

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 22nd November, 1995

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

## PRAYERS

## ORAL ANSWERS TO QUESTIONS

*Question No. 903*

### CONVICTION OF ASSISTANT CHIEF

**Mr. Deputy Speaker:** Mr. arap Kirwa is not here at the moment. So, we will skip the Question for the moment.

*Question No. 666*

### DISPERSION OF SEMINAR

**Mr. Deputy Speaker:** Mr. Kiraitu Murungi is not here? So, we will skip the Question for the moment.

*Question No. 963*

### ASSAULT ON MRS. NYAMBURA

**Mr. Deputy Speaker:** Mr. Mwaura is not here? So, we will, again, skip this Question for the moment.

*Question No. 859*

### ACQUISITION OF VACCINE INSTITUTE

**Mr. Deputy Speaker:** Hon. Gatabaki has not arrived yet. So, we skip the Question for the moment.

*Question No. 740*

### CONSTRUCTION OF PRIMARY SCHOOL

**Dr. Oburu** asked the Minister for Education:-

(a) whether he is aware that a primary school was supposed to be built alongside Bondo Teachers' College; and,

(b) if the answer to "a" above

is in the affirmative, whether he can state when the construction of the school will commence.

**Mr. Deputy Speaker:** Is anybody here from the Ministry of Education? Well, there is nobody from the Ministry of Education. So, we will skip the Question for the moment.

*Question No. 996*

### INTERDICTION OF MRS. WAMUKUYU

**Mr. R.K. Mungai** asked the Minister for Education:-

(a) whether he is aware that a Mrs. Joyce Nyambura Wamukuyu, a former Cateress of Makuyu Secondary School, was interdicted by the Headmaster under dubious circumstances and without the Board of Governors' approval on 15th December, 1994;

(b) whether he is further aware that the said Mrs. Wamukuyu has not been paid her terminal dues to date; and,

(c) if the answers to "a" and "b" above are in the affirmative, what steps he has taken to pay her dues and/or reinstate her in the employment.

**Mr. Deputy Speaker:** Anybody from the Ministry of Education? Is there anybody from the Government side who is willing to answer this Question? We shall skip the Question for the moment. This is very serious. Let us go on to Question No. 638.

*Question No. 638*

ESTABLISHMENT OF HOSPITAL FUND

**Mr. Deputy Speaker:** Hon. Norman

[**Mr. Deputy Speaker**]

Nyagah is not here. So, let us skip the Question for the moment. Let us go to Question No. 506 by hon. Bishop Kimani.

*Question No. 506*

GRAVELLING OF ROADS

**Bishop Kimani** asked the Minister for Public Works and Housing when the Ministry will gravel roads which are in a deplorable condition in Bahati, Kabazi, Ndungiri, Nyandudo and Subukia locations.

**Mr. Deputy Speaker:** Is there anybody from the Ministry of Public Works and Housing? Is there any Minister from the Ministry? Jesus! We will skip this Question for the moment. We will go back to Question No. 903 for the second time.

*Question No. 903*

CONVICTION OF ASSISTANT CHIEF

**Mr. Deputy Speaker:** Hon. Kirwa is still not here? The Question is dropped.

*(Question dropped)*

*Question No. 666*

DISPERSION OF SEMINAR

**Mr. Murungi** asked the Minister of State, Office of the President, why the police dispersed the seminar on the *Constitution, Land and Environment* organised by Citizens' Coalition for Constitutional Change at Lenana Mount Hotel, Nairobi, on 17th May, 1995.

**Mr. Deputy Speaker:** Is there anybody from the Office of the President?

*(Hon. Dr. Lwali-Oyondi entered the Chamber  
without Bowing to the Chair)*

**The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale):** On

a point of order, Mr. Deputy Speaker, Sir. Is it in order for an hon. Member to enter the Chamber and fail to bow to the Chair?

**Mr. Deputy Speaker:** Order, Dr. Lwali-Oyondi! Can you go back to the Bar and bow, and do it while I see!

*(Hon. Lwali-Oyondi moved to the Bar and bowed to the Chair)*

Thank you.

There is nobody from the Office of the President---

**An hon. Member:** But hon. Sunkuli was here right now!

**The Deputy Speaker:** Where; when?

**An hon. Member:** He was just here. He has just left.

**Mr. Murungi:** Mr. Deputy Speaker, Sir, could we give the hon. Assistant Minister a few minutes. He said he would come back.

**Mr. Deputy Speaker:** Well, you know, of course, I cannot wait indefinitely. So, we will skip the Question. Let us go to the next Question, No. 963 by Mr. John B. Mwaura.

*Question No. 963*

ASSAULT ON MRS. NYAMBURA

**Mr. Deputy Speaker:** Mr. Mwaura is still not here? The Question is dropped.

*(Question dropped)*

*Question No. 859*

ACQUISITION OF VACCINE INSTITUTE

**Mr. Gatabaki** asked the Minister for Agriculture, Livestock Development and Marketing the reasons that led the Government to acquire the Kenya Veterinary Vaccines Production Institute (KEVEVAPI), formerly "Welcome Foot and Mouth Vaccine Production Unit."

**Mr. Deputy Speaker:** Is there anybody from the Ministry of Agriculture, Livestock Development and Marketing? The Question is deferred to appear on the Order Paper on the earliest opportune time.

*(Question deferred)*

*Question No. 740*

CONSTRUCTION OF PRIMARY SCHOOL

**Dr. Oburu** asked the Minister for Education:-

(a) whether he is aware that a

**[Dr. Oburu]**

primary school was supposed to be built alongside Bondo Teachers' College; and,

(b) if the answer to "a" above is in the affirmative, he can state when the construction of the school will commence.

**Mr. Deputy Speaker:** Is there anybody here from the Ministry of Education? Well, there is nobody from the Ministry of Education. The Question is deferred to appear on the Order Paper at the earliest opportunity.

*(Question deferred)*

**Dr. Otieno-Kopiyo:** On a point of order, Mr. Deputy Speaker, Sir. In view of the fact that Government Ministers are displaying such irresponsibility, is it not time that His Excellency the President considered a Cabinet reshuffle to give Kenyans services.

*(Applause)*

**Mr. Deputy Speaker:** There is nothing to cheer. That is a frivolous point of order.

*(Loud consultations)*

**Mr. Deputy Speaker:** Order! Order! Let us go on to Question No. 996 of Mr. Robert K. Mungai for the second time.

*Question No. 996*

INTERDICTION OF MRS. WAMUKUYU

**Mr. R.K. Mungai** asked the Minister for Education:-

- (a) whether he is aware that a Mrs. Joyce Nyambura Wamukuyu, a former Cateress of Makuyu Secondary School, was interdicted by the Headmaster under dubious circumstances and without the Board of Governors' approval on 15th December, 1994;
- (b) whether he is further aware that the said Mrs. Wamukuyu has not been paid her terminal dues to date; and,
- (c) if the answers to "a" and "b" above are in the affirmative, what steps he has taken to pay her dues and/or reinstate her in the employment.

**Mr. Deputy Speaker:** Anybody from the Ministry of Education? There is nobody here again. So, the Question is deferred to appear on the Order Paper at the earliest opportunity.

*(Question deferred)*

*Question No. 638*

ESTABLISHMENT OF HOSPITAL FUND

**Mr. Deputy Speaker:** Mr. Norman Nyaga is not here for the second time. So, the Question is dropped.

*(Question dropped)*

*Question No. 506*

GRAVELLING OF ROADS

**Bishop Kimani** asked the Minister for Public Works and Housing when the Ministry will gravel roads which are in a deplorable condition in Bahati, Kabazi, Ndungiri, Nyandudo and Subukia locations.

**Mr. Deputy Speaker:** Is there anybody from the Ministry of Public Works and Housing yet? The Question is deferred to appear on the Order Paper at the earliest opportunity.

*(Question deferred)*

*(Loud consultations)*

**Mr. Deputy Speaker:** Order! Order, hon. Members! As I had said earlier, Question No. 666 was deferred, but now that the Assistant Minister is here, and we have plenty of time, I will give the hon. Member an opportunity to ask his Question.

**Mr. Murungi:** I wish to thank you Mr. Deputy Speaker, Sir for giving me this special privilege to ask this Question for a third time.

*Question No. 666*

## DISPERSION OF SEMINAR

**Mr. Murungi** asked a Minister of State, Office of the President, why the police dispersed a seminar on the *Constitution, Land and Environment* organized by the Citizens' Coalition for Constitutional Change at Lenana Mount Hotel, Nairobi, on 17th May, 1995.

**The Assistant Minister of State, Office of the President** (Mr. Sunkuli): Mr. Deputy Speaker, Sir, I beg to apologise for not having been here when the question was called for the second time although I was here when it was called for the first time and the hon. Member was not there.

Mr. Deputy Speaker, Sir, I beg to reply.

The seminar was stopped on 18th May, 1995 and not on 17th May, 1995 after it was discovered that it violated the Public Order Act, Section 5 (2), Cap 656.

**Mr. Murungi:** The hon. Assistant Minister is a lawyer and he knows that under Section 2 of the Public Order Act, seminars are not public meetings which require licenses. If I could read the Section, it says:-

"A meeting means any gathering or assembly of persons convened or held for any purposes which include any political purpose but it does not include any gathering or assembly convened or held exclusively for lawful purposes of any public body, any gathering or assembly of members of any registered Trade Union convened or held exclusively for the lawful purposes of such Trade Union or any gathering or assembly convened or held exclusively for social, cultural, charitable, recreational, religious, professional, commercial or industrial purposes and to the promotion of which any political purpose pursued by or at such gathering or assembly is directly related or limited."

Mr. Deputy Speaker, Sir, the Citizens' Coalition for Constitutional Change is an umbrella organization of registered Human Rights Organizations working in the area of constitutional reform. In view of the definition given under Section 2 of the Public Order Act, it is quite clear that meetings held by such professional bodies do not require a licence under Section 5 (2) of the Public Order Act.

Mr. Deputy Speaker, Sir, it is also worth noting that on 16th May, 1995, about 4,000 Maasai moran invaded the High court and thereafter they were addressed by hon. Ole Ntimama, who is here, and also Mr. John Keen at Uhuru Park. They had no licence for that meeting and their meeting was not dispersed but ours of about 30 people, held at Lenana Mount Hotel, was dispersed. Can the Assistant Minister explain why hon. Ntimama's meeting was not dispersed and our seminar was dispersed?

**Mr. Sunkuli:** In the first place, that question demands a lengthy answer. I want to give the following answer in three parts. First of all, it is utterly irrelevant to bring about the circumstances of Uhuru Park incident which the hon. Member knows very well not illegal whatsoever because it was not convened as a meeting. The hon. Member would like to drag in that particular incident to make it look juicy. But the crux of the matter is that, there can only be two types of meetings, either a private meeting or a public meeting. Any meeting to which the members of the public have access as members of the public is a public meeting. Any meeting that is not of a professional organization for its executive purposes becomes a public meeting, a seminar is not a meeting of a professional group or a board meeting of any sort. A seminar is an invitation to the members of the public to come and congregate for a particular purpose. Thirdly, the hon. Member, who is a lawyer, and I am sure he still understands the law knows that when a meeting is convened for a particular purpose, it must never deviate to another purpose. The meeting must stick to the original purpose for which it was licensed and the hon. Member should be able to understand this.

**The Minister for Local Government** (Mr. Ntimama): On a point of order Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Are you sure that you are on a serious point of order?

**The Minister for Local Government** (Mr. Ntimama): I am on a point of order because I think the hon. Member is mis-leading the House by saying that hon. Ole Ntimama held a public meeting. He is mis-leading the House because in that incident, which I do not want to explain, the people came to listen to a case that concerned them and we parked our vehicles at Uhuru Park and we were all going to board our vehicles there on our way back home. So, there was no public meeting!

**Bishop Kimani:** I think the Assistant Minister should come out clear---

**Mr. Deputy Speaker:** You mean hon. Sunkuli?

**Bishop Kimani:** Yes. Is he in order to mislead this House because this seminar was organized for educational purposes and we have seen many seminars being held even without any permit. Recently, there was a big demonstration here and the demonstrators were not arrested. Then came the Dorobos whose rights have been violated and they were arrested.

Could the Assistant Minister come out clearly on how the law provides for such seminars? When this seminar was organized by the Opposition, its attendants were dispersed and some arrested. When the Dorobos demonstrate, they are dispersed and arrested yet they are weaponless. We get people demonstrating here on the streets while in a bus and uttering all kinds of words and they are not dispersed!

**Mr. Sunkuli:** The hon. Member has not proved that those other meetings were not licensed. It is very clear that there are some people who would like to drum up this issue. Every weekend, there are hundreds of licensed meetings which are held by the Opposition in this country. The meetings that we are not going to approve are those meetings that have not been licensed. Members of the Opposition, in particular, should learn to respect the law; so long as the law exists they must apply for licenses. If the law ceases to exist, then they will stop applying for licences.

**Dr. Otieno-Kopiyo:** Could the Assistant Minister Explain to the House why this particular law is being applied selectively? When KANU has a rally or a function or demonstrations on the streets organized by Gumo or the President stops somewhere to distribute vegetables in Naivasha, they do not require licenses. Any time I even stop in my own constituency to talk to people, they are dispersed. Could he explain why this Law is being applied only to the Members of the Opposition?

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

**Mr. Deputy Speaker:** What is this burning point of order Mr. Sankori?

**Mr. Sankori:** Why should a con-man like this one drag the name of the President---

**Mr. Deputy Speaker:** Order! Order! Hon. Sankori, will you stand up, withdraw and apologise to the hon. Member?

**Mr. Sankori:** I withdraw and apologise to hon. Dr. Otieno-Kopiyo.

**Mr. Sunkuli:** The hon. Member cannot, of course, refer to His Excellency the President in such derogatory terms. It is really unfortunate also that the hon. Member stands up under the pretext of asking a question just to derisively talk about the Head of State of this country. The Government does not apply the law selectively. Each one of these hon. Members must apply for a licence when they have a public meeting. We do in fact apply for our licences so that we hold public meetings. The hon. Members should be organized enough to be able to get their licences in time, just as we do on this other side, so that they do not get into trouble with the law. All these other meetings that hon. Members are discussing are actually licensed meetings. They have not been able to prove that they are not licensed meetings.

**Mr. Gatabaki:** Mr. Deputy Speaker, Sir, when his Excellency the President arrived from Auckland, he expressed horror at what was going on in Nigeria. Is the Assistant Minister aware that continuous persistence---

**The Assistant Minister for Public Works and Housing (Mr. Mwamzandi):** On a point of order Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order! Mr. Gatabaki has the Floor!

**Mr. Gatabaki:** Mr. Deputy Speaker, Sir, when his Excellency the President arrived from Auckland, he expressed horror at what was going on in Nigeria. Is the Assistant Minister aware that the continuous interference by police in these types of constitutional conferences does harm to international opinion and gives Kenya a very bad image that would horrify the President of Kenya?

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, the hon. Member, who has just spoken together with hon. Dr. Otieno-Kopiyo, has had occasion to say in this House, that it is the duty of the Opposition to paint the Government black and I know that, that is the image that hon. Gatabaki would like Kenya to have outside this country.

**Hon. Members:** Shame on them!

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, the truth is that, that is not what is painting this country black. It is the malicious propaganda by certain Members of the Opposition, who go out of the country to discuss negative aspects, which has created problems for themselves; they do not want apply for licences.

**Mr. Deputy Speaker:** The very last one from hon. Murungi!

**Mr. Murungi:** Thank you, Mr Deputy Speaker, Sir. I had the honour recently to attend a seminar organised by Mr. Hilary Ngw'eno, which was also attended by nine Cabinet Ministers and the Leader of the Official Opposition and other Opposition Members of Parliament, and the officials of the World Bank at the Taita Hills Lodge. Can the Assistant Minister tell this House whether Mr. Hilary Ngw'eno had applied for a licence to hold that seminar or not?

**Mr. Sunkuli:** Mr Deputy Speaker, Sir, every seminar must be licensed.

*(Applause)*

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

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

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

**Mr. Murungi:** Mr. Deputy Speaker, Sir, I was asking whether that seminar was licensed or not. I did not ask about other seminars.

**Mr. Deputy Speaker:** Order! Order! Order! Mr. Murungi, you asked the Question. Mr. Assistant Minister, what was your answer? May I

**[Mr. Deputy Speaker]**

hear it again? I was consulting with the Clerk-at-the Table.

**Mr. Sunkuli:** Mr Deputy Speaker, Sir, should the hon. Member mark my answer and give it marked.

**Mr. Deputy Speaker:** I did not hear what you said.

**Mr. Sunkuli:** I said that every seminar must be licensed.

**Mr. Deputy Speaker:** Thank you. Next Question by Private Notice! Mr. Kennedy Kiliku!

### QUESTIONS BY PRIVATE NOTICE

#### REGISTRATION OF ISLAMIC COLLEGES

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

Why has the Ministry refused to register the Islamic Teacher Training Colleges at Mikindani in Mombasa and at Murang'a?

**The Assistant Minister for Education** (Mr. Komora): Mr. Deputy Speaker, Sir, I would like first to apologise for my delay. I was trying to chase a few things here and there.

Mr. Deputy Speaker, Sir, I beg to reply.

At the outset, let me say that my Ministry has not refused to register the Islamic Teachers Training Colleges at Mikindani in Mombasa and at Murang'a. In order for my Ministry to register any primary teacher training college, it has to be satisfied that there is adequate land for requisite physical facilities and play grounds for a whole range of sports and games. This condition has been a major stabling block for the registration of the two Islamic teacher training colleges at Murang'a and Mombasa.

Mr. Deputy Speaker, Sir, the current Government policy, and, therefore, of the Ministry of Education, is that no new private teacher training colleges will be authorised by the Minister for Education to be established until further notice. Evaluation of this policy was necessitated by the hard realities facing this country: We have reached a point of saturation as far as the production of teachers is concerned.

**Hon. Members:** Mr. Deputy Speaker, Sir, Mr. Sankori and Dr. Kopyo are going to fight.

**Mr. Deputy Speaker:** Order! Mr. Assistant Minister, have you finished answering.

**An hon. Member:** Yes!

**The Assistant Minister for Education** (Mr. Komora): No, I have not finished answering, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Okay, continue with your answer!

**The Assistant Minister for Education** (Mr. Komora): Let me start again, Mr. Deputy Speaker, Sir.

On the outset let me say that the Ministry has not refused to register the Islamic teacher training colleges at Mikindani in Mombasa and at Murang'a. In order for my Ministry to register any primary teacher training college, it has to be satisfied that there is adequate land for the requisite physical facilities and play grounds for a whole range of sports and games. This condition has been a major stabling block for the registration of the two Islamic teacher training colleges in Murang'a and Mombasa.

Mr. Deputy Speaker, Sir, the current Government Policy, and, therefore, of the Ministry of Education, is that no new private teacher training colleges will be authorised by the Minister for Education to be established until further notice. The evaluation of this policy was necessitated by the hard realities facing this country: We have reached a point of saturation as far as the production of teachers is concerned.

We are producing more teachers than we need, while conditionalities of the Structural Adjustment Programme have placed a severe limitation on the Government ability to employ graduates from our teacher training colleges. Up to now, we have not been able to employ most of the 911 teachers who graduated from private teacher colleges in 1994 because we have no vacancies for them.

Mr. Deputy Speaker, Sir, with regard to the circumstances appertaining to the teachings of Islamic

Religious Education in the country, and in view of the current over-supply of the primary school teachers, my Ministry would like to make the following recommendations.

**Mr. Nthenge:** On a point of order Mr. Deputy Speaker, Sir. The Assistant Minister is making a speech instead of answering the Question.

**The Assistant Minister for Education (Mr. Komora):** Mr. Deputy Speaker, Sir, I am not making a speech; I am answering the Question so that the hon. Members of this House can appreciate the problems which are involved in this matter. Our recommendations are as follows:

(a) The two Colleges in Murang'a and Mombasa should be registered forthwith as institutes of Islamic religious studies but not as primary teachers training colleges.

(b) The Ministry of Education aims at providing increased opportunities for training of Islamic religious teacher in all the 20 public primary teachers training colleges.

Shanzu and Garissa Teachers Training Colleges will be strengthened with immediate effect to cater for the training of Islamic religious teachers.

**Mr. Arte:** On a point of order, Mr. Deputy Speaker, Sir. My point of order is that the Assistant Minister is talking about Garissa Teacher Training College when we do not have such a college!

**An hon. Member:** What do you have?

**Mr. Arte:** We do not have Garissa Teacher Training College yet.

**Mr. Deputy Speaker:** I thought there is even a Principal!

**Mr. Komora:** Mr. Deputy Speaker Sir, we have Garissa Teacher Training College and it will be opened and be functional.

**Mr. Kiliku:** Mr. Deputy Speaker, Sir, Mikindani Islamic Teachers Training College was built more than five years ago. I do not agree with the Assistant Minister's answer that the stumbling block to registration of this college is lack of land and so on. Mikindani Islamic Training College was given land by the Municipal Council. A lot of land in Mikindani was allocated to this college. The college was constructed and finished five years ago. Could the Assistant minister assure this House that these colleges would be registered?

**Mr. Komora:** Mr. Deputy Speaker, Sir, my reply is specific that the Government is not in a position to register any private primary teacher training colleges until further notice.

**Prof. Mzee:** Mr. Deputy Speaker, Sir, I am really saddened by the reply by the Assistant Minister for Education. He has made it very clear what is the policy of the Ministry of Education is against Muslims. I am warning the Minister for Education, and I have all the rights as a representative here for the Muslims and the hon. MP for Kisauni to warn him that this policy of discriminating against Muslims is bad. The only teacher training colleges Muslims have are the ones at Murang'a and Mikindani. Muslims spent over Kshs.100 million on these colleges. You, as the Assistant Minister for Education, should know that we have built colleges which have first class buildings and enough playgrounds.

**Mr. Deputy Speaker:** Please address the Chair?

**Prof. Mzee:** Mr. Deputy Speaker, Sir, this Ministry of Education is anti-Muslim because there is a big a shortage of Muslim teachers in this country. In Mombasa alone, we have got 86 primary schools with only 150 Muslim teachers and not Islamic teachers. There are not enough teachers in any of those schools. This Assistant Minister comes here and tells us that they cannot register a college for training Muslims! I have no question for this Assistant Minister. You can go away and do whatever you want!

**Mr. Deputy Speaker:** Order! Order! Did you say that you have no question?

**Prof. Mzee:** Mr. Deputy Speaker, Sir, I have no question because whatever he is going to say is anti-Muslims.

**Mr. Deputy Speaker:** Order! Order! If you have no question, I am afraid you should not have wasted time of the House.

**Mr. Mulusya:** Mr. Deputy Speaker, Sir, what hon. Kiliku said is that this college was built five years ago and a lot of public money was spent. The Government machinery and the procedure is that before construction starts there is basic approval by the local authority and the Ministry for any project of that nature. Can the Assistant Minister admit that it has taken five years to register this Islamic Teachers' Training College because of the same reasons for which they have refused to register IPK as a political party?

**Mr. Komora:** Mr. Deputy Speaker, Sir, my Ministry is serving all the children as the responsibility to educate them irrespective of creed, religion, colour lies with the it. Any factor that can be considered or construed to be discriminatory does not exist. In the second instance, we have no particular discrimination against any section of our community.

**Mr. Badawy:** Mr. Deputy Speaker, Sir, does the Assistant Minister realise that he is giving us two



conflicting reasons for the non-registration of the college? That one of them does not have enough facilities is not true because even the Ministry's inspectorate has given a full report confirming that there are all the facilities required? Two, on the question of saturation of teachers, will the Assistant Minister agree to register the college upon undertaking by the sponsor that the teachers do not have to be employed by the Teachers Service Commission and that there are private donors and private schools that are ready to employ teachers who graduate from these two colleges?

**Mr. Komora:** Mr. Deputy Speaker, Sir, the purpose of training teachers is to absorb them in teaching places in this Republic. We cannot see why two colleges can train teachers with the aim of getting them employed when they cannot find any employment at all. We will definitely be able to absorb all trained teachers from our institutions if we teach Islamic studies within the teacher training colleges we already have which are funded by the Government.

At the same time, let me inform the hon. Member of Parliament for Kisauni that, in fact, our proposal is to strengthen Islamic studies for the benefit of the same Islamic communities. We have applicants who can be trained in our teachers' institutions. This is very important.

**Mr. Falana:** Mr. Deputy Speaker, Sir, I am surprised by the answer given by the Assistant Minister. I do not know whether the Assistant Minister and the Minister himself, Mr. J.J. Kamotho, are in touch. I am saying this because I, personally, with a team of Muslim MPs, had discussed this issue with the Minister. The Minister had given us an undertaking that he would register this college. It would look very unfair because perhaps it bears the name "Islamic Teacher Training College" and that it would not be registered would send some other signals. We have enough problems in this country and we do not want to add on a religious problem to the existing Kenyan problems. Is the answer the hon. Assistant Minister is giving this House, and the country at large, similar to the answer the hon. J.J. Kamotho promised to give on the Floor of this House? I am asking this because it is very different. Perhaps when we consulted the hon. Kamotho he did not want to give credit to hon. Prof. Mzee and hon. Kiliku because they are in the Opposition but this is not an Opposition business. When these colleges are open, they will recruit all Kenyans irrespective of their political beliefs and what have you. So what is happening? Why is what the Minister consented to and promised to do different from what the hon. Assistant Minister is giving on the Floor of the House? Nyinyi mnawasiliana kweli?

**Mr. Komora:** Mr. Deputy Speaker, Sir, whatever the hon. Kamotho told hon. Falana and his group, I am not aware of. What I have given is the answer which was given to me by the Minister because he was to be absent from the House.

**Mr. Kiliku:** Mr. Deputy Speaker, Sir, before this Islamic Teacher Training College in Mikindani was constructed, I was an hon. Member of Parliament and its trustee and I went to the Ministry. First of all, the building plans were approved by the same Ministry before it was constructed. Why is the Assistant Minister talking as if the Ministry had no knowledge of the existence of the Islamic Training College in Mikindani when it is the same Ministry that approved the construction of that College? The college got money through the Mombasa Municipal Council from Islamic organisations in Mombasa, and the Saudi Arabian Government?

**Mr. Komora:** Mr. Deputy Speaker, Sir, if hon. Members listened to my answer they would have realised that my reply emphasised on one area of serious restriction in relation to the Structural Adjustment Programme, which has not given us freedom to continue absorbing newly trained teachers as we would have liked. I have stated clearly that for the time being, this Government is not in a position to register any private teacher training college.

**Mr. Kiliku:** Mr. Deputy Speaker, Sir, more than five years ago, when the Minister approved the construction of that college, there was nothing like Structural Adjustment Programme. Why should he bring in that issue now when the same Ministry approved the construction of this college?

**Mr. Komora:** Mr. Deputy Speaker, Sir, I have stated very clearly that, for the time being, this Government is not in a position to register any private teacher training college.

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

**Mr. Deputy Speaker:** Order! Order, Mr. Arte!

Next Question!

#### SACKING OF CORPORATION STAFF

**Mr. Sifuna:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Labour and Manpower Development the following Question by Private Notice.

(a) Is the Minister aware that Kenya Film Corporation sacked fifty seven (57) employees without notice?  
 (b) Is he further aware that the employees, who were sacked, have not been paid their terminal benefits?  
 (c) Can the Minister direct the Corporation to pay these employees their dues to enable them take their families back home?

**The Assistant Minister for Labour and Manpower Development** (Mr. Ali): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the Kenya Film Corporation went under receivership on 30th June, 1995.  
 (b) I am also aware that part of the employees' dues were paid to them by the liquidator on 5th July, 1995.  
 (c) The balance of the employees' dues shall be payable along with dues of other creditors on completion of the receivership process.

**Mr. Sifuna:** Mr. Deputy Speaker, Sir, arising from the Assistant Minister's reply, it is not true that these employees were paid anything by the Corporation. All these employees are in Nairobi without anywhere to sleep and no food to eat. Could the Assistant Minister make sure that this Corporation pays these employees so that they can take their families back home?

**Mr. Ali:** Mr. Deputy Speaker, Sir, records held in my office show that over KShs.209,215 was paid to all the employees as part of their dues and the remaining balance of KShs.2.9 million shall be paid along with dues of other creditors.

**Mr. Sifuna:** Mr. Deputy Speaker, Sir, what I am trying to tell the Assistant Minister is that all [Mr. Sifuna] the 57 employees were not paid. Originally, there were 83 employees, but the Corporation recalled 26 back on duty, but up to date 57 employees have not been paid anything. Could the Assistant Minister direct the Films Corporation to pay these people to enable them take their families to their respective rural homes?

**Mr. Ali:** Mr. Deputy Speaker, Sir, hon. Sifuna should understand that the Corporation in question is under receivership and the matter is being looked into in the usual manner.

**Mr. Kiliku:** Mr. Deputy Speaker, Sir, the Assistant Minister says that this firm is under receivership, but were these employees summarily dismissed, sacked or declared redundant?

**Mr. Ali:** Mr. Deputy Speaker, Sir, the term "receivership" is quite clearly understood and hon. Kiliku, as a lawyer, should be conversant with it. These employees were not sacked, but declared redundant.

**Mr. Mulusya:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Assistant Minister to misrepresent the professional status of hon. Kiliku as a lawyer while we know that he is not a lawyer? Can he undertake to find out our correct professions?

**Mr. Ali:** Mr. Deputy Speaker, Sir, that is out of question.

**Mr. R.K. Mungai:** Mr. Deputy Speaker, Sir, the Assistant Minister in his reply has informed us that the Kenya Film Corporation went under receivership, but a few months ago, when I asked a Question regarding the Kenya Film Corporation, I was told that the company was under liquidation. Does the Assistant Minister know the difference between the two? It appears as he is misleading this House. Is it under receivership or in liquidation?

**Mr. Ali:** Mr. Deputy Speaker, Sir, it is in liquidation.

**The Deputy Speaker:** Next order!

## POINT OF ORDER

### PLIGHT OF UNIVERSITY STUDENTS

**Mrs. Ndeti:** On a point of order, Mr. Speaker, Sir. I am rising to request the Minister for Education to issue a Ministerial Statement on the state of affairs prevailing in our public universities. As we know, Kenyan University students rioted last week and they have been sent back home and that Nairobi University opened its doors last week. As we are here in this House today, only about 900 students have reported out of the expected 7,000 at the University of Nairobi, and the biggest problem is the loan scheme. A lot of students have not been awarded loans and their parents cannot raise the expected fees. Even some of those who have managed to pay the fees and accommodation still have no money to buy food. The other issue is that the prices of food in all the universities have been increased by the Catering Board and most of the students cannot afford a decent meal a day.

Mr. Deputy Speaker, Sir, I would like the Minister for Education to make a statement with a view to enabling all the students who have been admitted to our public universities to be able to report back and have the

total loans made available to them. This loan scheme should be made automatic to all the students admitted to the public universities so that students from poor families can be enabled to join the universities.

**Mr. Deputy Speaker:** Mrs. Ndetei, what is your point of order?

**Mrs. Ndetei:** I am requesting for a Ministerial Statement and what the---

**Mr. Deputy Speaker:** We have heard that. Thank you.

**Mrs. Ndetei:** Mr. Deputy Speaker, we know that there are students who have cheated in filling in their loan forms with full knowledge of their parents, and even some of the parents are in this House. That is why they are shouting and some of them are Cabinet Ministers. So they had better listen to what I am saying as I am making a very important point, that the loans awarded to those students who have cheated should be recalled as some of the parents, or guardians, can afford to pay the fees whereas students who cannot afford have been denied this facility.

I would like the Minister to make a statement in this regard as soon as possible so that we can know what we are expected to tell our students about this loan scheme when we go back to our constituencies.

Thank you.

**An hon. Member:** Good Gracious Lady!

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

## MOTION

### AMENDMENT TO LAND ACTS

*(Mr. Nyagah on 5.11.95)*

*(Resumption of Debate interrupted on 5.11.95)*

**Mr. Deputy Speaker:** Who was on the Floor? Mr. Mulusya?

**Mr. Mulusya:** Mr. Deputy Speaker, Sir, before the House rose, I was trying to explain to this House the deviation from the established practice involved in the allocation of Government land. The original purpose of Plot Allocation Committees has been disregarded and the Minister is very much aware of this. The cardinal issue which was supposed to be considered, the ability for any individual to develop the land applied for from the Government, has been ignored. A condition for land allocation was that one should not transfer that land until one has fully developed it, but now the trend is that the land is being allocated purely on a speculative basis. But now land is being allocated purely on a speculative basis for speculative purposes. In this way people in this country have amassed huge sums of money through being allocated land and then selling it to individuals.

Mr. Deputy Speaker, Sir, this practice has crept into public institutions like the National Social Security Fund (NSSF). The NSSF has within a year lost billions of shillings. For example, in Machakos, Athi River and Kitengela the NSSF has bought 2,178 acres of land at highly inflated rates. The value of land in Athi River, Machakos Town and Kitengela in the open market is Kshs125,000 per acre and the average price if you are allocated that land by the Commissioner of Lands is around Kshs42,000 per acre. Now most people in the Government and in KANU are being allocated land and selling it to the NSSF at Kshs700,000 per acre instead of Kshs125,000 in the open market, or Kshs42,000 when it is a direct allocation by the Commissioner of Lands.

*[Mr. Deputy Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Dr. Ombaka) took the Chair]*

This practice has made the NSSF pay Kshs1.5 billion on these 2,178 acres as opposed to the Kshs9 million which it would have paid if it paid the normal prices of land.

**The Minister for Labour and Manpower Development** (Mr. Masinde): On a point of information, Mr. Temporary Deputy Speaker, Sir.

**Mr. Mulusya:** I do not need any information because the Minister is unable to control the NSSF on this rampant misallocation of workers' money. If this land was allocated direct to the NSSF by the Commissioner of Lands the Fund would have saved Kshs1.5 billion. Instead of this happening this money is going to the Minister and other people in preparation for the 1997 general election.

**The Minister for Labour and Manpower Development** (Mr. Masinde): On a point of order, Mr.

Temporary Deputy Speaker, Sir. Is the hon. Member in order to mislead this House by saying that the NSSF has bought 200 acres for over Kshs1 billion? Can he substantiate that?

**Mr. Mulusya:** Mr. Temporary Deputy Speaker, Sir. I did not talk of 200 acres. I talked of approximately 2,178 acres. I will shame this Minister if he insists on interrupting me. The information I am referring to is not secret. I am saying that the Government should be able to follow the laid down procedures in the allocation of land. Why should somebody be allocated a five-acre industrial plot, after which--- The whole of the land along Nairobi/Mombasa Road was allocated to Kenyans to develop, but they have sold it to Asians for exorbitant amounts of money. I wish the hon. Minister for Lands and settlement would want to challenge me on this one.

**The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi):** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Mulusya in order to mislead this House by saying that Kenyans should not freely sell the land they are allocated? Is he in order to restrict the freedom of Kenyans to do what they want to do with land?

**The Temporary Deputy Speaker (Dr. Ombaka):** Dr. Misoi, that is not a point of order!

**Mr. Mulusya:** Mr. Temporary Deputy Speaker, Sir, the hon. Assistant Minister is a direct beneficiary of that speculative system of land allocation. He was allocated land and instead of developing it he sold it the following day to Asians. Why did he not develop the land since the Government allocated him land so that he could develop it?

Yesterday, there was a Question here about allocation of land to an individual in the Jogoo Road Government Quarters, where even members of staff of this National Assembly are living. This individual has now started construction work, which has blocked all the facilities in the estate: The toilets are stinking because there is neither water nor sewerage system. This is shameful!

**The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi):** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for allowing me to contribute to this Motion. The Motion tries to simply politicise land allocation in this country. We have adequate laws in this country to govern not only the allocation of land but also its utilisation. We must also understand that there is no law which is foolproof. What is important is that the law should be implemented the way it is supposed to be implemented. If the existing laws could be implemented properly, and not for speculative purposes and other personal enrichment motives, then we would have very few complaints. We should be calling upon those charged with the allocation of land and land control boards to do their work in a transparent manner and for purposes which benefit the public.

The problem we have in this country is that most people do not follow the law. Even the Opposition is opposing everything the Government is doing for the sake of it and not on reasonable grounds. This is the problem we have. People are not obeying laws. People are not even getting licences to do what they are supposed to do like holding public meetings. If we want to do the right things we have to follow the law. In terms of land use in this country, there is need for review of the whole process of land utilisation in this country so that land for public utilisation is not misallocated or misdirected to other short-term benefits. We have to look ahead 100 years to come. Planners must stick to the specified land use. We have a lot of complaints that public land has been allocated to individuals to develop. Public land like parks and gardens and other open spaces, which are supposed to benefit Kenyans for many years, should not be allocated to private individuals to put up structures of concrete all over the City. That is a disadvantage to the people of this country and to the future generations. We must have a properly planned urban development and we must respect the interests of the public. If we can do that, all these complaints about corruption and speculation will not be there. In fact, none of the leaders here can claim not to have benefited, in one way or another, from getting land somewhere, either for commercial purposes or for residential purposes. All of these Members of Parliament must have benefited one way or another---

**Mr. Maore:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it right for the hon. Member on the Floor to generalize such an important issue, knowing very well that he is doing it for the Press and not for this Motion? Can he substantiate that all hon. Members have benefitted from illegal land allocations?

**The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi):** Mr. Temporary Deputy Speaker, Sir, what I am saying is that all the land allocations in this country are for some useful purposes. The only difference is that, if land is earmarked for specific activities or use, it should not be misdirected; this is what I am saying. I am also saying that Kenyans are free to do whatever they want with the land they have been allocated. If it is to develop houses, let them develop; if they want to sell it, let them sell it because that is the right that they have under the Constitution. Nobody in this House should restrict or limit the

right of people to do whatever they want to do with their land, so long as it is for specified purposes and according to the law. The problem of the land in this country is very sensitive because most Kenyans depend on land for their survival. That is why the rights of the people should be protected. For example, the Trust Lands Act should protect the land for use by specific people, wherever they may be. Speculators should be restricted from encroaching on such areas because when they do that, they create problems for the future and for the children of the families of today.

If we have to avoid this conflict on land, we must apply the law to the letter. The land control board should be able to approve land allocations in a transparent manner. They should be incorruptible; they should not be "bought" or influenced in approving land transactions. We know that there are individuals who are so corrupt that they will even try to influence the members of the land control boards to do the wrong things. That is why we are calling on every Kenyan to have moral values and do justice to the people of this country. At the end of the day, if we do the wrong things, all of us will be victims of chaos and troubles in future. Nobody will survive if chaos and violence erupt in this country simply because people are breaking the law, stealing land and displacing landless people. People who have no shelter or anywhere to stay should also be protected, and that is the role of the public, the Government and all the leaders, regardless of whether they are in the Opposition or the ruling party. This is because, at the end of the day, we are leading people, not animals, and the lives of the people are the same.

That is why the differences that are sometimes expressed in this House cause a lot of alarm because some people behave as if they are living stones, while others behave as if KANU is not leading people. This is a mistake which the Opposition is pursuing. They imagine that the KANU side is not concerned about the welfare of this nation and yet KANU has ruled this country for 33 years. We have developed and remained peaceful. We should appreciate the peace and stability we have by being law-abiding and orderly because the time we disobey the law is the time we create chaos and social unrest. The time we use tribalism to discriminate against other people or to exploit others is the time we will be building a very dangerous future where none of us will be secure, happy or free to do what he is expected to do. It is this House which can put things right. We need to have dialogue, to discuss issues of this kind and to agree or to disagree but we do not need to fight. We do not need to divide the people. Wananchi are not the Opposition, they are Kenyan citizens, and that is the most important thing; people matter more than even the leaders themselves. We should not use the people for our own personal benefit, to divide them, to promote tribalism, hatred and civil disobedience. This is very disappointing indeed. You find that even those who are knowledgeable in law, like the learned friends, promote concepts which will lead to civil disobedience. You even find them proposing laws and regulations which will enhance mob justice. How do you control a situation like that?

None of us can provide solutions to all problems facing this country. We must know the constraints we have, one of which is limited resources. We cannot promise people that they will get land. Not every Kenyan will get land. We cannot promise people that they will all be rich. There is no such a situation. So, all of us must be role models for the society and all of us must work for the welfare of society and just governance of men. In doing so, we must respect the government. The Opposition must be loyal to the Government and should not always be disobeying it.

I beg to reject this Motion.

**The Temporary Deputy Speaker** (Dr. Ombaka): Hon. Muite, you have three minutes.

**Mr. Muite:** Thank you, Mr. Temporary Deputy Speaker, Sir, for the three minutes. In those three minutes, I want to say that this is a very serious matter. The present Government is behaving almost like an occupation force. Our forests are gone, all the public land is gone and land in this country is being used as a political tool for patronage. This is a most serious matter. It was St. Augustine who said that a government without morality is, in fact, like a gang of robbers, and that aptly describes the present government. When you go through the list of the land that has been bought by the NSSF, you will see that public land is allocated to individuals. The same day or the following day, that land is sold to the NSSF at very exorbitant prices. In Kitengela, for example, a piece of land is sold to the NSSF at Kshs105 million. In Athi River, a piece of land is sold to the NSSF at Kshs581 million. This list shows that the NSSF has purchased land, particularly, in Machakos and Athi River, amounting to over Kshs18 billion. This is workers' money. This is money that is contributed by messengers, watchmen and all the humble people of this country. This is the money that is ending up in the pockets of the politically powerful through the medium of the NSSF. This is a way of patronage and of enriching people at a time when we should be worrying about the environment. Every month we now see a notice in the Kenya Gazette where forests everywhere in this country are shrinking in order to make former forest land available again for allocation. We are behaving as if all the national resources, all the land in this country, belong to an individual. It is like in the old dark days in England when the King owned everything and he dished

these things to his political appointees.

Mr. Temporary Deputy Speaker, Sir, something has got to be done and the time is now. When the Opposition takes over, it is going to appoint a Truth Commission and every public land that has been taken is going to be taken back to the public or the equivalent compensation paid. I thank you.

**Mr. Nyagah:** Mr. Temporary Deputy Speaker, Sir, I am ready to give hon. Orengo some five minutes.

**Mr. Orengo:** Thank you, very much, Mr. Deputy Speaker, Sir, for the five minutes.

Sometime last week, somebody talked to me in terms similar to those which hon. Muite has used from St. Augustine, that this Government is like a government of robbers. From the list which he has just read, it is quite clear that the KANU Government is using public land in order to secure the loyalty of certain people in this Government, particularly the sycophants in the KANU Government. They are only loyal to the KANU Government because they are able to get land which they sell at very exorbitant prices. It is very disturbing that in areas like the Coast Province and in some areas in Maasailand, Machakos and Nairobi, public land is being used as a basis of making exorbitant sums of money. If the colonial Government was behaving like this Government, we would not even have a place to build schools and public utilities. Probably even the former Government House where the President of this nation stays would have been sold by the Governor-General. I am sure that if this Government continues to be in power for another five years, and knowing that this Government has already secured an airport in Eldoret and a private jet for the President, even State House will be allocated. This Government has no morals at all.

So, I want to tell hon. Members in the opposite side that they can never get away with injustice. Kamuzu Banda has learnt that whatever Christian name you are given, you can be called a "Ngwazi" but you can never run away from injustice. So all this public land that you have acquired from the public in this country one day you are going to answer questions about it. We shall get it back.

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am just wondering whether all the land which has been taken since we got Independence should be returned to the owners.

**The Temporary Deputy Speaker** (Dr. Ombaka): What is your point of order?

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): I am asking him whether he thinks doing so is right so that we can [**The Assistant Minister for Information and Broadcasting**] return all the land we have acquired since 1962 to the owners. Is he in order to say so? Would he agree to return all the land he has acquired to poor wananchi?

**Mr. Orengo:** Mr. Temporary Deputy Speaker, Sir, hon. Nassir cannot be comfortable because ---

**The Assistant Minister, Office of the President** (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Orengo in order to say that all the land that has been acquired unjustly should be returned to the owners when he has not told his clients to return the Masurura land to the Maasai.

**The Temporary Deputy Speaker** (Dr. Ombaka): That is not a point of order. Continue hon. Orengo.

**Mr. Orengo:** It is not a point of order. In any case, hon. Sunkuli who was just a magistrate the other day does not know what he is talking about.

At this rate even hon. ole Ntimama will not have an office in Jogoo House. He will wake up one day and find that it has been allocated to somebody. You have to stand up and protect the land of this Republic not just the land of the Maasai. You have been very good on Maasai land rights but you must stand up and be counted on a national level, that public land should not be taken away. I can assure you that it is only a matter of two years and we are going to catch up with the grabbers. Thank you, very much.

**Mr. Nyagah:** Thank you, Mr. Temporary Deputy Speaker, Sir. I hope I will say what I want to say within the next very few minutes.

I would like to thank most members of the Opposition who have addressed themselves to this Motion and show my disappointment in as far as members of the KANU side are concerned. What we are trying to do is to put the mechanism right in as far as the allocation of land is concerned, and not to discuss the plight of small homogeneous tribes in this House like hon. Sunkuli wants to bring before this House.

I would like to quote what the Government Responder said and this is what he said: "I would like to oppose this Motion because the Ministry is preparing a Bill to be introduced in this House next year and what we see is that the Motion will be a duplication of what we are trying to do". If, indeed, that is the truth and this comes from the Minister for Lands and Settlement, then I see no need of this side opposing what we have. We know for sure that they are going to oppose it but that notwithstanding, what we wanted was for them to see sense and accept this Motion but they do not quite agree with the composition of what has been suggested in this Motion. There is one thing. I want to say I will be a gentleman and stick to what I said on Wednesday. The

purpose was not to discredit the names of these people. After I have finished this response I will go public and I have the documents here and because I said I will not do it in the House, I will not do it.

Let me take one case that hon. Muite has just talked about in reference to a big monster called the National Social Security Fund (NSSF). It is true what hon. Muite has said, and I know that it is true, this Government should take action against those people who are responsible for the running down of the NSSF. In fact, you know certain countries have very strict rules and laws for people who corruptly take Government property. They are executed in public. You are only lucky in this country we do not have those kind of rules. It is a great shame to see that in the last two years NSSF, which keeps public money, can spend to a tune of Kshs 20 million in purchasing of land. Properties have been purchased from people and we have a list of some of them. They are Kenyatta Avenue, Kibera, Bishop Road Nairobi, Athi River, Mtwapa, Kenyatta Avenue, Mombasa, Kileleshwa, Kitusuru, Kangemi, Mavoko et cetera. All those parcels of land have been purchased and that is a great shame. Let me take an example of one case of a Member who is not sitting here where 417 plots in Embakasi were sold to NSSF, and each one of them cost Kshs 1 million and in the process Kshs 449 million was spent. That was former hon. Githunguri. Sorry, not hon. Githunguri but Mr. Stanley Munga Githunguri. That is the only name I will mention. The rest of the names are of hon. Members who are here and they are looking at me. They have no shame. People sitting on the Front Bench---

**An hon. Member:** Close your eyes.

**Mr. Nyagah:** People sitting on the Front Bench have their names on my list and yet they will be the first people to oppose this Motion. Do you have any shame and respect for those children, whom you are going to leave behind? You want to leave a bare country that none of us will appreciate; you old people who are stepping here, who have no future; I will live for another 40, 50 years; I will still be in this House; most of these people will be gone to hell.

Mr. Temporary Deputy Speaker, Sir, we would like this Government to address itself to---

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): On a point of order, Mr. Temporary Deputy Speaker, Sir. My point of order is whether my colleague, who is speaking with a loud voice, speaks the truth? He is only one-sided and none of them is on the other side. So, we condemn him.

**Mr. Nyagah:** Mr. Temporary Deputy Speaker, Sir, the truth can come out of what this Government has done, and this man is a beneficiary of it; I will leave this document on the Table, so that it can be seen by Kenyans.

Lastly, we would like this Government to be able to tell us whether a claim that is going on, that the State House land in Mombasa has been subdivided and allocated to powerful individuals, is the truth. I beg to move.

*(Applause)*

*(Question put and negatived)*

#### CONSTRUCTION OF DAMS

**Mr. Nthenge:** Mr. Temporary Deputy Speaker, I beg to move:-

THAT, since most of the land in Kenya is not used due to lack of water, yet Kenya supplies plenty of water to Lake Victoria and the Indian Ocean, and considering that Kenya has a high rate of unemployment, this House calls on the Government to embark on a major programme of constructing of dams, blocking rivers and using the water to irrigate dry lands, thereby reducing unemployment and boosting food production for domestic consumption and export.

Mr. Temporary Deputy Speaker, Sir, I am sure most of the hon. Members of this House who studied the geography of Kenya, noted that most of our land is dry. Most of the land is so dry that it is not used because there would be no life when there is no water. More than two-thirds of our land in Kenya is, therefore, idle and not used. Two-thirds of anything cannot be considered little; two-thirds should be considered very serious because it is most of the land. I do not have to labour on that simple geography, but anybody who has flown over country knows that most of the Rift Valley, Eastern, Northern Eastern and Coast Provinces is very dry, and a lot of dry land that has very good soil, but is not being used because of drought. Now, if that land is watered, it can be very useful. The land is very good; the only thing lacking is water.

If you go to Turkana, or anywhere you can think of, you will find that the soil is wonderful. Now, it is a question of water; do we get water or have it in Kenya? We have two rain seasons in year, we have two seasons every year when we get a lot of rain. Where does that rain water go? That rain water goes to the rivers. What

happens thereafter? The rivers take that water to Lake Victoria and the rest goes to Indian Ocean. What happens then? Lake Victoria does not require that water, nor does the ocean require that water. But, it is a fact that they get that water.

Now, I will, first of all, deal with Lake Victoria. What happens to that water, which has come from Kenya, goes to Lake Victoria, and then through the Nile and benefits, by irrigation, Egypt, which is drier than some of our Kenyan dry land. Egypt uses it for irrigation and benefits from our water. So, all I am requesting, is for this water, instead of us letting it go to Lake Victoria, and letting it be used by Egypt, I am saying let us use some it, and the balance, let it go to help Egypt. I have no objection in us supplying water to Egypt, but I am saying before we supply it, why do we not make use of it? That is why I said that the Indian Ocean does not require our water urgently; we can make use of it. If we construct dams across our rivers they will hold a lot of water, and that water will be used for irrigation. It will also be used for generating electricity and these days we have a shortage of electricity to the extent that frequent blackouts occur almost everywhere in Nairobi. To produce electricity, all you require is water and we have got water in our rivers. So, it is a question of blocking these rivers, causing a lot of water to collect and create little lakes and we use these dams, which I call "little lakes", to produce electricity and then we use the same water in the dry areas, right inside, and irrigate land.

Now, Mr. Temporary Deputy Speaker, Sir, somebody might ask: "What do you mean, Mr. Nthenge?" It is so simple, when we block these rivers, we are going to require people to work in these dams. To construct these dams we are going to have a lot of manpower used. Now, we are already having university graduates looking for jobs in Kenya. Form Four leavers looking for jobs in Kenya, Standard Seven, Standard Eight people looking for jobs in Kenya; we have a lot of idle people in Kenya. We have people who, by their ability, cannot employ themselves and they are waiting for the Government and the private sector to give them employment. I am now, therefore, suggesting that through this exercise we will be removing unemployment entirely.

The first group will be engaged in dam making, the next group will be engaged in electricity production exercise, the third group will be used in making canals to allow water to go to the shambas, and the fourth group will be working in the shambas producing food. So, by the time the whole exercise is in place, nobody will be unemployed. This mode of crop production will mean that people will build restaurants to sell a cup of tea, people will work there, and others will be carpenters making furniture; people will have work. So, economically you will find so many people will benefit, and when settlement then takes place in these irrigated places, schools will develop, teachers will be employed; they will get jobs, and watchmen will be there. When it comes to our dry land producing a lot of cattle, people will be milking, human beings will again be employed in milking cows, butcheries will be run, people will be selling meat, people will be tinning meat and we shall export that meat from this country to other countries in Africa, in Arab countries, Europe and all over the world. We will be in a position to export after we have taken enough. So, people in cities, like the ones I have the honour to represent, will be buying cheap potatoes, cheap unga and cheap foodstuff, because there will be enough, because scarcity makes anything precious.

Food in Nairobi is now getting expensive because there is not enough production. I would like these people who are idle in my constituency and the other hon. Members' Constituencies to be occupied, to be used in this exercise. I am suggesting this, so that they get employed and once they get employed, they also produce food for their colleagues in town and the meat which will come here will be cheaper, rice will be cheaper, wheat will be cheaper, potatoes will be cheaper and life will be better. That way again, we are going to be known as a wonderful country with a lot of hospitality by the world, and we will also attract tourists. A lot of people will come to tour our country and they will come and spend their money here: They will get cheap goods because our country is very rich in climate. One of the richest countries in climate is Kenya. It is never too cold; it is never too hot; so people want to come here for a holiday and once the food becomes very cheap, then you find when they live here for a month or whatever period, they find they have spent very little money on food. They will eat all sorts of fruits because once we water these areas, I assure you our papaws taste as sweet as any other fruits; they are very sweet. Then we produce melons and the rest. They will be very nice and the tourists will love to come to Kenya.

Mr. Temporary Deputy Speaker, Sir, we are gaining from all angles so long as we implement this thing. Some people ask: "Mr. Nthenge, how do we get the money?" There is a lot of money in the world for useful things. Leave alone this money which we get and steal ourselves, we send it back to Europe and deposit it in foreign banks. That is not my intention; my intention is that we should build dams. Once we make these dams, we irrigate our country; we get a lot of animals; we get a lot of crops and we will feed ourselves and other nations cheaply. Then people will come here and stay in our country because it is attractive; it has all sorts of things. We can produce almost anything after this irrigation. Other things like avocado will be produced from the areas which are of very potential very high and they produce crops of the like. So, we will be able to have anything you



can think of, because we will produce from our irrigation areas the best fruits, including berries, all types of berries - straw berries name them. And people will come here and feel they are in a little heaven.

Now, Mr. Temporary Deputy Speaker, Sir, my biggest interest is human resources who are there. We have a lot of human beings who are idle; we have a lot of land which is idle, we have a lot of water which is idle. Why do we not combine the three things and produce a wonderful Kenya? Because all we require is to send hon. Saitoti with another intellectual to speak to the money people, we will be lent money by the World Bank and other financiers. We will come and make our dams and our dams will produce electricity. That is one problem we will have solved; our dams will produce a lot of irrigation water, we will irrigate our crops, our resources will be used that way and, finally, everybody will be very happy in Kenya, because we will have enough to eat and will have enough of everything, including visitors.

Mr. Temporary Speaker, Sir, when we do these things, it will be very, very simple because a lot of people think we require a lot of equipment to irrigate land. Our country is very lucky. It has very high grounds and all we need to do is to have water in these higher places and water will flow by gravity. So, we do not have to pump it. Some countries have to irrigate by pumping water; we do not have to pump water; we just let water flow. The Tana River has a few dams now made but these dams are not producing quite enough electricity. The Tana and Athi Rivers drain their water into the Indian Ocean. But if we want to use the waters of River Tana because Tana River is very long and ends in the ocean, how many dams shall we have? We will have 100 dams along River Tana, 100 dams along River Athi, and the water will go to the land without requiring any pumping. We do not have to use any machinery. The water will simply flow to Turkana. Turkana is lower than Timboroa. Now, when we block these rivers which flow into Lake Victoria, we will get a lot of dams. The dams will send water up to the north, even Ethiopia might come and beg for water from us because we will be having a lot of water going to the north. So, the whole of Northern Kenya which is very dry, will be producing a lot of food. We will be producing wonderful animals because animals also require grass and water to drink. Now, when there is no water to drink, animals are scarce except for a few camels. I want us to change from this attitude of saying that it cannot be done to the attitude that it can be done. The whole Coast will be watered by the Athi River and River Tana. Only two rivers actually will serve the Coast and the Eastern Provinces. Then when you go to the northern side, all that water that goes to Lake Victoria from around Timboroa area, construct dams there, you get water there and let that water go beyond the boundaries of Kenya.

But I am talking particularly about the nation of Kenya. I am now looking at the North Eastern Province.

We will be able to produce a lot of things from Turkana and other areas. There are very many hon. Members from these areas. When I talk like this, they know that there is a lot of land which is not being used because we do not have water, yet we get water every six months during the rainy seasons. We get two rainy seasons in a year. Now, we let that water run into the rivers. I am saying that we should block the rivers, get dams and water the land which is dry. Through that way, you will solve the problem of unemployment and everything. Now, when you get crops, you will find factories will be build in places like Garissa and beyond Garissa. People will get employment and they will not have to flock to Nairobi as they do now. They will not have to run to Kisumu as they do now. People will go where employment is and we can create employment by starting to block the rivers, create many dams and get this water diverted to various areas. We will use very little piping. In fact we can use half-size pipes by getting a semi-circular pipe and water will go.

We do not have the problem of know-how. In Kenya, we have a lot of engineers. It is not like in the old days when we were depending on imported engineers. Our universities are producing engineers who have no work. They are ready to do a lot of work. They produce agriculturists who are ready to help us. They are producing all sorts of people. We have so many universities now in Kenya. When I was a leader in this country for the first time, we did not have a single university. So, some of these things looked impossible because we had to import people; we had to beg for everything. Now, we do not have to do that. Even in this House, we have a lot of learned men. So, we do not have manpower problems.

Mr. Temporary Deputy Speaker, Sir, with these few remarks, I would like the Motion to be seconded by Mr. Kiliku.

Thank you and I beg to move the Motion.

**Mr. Kiliku:** Asante sana Bwana Naibu Spika wa Muda. Nitazungumza Kiswahili safi. Nchi hii tangu tupate Uhuru, lazima nilaumu Serikali iliyopita na Serikali ya sasa. Watu ambao hawana maji ni Wakamba na watu wa Pwani. Wakamba wametumiwa na Serikali za Kenya zote mbili kama watumwa. Lilikuwa lengo la watu wa Ukambani na watu wa Pwani mahali ambapo mito imepitia kujengwa mabwawa. Mto wa Athi na Mto Tana inapitia Ukambani. Kenyatta alipotawala, alimchukua Bwana Ngei na kumwambia Wakamba ni watu wake. Sisi Wakamba tukakubali. Hatukupata chochote kutoka kwake. Hivi sasa, Moi ametawala na Wakamba wamechukuliwa tena. Wameambiwa: "Nyinyi ni watu wazuri na ni watu wangu", lakini hatupati chochote. Na

hapa ukiangalia sasa ni Mbunge mmoja tu kutoka Ukambani ambaye ni Jemedari Mstaafu ambaye yuko hapa. Wale wengine hawako hapa, wamekwenda "kutingiza". Ndugu zangu Wakamba, mtatumiwa vibaya namna gani na Serikali za Kenya? Ukitaka kutoa matunda katika mti, na matunda hayawezi kutoka, lazima uchukue jiwe na kuyatupia hayo matunda. Ikiwa hatupati maji Wakamba watakuwa watumwa wa leo na watumwa wa kesho. Na wakati wowote---

**The Minister for Labour and Manpower Development** (Mr. Masinde): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member instead of seconding the Motion, which is of national importance, to start preaching tribalism here and encouraging the Kambas to take whatever stand?

**Mr. Kiliku:** Mimi ni Mkamba Bwana Waziri! I declare my interests!

Bwana Naibu Spika wa Muda, mito yote ambayo inatoka Mlima wa Kenya, Mto Athi na Mto Tana, inapitia Ukambani na kuelekea Mkoa wa Pwani; mikoa miwili katika Kenya. Mikoa hii hivi sasa inasemekana eti ni sehemu za KANU na ndiko watu hawana maji. Mtatumia watu vibaya mpaka lini? Wakamba wanaambiwa mmoja wao ndiye mkuu wa utumishi wa umma na wana Mawaziri. Mawaziri hawa wanapeperusha bendera lakini hawana uwezo wowote. Ikiwa Mawaziri hawa wana uwezo, waende na kuamrisha maji yapelekwe Ukambani.

**The Assistant Minister for Education** (Mr. Komora): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to use a term that is contemptuous of the Kenya Government flag? "Bendera ovyo", means useless, meaningless and worthless and the Government knows that our flag is definitely not useless and worthless. Can he withdraw?

**Mr. Kiliku:** Nasema hata bendera zile za Mawaziri kutoka Ukambani hazina uwezo wowote. Kama zina uwezo, basi wapeleke maji huko.

**The Temporary Deputy Speaker** (Dr. Ombaka): Mr. Komora, that is his opinion he has given.

**The Assistant Minister for Education** (Mr. Komora): On a point of order, Mr. Temporary Deputy Speaker, Sir. He said "bendera ovyo". That is insulting even in Kiswahili.

**The Temporary Deputy Speaker** (Dr. Ombaka): That is his opinion and he is entitled to give it.

**Mr. Kiliku:** Mimi ninazungumza kwa chungu. Niliingia katika Bunge hili mwaka wa 1983, na wewe ulikuja juzi. Hebu angalia kama utarudi tena. Wilaya ya Tana River ina ukosefu mkubwa wa maji. Kwa vile mhe. Komora hawezi kuzungumza ninavyosema, yafaa mimi nimzungumzie. Kuna shida kubwa ya maji katika Wilaya ya Tana River na watu huko wanaliwa na mamba na hakuna chochote kinachofanywa. Hata mifugo wa watu wa Tana River wamekufa. Ikiwa tunataka kuwe na usawa katika nchi hii ni vizuri watu ambao hawana maji wapewe maji. Hakuna haja ya kuwapa misaada watu wakati wa njaa na wakati wa uchaguzi. Hilo si suluhisho la kudumu kamwe. Mipango ya Serikali ni watu wapelekewe maji karibu ili waweze kupata chakula cha kutosha. Lakini mipango ya serikali ya Kenyatta na serikali ya Moi, ni kwamba wa Pwani na ukambani wakipata maji na chakula itakuwa kwao kutumiwa na Serikali inavyotaka.

**Mr. Sankori:** On a point of order. This is a very important Motion of national importance. Is it in order for the hon. Member just to refer to the two areas while we know very well that there are other areas in Kenya which are equally dry as those areas?

**The Temporary Deputy Speaker** (Dr. Ombaka): That is not a point of order. You can express your views when you get a chance to contribute.

**Mr. Kiliku:** Bw. Naibu Spika wa Muda, nikitaja Coast au Eastern Province, hiyo ni national pia. Wakati umefika ili kuwe na project hivi sasa na si kesho kut ili watu ambao hawana maji watapelekewa maji karibu ili waweze kutumia katika mashamba ili wapate chakula cha kutosha. Nenda ufanye Harambee huko ambao hakuna maji; utaona mtu akileta Kshs10 kwa sababu hakuna mapato. Na wale ndio wanaambiwa kwamba wanang'ara kama nyanya. Hamuoni aibu mnapoambiwa kwamba munag'ara kama nyanya na nyinyi ni maskini ambao hamna maji? Ni wakati gani Serikali hii itasikia? Siku moja Mkamba atazaa mtoto na mtu wa Pwani atazaa mtoto ambaye ataichukua hii Serikali mpende mpende ili kuwaokoa wale watu kwa kuwapa maji.

Watu wengine kutoka ukambani waliunga mkono ujenzi wa mfereji wa mafuta kutoka Mombasa hadi Nairobi badala ya mfereji wa maji. Ni wakati gani watu watakoma kutumiwa vibaya namna hiyo? Ni lazima kuwe na mwamko. We have to tell you frankly and in the face that you are misusing the two communities, the Kamba and the Coast people." Hata mkienda kule mnatoa ahadi za uwongo. Ni hadi lini ambapo Serikali itaendelea kutoa ahadi kuhusu kwa watu wa ukambani, ambazo si za kweli? Hakuna haja ya ahadi kama hizo kutolewa na wale watu wetu wazuri kama Generali Mulinge; askari ambao wanaweza kutusaidia kumpambana na Serikali ili ituletee maji, wanachukuliwa kufanywa wanasiasa, na wanaambiwa watingise vidole vyao vya shahada; generali mkubwa. Hii ndiyo sababu tunatumika vibaya. Wale watu wetu ambao wanaweza kutusaidia tukaandamana

kwenda kwa Serikali ili tukapata maji ndio wanafanywa wanasiasa. Hivi karibuni Wabunge wote kutoka ukambani watakuwa watu waliostaafu kutoka kwa jeshi au polisi na kazi yao ni kupiga saluti. Hii ni kwa sababu wao ni watu wenye nidhamu. Hawawezi kwenda kinyume na Serikali. Ni watu wenye nidhamu. Wakati umefika ambapo ni lazima kuwe na mwamko, na hivi karibuni lazima tutwaamsha wale watu waanze kudai haki zao kutoka kwa Serikali ya Kenya. Wakati tulikuwa tukipigania Uhuru, Wakikuyu walisema wanataka ardhi na wakapatiwa. Wakamba nao wakasema wanataka maji na hawakuyapata. Tuliitumiwa vibaya.

**The Assistant Minister for Agriculture** (Dr. Misoi): On a point of order. Mr. Temporary Deputy Speaker Sir. Is it in order for hon. Kiliku to dwell on rather irrelevant issues instead of addressing the sentiments of the Motion which affect the whole country?

**Mr. Kiliku:** Nina wasiwasi na Mbunge huyu kwa sababu yeye alisema anataka Majimbo. Baada ya kupeleka kila kitu Rift Valley, wanataka Majimbo ili Wakamba na watu wa Pwani wabakie bila cho chote. Mimi nazungumza kwa sababu Serikali si ya Mwingereza; Serikali ni ya baba na ndugu zetu, na inaongozwa na Mwafrika. Hii ni Serikali yetu. Ni kwa nini isiwahudumie watu wengine? Ikiwa una watoto watano ni lazima kila mtoto apate kitoweo na madondo yo yote yale. Ni kwa nini hawa watu wamenyimwa maji miaka hii yote na kutumiwa vibaya? Hawaoni aya kwenda kufanya Harambee kwa watu maskini. They are becoming a poorer and poorer community. Huu ni kama mpango wa Serikali kuwafanya hawa watu wawe maskini ili siku moja wawe wadhaifu ili wasidai haki zao. Serikali ya aina hiyo inafaa ikataliwe. Ikiwa Serikali haiwezi kuwa na mipango kuwapatia watu chakula, naomba watu wale waikatae hiyo Serikali mpaka watakapopata maji. Serikali yao itakuwa ile itakayowaletea maji.

Kwa hayo machache, naunga mkono.

*(Question proposed).*

**The Assistant Minister for Finance** (Mr. Keah): Thank you Mr. Temporary Deputy Speaker for the opportunity to contribute to this Motion. This Motion is excellent and I support it. In supporting this Motion, I would like at the outset to say I do not support the abusive manner in which some of my colleagues tend to speak against the Government. We are here as hon. Members to make meaningful contributions to very important Motions such as this one, and I would only urge my colleagues to desist from using abusive language when expressing their views. Abusive language is not going to take us anywhere. It is not going to solve the problems of lack of water, unemployment and, indeed, funds for the construction of dams. Let us use good reasoning so that we can make an impact. Let us look for ways and means of raising money instead of abusing one another. So much for that.

Mr. Temporary Deputy Speaker Sir, this Motion calls upon the Government to embark on major programmes of construction of dams and the use of water to irrigate dry lands in order to reduce unemployment and boost the productivity of food, both for domestic consumption as well as for export. Nothing could be more honourable than the intentions of this Motion, and I would really like to congratulate the hon. Nthenge for bringing this Motion and I am sure that those of us in the Government will certainly support this very positive Motion. In doing so, let me note further that it is a fact that a lot of water goes to waste in the Indian Ocean and in Lake Victoria.

Mr. Temporary Deputy Speaker, Sir, it is indeed true that we need to construct the dams. We must construct these dams and here I will say we construct dams not just for irrigation, but we indeed need these dams to conserve water for the very, very basic needs, for human consumption. In parts of my constituency, 50 per cent of my Kaloleni Constituency, we have problems of water. In the good old days, we had over 50 dams within the Constituency. Today, these dams have all silted up and they are in disuse; we only have a handful of them now that can collect water. It is in this regard that I certainly support the construction of the dams and, indeed, even de-silting those dams that are silted at the moment as well as constructing the new ones.

Mr. Temporary Deputy Speaker, Sir, we need these dams for livestock in parts of the country. We cannot, perhaps, grow food crops simply because the soil is of a texture that cannot permit the growing of food crops but, certainly, it is excellent for livestock. With dams we can have better and better livestock, livestock of the quality hon. Nthenge and hon. Kiliku have talked about.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, 80 per cent of our land does not receive adequate rainfall and, therefore, we must irrigate it. Let us copy the example of Israel, for example. Israel has done this to almost 100 per cent perfection, and, therefore, let us plan strategically; let us have strategic points where we can have these

dams constructed. I say "strategically" because we must also conserve the ecosystem of our land. We cannot totally block all the waters into dams without doing it in a scientific manner, without doing it in a manner which will allow the conservation of the ecosystem of our land. On this point, I am touching on the environment aspect.

The issue of the environmental, as you are aware, occupies a central role in economic development discussion today the world over. In constructing our dams, in blocking these rivers, it is imperative that we do all we can to ensure that the environment is enhanced. This requires scientists and people who have studied this particular subject to come up with the appropriate plans that we need.

At the moment, I can tell you what is happening. In my our constituency, for example, we gather together members of the community and, believe it or not, with our jembes and shovels, we dig up those dams in order to collect water for drinking and for our cattle. It is hardly enough for irrigation and, therefore, I can see this Motion touches on the factor which is at the basis of all these development issues, which is money. I can see here what we are basically saying is that more and more money should, indeed, be made available. There ought to be a programme, which is going to be worked out for the whole country, to enable us sink water pumps and have dams but all that requires money.

This Motion, in my view, does not envisage doing what we are calling for today or tomorrow, but we need to have a programme, the planning of it. That programme can begin immediately after we have passed this Motion here in this House, the planning of it. That is what we ought to do; we ought to have a time-frame. Indeed, I hope when the Minister responsible for Agriculture, Livestock Development and Marketing, is going to give his response, a Ministerial response. I hope he will come up with some time-frame, or a mention, at least, that we are going to have a programme for damming all the rivers, a programme which will be entrenched in all future Budgets for that matter. Here, we are talking about money and budgets. It is all very well for us to pass Motions here, but I would like to remind my colleagues that we have just passed the Budget and it will be almost impossible to expect the Government to provide these facilities here and now.

All I am saying is, if we can do the planning and provide some money, at least in the Supplementary Budget and in successive Budgets, that will be a practical of implementing Motions like this one. Indeed, many times, the Government has, for example, been accused of Motions having been passed, but not necessarily implemented, and the constraint has been lack of funds. What we need to do is to ensure what we have passed here for implementation is appropriately taken into account in the budgetary processes by the Ministers and the Permanent Secretaries. I hope the Minister in charge is here listening to this, and I can only agree that this way we will, at least, reduce the unemployment problem.

Indeed, we know we have a lot of unemployment in the country, and we know today that, at least 60 per cent, if not more, of those employed, are employed in agriculture. So, to that extent, it is imperative that more and more money is sunk into this developmental aspect of damming rivers and, indeed, making sure that not only have we dammed rivers, but we should also look into ways and means of harvesting water from other facilities like roofs.

Mr Temporary Deputy Speaker, Sir, I support.

**Mr. Achieng'-Oneko:** Mr Temporary Deputy Speaker, Sir, this, in fact, is a very important Motion, but before I say anything I would like to only quote two lines of this Motion that say:-

"Since most of the land in Kenya is not used due to lack of water, yet Kenya supplies plenty of water to Lake Victoria and Indian Ocean---"

Mr Temporary Deputy Speaker, Sir, I do not think it is really prudent at this stage just to talk politics about water because water is life, and all of us need water for our lives. I am happy that the Government shows some willingness to support the Motion. But supporting the Motion alone is not enough, we would like to see that the Motion is put into motion, so that we start certain projects to help the country. We say that funds are not available, funds will be obtained from such projects when dams are built, water is harnessed, and water is not wasted because the people themselves will be engaged in the promotion of these projects.

Today, one can accuse the Government for having not taken interest in harnessing water and water is being wasted, and the Government can easily and properly be accused of encouraging unemployment in the country. What I am saying is that one way of creating employment opportunities is to harness water resources, so that we avoid people coming to towns or urban areas to look for jobs which are not available. That is an important thing that the Government can do.

We also talk of soil erosion. When we talk about soil erosion, we are talking about water going to waste into the Indian Ocean and the Mediterranean Sea. This water is not useful to anybody, yet part of the water going to the Mediterranean Sea comes from Kenyans.

We have also to consider the population. At one time, we did not care that water was going to Uganda or the Mediterranean Sea. But now, with the population growth in Kenya going up, we must take the issue very

seriously because the population must be fed. The population must feel confident that their Government and the country is taking care of them, and creating job opportunities for them. But we are quiet on this. We should compare our present government with the colonial Government which, in fact, used methods which were objectionable like forcing people to do soil erosion without explaining to them the need to prevent soil erosion. As a result, people refused to obey the order the colonial people gave at that time. But it is high time now the Government used influence and even held seminars to train the people and show them how to start, first of all, initiating certain projects to protect soil erosion in the country. Funds will accrue from those projects which are initiated by the Government. We have seen examples of irrigation schemes in Kenya. We have seen them in Mwea and Ahero, where irrigation is taking care of very big populations. If we did not use that water which goes into Lake Victoria, the people of Ahero would have suffered because of floods. They are suffering now, and it is high time the Government took action to help people working in such irrigation schemes and, more particularly, along Lake Victoria. The Minister for Labour must support me very strongly on this because we are the people who live on the shores of Lake Victoria, and yet we have no water. We have no water even for drinking. We have no clean water. We have no water for irrigation. We have no water for dams for our animals. We have no milk just because the place remains dry throughout the year.

So, here, the Government must be readily available to assist the country, and I am happy that the Government may not come up with an amendment to this Motion. I would even have liked to include the element of soil erosion in this Motion. But all the same, when we talk about creating dams, we talk about soil erosion as well. Soil erosion must be discouraged. I have seen in some areas in the country, where soil erosion is just taken as something of no concern.

We must emphasise these things and harness water from rivers. But it is a pity that we are also destroying resources. Some people are building their houses and homes on the river falls, and even catching fish.

On this, we should work together, and the Opposition is quite prepared to work together to see that we create job opportunities, and when there is a scheme like the one proposed, they will be ready to assist. But the Government is slowing its pace because it is not caring for the wananchi. This is why we are urging the Government, through this particular Motion, to ensure that something is done. Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

**The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi):** Mr. Temporary Deputy Speaker, Sir, I beg to respond on behalf of the Ministry.

This is a very important Motion which will meet the needs and aspirations of Kenyans. The sentiments expressed in this Motion are very important because water is life. In Latin, it is *aqua vitae*. Where there is no water, there is no biological life.

The Ministry is in full agreement with the Motion, and indeed, with the whole Government. The Government recognises that water resources for development in various aspects of our economy, that is for domestic, livestock and irrigation purposes are crucial to agricultural development, particularly in arid and semi-arid areas. The Ministry of Agriculture, Livestock Development and Marketing is mandated to open up and develop agricultural land through various means.

First of all, that can be achieved by bush clearing, levelling, establishment of firm roads, soil conservation structure and establishment of earth dams of capacities of up to one million gallons of water, or dams with walls of up to seven meters high, for the purposes of storing water as water reservoirs along river basins, and also creating water storage holes to tap surface water in various places. In this regard, the Ministry is working closely with the Department of Water Development and the Office of the President, through the Drought Recovery Programme, to construct medium and small dams all over the country. This is an undertaking which involves expensive equipment, whose availability is limited by the state of the economy.

Nevertheless, construction of dams has started in various parts of the country; and mainly, to mention a few, in Wajir District, Mukogodo in Laikipia District, Makueni, Mwingi, Kitui, Kajiado, Narok, Baringo, Kwale and Homa Bay Districts among others with the aim of providing water for small-scale irrigation, livestock development and domestic use. This is good information for hon. Kiliku who had claimed that Ukambani is not benefiting. Indeed, the Government is doing a lot to assist all those other areas.

**Mr. Kiliku:** On a point of order Mr. Temporary Deputy Speaker, Sir. The Assistant Minister is misleading the House. These are the projects undertaken by the Government to provide drinking water! I talked about water for irrigation for these semi-arid areas not these small, political projects.

**The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi):** We are talking about the availability of water for all types of uses and this is a justification that the Government is mindful of the welfare of all the people of Kenya and does not discriminate; neither does it exploit the people for any ill motives. During this financial year, 1995/96, the Ministry has planned to construct some 300 small dams and

boreholes throughout the country. This shows the determination which the Government has in taking water nearer to the people if not to their houses as envisaged in past policy documents. The Ministry's capability to construct dams is, however, limited by the unavailability of adequate machinery. Currently, the Ministry has got 25 bulldozers and if the dams have to have any impact in all areas, and in all ASAL districts, there is need for the Ministry to acquire an additional 115 bulldozers. Bulldozers are very expensive and the Government is doing its best to seek financial assistance from donors and other bilateral friendly countries. Indeed, the Government is ahead in trying to provide water for the people of this country within the limits of our economy. The Ministry's capability to construct dams, of course, requires assistance. In addition, the services of the Ministries concerned need to be supplemented, of course, by various bodies, international donor agencies, NGOs and other organizations if water supply is to be stepped up in all needy parts of the country. In this case we need the goodwill of everybody. We need positive thinking from all the leaders in order to attract support from outside.

Sometimes we damage this support and goodwill from donors and other foreign countries by projecting a bad image of this country by not supporting the Government so that when we need assistance, that assistance would be forthcoming! Sometimes we are the ones who inhibit that support from outside by not loving this country; by not constructively providing support for the people and the Government. When hon. Members talk of *wizi*, that is, indeed, the negative way of attracting support and at the end of the day, the same leaders complain that the Government is doing nothing for them, and yet they are the ones who have curtailed that support! We have to be honest and frank! If you are for the people, you must work for the people, support them and seek assistance for them. But to damage the image of this Government because you hope to lead one day is not serving the people.

**Mr. Mathenge:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to use Opposition as a scapegoat for the Governments' failure to do its own work?

**The Assistant Minister for Agriculture, Livestock Development and Marketing** (Dr. Misoi): I have not talked about the Opposition. In order to implement these programmes, we need more funds on a revolving basis so that the Ministry's agricultural mechanization service can do the following: Acquire additional bulldozers to run and maintain mechanization services effectively and also de-silt dams which have been filled by soil erosion process. In addition, the Department of Water Development in the Ministry of Land Reclamation, Regional and Water Development is also playing its part and is responsible for the construction of dams in addition to those under the Ministry of Agriculture, Livestock Development and Marketing for various purposes, urban and rural water supply systems, large scale irrigations and also those other dams which are used for generating power. The Ministry has got elaborate plans to provide water so long as we get sufficient funds to do the same.

There is another aspect which is very important. There is need for better management of existing irrigation programmes by having adequate technical personnel, adequate supply of spare parts and continuous maintenance of the equipment. Unless that is done, then it is in vain that we have water projects and irrigation programmes which do not work and which are very expensive. It is also very important that we, as leaders, encourage our people - I am happy that previous speakers have expressed the same sentiments - to team up and work together to identify areas where water can be stored however small it is. Hon. Keah mentioned that they use hoes and various tools to excavate water storage areas not only to tap surface water and collect and store roof water. We have so much water in this country that if we were to use all the available techniques and means to tap the same, we would not be having an out cry, particularly in getting water for domestic use and other uses in our farms.

The other aspect, which is very important, is water catchment areas, water basins, the dams themselves and where water is being stored. Soil erosion is a first class enemy of water dams because unless that is taken care of, sooner or later the dams will be filled up with soil. They will be silted and their capacity to store water will be lost. To reconstruct or de-silt them, it would require much more money than the money you would spend on building new dams.

Mr. Temporary Deputy Speaker, Sir, it is, therefore, important that the people are informed and given awareness to ensure that wherever dams exist they are used in a rational way so that livestock traffic is reduced; water drinking areas should be established on the edges of the dams so that the soil is not pushed to the dams. At the moment, there are so many dams which are non-functional because of this process. We request also that we get more funds to acquire machinery which can do de-silting. We need to plant also protective plants of suitable species around the dams. We need to fence the dams to prevent possible routes for their destruction and contamination. This is because we are not only talking about water; we are talking about water which is clean, portable and which can be used for a variety of uses. So, its protection is very important.

Mr. Temporary Deputy Speaker, Sir, having said that, I would like, finally, to say that the Ministry fully

supports this Motion and the only call I would like to make to hon. Members and leaders in this country and, particularly Members from the Opposition, is to use their good offices to attract more support for this country.

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

**Mr. Muite:** I thank you, Mr. Temporary Deputy Speaker, Sir. Both Dr. Misoi and hon. Keah have touched on the issue of donor aid, including asking hon. Members of the Opposition to do what they can to ensure that donor aid continues coming. One notices misconception on the purpose or objective of donor aid. Donor aid is not supposed to be a permanent feature. Aid is only meant to assist a country to be self-reliant. What is happening to this country is that we have developed an aid-dependence syndrome. Thirty-two years after Independence, we should not require donor aid, if we had our priorities right. What we do is that, we use that donor aid corruptly; we steal it. What we do not steal---

**The Assistant Minister for Agriculture, Livestock Development and Marketing** (Dr. Misoi): On a point of order Mr. Temporary Deputy Speaker, Sir.

**Mr. Muite:** It is only 10 minutes!

**The Assistant Minister for Agriculture, Livestock Development and Marketing** (Dr. Misoi): Mr. Temporary Deputy Speaker, Sir, is it in order for hon. Muite to tell us that we do not need donor aid when the British Government aided a project in his own constituency the other day. Is he not misleading the House?

**The Temporary Deputy Speaker** (Dr. Ombaka): That is not a point of order Dr. Misoi!

Proceed, Mr. Muite.

**Mr. Muite:** I thank you, Mr. Temporary Deputy Speaker, Sir. What we do not put into corrupt use when we receive this donor aid, we use it incompetently and what we do not use incompetently, we put into the wrong priorities. What I am saying is that if we had our priorities right, five years would be enough to turn the economy of this nation completely round and to make every man and woman in this country live in dignity and free from want; with employment, enough food, clean water and with all these things. When I mention about priorities, this Motion is a very good demonstration of what the priorities should be.

We do not need a Turkwel Dam. What this country needs are small dams in the arid and semi-arid areas to irrigate 1,000, 2,000 hectares of land in different places. East of Nairobi, between Nairobi and the Coast Province, the soil is rich and on it can grow anything that one wants to grow. The only thing that is not available is water. So, instead of constructing the Eldoret Airport that is going to cost a lot of money, which is not being given free, we have to repay this money, why do we not create the wealth first by constructing these dams and encouraging people to grow oranges or anything they want to grow?

Mr. Temporary Deputy Speaker, Sir, the other day, I was speaking to some Israeli friends of mine, and they said that when they look at some parts of Kenya like Ukambani, they really feel like crying. There is no comparison between what we call arid and semi-arid areas in Kenya and Israel. They told me that when they go round the City of Nairobi, and they see heaps and heaps of refuse with Kenyans passing by holding their noses, they feel like crying because they tell me that is money. In Israel, that is what is grabbed. Instead of grabbing public land, they grab this refuse. This is what they go and put on what they call "the desert". They cannot get enough refuse but the little they get they put it in the arid areas and deserts. They have got the technology of putting some chemicals and that refuse turns into a very good manure within no time. That is where they grow the oranges that they even now export to Kenya. What an embarrassment! We are the ones who should be exporting first class quality oranges, if we had our priorities right.

Mr. Temporary Deputy Speaker, Sir, if the hon. Assistant Minister goes back to the archives in the Ministry of Agriculture, Livestock Development and Marketing, he will find a study that was done here in Kenya in 1948 that recommended construction of these small dams. By sheer coincidence that study was in 1948. It is about the same time that the State of Israel was being created and when it was created, the first thing that the Government did was to pass a law directing those who were involved in the construction of buildings on where they were to put the debris that remained after any demolition of the old building, or the *takataka* that remains when a building is either demolished or constructed. They passed a law saying that debris had to be dumped in a particular area and it was being dumped in those areas where they wanted to create water catchment areas in the valleys. So, they had a very easy way of constructing dams because in terms of technology, all that they did after that was to take the engineers and the bulldozers and what have you and construct dams in a very easy manner.

So, these things can be done and what we require, Mr. Temporary Deputy Speaker, Sir, is technology to come to this nation. Nothing is more important than the construction of these small dams because 60-70 percent of our economy is based on agriculture and yet we are not self-reliant. Horticulture in this country can overtake coffee and tea in terms of foreign exchange earnings. When we talk about the rule of law and democratisation it is not an end in itself; it is because we recognise the nexus between a democratic setting and economic

development. The end result of democratisation, is to ensure that no man or woman will leave university here and stay without a job. We want economic development; at the end of the day this is what matters. So let us get our priorities right now; let us spend money in order to create income-generating projects. Let us not go and borrow money and construct a huge pipeline from Mt. Kimilimanjaro intended to provide water to the whole of Ukambani and when it gets near Athi River it is diverted in order to go and irrigate roses by one individual Kenyan who then exports those roses and keeps the profit. The water that should have gone to Ukambani did not go there but went into growing roses here is Athi River.

With those few remarks, I beg to support.

**Mr. Shidiye:** Mr. Deputy Speaker, Sir, thank you for giving me this chance to contribute in this Motion.

The crisis of 21st century will be water. It will not be oil or any other thing but it will be water. Water is a precious resource and it is life. If we are not going to harness water properly then we will be in a deep crisis of water in the 21st century. Mr. Temporary Deputy Speaker, Sir, I would like to support this Motion because it is intended to help the majority of Kenyans who are unemployed, and who live in arid and semi-arid areas. Today, less than 20 per cent of Kenya is arable land; the rest of the land is either arid or semi-arid. It means that water has to be used in irrigating this land to make it more viable, and make the existence of Kenyans more meaningful.

As I am contributing now, the region which used to be called North Frontier District (NFD) is an area that is facing a water crisis much more worse than in any other place. Irrigation schemes need to be established in areas such as Marsabit, Moyale, Garissa, Wajir and Samburu. All these areas are dry. There is no one single irrigation scheme in this area, even though River Tana passes through Garissa. We do not have even one irrigation scheme. There was one pilot project started by the Agricultural Development Corporation (ADC), but it never took off from the ground. This was because mismanagement cropped in and the whole project collapsed.

Mr. Temporary Deputy Speaker, Sir, as I speak today, the people who depend on livestock as their means of livelihood are very poor, and they are at the mercy of the NGOs, which provide them with relief food. They are also at the mercy of the Government which has been trying to provide them with food handouts. One cannot feed somebody with handouts because he will reduce him to a dependant. It becomes very vicious; today you give him some food and tomorrow he comes back on an empty stomach. You cannot help people by giving them handouts.

As the saying goes, you should help somebody to fish rather than give him fish. This area requires Marshal Plan. For example, after the Second World War when most of the European countries were collapsing, the British Government came with the Marshal Plan to help those countries. We require a Marshal Plan for these areas if we have to develop and forge ahead and have a meaningful life and compete with the rest of Kenyans. Dams which were built at Independence in 1960s and 1970s have all been silted. When it rains there is no water in them. The dams can only be used for three to four days and then they dry up. Similarly, the boreholes are caving in because they are old and there are no stand-by generators. The few generators which are there are poorly maintained.

Once a borehole collapses, it means that the lives of people and livestock are in danger. For example, instead of having an oil pipeline from Mombasa to Eldoret or to Kisumu, why do we not have a water pipeline from Lake Victoria which goes directly to the people in the North-Eastern Province and other dry parts of this country by gravity? That place has a gentle gradient, and when water is pumped up from the lake, it will flow gently and will be sufficient for us to grow food.

As it is today, Kenya has become a net importer of food; we import rice, sugar, and very soon we might see a situation where we might import coffee. It is going to be a very grave concern for this country. We have very fertile soil and somebody even said that if you put your finger into Kenyan soil it might even grow. The soil is so fertile. When we have such fertile soils, I do not see why we continue to import foodstuffs or beg for them.

European countries have surplus food. For example, Canada dumps billions of metric tonnes of food. When our country goes for that food we are given it freely and sometimes we have to pay for it, and by doing so we kill our agriculture which is the most important thing. You are dealing with the lives of Kenya and if you start importing food, the farmer who grows maize, rice or sugar will find that he cannot compete with that food grain which has been provided freely. When you get that food freely it means that a bag of maize will cost about Kshs.300 because it is only the transport cost that you will be supposed to meet. The cost of production in our country is so high that the farmers can only sell a bag of maize at Kshs.1,200 to break even. This means that in the next season these farmers will not grow this maize and the vicious circle continues. We go back to the Government and NGOs asking for food and then we have newspaper headlines saying that Kenyans have food shortage. This is what we have to fight against. This culture of begging must come to an end if we have to be a



proud nation.

I would like to touch on a situation in Garissa for example. There is a river that passes near by but all the taps are dry. We do not have water and even the Minister for Water Development is also using a donkey to fetch water to his home. So you can imagine how grave the situation is? This is happening when the river passes near Garissa Town. There are no irrigation schemes, all taps are dry and the people use untreated water. This untreated water has caused diarrhoea, typhoid and so many lives have been lost as a result of lack of water, yet there is water. We have water everywhere but there is not a single drop in the taps. This is a real grave situation, and it needs the attention of the Ministry.

The Ministry of Agriculture, Livestock Development and Marketing has sidelined the lives of farmers. We used to have the Ministry of Livestock Development. I have found that the Ministry of Agriculture, Livestock Development and Marketing cannot help the livestock farmers. We, livestock farmers, cannot be forced into crop growing.

The other area I want to touch on is communal land, where land is jointly used by people and then we often have skirmishes. The grazing rights of others are violated and you find people fighting for water points and so on. It is high time the Government did something meaningful for these people; it is high time we supplemented nomadism and pastoralism by introducing farming systems through which the people themselves are taught skills to grow maize that can withstand drought. Such arrangements can help them to lead meaningful lives so that they can take their children to school. As it is today, most of the nomads do not take their children to school. That is really negative for this country. We want to invest in human beings by educating Kenyans and forging ahead because we all are partners in development of in this country. We do not want to lag behind. The best you will see of a Maasai or a Samburu today is a watchman, a man with a rungu standing in front of his master. We do not want to have only such people. We want people who can share resources with the rest of Kenyans.

**Prof. Muga:** Thank you, Mr. Temporary Deputy Speaker, Sir. This is one of the most important Motions that can ever come to this House, and I will say why. Every country has got what it calls its key to sustainable development and I do not agree with my friend, the Assistant Minister for Agriculture, Livestock Development and Marketing, Dr. Misoi, when he says that we should focus our attention on development. That is an understatement from an Assistant Minister. He should say that we should focus our attention on sustainable development because we may develop for two days, one year, three years or ten years, but then the water resources that we are talking about will still need to be tapped. What I am trying to emphasise is the significance of planning of future for the future of Kenya. I can see he is bolting out, but I will go on.

*(Dr. Misoi left the Chamber)*

We have been going on with cosmetic planning and not fundamental planning. Fundamental planning must focus its attention on what is central to the whole planning and development process. Every country must have a clear conceptualisation of its ideals. The planners of this country's future must tell us the ideal Kenya they are looking for and what kind of Kenya they want in terms of development. Every country has got its ideals, depending on the character of its resource base and the character of its population. Kenya's resource base is very fragile. Kenya is 78 per cent arid or semi arid today. In 1963 Kenya was 65 per cent arid or semi arid. Where has the extra 13 per cent aridity and semi-aridity come from since Independence? That has been due to mismanagement and understatement of the situation.

Mr. Temporary Deputy Speaker, Sir, we want an insurance policy for the country. An insurance policy, not for the individual, nor for a Government, but an insurance policy for the nation, that its tomorrow will be better than was yesterday. One way of ensuring that Kenya's tomorrow will be better than yesterday, is to have a systematic management of the water resources. We cannot continue as a nation of international beggars, going with a begging basket to the door of every other donor nation. Even donors get tired. I am trying to say this in a few words: Let there be a systematic and definite policy of planning fundamentally on the basis of water resources. If we are going to have that, then we shall not focus our attention on the wet 22 per cent of Kenya, but on the semi-arid and arid 78 per cent. There is no miracle that will help us. There was no miracle which helped Israel, Egypt, Libya, Ngoubi Desert and Outer Mongolia, Southern Island of New Zealand, Western United States or the Thar Desert and Hindus Valley. There was no miracle, but human attention focused on water. These are areas which are now living vineyards. Go to the Hindus Valley; look at the Pakistani side; go to the Thar Desert of India; look at the Indian side; go to Australia and you will be amazed. I am speaking from knowledge since I got my PhD degree from there. That is a desert area. So, I know what can happen; you can change a desert into a vineyard, and I took that line specifically because Kenya is arid or semi arid.

So, when I said that water is central to the sustainable management of this country, I expected Dr. Misoi, in his reply, not to give us pedestrian answers, but rather fundamental answers, in this sense: How far are they going to shift Government policy to focus on water? What he was telling us was about subsidiary and little projects. We want a fundamental policy from which stem all the other management projects centred on water. What I am trying to say is: In Kenya, if we properly manage water, we should have three types of irrigation suitable for Turkana, Garissa, Wajir, Isiolo and other places. There is also what is called "supplementary irrigation" for the Coast, and then there is subsidiary irrigation for inner shore areas like Nyanza province. If this country is to come out of the begging vicious cycle, then this Government must come out of its vicious cycle of thinking. Let it inject new blood. If it cannot get it from outside, there are enough Kenyans who can put that new blood into the thinking out fundamental planning for this country based on the fundamental problems. The fundamental problem of this country is lack of attention to water, not lack of water. There is enough of water, but there is lack of attention on how to distribute water.

Mr. Temporary Deputy Speaker, Sir, I am trying to say that we need a fundamental change in policy. It is bad that we focus donor attention on new problems. The donors are tired of giving the same aid and yet they do not see a chance that the future is going to be better. Let us approach the 21st century with new focus. Let me give a few figures. Today, Nyanza Province is only producing 25 per cent of what it ought to produce if only Lake Victoria was used for supplementary and subsidiary irrigation. Today, the Coast is producing only 20 per cent of what it could produce from arable land and pastoral production. Today, if we leave out Uasin Gishu, Kericho, Nandi and Trans Nzoia, and consider Baringo, Turkana, West Pokot, Narok and Kajiado Districts, Rift Valley is only giving 30 per cent of its potential production. North Eastern is giving less than 10 per cent of what it could produce, and I could go on. In short, in terms of agricultural production at our stage of development, Kenya as whole is producing only about 15-20 per cent of its potential production.

**An hon. Member:** What about figures for Central Province?

**Prof. Muga:** I am sorry I do not have the figures here for Central Province. In terms of pastoral production, it is only about 30 per cent.

We are talking of water catchment. We could increase our water catchment by conserving it in small dams. If we do not know how to do it, let us go to India for refresher courses. Let us visit Australia, which has changed a desert into a vineyard, or to Israel, which gives aid to Kenya. It is a shame. The equivalent of one province of Kenya is giving aid to Kenya. This is a very serious issue. We should change our conceptualisation of Kenya's central problems. The problem centres on water, not on how to share the limited available fertile land. I am trying to say that if we did this, we would change the map of Kenya, and in every province there would be a change. We need to introduce what we call centre of gravity of production in every province by changing the spread of available water. We cannot expand the borders of Kenya, but we can expand the borders of productive Kenya. We can increase the productivity per unit area by far. What hon. Shidiye has been saying is so important. There is no way you can end banditry in the dry areas of Kenya. Is it a miracle that bandits are found only in the dry lands of Kenya? They are hungry and have no means of subsistence. The way to rehabilitate them is to rehabilitate the land where they live.

Mr. Temporary Deputy Speaker, Sir, let us go on with a systematic management of the water budget, not only in the river valleys, but also in the catchment regions as a whole. Let us move away from pedestrian approach to something fundamental. This Parliament should go down in history as having forced this Government to change its attention from pedestrian approach to fundamental approach. This is a topic on which we can speak for a long time.

But I am ending my contribution by saying that we should have new aggro-based industries, diversification of production and we should export other things in addition to coffee and tea. Let us have an insurance policy for Kenya's tomorrow. Let us stay in a Parliament which can give hope to our people. Let it be a Parliament which passes a Motion like this one and urges the Government to implement it year after year, not in one day, but as the fulcrum of its development efforts.

With those wards, I really stress my point.

**The Assistant Minister for Education (Mr. Komora):** Thank you, Mr. Temporary Deputy Speaker, Sir.

I am standing to thank Mr. Nthenge for this Motion, which is very important. We in Kenya have water in our rivers, lakes, underground and on our roofs. Each House has a roof and each roof is a source of water. We have water in the sea and Kenya is blessed to have a coastline which is 480 kilometres long, and has 200 miles of right into the sea. We have such a huge mass of water that we should be able actually to do wonderful things with our water.

Water is life and if we want to survive as a nation we must conserve water and harvest it. Water is a source of food because not only does it provide means for agricultural production but also provides for the survival

of fish. Each water pond, lake and storage tank can provide fish. We can farm fish in each of them for fish is a major source of proteins. So, we can make our lives much better both in rural areas and in towns. Here in Nairobi people can have fish ponds fed with water from their own roofs, if they make sure that they have water tanks to provide water to the fish ponds.

We have a major challenge of unemployment for our masses of educated youth. As I stand here we have about six million youths in our educational institutions, and they all hope for employment. Agriculture is the major potential source of employment for the majority of our people. Secondly, if we are to embark on serious and effective industrialisation we must develop our agriculture. This is because we can see that all industrialised countries have their agricultural sectors thoroughly developed and managed. Go to France, United States of America, Japan, India and every other place where a country is industrialised, and you will find that agriculture has been given a first priority. And the source of water. The Government has done a lot as far as damming is concerned, as the Minister for Agriculture said. The Minister for Land Reclamation, Regional and Water Development can say more about the damming processes that have taken place. However, we have only touched a small tip of the iceberg.

We have a major programme which we have not embarked on. I have in mind the example of the Tana River Basin. There is an hon. Member here who stood up and pretended to speak for the Tana River people when we have been elected by the Tana River people to stand here and speak for them. There are those who stand here and speak without doing anything in Tana River district. Today, we are here and we are speaking within the Government and in this House for Tana River people. Tana River is a major source of water in this country. We are grateful that the Government has started a very major project to harness the Tana River water by providing major dams for electrification of this country, but there is one important area which has not been given attention and it is now causing a major problem.

I believe the Minister for Agriculture, Livestock Development and Marketing is here and if he is, he should note this: We have started damming the major water source, that is the river itself, but we have forgotten that the river has got a number of seasonal streams which come from other parts of the country, particularly, Ukambani. I am not mentioning Ukambani because of hon. Kiliku but simply because it is a geographical factor that a lot of seasonal streams get to the Tana River Basin through the Yatta Plateau and other areas in the Kenyan highlands. These major streams are very important. They have been a source of conservation of water and they have not been touched. We have the Hirimani, the Galole, the Kokani and the Lagabona streams. These are major seasonal water streams which pour water into the Tana River Basin and they have not been dammed. The effect of the damming of the major river has been to reduce the flood level of the Tana River Basin proper and, therefore, reduce the area of growth for pasture and agriculture. What is happening is that the inland areas, which used to grow grass for pasture, no longer grow any grass because all these areas are now dry due to the damming upstream. It is now imperative for the Government to dam the seasonal streams I have mentioned in order to conserve water in those areas so that pastoralists can survive there and develop the land and grow more food.

Mr. Temporary Deputy Speaker, Sir, in addition to what has happened, we cannot ignore one factor, that of management. This factor is very important. Even if we undertake these programmes of damming all our rivers and streams, sink boreholes, and even obtain water from the sea, management is paramount. I do not have to go far to illustrate this. Go to Bura, look at the amount of money that has been "poured" into Bura and see what happened there for lack of proper management. You can see what has happened to other irrigations schemes like Galole. So, I would like to point out seriously to the Minister for Agriculture, Livestock Development and Marketing, and the other Ministers concerned that, while we are embarking on this paramount and imperative water programme for conservation and harvesting of our water, we need to be very serious with the management of such programmes. We should train our managers all over the place and provide proper supervision.

Mr. Temporary Deputy Speaker, Sir, in this country, we have hardly touched the water supply under the ground. We have not touched this water and, in some places where there are no rivers, surely, it makes more sense to look for water underground by sinking boreholes in such places than to consider transporting water for miles and miles with pipes which are too expensive and, in most cases, may not be available. I think there should be a national programme for water conservation and water harvesting so that our people can get enough water.

Mr. Temporary Deputy Speaker, Sir, it is important that the Ministries concerned should get involved in this exercise to make sure that there is adequate provision of funds and training facilities for our people to be trained and given opportunities for training. If it were possible all people building houses in the rural areas should be compelled by law to make sure that they construct water tanks so as to tap rain water from the roofs of their houses. If this provision is met in the construction industry, it will help, so that whoever is putting up a school, a

health centre or a house instals a water tank for collecting water from the roofs of these buildings. In this way pressure for water would be reduced. I believe that if there is any Motion that should be taken seriously by the authorities, it is this one. If there is a joint venture between the Opposition and the Government this problem of water would be reduced. We should join hands and support this Motion and make sure that our deliberations are implemented.

With those few remarks, I beg to support.

**The Temporary Deputy Speaker** (Dr. Ombaka): Prof. Mzee, I will give you four minutes unless Mr. Nthenge gives you some more time.

**Prof. Mzee:** Nakushukuru sana Bw. Naibu Spika wa Muda kwa kunipa nafasi hii ili niseme machache kuhusu Hoja hii. Kabla sijazungumza sana ningependa kusema jambo moja. Hii Serikali yetu ni ya wanafiki. Hii ni wazi. Wamekubali kuunga mkono Hoja hii na katika nyoyo zao hawana nia yoyote ya kufanya lolote katika kusaidia nchi yetu kuhakiksha kwamba kuna mipango ya kutumia maji katika kunyunyizia mashamba maji kwa njia mbali mbali. Hii ni kuonyesha ya kuwa wao wanatafuta zile Hoja ambazo zinaweza kuwaumiza na kuziunga mkono bila ya kuwa na nia ya kufanya lolote kuhusu Hoja hizo.

Maji ni muhimu sana katika maisha ya binadamu. Binadamu hawezi kuishi bila maji. Katika nchi zote za ulimwengu nchi ambazo zimeendelea mbele katika ukulima ni nchi ambazo ni kavu, hata zile kavu zaidi kuliko Kenya. Nchi ambazo ni kavu lakini Mungu amezibariki katika maji ambayo inapita katika mito na maziwa ni nchi ambazo zimeendelea katika ukulima. Tukitazama nchi hizo, ya kwanza ni Israel, pili, Libya na tatu jimbo la California huko Marekani. Jimbo la California ni kavu sana lakini linalisha karibu Marekani nzima kwa kukuza mimea kwa njia ya kunyunyizia mashamba maji. Maji wanayotumia wakati wote yanatoka katika barafu inayoyeyuka katika milima ya California na kwa njia hii wanatoa mazao ya kilimo ambayo hulisha nchi nzima ya Marekani. Sisi katika Kenya, Mwenyezi Mungu ametubariki na maji. Tuna maji mengi sana. Hivi sasa nisimamapo hapa Mombasa imezungukwa na maji. Katika siku mbili zilizopita, mvua imenyeshwa nyingi ajabu. Magari na mali ya wananchi yamezama katika maji, lakini katika mifereji hakuna tone hata moja la maji. Mambo namna gani? Maji kila mahali, lakini hakuna hata tone moja katika maji wa Mombasa ambayo watu wanaweza kuyanywa! Hii ni kuonyesha kwamba Serikali hii haina mipango. Mombasa hivi sasa inapata asilimia 30 ya mahitaji yake ya maji. Hivi sasa, kila kitu kinafanya kazi; stima iko, boreholes hazijaharibika, mifereji haijapasuka lakini Mombasa inapata asilimia 30 ya maji.

Hiki ndicho kiasi cha maji ambacho tunapata. Hakuna maji katika Sabaki, Marere na Mzima Springs lakini kuna maji ya kutosha kuwezesha watu kuishi. Lakini Serikali haina mpango kwa hivi sasa wa kuwapatia watu kitu muhimu kama maji wakapata kuendesha maisha yao. Ni taabu na shida tu; Serikali imeona ni bora zaidi kujenga uwanja wa ndege Eldoret. Imetumia mabilioni ya pesa kujenga uwanja wa ndege Eldoret, na kununua ndege kwa pesa za watu ambao wamelipa kodi, na hii ndege kuitwa "zawadi". Zawadi gani? Hakuna zawadi! Kuna ajenda, na kuna mipango. Kwa nini mkanunua ndege na kujenga uwanja wa ndege ndege? Mnataka kukimbia nje Kenya yetu ikiharibika; kutoka huko Eldoret? Hebu twambieni, mipango gani mliyo nayo ya kujenga uwanja wa ndege na kuwa na ndege? Kwa wakati huu ambapo wananchi katika Kenya wanalia hawana pesa za kutosha za kuendesha maisha yao, hawana kitoweo, hawana chakula, na nyinyi mnatafuta mambo mengine.

Kwa hayo machache, naunga mkono.

**Mr. Nthenge:** Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi. Kwanza, nawashukuru---

**The Assistant Minister for Commerce and Industry** (Mr. Osogo): On a point of order, Mr. Temporary Deputy Speaker, Sir. In view of the fact that the Mover is supposed to reply for ten minutes and there are only four minutes left and the next Order will not be called, will it not be in order that we are given four minutes before he replies?

**The Temporary Deputy Speaker** (Dr. Ombaka): That is not a point of order, hon. Osogo.

**Mr. Nthenge:** Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa hii nafasi mara ya pili. Mimi nawashukuru wote mliohusika na hii Hoja. Hoja hii ni ya tangu 1961; nimeileta wakati mwingine, lakini kila mara naambiwa: "Nthenge, mawazo yako si mabaya lakini hayawezekani." Mimi nawaambia kama wafanyikazi wa Serikali wakitaka tuzungumze waje waniite, na nitawapa wazo langu. Na mimi nimefurahi sana kuwa hakuna mtu aliyepinga Hoja hii. Hii Hoja inataka kitu rahisi sana. Tunapata maji mengi ya mvua, na tunayahitaji yale maji ya mvua. Sasa tutapanga mpango gani ili haya maji yetu ya mvua yasiende baharini, wala maziwani kabla hatujayatumia? Si kwamba nasema yasiende baharini, wala sisemi yaziende katika maziwa; nisemalo ni kwamba tutumie haya maji, halafu yatakyobaki yaende baharini. Nia yangu ni hiyo tu, na wanadamu wote wa Kenya, wote wanaotafuta kazi, watakuwa wanafanya kazi. Wengine watakuwa wajenzi wa mabwawa, na wengine watakuwa wanafanyakazi katika mahali pa kutoa stima. Wengine watakuwa wakulima, na mwisho watu

watakuwa wengi katika pande za kasikazini. Kama mlivyosikia, mtaalamu moja, Prof. Mzee, ambaye amesoma sana, ametuambia tulikuwa na asilimia 65 ukavu ya sehemu barani, na sasa tumefika asilimia 78. Hii ni kwa sababu hatuhusiki na kuyanasa maji tunayopewa na Mungu wakati wa mvua. Tutafanyaje tutayapangaji yasiptotee?

Twayaacha tu yakimbie, na mimi nisemalo ni hili, tuchukue haya maji, tuyazuie badala ya mto kuwa wa futi kumi, uwe wa futi mia moja.

**Mr. Kiliku:** On a point of order, Mr. Temporary Deputy Speaker, Sir. The Mover of this Motion moved it in English, and he is now talking in Kiswahili. He is out of order; he should stick to that language!

**The Temporary Deputy Speaker (Dr. Ombaka):** The point of order in question is to Standing Order No.62:-

"All proceedings of the House shall be conducted either in Kiswahili or in English, provided that a Member who begins his speech in either of these languages shall continue in the same language until he concludes his speech".

Hon. Nthenge is on the second part; this is a new speech he is making and he is quite in order to proceed in Kiswahili.

**Mr. Nthenge:** Tuna maji na yanakuja, na nitakalo ni haya maji yakija wakati wa mvua tuyazuie kwa kupanua mito yetu. Badala ya mto kuwa wa upana wa futi kumi tuufanye wa futi mia moja ili kuzuia maji. Haya maji tutayachukua, tuyapeleke huku na kule, yaende yakafae wananchi walime, na matunda tutakapoyapata yatakuwa yanaliwa duniani kote. Hii ni kwa sababu nchi kavu ikikuza matunda hayaonjeki kwa utamu; papaya laonja kama chungwa, chungwa laonja kama asali na kadhalika.

Bw. Naibu Spika wa Muda, mimi nimewahi kupata nafasi ya kutembelea nchi ya Israeli. Nilialikwa mwaka wa 1961 na Serikali ya Israeli. Nilikwenda nchi kavu; yao si nchi kavu ila ni jangwa. Yao ni jangwa, na jangwa hilo wamelitengeneza sasa wanatuuzia chakula, hata machungwa wanaleta hapa na tunayanunua. Mimi najiuliza ikiwa tuna nchi kubwa kuliko wao, maji mengi kuliko wao, sasa kwa nini tuwe tunatoa chakula Israeli? Wafanyakazi hapa kwetu wana shida; karibu nusu ya watu nchini Kenya hawana kazi. Basi, nasema watu hao wasio na kazi, si tuzuie haya maji tuwape kazi? Tukiwapa kazi hawa watu watakuwa wanapata pesa, na tutawatoza kodi kulipia madeni yetu. Sasa tajiri akizidi kuwa tajiri ana shida? Hii ni kusema Serikali yetu itakuwa tajiri, na ikiwa tajiri, itawafaa watu wetu: Hospitali na shule zitakuwa nzuri na huenda hata tukasomeshwa mpaka vyuo vikuu bure.

Bw. Naibu Spika wa Muda, mpango wetu wa kutumia maji ndio mbaya, na mimi nataka uwe mzuri. Nisemalo ni hili, tuchukue wataalamu wa Kenya ambao wako, na ikiwa hawatoshi, tuulize nchi ya Israeli na kule kwengine tulipoambiwa na Professor Mzee, tuwalete hapa watuelimishie, watueleze vile itakavyowezekana. Kama ni maji, tunayo.

Mvua huja, lakini ikija tunaacha maji yanapotelea baharini; yanaingia Ziwa Victoria na hata kuwasumbua watu wa Kisumu. Halafu yale mengine yanakwenda yanasumbua watu wa Mkoa wa Pwani kabla ya kufika. Badala ya kuyaacha haya maji yakaenda kama ni kitu bure, si tuzuie? Pesa za kuyazuia tutakopa. Kwa sababu tutatengeneza pesa nyingi kwa kutuma chakula nje, tutaweza kulipa yale madeni.

Nimesikia watu wengi wakizungumza juu ya visima ambavyo hujaa maji. Mimi ni mwanasayansi lakini sina digrii. Lakini ninachowaambia ni kwamba, tukianza kufanya hivi tutapanda hata miwa na yale majani mengine yanayozuia mmomonyoko wa udongo. Hakutapatikana tena mmomonyoko wa udongo kwa sababu maji kama hayakimbii, hayabebi udongo. Lakini yakiachwa yaende kwa kasi kubwa, yanakwenda na mchanga wote. Kwa hivyo, italazimu maji yetu yawe yakienda pole pole, na hivyo tutakuwa pia tukitunza mchanga. Majani tutakayopanda tutakatia ng'ombe wetu. Tutakuwa na maziwa tele, na tukipata maziwa tele tutapata nyama tele, tutapata ngozi tele, viatu hapa vitakuwa rahisi, tutaazia dunia nzima viatu. Mimi nashangaa kwamba maji peke yake ni utajiri mkubwa tulionao.

Sisi tuna utajiri mara tatu, wanadamu ni wengi, mchanga ni mwingi na maji tunayo mengi. Bunge hili litakalopanga vile hivi vitu vitatu vitafanya kazi kiutaalamu. Mimi nikitoa Hoja hii au jambo hili katika Bunge, mara naambiwa labda najua sana inawezekana. Nimeona kwa macho yangu, na si mimi pekee yangu, kuna wengine hapa ambao wameenda Israeli. Kuna wengine wamekwenda nchi nyingine kavu, mpaka hata California. Watu wamekwenda wakaona

kwamba kunyunyizia mashamba kwaweza kumaliza njaa.

Sisi badala ya kuwa watu wa kuwapa wengine

chakula, tunaomba. Zamani, wakati wa utawala wa Mwingereza, tulikuwa watu wakupeana chakula. Sasa tangu tujitawale, tumekuwa watu wa kuomba chakula. Hii ni haibu gani? Tuna watu wa kulima, tuna ardhi ya kulima

na tuna maji. Lakini maji tumeyaacha yapotee. Mbona tumeacha maji yapotee? Akili kweli tunazo? Hatuna! Basi nisemalo ni hili: Nataka kila Mbunge afanye kitu. Sasa ninawatuma kidini. Wengi wetu tumemzoea Shetani sana mpaka hatumjali Mungu. Ninataka kuwatuma kila mmoja wenu aende kanisani, msikitini na popote na kutuombea. Sala kwa Mungu ziwe za kuondoa ile fikira kuhusu "mimi". Mara nyingi mtu hujiuliza "Nitapata faida gani". Hamwezi kujiuliza, "Tutapata nini sisi kama Wabunge, kama nchi na kama taifa". Fikiria taifa na uache kujifikiria wewe mwenyewe. Tukifikiri kama taifa, hatutachukua pesa kuzipeleka nje. Tutafanya kazi kama hii ya kuzuia maji ili yazipotee, tutafanya kazi ya kuzuia wanafunzi wasikose kazi, tutafanya kazi zote ambazo zinawafaa raia wote. Raia wote wakifaidika, hata wewe ni raia na utafaidika. Ikiwa hospitali ya kitaifa ya Kenyatta ni nzuri utalala huko na utatibiwa. Mama yako akiwa mgonjwa atatibiwa na hata mwenzako akiwa mgonjwa atatibiwa. Hakuna hospitali ambayo itakukataa. Lakini hospitali za umma ndizo mbaya, na ni watu wachache katika mia moja wanaoweza kwenda Hospitali ya Nairobi. Sasa tunajivunia nini? Hii ni kuonyesha hatufikiri.

Kwa hivyo ninawatuma nyote mwende mkaseme tuombewe na tugeuze nia zetu na tuanze kuifikiria nchi yetu, watu wetu, sisi zote badala ya kuwa na ubinafsi. Hii ni kwa sababu wengine wangiambia "Nthenge hii akili yote si ungaliitumia ili uwe tajiri peke yako?" Je, utajiri wa mimi peke yangu una nini? Tena hata nikifa, utajiri wote nitauacha hapa. Basi sisi hapa ambao tumechaguliwa, tumepewa heshima kubwa na kazi kubwa ili tuweze kuwafikiria wale wengine. Nataka jambo ili la maji mkaliombe kwa sababu maji yanaifaidi Kenya yote.

Bwana Naibu Spika wa Muda, kwa hayo machache, naomba kupendekeza.

*(Question put and agreed to)*

#### ADJOURNMENT

**The Temporary Deputy Speaker (Dr. Ombaka):** Hon. Members, the House stands adjourned until this afternoon, at 2.30 p.m.

The House rose at 12.30 p.m.