, to that extent the good Government referred to here today is a Kanu Government.

Therefore, political parties in the country are leading a precarious and dangerous existence because of lack of an adequate constitutional and legal basis. We exist at the mercy of one individual called Mr. Omondi-Mbago, the Registrar of Societies and if he receives instructions from above all these political parties here are not going to exist tomorrow. So, we need to be protected by the Constitution and the law, so that we do not exist at the mercy of one individual.

Now, our own Standing Orders were amended in October, 1992. Before 1992 they provided for existence of Parliamentary parties and an official opposition party. But today the modern Standing Orders introduced after October, 1992 do not make any reference to a parliamentary party: they only talk of an official opposition party; they do not even define what a political party is. Under the Standing Orders, even in this House it is only the official opposition party which is recognised. According to our Standing Orders parties like Ford-Asili and DP do not exist. So, I think it is necessary for us to make provision for parties other than the official opposition to legally exist in this House. In Zimbabwe, the Standing Orders recognise a majority, which is the ruling party, an official opposition party, an opposition party and a parliamentary party. So, I think it is good for the Attorney-General to look at the situation in Zimbabwe because I think it is a more comprehensive situation than ours is and then come up with a law which makes it possible for other parties, other than the official opposition party to be recognised, both within and outside Parliament.

It is quite clear that the Kanu Government response to multi-partyism in this country has been one of legal indifference. In some situations we have been exposed to extreme solutions like repression and harassment of the opposition. This is not going to help this country; if any thing, it is going to complicate the political situation and lead us to very complex political situations like what we have seen in Somalia and Rwanda. So, I think it is high time that the Kenya Government, through the Attorney-General, provided a legal infrastructure for sustainable democracy and permitted a free flow of political activities in this country.

One of the reasons why President Moi and Kanu resisted multi-partyism was because it was argued that Kenya is made of numerous quarrelling groups which would use the liberties of multi-party democracy to fight among themselves and bring chaos and bloodshed in this country. Even after the introduction of multi-politics most of the problems arising in the country are attributed to the Opposition. I think we can use the law to sort out problems like tribalism, lower ethnic temperatures in the country and also create a nation called Kenya.

O.2 - 12.04.95

Political parties need not be dangerous nor tribal. If we pass a law in this country which requires a political party to exist in law only if it has members in all the eight provinces of Kenya this will force political parties to seek membership outside their own ethnic basis. If we have a law which requires

a political party to have members from all the 50 districts in this country then this will force us to have national parties. So, I think the reason why we have parties which we are calling Luo parties, Kikuyu parties and so on is because we ourselves have not come up with a law which makes it impossible for such parties to exist. I think if we have a good legal framework political parties can be powerful instruments of national integration. We can use political parties to mobilise people for national unity and other national ideals, instead of pursuing narrow chauvinist and tribal agenda.

So, this is why I am urging the Government to enact a law which will give political parties not only the right to exist but also the right to operate freely. That law could also make it quite clear that a political party does not require a licence if it is carrying on lawful political activities. Right now junior Provincial Administration officials called "District Commissioners (DCs) frustrate chairmen of national political parties. Hon. Mwai Kibaki here cannot address a meeting in Othaya without Nyeri DC giving him a licence to do so. Mr. Matiba cannot tour Kiambu, where he had a lot of support, without the DC of Kiambu permitting him to do so. This makes us look ridiculous in the eyes of the world. And I think a law should be passed to permit political parties to operate freely and without having to rely on the discretion of the DCs.

Mr. Temporary Deputy Speaker, Sir, similarly, the Kenya Broadcasting Corporation (KBC) is talking about Kanu from morning to night. A Political Parties Act should allocate air time in the KBC to various political parties. Since Kanu it can be given three hours in a day, then Ford-Kenya and Ford-Asili two hours and so on. So, the Political Parties Act should give a fair access to the electronic media and airwaves to political parties on a proportional basis. Depending on the number of votes a party gets in an election it should also be given air time equivalent to its size.

End of O.

GKI

P-1. 12.04.95

Regarding the funding of the political parties, there is a saying that "money talks". It is quite clear that although money talks in every day life, in politics, money talks loudest. You cannot compare Mukaru Ng'anga, who walks on foot, and expect him ---

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to move. The Motion will be seconded by hon. Paul Muite.

Mr. Muite: Thank you, Mr. Temporary Deputy Speaker, Sir. This is clearly a very important Motion if we are going to nurture the democratic culture in this country. A democratic culture is essential if multi-partysm and democracy is going to take root in this country. We must take all the necessary steps to create the environment for the nurturing of that democratic culture and a starting point which I am sure the hon. Attorney-General will support is that, we need a conducive legal framework or environment. Kenya is one of the few countries that still run political parties as societies under the Societies Act. Even our neighbours here in Tanzania have seen the wisdom of passing an Act of Parliament to govern and regulate political parties. Political parties have to do with political power if they get into government, so they are not societies in the sense of any other society. If repairers of bicycles want to form a society, they register under the Societies Act. Each and every society is registered under the Societies Act. The Societies Act is fully inadequate as a legal framework for the regulation of political parties.

The sort of Bill that we are asking the Attorney-General to bring here is a Bill that will result in an Act of Parliament that will regulate the formation and the running of political parties and the importance of this is that if the country is going to be democratized, then the starting point is internal democratization of the political parties. The political parties cannot purport to democratize the country unless each one of them is internally democratic. This is how we nurture

the democratic culture. So, not only do we need this environment and this statute, but it needs to have provisions that will strengthen multi-partyism. We must truly and sincerely as a nation embrace multi-partyism, not in word but in action so that I conceptualize that, that Act of Parliament will, for example, provide the same ground rules for all the parties. It is not a step in the right direction neither is it a step towards nurturing a democratic culture for one party to have tremendous advantages over the other parties. For example, it is not fair to the other parties that the ruling party, KANU, should have available to it the powerful institution of the Provincial Administration and yet all the salaries and allowances of these officers of the Provincial Administration are paid for from public funds. For example, only two weeks ago, the DC, Kiambu, called a meeting of all the Departmental Heads in the district including the nominated councillors and gave them instructions that any initiative towards development from any Member of the Opposition is to be obstructed as much as possible. As a result, although I had negotiated with a donor to come and implement a scheme to assist women's projects in Kikuyu Constituency, I cannot be given the list of women groups in Kikuyu Constituency so that that effort is sabotaged. This is not nurturing a democratic culture. When member of the Opposition, including Members of Parliament are harassed and arrested on outdated laws, sent to cells and prison, this is not nurturing a democratic culture. I have been preaching even in Kikuyu Constituency that when we talk about multi-partyism, we expect and accept that even KANU is one of those parties that require to be strengthened. If the President were to die in his sleep tonight, God forbid, there would be no KANU tomorrow. They have not got the structure to enable them to internally conduct elections that will be acceptable to a majority of their members. We need a strong

P.2 - 12.04.95

secretariat for each of the parties. We need ground rules that will ensure, as hon. Murungi was saying, that a public institution such as the Kenya Broadcasting Corporation (KBC) is not hijacked and taken over so as to become a mouth-piece of one of the parties. These are the sort of things that will be provided for in the new Act of Parliament. I do hope that this time, the Attorney-General will give us assurances that we can rely on. I am pleased that he is here so that I can tell him that no one takes his assurances seriously any more. The Attorney-General has not done much to enhance the esteem of his office. He gives assurances that one knows will not be kept. When he stands to respond, we would like him to assure us that he will seriously now bring his Motion. When he gives assurances like the one he gave yesterday that he is going to prosecute Kamlesh Pattni, Dr. Koinange and the other senior officials from the Central Bank, people like myself have got very serious doubts. We know that this time next year, the Attorney-General will have entered a *nole prosequi* in those cases against Kamlesh Pattni. There is no serious intention on the part of the Attorney-General to prosecute these individuals to conclusion.

The Attorney-General (Mr. Wako): On a point of order, Mr. Temporary Deputy Speaker, Sir. The fact of the matter is that I gave an assurance to this House that if I get an investigation file with sufficient evidence, I will prosecute and I stand by that. *Nole Prosequis* have never, in my tenure, been entered in those cases where I have in my possession sufficient evidence.

Mr. Muite: Thank you, Mr. Temporary Deputy Speaker, Sir. I am saying these things because the HANSARD is a permanent record and I do know that the criminal cases instituted by the Attorney-General against Kamlesh Pattni, Dr. Koinange and the others were instituted as a public relations exercise for the donors in order to show that action is being taken. They will be delayed, they will be mentioned and at the end of this year or before the end of next year, those cases will have been terminated by the hon. Attorney-General.

The Attorney-General (Mr. Wako): Mr. Temporary Deputy Speaker, Sir, those cases

have been fixed for hearing starting from 3rd of July and continuing. I still restate and state again that a *nole prosequi* has never been entered in any case where there is on my desk an investigation file with sufficient evidence. I state and state again that the Attorney-General of the Republic will not in any way abdicate his responsibilities to prosecute in favour of anybody in this country, where I have a file with sufficient evidence.

The Temporary Deputy Speaker (Mr. Ndotto): Order! Are you on a point of order or a point of information?

The Attorney-General (Mr. Wako): Actually, it was a point of order so that I can bring the Member of Parliament in order.

The Temporary Deputy Speaker (Mr. Ndotto): That was not a point of order.

P.3 - 12.04.95

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, I hope that you will give me extra time because most of my time has been taken up by the Attorney-General.

We have got an animal here called tribalism or ethnicity and the way to fight and eradicate tribalism in this country is to ensure that the majority of our people are free from wants. As long as the majority of Kenyans are living in abject poverty and cannot afford school fees for their children or hospital bills when their families fall sick, and yet we are plundering the national resources, we are raping our economy ---

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Muite, stick to the Motion.

End P.

The Temporary Deputy Speaker (Mr. Ndotto): Stick to the Motion, hon. Muite!

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, I was stressing the importance of coming up with a legislation to regulate political parties because that is what is going to nurture democratisation. I was also saying that ethnicity will be tackled when we are able to tackle the issue of poverty in this country. We can only tackle the issue of poverty by strengthening all the political parties. There will never come a time when hon. Ekidor will not be Turkana. There will never come a time when the majority of the Turkana people are not going to be living in Turkana District. There will never come a time when hon. Sunkuli's people are not going to be living in Trans Mara District; his people will always be there as Maasais. What we need is to begin to learn to have mutual respect for the cultural differences between our people. People remember their tribes because of poverty. When we eliminate poverty we will create a nation.

With those few words, I beg to second the Motion.

(Question proposed)

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, this happens to be one of the rare opportunities where hon. Kiraitu Murungi and I happen to agree. At the end of my contribution, let it be recorded that I am supporting this Motion with the possible condition that the some slight amendment will be introduced in order to soften the urgency of this matter; taking into account the circumstances of our own country. I do agree that political parties should be strengthened because by strengthening political parties your are strengthening multi-party democracy. I want to assure hon. Muite that we too do see the need to strengthen political parties. It is really the concern of everybody who believes in multi-party democracy to ensure that what we have a political parties as they were intended to be by those who thought about multi-party democracy and not just small organizations going by that name.

Mr. Temporary Deputy Speaker, Sir, I know that the spirit of this Motion is ensure transparency and accountability, first and foremost. I think that this is what we require, as well as to ensure that our political parties are democratic. I know that in the events following the repeal of Section 2A of the Constitution of Kenya, political parties were formed in this country and as a result of forming these political parties, they have given certain individuals a certain mandate to collect money from agencies abroad and to come and spend it for and on behalf of democracy. Indeed, there are organizations in the Western world whose only purpose is to fund organizations that are interested in democracy. I also know, and I am sure that this House also knows, that a lot of that money that was given to certain Kenyans, to come and spend for and on behalf of the Opposition parties, did not reach those parties. A lot of the money that was given to our so-called "multi-party fathers" did not reach the members of their parties. The reason why many of our Opposition parties are broke today is not because they did not receive any money but it is because that money did not reach the parties; it remained at the level of the individuals some of whom kept these monies in their fat accounts abroad. It is a pity that our so-called democrats can receive money and instead of using it to nurture democracy, they use it to make themselves rich; it is a real pity but that is the stark reality of things and we must face it. I think it is important that we must have

a political parties law to regulate how parties can receive money and how they can use that money for and on behalf of democracy and not for any other purpose. I would like to urge my friend, the Attorney-General, to draft a Bill and bring it to the House so that we can be able to know how the political parties are going to operate henceforth.

Mr. Temporary Deputy Speaker, Sir, I know that there are quite a few other things that people can talk about; their own political parties and other political parties. I want to say that our political parties in Kenya--

Mr. Nyanja: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would not like to interrupt my learned friend but nonetheless, he has made a categorical statement that the Opposition fathers collected money but that money never reached their parties. This is a very serious issue. This is because much as the hon. Member intends to support the Motion, I think that he has made a disparaging remark about the Opposition. So, I would like him to substantiate his remark because some of us are committed to true democracy. I want him to substantiate unless some of those who are alleged to have received the money have died.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, hon. Nyanja would do well if he let me continue. This is because I have expressed my opinion on a matter that is common knowledge.

I would like to go ahead and say that I know that a number of people can say one or two things about other parties. But I want to say that if the political parties in Kenya should be taken seriously they must be democratic; not just in their nature and in their manifestos but also in action. The political party is actually the atom of democracy. Political parties must be the model democracy in this country. It is surprising that even today the majority of our Opposition parties are headed by persons who are not elected by their parties to head them. It is a real pity that a man just calls himself "Chairman" of a party that has never held an election within itself. I think there should be a law---

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Sunkuli in order to say that Opposition parties are headed by some chairmen who have never been elected? Could he substantiate that allegation? Could he also explain to this House when President Moi was elected President of KANU? KANU has never held any elections since 1988. That is when KANU conducted elections. Is President Moi not in office illegally?

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Sunkuli you do not need to substantiate that; it is your own opinion. Hon. Mulusya will get a chance to express his own opinion. Proceed!

The Assistant Minister, Office of the President (Mr. Sunkuli): I will have to do it more faster because the hon. Member for Kangundo has taken a bit of my time. But as I was saying, we need to ensure that democracy is practised in the political parties themselves.

End of Q.

CNJ.

R.1. - 12.4.95.

Mr. Temporary Deputy Speaker, Sir, I know the spirit of hon. Murungi's Motion. It means that our political parties must be protected from individuals who head them so that they do not hold the parties at ransom. I know a number of opposition parties in this country which are headed and funded solely by one person and which I am sure will just collapse upon the collapsing of that particular person, either politically, financially or biologically. I would like to advise the hon. Members of the opposition to clearly look at the structure of their parties to ensure that they are actually political parties and not clubs which are existing on behalf of certain individuals.

Mr. Temporary Deputy Speaker, Sir, there is a second point which I would like to make regarding the second part of hon. Murungi's Motion, namely that political parties should be funded. Of course, this part of the Motion must be amended slightly to give the Government and the Attorney-General some leeway in the way he is going to draft such a bill. I know we have one spirit in Kenya and that is a spirit of mutation. When Christianity came to Kenya, Kenyans accepted it fully and as a result today, Kenya is the one single country that has the highest denominations of Christianity. This is because people have decided to form their own denominations. When we allow the non-governmental organizations to be founded, every imaginary person in this country wants to form a non-governmental organization for purposes of getting money. I want to say that if today we said that the Opposition Party and Kanu should be funded, there is going to be a multiplication of political parties in this country each one looking for a basket to collect money from the Consolidated Fund. I think if ever we had a bill to allow for these parties to be funded, it must be a bill which categorically remits the number of political parties we are going to have in this country.

Mr. Temporary Deputy Speaker, sir, I am saying this because if we are going to condone a leisure atmosphere in this country where a person can form a political party, then it means that political parties are not going to remain the number same because we are going to have many more such parties started. I know that a lot of mutation is going to take place because even now, a lot of gestation is currently taking place in some of the political parties and we do not know what is going to be borne out of that gestation. I suspect that there are going to be a lot of babies born out of the current political parties that we have in this country today and this is going to have a lot of impact on the Consolidated Funds. For this reason, I can only say that my friend hon. Kiraitu Murungi should concede to an amendment, so that, if the Attorney-General decided to draft this Bill, he would be able to do so cautiously and not allow anarchy to replace democracy in this country.

Mr. Temporary Deputy Speaker, Sir, I would like to draw the attention of this House to the fact that although in Britain, the West Minister Foundation is supposed to fund political parties, it does not fund them for all purposes. It is a very limited organization. If we did that in Kenya, we would be setting the precedence and therefore we have to be very cautious about this.

With those few remarks, I beg to give my conditional support.

R.2. - 12.4.95.

Mr. Mulusya: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. I would like to start by informing my friend hon. Sunkuli that what there is in the opposition parties is a very healthy atmosphere. The Opposition parties in Kenya, mainly in the Ford-Kenya, Democratic Party and Ford-Asili are not like the Kanu Party where one cannot talk about the Chairman or the holder of a certain office. We can criticise the big and small holders in those parties and we cannot be disciplined for questioning anything. We hear some people saying that certain political parties should hold elections but I would like to say there is no party in the Opposition which has never carried out its elections. The Democratic Party of Kenya carried out its elections for the National Governing Council in Nairobi in 1993 and that is when hon. Mwai Kibaki was elected the Chairman of D.P. The only person whom I do not know under what circumstances he is in office is the President of Kanu. We do not know how he came to be in that office from 1988 up to 1995. He has been in that office for more than five years, but the Constitution says quite clearly that elections should be carried every five years. However, five years have now gone and he is still in that Office. **An hon. Member:** He is there illegally!

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, what we are now seeing are peace-

meal elections taking place in Kanu in order to monitor them closely to ensure that Mr. Mulu Mutisya, for example, becomes the Chairman of Kanu in Machakos to remove Mr. Mutiso. This is not what we expect of a party like Kanu. A party like Kanu should have a national outlook. They should be seen to be serious in whatever they do. They should not fear to hold nation-wide election where everybody would be accorded an opportunity to contest the elections. However, because they want to select instead of electing, that is why they---

The Assistant Minister for Health (Mr. Mutiso): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member on the Floor in order to speak only about Kanu and he is not even a Member of Kanu. Why can he not speak about the D.P? Is he in order?

The Temporary Deputy Speaker (Mr. Ndotto): Continue, Mr. Mulusya.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, hon. Mutiso appears to have forgotten that we all happened to be in Kanu at one time or another when Kenya used to be under one party-system of Government, but the Kanu party let us down. In 1988 when I was in Kanu, I experienced a very unfortunate incident where after being nominated for the general elections, my name was omitted from the list. It had been removed and another person's name substituted. These are the kind of things that made us join the Opposition.

An hon. Members: Kanu is very corrupt!

Mr. Mulusya: They are very corrupt people! What we are asking is why the ruling Party fear other political parties having a strong financial base? The essence of this Motion is to create a Fund where each party has a strong financial base. We do not want to see a situation where the party in power decides to grab everything it can lay its hands on. We have seen the ruling party grabbing Kenyatta Conference Centre so that it can finance itself.

R.3. - 12.4.95.

The Temporary Deputy Speaker (Mr. Ndotto): Order Mr. Mulusya, I think the word, "grab" is unparliamentary, can you withdraw it before you proceed.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, I withdraw the word, "grab" and substitute in the place thereof of the words, "allocating yourself something illegally". We do not want a situation where the party in power decides to go for money whether it has been stolen or obtained unfairly to finance its own affairs. We had a case where the head of a party received shs.2 million which under normal circumstances, he would have taken. If there is an Act of Parliament which stipulates where you should be able to solicit your funds from, then it would be illegal to obtain money which you know has been obtained illegally. If a party did that, it would have criminal proceedings instituted against it because---

QUORUM

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not think that Standing Order No.24 is being complied with. We do not have 30 hon. Members in the House.

The Temporary Deputy Speaker (Mr. Ndotto): Yes, you are right, Mr. Shikuku. There is no quorum in the House. Will you ring the Division Bell.

(The Division Bell was rung)

END R.

The Temporary Deputy Speaker (Mr. Ndotto): Okay, we have a quorum now. Continue, Mr. Mulusya.

Mr. Mulusya: Thank you, Sir. We do not want a situation where a political party will be forced to obtain money through irregular means and put the whole country into economic mess. For instance, we would not like to have a party with members or people who have stolen money from Government coffers. Yet such a person had received that money for the purposes of conducting an election. We do not want to see such a situation.

We urge the Attorney-General, Sir, in the drafting of such a bill to make provision under which members can defect from one party to another. We have seen cases where hon. Members and councillors are defecting purely for monetary benefits. It must be made clear under what circumstances a Member can defect or defend his seat.

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

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

The Assistant Minister, office of the President (Mr. ole Sunkuli): On a point of order, Sir. Can the hon. Member for Kangundo substantiate the fact that defections are monetary induced?

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Mulusya! As long as you are not going to sly your colleagues here, it will be contrary to Standing Order 73.

Mr. Mulusya: Sir, if I myself have been promised money to defect, what more evidence do we want?

The Assistant Minister for Health (Mr. Mutiso): On a point of order, Sir. Promises are not facts. We want to know whether the hon. Mulusya had received any money at all? Anybody can make a promise. Can he substantiate that?

Mr. Mulusya: Sir, my colleague, hon. Mutiso, has a very short memory because this is all in the HANSARD! I said I was promised money by who and how much! Can he go back to the Library and up-date himself?

(Applause)

We have parties with foreign funding and we do not want that because after such parties have gotten into power, the foreign organisations will use them so as to get contracts in this country. We have seen cases of individuals or companies, if they want to get contracts here or elsewhere, they go to those countries during the time of election and fund a particular party so that when it comes into power, they will use it and get their money back. So, it is an investment and this kind of funding should be discouraged.

We want the Government to be totally sure of whatever is happening in every party because it is for the whole country at large. We do not want to have some anomalies where individual parties will be serving the interests of foreigners. In fact, we are likely to get into such a situation if it is not controlled through such a bill. If such a bill is enacted, there has to be system of following and knowing what each party is doing especially with regards to sourcing of funds.

With those few remarks, Sir, I beg to support.

Mr. Shikuku: Ahsante sana, Bw. Naibu Spika wa Muda. Bunge hili lina wajibu wa kuwa na --

Mr. Kiraitu Murungi: On a point of order, Sir. Is it in order for the hon. Martin Shikuku who is the Ford Asili Secretary General to speak from Kanu side?

Hon. Members: Yes, he is in order!

Mr. Shikuku: Bw. Naibu Spika wa Muda, ninapozungumza, ingekuwa pengine afadhali Wabunge wengine ambao hawajawahi kukaa kama miaka yangu, kunisikiza na kusikia vile ninavyozungumza. Hata kule House of Commons, when senior Members are talking, wale wengine wanawapatia heshima na kunyamaza kwa sababu hawataki utawala wa kimambavu.

Hoja ambayo imeletwa na Mbunge ni ya maana sana kwa sababu ni ya kuisaidia nchi hii. Jambo kubwa ambalo nataka kuzungumzia ni neno "transparency", yaani kitu kionekane wazi. Tunataka "transparency" katika Kanu, Ford Asili, Ford Kenya na hata DP na kwa kila chama chochote. Pia tunataka tuambiwe chama hicho kimepata pesa kiasi gani na zimefanya kazi gani. Hii ni kwa sababu ningependa kumuunga mkono mhe. Mulusya aliposema kwamba huenda kukawa na vyama ambavyo vitaweza kupata pesa kutoka nchi za mbali ili kuendesha siasa za nchi hiyo katika nchi hii. Hii ni hatari sana katika nchi hii. Hii ni kwa sababu tutapata wale watu wanaoitwa "stooges" na ambao wataiharibu nchi hii. Kwa hivyo, ningependekeza kwamba vyama ambavyo vimeandikishwa na Registrar of Societies vipewe nafasi kwa vitu vitatu:-

Kwanza, wakubaliwe wao wapinzani ni kama mguu mmoja wa Serikali. Kila kitu kina miguu miwili, macho mawili na kadhalika, yaani, tuwe kama mwili. Kazi ya upinzani ni kutoa makosa kwa Serikali na wala sio kusingizia bali watoe makosa ya kweli ili Serikali iweze kurekebisha makosa hayo. Kwa hivyo, ni lazima tukubali tuwe na vyama viwili na hili si jambo geni. Hata kwa Mungu kuna vyama viwili, yaani yake na shetani! Kwa hivyo, hata Mungu anakubali upinzani na haifai kwa mtu yeyote upande ule kusema eti hataki upinzani. Mungu amekubali upinzani; wao ni nani kukataa upinzani?

(End S.)

TEWK

T.1 - 12.04.95

Jambo la pili, Bwana Naibu was Spika wa Muda, tunataka Wapinzani wapewe haki kama ile ya Kanu. Tuwe na mikutano na maneno yetu yatangazwe kwa redio. Sio saa hii tunapozungumza hapa, Waziri wa Habari na Utangazaji kutoka pande ya Kanu ametoa amri kule, halafu wananchi wakingonjea "Leo Katika Bunge", haisemwi mpaka karibu saa tano ya usiku. Wanataka watu walale ndio wailete. Na hawa, hawa ndio wanaotoa kodi inayoendesha redio hii. Haki iko wapi? Kodi hiyo ndiyo inalipa hata huyo Waziri, na sisi milioni 3.4 ambao walipigia Upinzani kula, lakini maneno ya Wajumbe hao haitakikani isikizwe. Tunataka haki ifanywe.

(Hon. Boy Juma Boy walked to hon. Shikuku and told him to move closer to the microphone)

Nasikika. Nikienda karibu itakuwa kelele. Tunatoa kodi sote, na kwa hivyo tunataka tupewe nafasi katika redio.

Jambo la tatu ni kwamba vyama vya Upinzani hatupewi nafasi. Ukisikia jina la mtu wa Upinzani likitajwa kwa redio, ni kwamba anatukanwa, lakini hatuambiwi vile amefanya, au wakijibu maneno ya Upinzani, wanajibu lakini hawasemi Mpinzani alisema nini. Hii sio demokrasia. Lazima kila mtu apewe nafasi atoe maoni yake na pia yule anataka kuunda chama kingine apewe nafasi ya kuunda chake ili aweze kupata uhuru wa kutembea, uhuru wa kusema na pia kuongoza nchi hii.

Jambo lingine Bwana Naibu wa Spika wa Munda, ambalo limenipendeza katika hii Hoja, ni lile la kuuliza kwamba demokrasia itakuwa namna gani. Tunataka ipewe hakikisho. Sio chama kiweko tu kwa sababu Registra wa Societies anapenda, mbali kiwekwe kwa sheria na kiendeshwe kwa sheria. Kama hakiendeshwi kwa Sheria, mwenye chama aambiwe hafuati sheria, na aonyeshwe namna ya kufuata sheria. Lakini habari ya kukataa Wapinzani wafanye mikutano ni baya. Hata juzi tulifunga Bunge kwa zaidi ya miezi mitatu tukaenda kwa mawakilisho yetu lakini hatukubaliwi hata kusalamia watu. Wakituona, Sub-Chief anafika, police wanafika, Askari wa Utawala wanafika na wananchi wanakusalamia. Unawaambia uko na mkutano. Hii si haki. Hata wabeberu hawakuwa wanafanya hivyo. Serikali hii ni baya sana, baya sana, na ishara ya kuonyesha Mungu yuko ni kwamba mbeberu amekwenda, na hii Serikali pia itakwenda.

The Assistant Minister for Health (Mr. Mutiso): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am just seeking your guidance. Is it really in order, for the hon. Member to accuse Government and really criticise Government so seriously from the Government side when actually he is in the Opposition?

Mr. Shikuku: Bwana Naibu wa Spika Wa Muda, Mheshimiwa ni rafiki yangu, tulikunja naye hapa 1963, lakini inaonekana amebadirika sana, na hajui hata "Point of Order" ni nini. Ungemsukuma nje, na ndio angepata kujua ameharibu mambo. Huu Mswada tunaotaka uje - na mimi nakubaliana na wale waliosema mbele - ni heri Mkuu wa Sheria aone kwamba unafanya vyama hivi viko na jukumu, na pia Controller and Auditor-General aangalie

T.2 - 12.04.95

hesabu ya matumizi ya kila chama, waelezwe wazi kwa sababu kuna walaghai upande huu na upande ule mwingine. Walaghai hawako upande huu wa Kanu peke yake. Hata huko upande wa Upinzani tunao. Ulaghai ndio kitu mimi napinga, nanimepinga miaka hii yote tangu niingie Mbunge hii. Huu ulaghai nilianza kupinga tangu 1963 na mpaka leo bando nalia. Sasa nafurahi. Wengine siku hizi wameanza kusema ulaghai, na juzi na Mungu si Abdalla, niliona watu wanafanya maandamano huko inje. Wanasema pesa zimeliwa namna gani?

End T

AWN

U.1-12.04.95

Bw. Spika wa Muda, nilipokuwa nikisema kwamba pesa zinaliwa na Wahindi waheshimiwa wengi walikuwa wamenyamaza. Jana niliona hata Waziri wa Fedha akisema, " hatuwezi kuona pesa zikiliwa halafu tena tuambiwe tuzilipe" Ah! na ndiyo wao wamekula wenyewe.

Hawa waheshimiwa wenzangu wa upande ule lazima wajue kwamba fedha za umma lazima ziangaliwe. Controller na Auditor-General anastahili kukaguwa fedha zitakazopatiwa vyama. Aangalie zimekwenda kufanya kazi gani na zimetumiwa namna gani na kama kuna ulaghai ndani yule mhe. atakayepatikana kuwa alihusika na jambo hilo hata kama ni wa Upinzi au wa Kanu, awekwe ndani ya jela. Hii ndiyo itaamsha hawa walaji. Wanachukuwa hizo fedha za raia kisha

wanaenda kuwandanganya. Sisi hatutaki maneno mbali tunataka vitendo. Utapata mbe. na bibi yake wakihudhuria Harambee na kutoa mchango wa Kshs. 250,000. Wanatoa wapi? Ni pesa za wizi. Huo ndiyo wizi. Wanachukuwa fedha za raia halafu wanauliza wapewe kofi ya kilo. Hawataki kofi ya kawaida, wanataka ya kilo na tena mikono itengenezwe wazi na hali wameibia wananchi. Hizi Harambee ni za wizi wa fedha za umma na lazima tuzipinge.

Kwa hayo machache naiungo Hoja hiyo mkono.

The Minister for Health (Mr. Angatia): Thank you, very much Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity so that I also make my contribution on this important Motion.

I was hoping that hon. Shikuku would tell us how Public Accounts Committee was interfered with and messed up but since this is not the time to debate the Public Accounts Committee Report, I will leave that one out.

Mr. Shikuku: You will hear me.

The Minister for Health (Mr. Angatia): He has assured me that he will come up with that later on when we debate the correct Report. It is important that we recognise the important role multi-partysm is playing in the country. It is also important and it is good to note that hon. Members have recognised that multi-partysm has come and because parties are short of money have been caught up in very interesting traps. During the campaign of 1992, we had all sort of stories, how people went soliciting money overseas, in this country with Wahindi and everywhere else. That time and that behaviour reduced all of us to one level. So, there is nobody now who can blame another one for having been influenced with money from outside or from Wahindi except of course Kanu which did not have any problem with soliciting money from anybody else.

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to mislead the House by saying that everybody else got money from everywhere except Kanu when we know very well that Kanu had a hell of money which was supplied by the famous Jirongo?

The Minister for Health (Mr. Angatia): Mr. Speaker, Sir, Kanu used its own money. It did not receive money from anybody like the other parties. So, I am hoping that ---

Mr. Murungi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister to mislead this House that Kanu used its own money when we have evidence that Kanu has received Kshs 78 million from the hands of Hans Foundation of German?

U.2 - 12.04.95

The Minister for Health (Mr. Angatia): We also heard that Ford-K received Kshs 70 million and it never reached the other members. So, Kanu did not receive money from anybody and right now that is why Kanu is willing to support this Motion from the Opposition parties because if only Opposition parties can take responsibility over some of the actions that happen in this country, then even funding them will be proper because public money will be used to look after public interests. Hon. Shikuku has just said that---

Mr. Michuki: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order after points of order have been raised to continue misleading the House when in fact recently at a seminar in Mombasa, a Government Minister accepted that Kanu Government has found it impossible to separate public property in terms of money from the party and that they were using it, money which belongs to the taxpayers not to Kanu?

The Minister for Health (Mr. Angatia): Mr. Temporary Deputy Speaker, Sir, if an individual is unable to separate his personal things from Government or party things that is not a Kanu problem; Kanu is a very well organised party.

I am glad that this Motion has come because Opposition hon. Members realise that when the properly constituted good Government of this country works with donors to bring money into this country to build roads and schools they fund themselves to go overseas to block that money from coming to assist the development of this country. This is where Opposition parties let themselves down and declared themselves to be enemies of Kenya. We have always worked with our donors to raise money in order to run the affairs of this country. A responsible political party should not be seen to be going overseas to solicit against this country. In fact, this is operating against the interests of this country. In fact, I am sure that while we will be establishing a law to protect parties we shall also put in clauses to say that any party that goes outside the country to argue against the interests of this country should be banned.

Recently, we have heard through the Press a lot of stories and complaints, some of them from the bishops of the Catholic church. The bishops of the Catholic Church have said some things that are clearly against the wishes of the people of this country. For example, the bishops are arguing that our young people should be left in ignorance; that it is only in ignorance of reproductive health, sexually transmitted diseases, AIDS, unwanted babies who are taking over 10,000 of our children out of schools that our churches may thrive, and the Opposition parties have supported the bishops. This is so short-sighted! If public funds were to be used to perpetuate policies of this kind I would seriously oppose it--

Mr. Kibaki: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Minister for Health to stand up here and accuse falsely the Catholic bishops, that they are misleading this nation when the bishops have spoken in a written form? The Minister says that the bishops want our children to remain ignorant and yet what they want is contained in the letter which they have circularised. They do not want children to remain ignorant: they have proposed a particular form of education.

The Minister for Health (Mr. Angatia): Mr. Temporary Deputy Speaker, Sir, hon. Kibaki is misrepresenting the wishes of the Catholic bishops. The Catholic bishops do not want education on sex, or at all. They have made this clear and even if they came here they would argue that they do not want any education on sex. So, it is wrong for a group of people---

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. Will the Chair guide the House? How does sex education arise under the matter before the House? Is the Minister not "wandering" about? Next time he is going to talk about pregnant women, which issue falls under his Ministry! What he is saying has nothing to do with political parties!

End of V.

The Minister for Health (Mr. Angatia): I am glad that Members of the Opposition now see the mistake of opposing KANU for the sake of opposing until, sometimes, they align themselves with ideas they do not know or do not even support. I do not think Members of the Opposition would like our students to remain ignorant so that the preachers can continue praying for them.

Mr. Temporary Deputy Speaker, Sir, recently, we had arguments where the Opposition parties have behaved as if they oppose things for the sake of opposition. If people are a government in waiting as it is alleged that the Opposition parties are different governments in waiting, then they must be seen to be responsible. When the party in power does anything that is acceptable and good for wananchi, they should be seen to associate themselves with that good act because it is for the wananchi of this country. When anything improper is done, they should offer an alternative and not simply oppose for the sake of opposition.

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir!

The Minister for Health (Mr. Angatia): Mr. Temporary Deputy Speaker, Sir, Mr. Mulusya had his time to speak. He can whisper to hon. Murungi whatever he wants to say so that Mr. Murungi can incorporate his arguments when he will be replying.

People should not oppose for the sake of opposition. There have been very many good ideas and I am glad that from today onwards, there will be no opposition for the sake of opposition, that all of us will take responsibility. When we tell this country that there are guerrillas and that there is somebody called Odongo, the Opposition should be interested in finding out who this Odongo is and if it is true that there are guerrillas and if it is true ---

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir!

The Temporary Deputy Speaker (Mr. Wetangula): Disallowed! Order, Mulusya!

The Minister for Health (Mr. Angatia): Mr. Mulusya spoke completely undisturbed for a long time and he should interfere with my speech.

A responsible Opposition is here to serve the interests of Kenyans and this is why I am one of those people who have been complaining that the Opposition have let us down. They have let us down very badly because they have shown a picture of mere opposition for the sake of opposition. I will support this Motion because I think that the parties need to be organised much better, there should be a rule to govern this kind of behaviour so that in future, if a legally registered party goes against the interests of Kenyans, it should be banned.

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

Mr. Gatabaki: Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me to contribute to this very important Motion. I would like to start by indicating my special interest in respecting the Opposition and assisting the Opposition as part of a democratic society. First, the issue is whether the Kenya Government really recognises the Opposition and accepts the concept of political opposition. My experience in Githunguri, where I come from, is that the Government of Kenya does not recognise me as a Member of Parliament. The KANU office is treated like a Government office with the KANU flag and the Government flag flying side by side and an Administration Policeman has been put in charge of the KANU office. The former Member of Parliament who I defeated decisively is treated as a Government Minister. The Member of Parliament for Githunguri is not allowed ---

The Assistant Minister of State, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is misleading the House by saying that the Githunguri KANU office is guarded by an Administration Policeman. Is the hon. Member

in order to mislead this House?

W.2 - 12.04.95

Mr. Gatabaki: Mr. Temporary Deputy Speaker, Sir, only last weekend, a new convert to the KANU political ideology, Mr. Stanley Githunguri, was there and he was given special protection by the police and he was accompanied by Mr. Kanyingi. What I am saying is that here is a stronghold of the Opposition where the opposition is not recognised. This is a demonstration of the fact that this Government does not recognise the concept of an Opposition party. We propose that not only should the Government fund the political parties, but it should also recognise the concept of Opposition parties.

Mr Temporary Deputy Speaker, Sir, I would like to end up very briefly with an appeal to KANU that they need this more than anybody else because they will be in the Opposition very soon, come 1997.

ADJOURNMENT

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

The House rose at 12.30 p.m.

End W.

